



Agenda  
Committee of Adjustment  
The Corporation of the City of Brampton

**Date:** Tuesday, February 16, 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](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](mailto:cityclerksoffice@brampton.ca)

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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-2021-0001**

TOP END CONSTRUCTION INC.

PART OF LOT 5, CONC. 5 WHS - 8917 HERITAGE ROAD (LOT A) - WARD 6

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.202 hectares (0.50 acres). The effect of the application is to create a new lot having frontage of approximately 15.12 metres (49.60 feet), a depth of approximately 34.28 metres (112.47 feet) and an area of approximately 0.52 hectares (0.13 acres). The proposed severed lot (**Lot A**) will be used for future residential development of a single detached dwelling. Concurrent consent application B-2021-0002.

6.2. **B-2021-0002**

TOP END CONSTRUCTION INC.

PART OF LOT 5, CONC. 5 WHS - 8917 HERITAGE ROAD (LOT B) - WARD 6

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.202 hectares (0.50 acres). The effect of the application is to create a new lot having frontage of approximately 15.12 metres (49.60 feet), a depth of approximately 34.28 metres (112.47 feet) and an area of approximately 0.52 hectares (0.13 acres). The proposed severed lot (**Lot B**) will be used for future residential development of a single detached dwelling. Concurrent consent application B-2021-0001.

7. DEFERRED CONSENT APPLICATIONS

8. NEW MINOR VARIANCE APPLICATIONS

8.1. A-2020-0116

MUHAMMAD AND KANEEZ AKRAM

LOT 8, PLAN A-12, 221 QUEEN STREET WEST - WARD 3

The applicants are requesting the following variances(s):

1. To permit a home occupation (law office) to occupy 26.9% of the gross floor area of the dwelling whereas the by-law limits the area associated with a home occupation to a maximum of 15% of the floor area of the dwelling;
2. To permit the rear yard to be paved for the purpose of parking whereas the by-law does not permit the rear yard to be paved for parking purposes;
3. To permit 0.0m of permeable landscaping along the interior side lot lines whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping between the extended driveway/parking area and the interior side lot lines.

**8.2. A-2020-0122**

SANA ISSA AND AMRO HAYEK

LOT 1, PLAN 43M-1822 - 42 CACHET CRESCENT - WARD 5

The applicants are requesting the following variance(s):

1. To permit an existing driveway width of 9.60m (31.50 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.);
2. To permit 0.0m of permeable landscaping between the driveway and side property line whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping along the side lot line.
3. To permit a proposed accessory structure (pool equipment/change room) to be located in the exterior side yard whereas the by-law does not permit an accessory structure to be located in the exterior side yard;
4. To permit an existing accessory structure (cabana) having a height of 3.30m (10.83 ft.) whereas the by-law permits a maximum height of 3.0m (9.84 ft.) for an accessory structure;
5. To permit an existing accessory structure (cabana) with a floor area of 32.34 sq. m (348.1sq. ft.) whereas the by-law permits an individual accessory structure to a maximum floor area of 15 sq. m (161.46 sq. ft.);
6. To permit a combined area of 43.48 sq. m (468 ft.) for two (2) accessory structures (gazebo and shed) whereas the by-law permits a maximum combined area of 20 sq. m (215.28 sq. ft.) for two (2) accessory structures;
7. To permit a swimming pool on a corner lot which extends into the exterior side yard and the defined triangular site line area whereas the by-law does not permit a swimming pool to extend into the exterior side yard or the defined triangular site line area when a corner lot abuts the side yard of an adjacent residential lot having habitable room on the front corner of the ground floor.

**8.3. A-2020-0162**

ARBOR MEMORIAL INC.

PART OF LOT 11, CONCESSION 2 WHS - 10061 CHINGUACOUSY ROAD - WARD 5

The applicant is requesting the following variance(s):

1. To permit the continued use of a portion of the property as a golf driving range for a temporary period of five (5) years whereas the by-law does not permit the use.

Note: A previous approval granted under Application A15-044 will expire on March 23, 2021.

**8.4. A-2020-0163**

RAVNEET GILL AND SAMANDEEP GILL

LOT 43, PLAN 43M-877 - 192 TORRANCE WOOD - WARD 4

The applicants are requesting the following variance(s):

1. To permit a below grade entrance to be located between the main wall of a dwelling and 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;
2. To permit an exterior side yard setback of 2.5m (8.20 ft.) to a below grade stairway leading to a below grade entrance in the required exterior side yard whereas the by-law requires a minimum exterior side yard setback of 3.0m (9.84 ft.).

**8.5. A-2020-0164**

BIKRAMJEET BAJWA AND PAWANJIT KAUR

LOT 167, PLAN M-2060 - 2 FASCINATION STREET - WARD 9

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.

**8.6. A-2020-0165**

DANIEL TIBURCIO AND CHERRY TANEGA

LOT 37, PLAN 43M-1825 - 34 PATHWAY DRIVE - WARD 5

The applicants are requesting the following variance(s):

1. To permit a proposed swimming pool on a corner lot, which extends into the exterior side yard and the defined triangular site line area prescribed by Section 10.7 whereas the by-law does not permit a swimming pool to extend into the exterior side yard or the defined triangular site line area when a corner lot abuts the side yard of an adjacent residential lot having a habitable room on the front corner of the ground floor;
2. To permit a proposed accessory building (pavilion/gazebo) having a gross floor area of 17.2 sq. m (185.14 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.

**8.7. A-2020-0166**

2300 NORTH PARK DRIVE GP INC.

LOT 9, CONCESSION 6 EHS - 2300 NORTH PARK DRIVE - WARD 10

The applicant is requesting the following variance(s):

1. To permit outside storage of oversized motor vehicles (fleet vehicles) whereas the by-law does not permit outside storage other than outside storage of stock and custom mobile offices and buildings.

**8.8. A-2020-0167**

RAJA RAEES NAWAZ AND NAHEED KOSER

PART OF LOT 5, CONCESSION 4 WHS - 8921 MISSISSAUGA ROAD - WARD 6

The applicants are requesting the following variance(s):

1. To permit a minimum lot width of 6.98 metres whereas the by-law requires a minimum lot width of 45 metres for lots having an area of 5 hectares or less;
2. To permit a building height of 12.0m (39.37 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.);
3. To permit a garage door height of 3.0m (9.84 ft.) whereas the by-law permits a maximum garage door height of 2.4m (7.87 ft.);

**8.9. A-2021-0001**

1337564 ONTARIO INC.

PART OF LOT 5, PLAN 154 - 1729 QUEEN STREET EAST - WARD 7

The applicant is requesting the following variance(s):

1. To vary Schedule "C" Section 386 of the by-law to permit an outside sales area from April 1 to October 31 each year until 2025, while providing 54 parking spaces whereas the by-law requires a minimum of 83 parking spaces;
2. To vary Schedule "C" Section 386 of the by-law to permit an 82.8 sq. m (891.25 sq. ft.) outside storage area at the rear southeast end of the building whereas the by-law does not permit outside storage;
3. To vary Schedule "C" Section 386 of the by-law to permit a 371.62 sq. m. (4000 sq. ft.) shade structure in the east side yard and a 71.35 sq. m. (768 sq. ft.) cashier tent in the front yard from April 1 to October 31 each year until 2025.

**8.10. A-2021-0002**

MONTEREY PARK INC.

PART OF BLOCK 4, PLAN 43M-766 - 15 FISHERMAN DRIVE, UNIT 12 & 13 -  
WARD 2

The applicant is requesting the following variance(s):

1. To permit a place of worship having an area of 438.44 square metres (Units 12 and 13) whereas the by-law limits the total gross floor area of an individual place of worship to 350 square metres;
2. To permit a total cumulative gross floor area devoted to all places of worship of 1061.54 square metres whereas the by-law limits the total combined gross floor area for all places of worship to 700 square metres.

**8.11. A-2021-0003**

HARINDER AND SUMANPREET GAHIR

PART OF LOT 6, CONCESSION 3 WHS - 9035 CREDITVIEW ROAD - WARD 5

The applicants are proposing a 3 storey elementary school and are requesting the following variance(s):

1. To permit a Day Nursery whereas the by-law does not permit a Day Nursery;
2. To permit a front yard setback of 6.2m (20.34 ft.) whereas the by-law requires a minimum front yard setback of 12.0m (39.37 ft.);
3. To permit a building height of 15.0m (49.21 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.).

**8.12. A-2021-0004**

FRANK AND KARLENE GASPER

LOT 185, PLAN 862 - 17 JEROME CRESCENT - WARD 8

The applicants are requesting the following variance(s):

1. To permit an interior side yard setback of 1.42m (4.66 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.) to the second storey;
2. To permit an interior side yard setback of 1.42m (4.66 ft.) to a proposed deck off the second storey whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.);
3. To permit a building height of 8.99m (29.50 ft.) whereas the by-law permits a maximum building height of 7.6m (24.94 ft.).

**9. DEFERRED MINOR VARIANCE APPLICATIONS**

**9.1. A-2020-0149**

**BALVINDER AND JAGDISH KAHLON**

LOT 50, PLAN M-850 - 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.);

**10. Other Business**

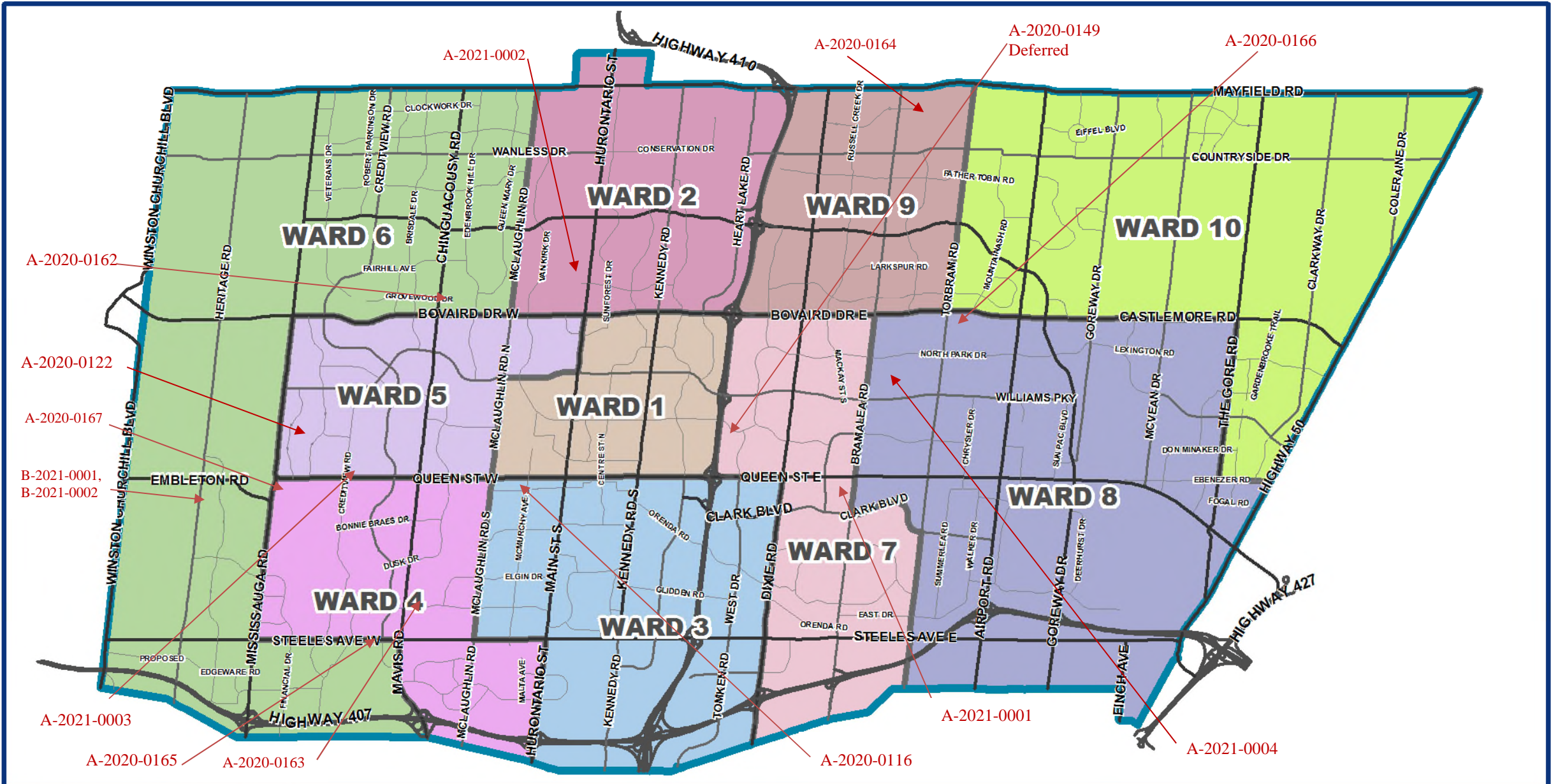
**10.1. A-2020-0140**

**PHIL AND JOANNE SEQUEIRA**

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

Letter received from Phil and Joanne Sequeira requesting a refund of the application fees associated with application A-2020-0140 which was considered and approved by the Committee at the hearing on January 5, 2021.

**11. Adjournment**





**Date:** 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

**Staff:** Shelby Swinfield, Development Planner  
Cynthia Owusu-Gyimah, 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 9:00 a.m. and adjourned at 11:06 a.m.

2. **ADOPTION OF MINUTES:**

Moved by: A. C. Marques

Seconded by: R. Power

THAT the minutes of the Committee of Adjustment hearing held January 5, 2021 be approved, as printed and circulated.

CARRIED

3. **Region of Peel Comments**

Letter dated January 19, 2021.

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

Member Desiree Doerfler declared a conflict of interest on the following applications due to her association with a previous family member.

Application A-2020-0145, Tiwana Properties Inc, 107 Orenda Road; and

Application A-2020-0159, Takol CMCC Rutherford Road GP Inc., 286 Rutherford Road South.

5. **WITHDRAWALS/DEFERRALS**

**A-2020-0157 (Listed as item 8.11)**

**GIAN SINGH NAGRA, JASWINDER, NAGRA, CHANVEER NAGRA AND PRINCE NAGRA**

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

Committee acknowledged receipt of a letter dated January 25, 2021 from Gian Singh Nagra, applicant and owner of the property requesting a deferral of application A-2021-0157 to the next available hearing. In his letter Mr. Nagra indicated that he will be retaining a consultant with a view to amending his application.

Mr. Nagra addressed Committee explaining the nature of the variance requested to widen his driveway advising that his second option is to defer the application.

For the benefit of Mr. Nagra, the Chair explained the process advising that the first matter Committee is considering is the letter received requesting a deferral of the application. Reference was made to the letter wherein Mr. Nagra advised he was hiring a consultant. In response to a question raised by the Chair, Mr. Nagra confirmed he was seeking a deferral.

Staff advised that if the applicant is intending to amend the application through the deferral to alter the scale or the scope of the variance, staff would support the deferral. Staff noted that if the applicant intends to return to Committee at a later date with the same application, staff would prefer to have the application heard today.

The Secretary-Treasurer provided the upcoming hearing dates scheduled in March, as well as the associated filing deadlines. Through discussion it was suggested that the later hearing of March 30, 2021 would be more appropriate affording more time for Mr. Nagra to retain a consultant and submit any new material associated with the application.

Mr. Nagra was receptive to Committee's recommendation to defer the application to the hearing date of March 30, 2021.

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0157 be deferred to the hearing date of March 30, 2021.

CARRIED

6. **NEW CONSENT APPLICATIONS**

**APPLICATIONS B-2020-0026, B-2020-0027 AND A-2020-0158 WERE RELATED AND HEARD CONCURRENTLY**

6.1 **B-2020-0026**

**BALBIR SINGH BHARWALIA AND NIRMALJIT KAUR BHARWALIA**

**PT. OF LOT 15, CONC. 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.

6.2 **B-2020-0027**

**BALBIR SINGH BHARWALIA**

**PT. OF LOT 15, CONC. 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.

**A-2020-0158 (Item 8.12)**

**BALBIR SINGH BHARWALIA AND NARMALJIT KAUR BHARWALIA**

**PT. OF LOT 15, CONC. 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;

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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.

Mr. Laxman Patel, authorized agent for the applicant, presented applications B-2020-0026, B-2020-0027 and A-2020-0058 briefly explaining the nature of the applications. Mr. Patel explained that lot severances are proposed for the 2 subject properties resulting in the newly re-configured lots oriented to have access to Bowman Avenue. With respect to the related minor variance application, he advised that the lot width is reduced due to a road widening. He advised that the existing building has a reduced front yard setback noting that the lot area is also reduced.

Committee acknowledged receipt of a letter dated January 18, 2021 from Toronto and Region Conservation Authority indicating no objection to Applications B-2020-0026, B-2020-0027 and A-2020-0158 subject to recommended conditions.

For the record it was confirmed that a resident, Sarah Al Aloul of 20 Klemscott Street, in attendance by telephone, was not participating to comment on the applications.

Committee was informed that City of Brampton planning staff had no objection to the approval of applications B-2020-0026, B-2020-0027 and A-2020-0158 from a planning land use perspective, subject to conditions.

Mr. Laxman indicated that the proposed conditions were acceptable.

The Committee, having regard to those matters under subsection 51(24) of the *Planning Act* R.S.O. 1990, c P.13, as amended and 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 B-2020-0026 be approved for the following reasons and subject to the following conditions:

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

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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.

### REASONS:

1. This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed.
2. Subject to the imposed conditions, the consent to the conveyance will not adversely affect the existing or proposed development.

CARRIED

Moved by: R. Power

Seconded by: D. Colp

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THAT application B-2020-0027 be approved for the following reasons and subject to the following conditions:

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.

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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.

### REASONS:

1. This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed.
2. Subject to the imposed conditions, the consent to the conveyance will not adversely affect the existing or proposed development.

CARRIED

Moved by: R. Power

Seconded by: D. Colp

That application A-2020-0158 to permit a lot width of 48.8 metres; to permit a lot area of 6,124 square metres (0.61 hectares) and to permit a front yard depth of 10.3 metres for the proposed newly reconfigured parcel of land under Consent Application B-2020-0026 be approved for the following reasons and subject to the following conditions:

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.

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

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

CARRIED

## 7. **DEFERRED CONSENT APPLICATIONS**

### 7.1 **B-2020-0024**

**BRAMPTON BRAMALEA CHRISTIAN FELLOWSHIP INC.**

**PT. OF LOT 17, CONC. 5 EHS - 11613 BRAMALEA ROAD - WARD 9**

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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.

Mr. Keith MacKinnon, KLM Planning Partners Inc., authorized agent for the applicant, presented application B-2020-0024 explaining that the application was originally before the Committee at the meeting held on December 1, 2020. He noted that a deferral of the application was requested by staff at that time in order that the application could be amended to include an easement across the retained lands for emergency access. He advised that the application seeks to create a 3.4 hectare block of land with frontage along Inspire Boulevard for future development and to create an emergency access easement.

Committee was informed that City of Brampton planning staff had no objection to the approval of application B-2020-0024 from a planning land use perspective subject to conditions.

The comments and recommendations of the commenting agencies were read out.

Mr. MacKinnon indicated that the proposed conditions were acceptable.

The Committee, having regard to those matters under subsection 51(24) of the *Planning Act* R.S.O. 1990, c P.13, as amended and having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Doerfler

Seconded by: R. Power

THAT application B-2020-0024 to sever a parcel of land currently having a total area of approximately 3.4 hectares (8.4 acres) for the creation of a new lot; together with an easement over the severed lands in favour of the retained lands for emergency access be approved for the following reasons and subject to the following conditions:

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;

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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.

### REASONS:

1. This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed.
2. Subject to the imposed conditions, the consent to the conveyance will not adversely affect the existing or proposed development.

CARRIED

### **MEMBER DESIREE DOERFLER DECLARED A CONFLICT OF INTEREST ON APPLICATION A-0145 AND DID NOT PARTICIPATE IN DISCUSSION**

#### **8. NEW MINOR VARIANCE APPLICATIONS**

##### **8.1 A-2020-0145**

##### **TIWANA PROPERTIES INC.**

##### **PART OF LOT 4, CONC. 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.

Ms. Jennifer Ormiston, Mainline Planning Services, authorized agent for the applicant, presented application A-2020-0145 briefly outlining the variances requested advising that she agrees with the recommendations outlined in the staff recommendation report.

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

## Committee of Adjustment Minutes

Ms. Ormiston 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: R. Power

THAT application A-2020-0145 to permit a Motor Vehicle Sales Establishment in conjunction with a permitted Motor Vehicle Repair Shop 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 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.

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-2020-0146**

**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.).

Mr. Arshad Siddiqui, authorized agent for the applicant, presented application A-2020-0146 briefly outlining the variances requested. He explained that the applicant is proposing a small washroom in the family living area noting that reduced setback will allow for the alignment of the walls for structural support.

## Committee of Adjustment Minutes

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

Mr. Siddiqui 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

THAT application A-2020-0146 to permit an interior side yard setback of 0.96m (3.15 ft.) to a proposed second storey addition 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

### 8.3 **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;

## Committee of Adjustment Minutes

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.

Neither the applicant nor the authorized agent representing the applicant was in attendance when the application was called. In accordance with Committee procedures, the application was placed at the end of the agenda to be recalled.

### 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.

Mr. Salman Ellahi, authorized agent for the applicant, was in attendance to present application A-2020-0148 however from the beginning of his presentation was experiencing technical difficulties. Mr. Harish Chandru, owner of the property was in attendance and proceeded to present the application noting that the Committee has the recommendation in front of them.

Mr. Chandru advised that there are 2 side entrances, one on the left and the other on the right side of the property noting that a rear yard entrance would result in a loss of privacy. He advised that they chose to submit or a minor variance to allow

Committee was informed that City of Brampton planning staff was not in support of this application. Staff noted that the location of the proposed below grade entrance does not provide sufficient room to create a path of travel to the rear yard from the front yard. Staff advised that the opposite side yard also does not have sufficient room.

Committee inquired about a rear yard entrance. Staff responded that upon receiving the staff recommendation report the applicant had reached out to discuss possible options that could make the variance more supportable. Staff suggested that the applicant look into relocating to the rear yard and creating some sort of fencing to preserve the privacy in the rear yard given that the physical characteristics of the property restrict the side yards.

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Mr. Chandru confirmed for Committee that here is no entrance currently in the rear yard advising that they chose a below grade entrance which is not very deep with steps going down and up for access to the rear yard.

Committee noted that there is less space on one of the side yards noting that the lot does not run straight on the opposite side yard. Committee expressed that an entrance from the rear is more supportable in this instance.

One member suggested an adjournment to allow the applicant to present a new plan with the entrance at the rear. Zoning Staff confirmed that the suggestion by staff that the entrance be relocated to the rear yard is in compliance with the Zoning By-law and would not require support or approval from the Committee. Staff noted that no further approval is required for an entrance in the rear yard with the exception of a building permit.

Mr. Chandru advised that they knew the entrance was possible in the rear yard noting that the application was submitted to make it more convenient to have an entrance in the side yard. He commented that you can walk through the space and requested that Committee consider the application.

The Chair advised Mr. Chandru that considering that his authorized agent was having difficulty communicating he could request a new hearing date in the event he wanted to present his application with some changes or alternatively if he wanted to proceed with the application. Mr. Chandru took a moment to communicate with his agent following which he informed Committee that they would go with staff's recommendation and would not be requesting a new date.

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

Moved by: R. Power

Seconded by: A. C. Marques

THAT application A-2020-0148 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 be refused for the following reasons:

Reasons: The 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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

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.

The applicant was not in attendance when the application was called. In accordance with Committee procedures, the application was placed at the end of the agenda to be recalled.

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.).

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Mr. Tanvir Rai, Noble Prime Solutions Ltd., authorized agent for the applicant, presented application A-2020-0150 briefly outlining the variance requested.

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

Mr. Tanvir indicated that the proposed conditions were acceptable.

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

Moved by: D. Doerfler

Seconded by: D. Colp

THAT application A-2020-0150 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 be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That the fence remain constructed in its current location and height and shall not be removed or lowered; 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

### 8.7 **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):

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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.

Mr. Tanvir Rai, Noble Prime Solutions Ltd., authorized agent for the applicant, presented application A-2020-0151 briefly outlining the variance requested.

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

Mr. Tanvir 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-2020-0151 to permit a proposed below grade entrance to be located between the main wall of a dwelling and a flankage lot line be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That the fence remain constructed in its current location and height and shall not be removed or lowered;
4. That 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-2020-0152**

**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.

Mr. Tanvir Rai, Noble Prime Solutions Ltd., authorized agent for the applicant, presented application A-2020-0152 briefly outlining the variance requested. Mr. Rai advised that they had applied for a building permit, explaining that the permit was issued in error and subsequently cancelled.

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

Mr. Tanvir indicated that the proposed conditions were acceptable.

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

Moved by: R. Power

Seconded by: D. Doerfler

THAT application A-2020-0152 to permit a 3.9m (12.8 ft.) setback to a proposed below grade stairway in the required front yard be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That 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

8.9 **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.

Ms. Taranjeet Grewal, Glen Schnarr & Associates Inc., authorized agent for the applicant, presented application A-2020-0154 briefly outlining the variance requested. Ms. Grewal advised that the applicant is proposing to implement the site improvements as indicated on the redlined approved site plan before the summer of 2021, pending approval of the application. She advised that the only proposed change to the site plan is the implementation of a smaller security building which will be located approximately in the same location as the previously approved site plan.

Ms. Grewal provided a brief history advising that the subject property was subject to 3 previous applications. She advised that the first 2 applications were filed under the previous ownership to permit an outdoor storage use, adding that both times the applications were approved for a temporary period of 3 years with conditions. She noted that one of the conditions was that the approved site plan be implemented.

Ms. Grewal advised that the current owner acquired the property in August of 2017 and in January 2020 a minor variance application was submitted for permanent permission for outdoor storage of trucks and truck trailers in association with an office trailer. She commented that this application was refused because site improvements were not fully implemented.

Ms. Grewal advised that they had a discussion with City staff prior to submission of the application advising that the intent of the application is to request a minor variance for a temporary 3 year period in a zone where outdoor storage is not permitted. She advised that they agreed to the implementation of the approved site plan as indicated on the red lined approved site plan included with the application.

Committee recalled the history of the property and that there was an application last year before the Committee. Committee noted that deficiencies on the site had not been corrected. Committee expressed concern that there is no proposal from the property owner to develop this site located in an established area.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff acknowledged that the applicant had met with staff prior to submission of the application to discuss previous deficiencies identified and the previous

## Committee of Adjustment Minutes

refusal. It was staff's understanding that it is the intention of the new property owner to redevelop the property in conjunction with the property to the north advising that the property owner is looking for some financial carrying capacity for the site at this time. Staff indicated that this would be the last temporary approval that staff would support. Staff outlined the recommended conditions advising that staff would support a maximum temporary approval for 3 years but would also support what Committee feels is appropriate to impose.

Committee noted that the new property owner acquired the property approximately 4 years ago and has continuously used the property. Committee expressed that they are not seeing any changes, other than the representation, noting that previously staff were not supporting the application. Committee expressed that they are not seeing a commitment from the owner to come forward with a site plan.

Mr. Colin Chung, Glen Schnarr & Associates Inc, addressed Committee acknowledging that this property as well as the property to the north has been under their client's ownership for a while now. He advised that the owner has been aggressively trying to market these 2 properties advising that because the properties are not significantly large industrial sites the owner acquired the property to the north in order to see if the marketing of the site with a larger property would be more conducive to the demand in the market place. Mr. Chung advised that the owner is aggressively trying to put in an industrial development that is permitted in the by-law.

Mr. Chung recognized that the previous application was filed for a permanent use advising that through this application they are seeking a temporary approval of 3 years which will enable the owner to clean up the site.

Committee explained that when the previous application came forward the request was for a permanent variance however through discussion the agent indicated that it was an error when they filed the application noting that it was indicated at the time that a temporary approval was intended. Committee expressed that they granted a deferral even though the owner failed to rectify any deficiencies. The applicant returned to the Committee and subsequently requested a temporary approval. Committee expressed that 3 years is a long period of time and talked about the possibility of 2 years with inclusion of a condition that would motivate the owner to work with staff in order to proceed.

Mr. Chung expressed that 3 years, in his opinion, is appropriate advising that during COVID it is difficult to market the property. He noted that the site plan application process and preliminary site servicing takes some time with site plan taking between 9 to 12 months. He advised that a 3 year period will allow the owner to market, secure a tenant or operator, advance the site plan application and initiate a building permit.

Committee inquired if any of the deficiencies have been rectified since Committee refused the last application noting that there is no evidence of a commitment from the owner. Mr. Chung responded that since their office has been involved there has been some clean up to the site noting that due to weather conditions there are limitations. Mr. Chung assured Committee

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that as long as their office is involved they will ensure that the owner complies with the conditions and the approved site plan.

Staff advised that all of the junk signage has been removed from the site which was a concern given that it had impacted the appearance of the property from the street. Staff noted that the concrete work and landscaping is yet to be undertaken and the applicant has indicated that they will undertake to complete that landscape work as soon as weather permits. In terms of parking, staff commented that the site looked to be slightly more organized although not in full compliance with the site plan. Staff added that the applicant indicated that they would be seeking to amend some of the requirements on the site. Staff advised Committee that they would support a condition that recommends a pre-consultation application be submitted within the temporary approval period.

Committee advised Mr. Chung that Committee would like to put forward a condition where there has to be some sort of preliminary meeting with a timeline. Mr. Chung responded that he would accept a condition that within a 3 year temporary period there be a formal pre-consultation application for the desired use. Through further discussion, Mr. Chung suggested perhaps within 1 year the pre-application be submitted.

One member suggested that 2 years is more than enough time for the owner to put things into perspective noting that there has been ample opportunity to do this in the past. Committee expressed that it is understood that the owner is trying to market the property but at the same time is looking for a commitment from someone else before he invests any further money into it so that his money is not tied up while at the same time he has someone else tied up into the investment of the property. In terms of site inspections, Committee noted that the property is gated and they should have had full access to the property to take a look at what has been done. Committee expressed that although everyone is impacted by COVID, 3 years is not reasonable and that 2 years, with conditions, is more than enough.

Mr. Chung responded that it is very difficult for the owner to speculate investment up front of a building through a site plan application noting that you need a tenant who has certain expectations to advance a site plan application. In terms of 2 years versus 3 years, Mr. Chung expressed that this would be the last 3 years noting that the owner is not expecting to extend that ever. Mr. Chung advised that he has also committed and agreed to an additional condition that would require the applicant to advance a pre-consultation and site plan and that if they don't do that the approval becomes null and void. He expressed that the concern with 2 years is that the owner is forced to speculate the type of industrial design without a tenant.

Committee reiterated that 2 years provides ample opportunity and expressed that the Committee and the City are not trying to force anyone or rush anything. Committee expressed that over the previous years there has been ample opportunity and things need to move forward. Committee explained that they are reasonable in their approach and will revisit again adding that they would like to see that something has been put in place at least

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within the next year to show that it is moving forward in the right direction for business development.

Mr. Chung summarized that the City, the Committee of Adjustment and the applicant are trying to strive towards a common objective adding that the decision of 2 years versus 3 years rests with Committee.

Staff put forward a proposed condition requiring the applicant to submit and hold a pre-consultation meeting with the City within 18 months of the final date of the decision of the Committee to advance a proposal for the permanent development of the property, to the satisfaction of the Director of Development Services.

Condition number 1 was amended to a maximum temporary period of 2 years.

Following discussion, Mr. Chung 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-2020-0154 to permit outdoor storage of trucks and truck trailers for a temporary period of three (3) be approved for the following reasons and subject to the following amended conditions:

1. That the variance be approved for a maximum temporary period of two (2) 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;

## Committee of Adjustment Minutes

6. That the applicant shall submit, and hold a pre-consultation meeting with the City within 18 months of the final date of the decision of the Committee to advance a proposal for the permanent development of the property, to the satisfaction of the Director of Development Services;
7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

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-2020-0156**

#### **SHAILISH 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.).

Mr. Aravind Gopi, authorized agent for the applicant, presented application A-2020-0156 briefly outlining the variances requested. Mr. Gopi commented that they are O.K with the recommendations by staff.

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

Mr. Gopi indicated that the proposed conditions were acceptable.

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

Moved by: R. Power

Seconded by: D. Doerfler

THAT application A-2020-0156 to permit a rear yard setback of 4.79m (15.72 ft.) to a proposed building addition be approved for the following reasons and subject to the following conditions:

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

### 8.11 A-2020-0157

**GIAN SINGH NAGRA, JASWINDER, NAGRA, CHANVEER NAGRA AND PRINCE NAGRA**

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

Item 8.11 was considered under procedural item 5 (Withdrawals/Deferrals)

### 8.12 A-2020-0158

**BALBIR SINGH BHARWALIA AND NARMALJIT KAUR BHARWALIA**

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

Item 8.12 was considered concurrently with related consent applications listed as items 6.1 and 6.2.

**MEMBER DESIREE DOERFLER DECLARED A CONFLICT OF INTEREST ON APPLICATION A-0159 AND DID NOT PARTICIPATE IN DISCUSSION**

### 8.13 A-2020-0159

**TAKOL CMCC RUTHERFORD GP INC.**

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

The applicants are requesting the following variance(s):

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

Ms. Jennifer Ormiston, Mainline Planning Services Inc., authorized agent for the applicant, presented application A-2020-0159 briefly outlining the variance requested.

Committee acknowledged receipt of e-mail correspondence dated January 25, 2021 from Nikki Yeandle, Correct Group, detailing her comments on the application against the four tests of the Planning Act.

Ms. Yeandle was in attendance and addressed Committee advising that she has reviewed the staff recommendation report and has no further comments.

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

Ms. Ormiston indicated that the proposed conditions were acceptable.

Mr. Joe Plutino, Mainline Planning Services, addressed Committee in response to the objection letter that was presented. Mr. Plutino expressed that, in his opinion, the objection presented is predicated on the notion that auto repair facilities and associated increase in parking expansion is undesirable and will have impact on the neighbours. He clarified that the variance before the Committee is associated with a change in tenure of the property through condominium conversion and is not proposing any development, advising that the parking lot remains essentially the same and submitted that auto repair is a permitted use on the subject property.

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-2020-0159 to permit 183 parking spaces on site 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 requirement for parking for any combination of uses permitted in the "M2" zone, and any used permitted by way of Minor Variance shall be calculated at the application parking rate in accordance with the Zoning By-law and shall not exceed 334 parking spaces;

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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.

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

### 8.14 **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.

Mr. Har Anol Singh, authorized agent for the applicant, presented application A-2020-0160 briefly outlining the variances requested. He advised that the subject property is a corner lot noting that the side door entrance was constructed by the previous owner. 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: R. Power

Seconded by: D. Colp

## Committee of Adjustment Minutes

THAT application A-2020-0160 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 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 below grade entrance within sixty (60) days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
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.

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

### **8.15 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.

## Committee of Adjustment Minutes

Mr. Louis-Pierre Belec, Massri O. Inc. Architects, authorized agent for the applicant, presented application A-2020-0161 briefly outlining the variances requested for a small addition currently under construction. Mr. Belec advised that he has reviewed the staff recommendation report and agrees with the recommendation.

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

Mr. Belec 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-2020-0161 to permit a rear yard setback of 1.6m (5.25 ft.) and to permit a 1.6m (5.25 ft.) wide open space landscape strip along a portion of the rear lot line be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the owner finalize site plan approval under City File SP18-061.000, 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.

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

### **APPLICATION A-2020-0147 WAS RECALLED (Item 8.3)**

Mr. Ismatullah Amiri, Nesta Design, authorized agent for the applicant, presented application A-2020-0147 briefly outlining the variances requested associated with a proposed cabana at the rear of the property.

## Committee of Adjustment Minutes

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

Mr. Amiri indicated that the proposed conditions were acceptable.

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

Moved by: A. C. Marques

Seconded by: D. Doerfler

THAT application A-2020-147 to permit permit an accessory structure (proposed cabana) having a gross floor area of 67.8 sq. m (729.80 sq. ft.); to permit a combined gross floor area of 77 sq. m. (828.82 sq. ft.) for two accessory structures (proposed cabana and existing shed) and to permit an accessory structure (proposed cabana) to be used for habitable purposes (installation of washroom) 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 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.

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

### **APPLICATION A-2020-0149 WAS RECALLED (Item 8.5)**

The applicant was not in attendance when the application was recalled. Committee was informed that several attempts to reach the applicant by e-mail while the meeting was in

## Committee of Adjustment Minutes

progress were unsuccessful. Following discussion Committee reached the following decision:

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0149 be deferred to the hearing scheduled for February 16, 2021.

CARRIED

### 9. **DEFERRED MINOR VARIANCE APPLICATIONS**

None

### 10. **ADJOURNMENT:**

Moved by: R. Power

Seconded by: D. Doerfler

That the Committee of Adjustment hearing be adjourned at 11:06 a.m. to meet again on Tuesday, February 16, 2021.

February 9, 2021

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

## Public Works

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

[peelregion.ca](http://peelregion.ca)

**Re: Peel Region Consolidated Comments  
City of Brampton Committee of Adjustment Hearing February 16<sup>th</sup>, 2021**

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Dear Ms. Myers,

Regional Planning staff have reviewed the minor variance and consent applications listed on the February 16<sup>th</sup>, 2021 Committee of Adjustment Agenda. We have no objections or comments on the following applications: A-20-116B, A-20-163B, A-20-164B, A-20-165B, A-20-166B, A-21-001B, A-21-002B, A-21-004B, and the following deferred application DEF-A-149B.

The Region of Peel offers our comments and/or conditions on the following applications:  
**Regarding Minor Variance Application A-20-162B, 10061 Chinguacousy Road**  
Planning – Abiral Homagain (905) 791-7800, extension 8730

- The subject land is located within a Core Area of the Greenlands System in Peel as identified under policy 2.3.2 of the Regional Official Plan. We rely on the environmental expertise of the Credit Valley Conservation Authority (CVC) for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. We request that City of Brampton Committee of Adjustment and staff consider comments from the CVC and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority (CVC).
- The subject land is located in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the Credit Valley Conservation Authority for the review of development applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the Credit Valley Conservation Authority and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority (CVC).

**Regarding Minor Variance Application A-20-167B, 18921 Mississauga Road**  
Planning – Abiral Homagain (905) 791-7800, extension 8730

- The subject land is located within a Natural Area and Corridor (NAC) of the Greenlands Systems designated under Policy 2.3.2.9 of the Regional Official Plan (ROP). We rely on the environmental expertise of the Credit Valley Conservation

## Public Works

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

[peelregion.ca](http://peelregion.ca)

- Authority (CVC) for the review of development applications located within or adjacent to the Greenlands Systems in Peel and their potential impacts on the natural environment. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority (CVC).
- The subject land is located within a Core Area of the Greenlands System in Peel as identified under policy 2.3.2 of the Regional Official Plan. Typically, development and site alterations within the Core Areas of the Greenlands System in Peel is prohibited however, the proposed dwelling is exempt under S.2.3.2.6(i) of the Regional Official Plan. We rely on the environmental expertise of the Credit Valley Conservation Authority (CVC) for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. We request that City of Brampton Committee of Adjustment and staff consider comments from the CVC and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority (CVC).
  - The subject land is located in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the Credit Valley Conservation Authority for the review of development applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the Credit Valley Conservation Authority and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority (CVC).

**Regarding Minor Variance Application A-21-003B, 9035 Creditview Road**  
**Servicing – Camila Marczuk (905) 791-7800, extension 8230**

**Comment:**

- Region of Peel is currently reviewing SP-2019-023B, outstanding conditions are being undressed under the ongoing Site Plan application.

**Regarding Consent Application B-21-001B & B-21-002B 8917 Heritage Road**  
**Servicing – Camila Marczuk (905) 791-7800, extension 8230**

**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.

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

**Comments:**

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

**Public Works**

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

[peelregion.ca](http://peelregion.ca)

Best,



Abiral Homagain  
Junior Planner, Development Services



**NOTICE OF AN APPLICATION FOR CONSENT**

An application for consent has been made by **TOP END CONSTRUCTION INC.**

**Purpose and Effect**

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.202 hectares (0.50 acres). The effect of the application is to create a new lot having frontage of approximately 15.12 metres (49.60 feet), a depth of approximately 34.28 metres (112.47 feet) and an area of approximately 0.52 hectares (0.13 acres). The proposed severed lot (**Lot A**) will be used for future residential development of a single detached dwelling. Concurrent consent application B-2021-0002.

**Location of Land:**

Municipal Address: 8917 Heritage Road

Former Township: Chinguacousy

Legal Description: Part of Lot 5, Concession 5 WHS

**Meeting**

The Committee of Adjustment has appointed **TUESDAY, February 16, 2021 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4<sup>th</sup> 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 PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC**

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**LAST DAY FOR RECEIVING COMMENTS: FEBRUARY 11, 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: C05W05.008
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](http://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 28th 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  
Page 42 of 368  
[Jeanie.myers@brampton.ca](mailto:Jeanie.myers@brampton.ca)

EXISTING  
DETACHED  
RESIDENTIAL

ROAD  
WIDENING  
0.015ha  
(0.04ac)

HERITAGE ROAD

FUTURE  
DETACHED  
RESIDENTIAL

FUTURE  
LOT LINES

LANDS TO  
BE SEVERED  
LOT 'A'  
0.052ha (0.13ac)

LANDS TO BE SEVERED  
LOT 'B'  
(UNDER SEPARATE  
APPLICATION)  
0.052ha (0.13ac)

LANDS TO  
BE RETAINED  
0.083ha  
(0.21ac)

EXISTING DWELLING  
(TO BE REMOVED)

FUTURE  
DETACHED  
RESIDENTIAL

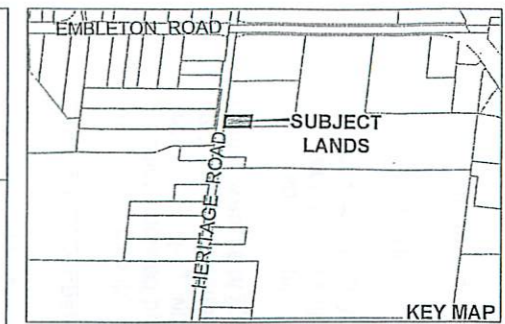
FUTURE  
BERMONDSEY  
WAY

FUTURE  
DETACHED  
RESIDENTIAL

EXISTING PUBLIC  
ACCESS EASEMENT  
(INST. # PR3714658, PART 1, 43R-39501)

TEMPORARY  
CUL-DE-SAC  
TURNAROUND  
(UNDER  
CONSTRUCTION)

FUTURE  
GLADMARY  
DRIVE



# CONSENT SKETCH - LOT 'A' TOP END CONSTRUCTION INC.

8917 HERITAGE ROAD,  
PART OF LOT 5,  
CONCESSION 5, W.H.S.  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL

## CONSENT STATISTICS

	LANDS TO BE RETAINED:	0.083ha (0.21ac)
	LANDS TO BE SEVERED:	0.052ha (0.13ac)
	LANDS TO BE SEVERED: (UNDER SEPARATE APP.)	0.052ha (0.13ac)
	ROAD WIDENING:	0.015ha (0.04ac)
	TOTAL:	0.202ha (0.50ac)



SCALE 1:500  
JANUARY 7, 2021



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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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.



PARTNERS:

**GLEN SCHNARR, MCIP, RPP**

**GLEN BROLL, MCIP, RPP**

**COLIN CHUNG, MCIP, RPP**

**JIM LEVAC, MCIP, RPP**

January 13, 2021.

GSAI File: 601-006

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

B-2021-0001

Attention: Jeanie Myers  
Secretary-Treasurer

**Re: Applications for Consent  
8917 Heritage Road  
Part of Lot 5, Concession 5 WHS  
East side of Heritage Road, south of Embleton Road  
City of Brampton**

We are pleased to submit 2 Applications for Consent for the above-noted property on behalf of our client, Top End Construction Inc. The property is known as 8917 Heritage Road and is located on the east side of Heritage Road, south of Embleton Road and situated in Ward 6.

The property has a frontage of approximately 30.5 metres on Heritage Road, a depth of approximately 67 metres and an area of approximately 2023 m<sup>2</sup> (0.5 acres). The property is currently occupied by a single storey detached dwelling. The property is designated "Low/Medium Density Residential" in Bram West Secondary Plan Area 40 (d) and "Low/Medium Density Residential" in on the approved Riverview Heights Community Block Plan (Sub Area 40-3) permitting detached dwellings. Additionally, the property has been rezoned (City File no: C05W05.008) from Agricultural (A) to Residential Single Detached (R1F-15.0-2917, R1E-12.0-2876 and R1E-10.4-4227) which also permits detached dwellings. The R1F-15.0-2917 applies to the front half of the property fronting Heritage Road. The R1E-12.0-2876 and R1E-10.4-4227 zones apply to the rear portion of the property which is intended to allow for future detached dwellings fronting onto future Bermondsey Way beyond the rear property line.

The applicant is proposing to demolish the existing dwelling and sever the subject property to create two (2) new single detached lots fronting Heritage Road, in conformity with the Official Plan and Zoning By-law. Lands retained at the rear of the property will be severed later through a separate application generally in accordance with the conceptual lotting pattern shown on the sketch and added to the future part lots created through the adjacent approved plan of subdivision (21T-06026B). In the meantime, access to the retained lands will be available by way of the existing temporary public access easement within the adjacent lands.

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



It is also recognized that a road widening will be required along the frontage of the property to accommodate the ultimate width of the Heritage Road right-of-way. The required land dedication is accommodated as shown on the enclosed consent sketches.

Based on the proposed severances and road widening dedication, As shown on the enclosed sketches, the proposed retained and severed parcels have the following frontage, lot depth and area characteristics:

Parcel	By-law Frontage	Depth	Area
Retained	± 30.48	± 27.65	± 850 m <sup>2</sup>
Parcel A	± 15.12	± 34.28	± 526 m <sup>2</sup>
Parcel B	± 15.14	± 34.28	± 526 m <sup>2</sup>


In support of the application, we have enclosed the following items:

- One (1) copy of the completed Application for Consent form for each proposed severance;
- One (1) original copy of the signed Authorization and Permission to Enter Forms;
- One (1) copy of the required sketch as prepared by Glen Schnarr and Associates Inc. dated January 7, 2021; and
- One (1) copy of concept plan as prepared by Glen Schnarr and Associates Inc. dated January 11, 2021.

We trust this completes the Applications for Consent and we look forward to being considered for the February 16, 2021 hearing date. Please feel free to contact us if you have any questions or require more information.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

  
\_\_\_\_\_  
Jason Afonso, MCIP, RPP  
Senior Associate



The personal information collected on this form is collected pursuant to subsection 53(2) of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

**APPLICATION**  
**Consent**  
(Please read Instructions)

Lands to be severed PART A

**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 TOP END CONSTRUCTION INC ( Attn: Drazen Vuckovic)  
(print given and family names in full)

Address 1204 Milna Drive, Oakville, Ontario, L6H 0A8

Phone # (905)276-9980

Fax # \_\_\_\_\_

Email drazen.vuckovic@yahoo.ca

(b) Name of Authorized Agent Glen Schnarr and Associates Inc. Attn: Jason Afonso

Address 700, 10 Kingsbridge Garden Circle, Mississauga, Ontario, L5R 3K6

Phone # 416-315-3284

Fax # 905-568-8894

Email jasona@gsai.ca

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

Specify: Severance for the creation of a new lot

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

Unknown at this time

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

a) Name of Street Heritage Road Number 8917

b) Concession No. 5 WHS Lot(s) 5

c) Registered Plan No. N/A Lot(s) N/A

d) Reference Plan No. N/A Lot(s) N/A

e) Assessment Roll No. 211008001202500 Geographic or Former Township Chinguacousy

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

Yes

☐

No

☒

Specify: \_\_\_\_\_

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

a) Frontage ±15.12 m Depth ±34.28m Area ±526.09 sq m

b) Existing Use Residential Proposed Use Detached Residential

c) Number and use of buildings and structures (both existing and proposed) on the land to be severed:  
(existing) 1 Detached Dwelling (To be demolished)  
(proposed) 1 Detached Dwelling (Proposed)

d) Access will be by:

	Existing	Proposed
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
Regional Road	<input 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): N/A

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): N/A

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

a) Frontage 30.48m Depth 27.65 m Area 849.83

b) Existing Use Residential (Vacant) Proposed Use Residential (Future Residential)

c) Number and use of buildings and structures (both existing and proposed) on the land to be retained:  
(existing) No Buildings on site  
(proposed) None at this time

d)	Access will be by:	Existing	Proposed
	Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input type="checkbox"/>	<input type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input checked="" 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):	N/A	

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):	N/A	

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>R1F-15.0-2917</u>	<u>R1E-12.0-2876</u>
Official Plans		
City of Brampton	<u>Low/Medium Density Residential</u>	<u>Low/Medium Density Residential</u>
Region of Peel	<u>Urban System</u>	<u>Urban System</u>

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

Yes ☐ No ☒

File # \_\_\_\_\_ Status/Decision \_\_\_\_\_

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

Yes ☐ No ☒

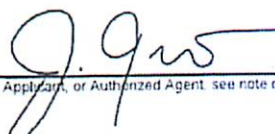
Date of Transfer \_\_\_\_\_ Land Use \_\_\_\_\_

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

	File Number	Status
Official Plan Amendment	_____	_____
Zoning By-law Amendment	C05W05.C06	Approved
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 8th day of January, 2021.

  
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, Jason Afonso, Glen Schnarr and Associates Inc. of the City \_\_\_\_\_ of Mississauga  
in the County/District/Regional Municipality of Peel \_\_\_\_\_ solemnly declare that all the statements contained in the 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 January, 2021

  
Signature of applicant/solicitor/authorized agent, etc.

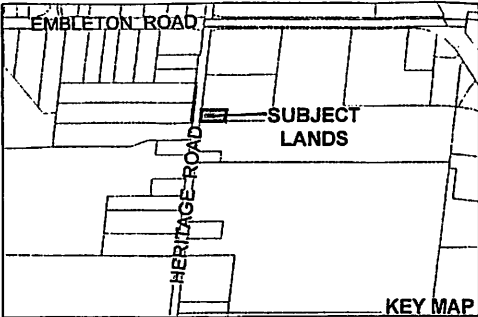
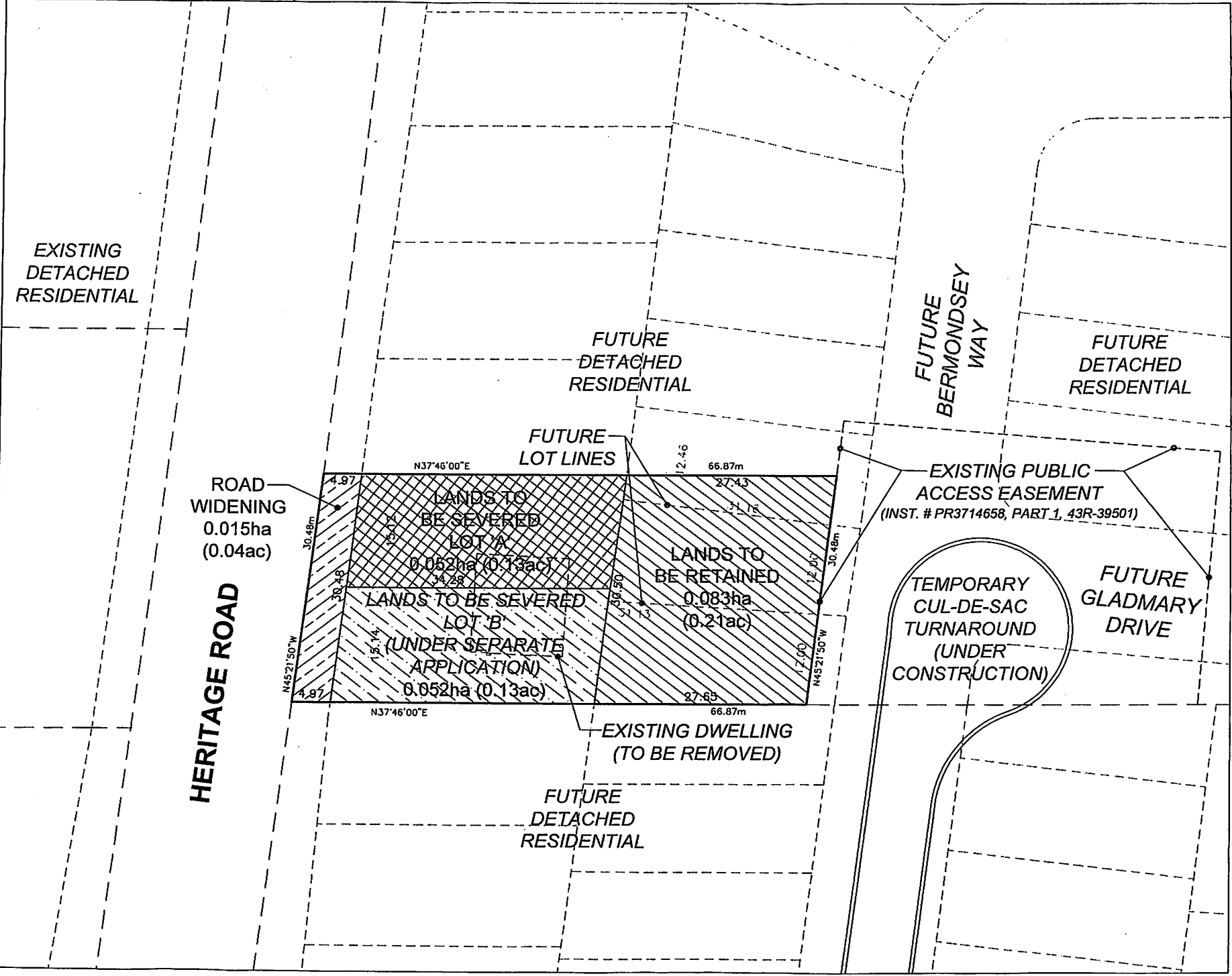
  
Signature of a Commissioner, etc.

Laura Kim Amorim, a Commissioner, etc.  
Province of Ontario, for  
Glen Schnarr & Associates Inc.  
Expires March 3, 2023.

Submit by Email

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.	
HOTHU S. Zoning Officer	JAN 14 2021 Date

DATE RECEIVED JAN. 13. 2021  
Date Application Deemed Complete by the Municipality \_\_\_\_\_



**CONSENT SKETCH - LOT 'A'  
TOP END CONSTRUCTION INC.**

8917 HERITAGE ROAD,  
PART OF LOT 5,  
CONCESSION 5, W.H.S.  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL

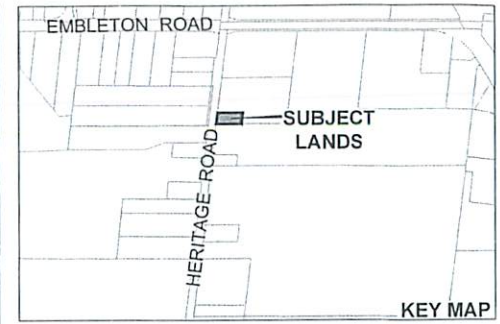
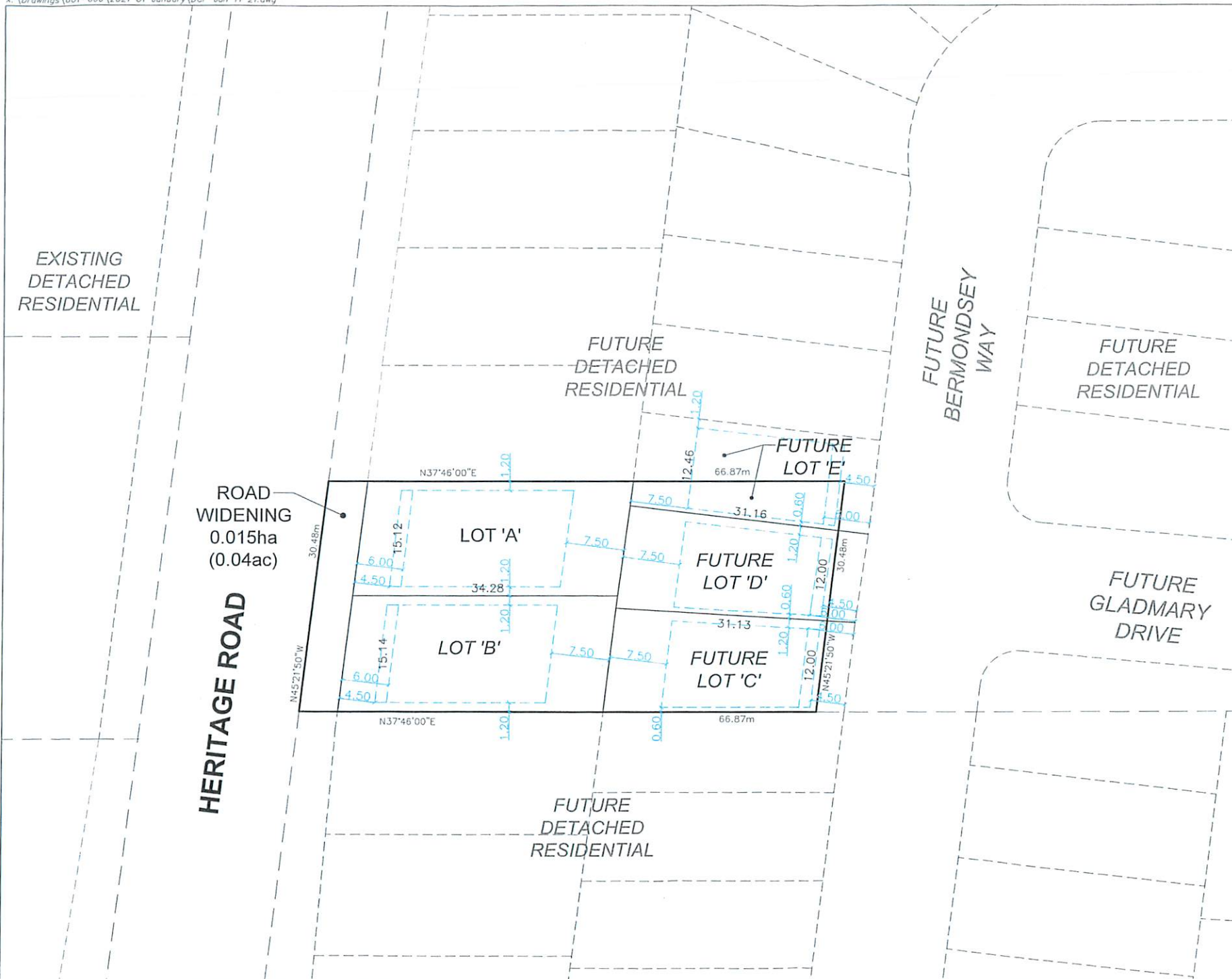
**CONSENT STATISTICS**

	LANDS TO BE RETAINED:	0.083ha (0.21ac)
	LANDS TO BE SEVERED:	0.052ha (0.13ac)
	LANDS TO BE SEVERED: (UNDER SEPARATE APP.)	0.052ha (0.13ac)
	ROAD WIDENING:	0.015ha (0.04ac)
	<b>TOTAL:</b>	<b>0.202ha (0.50ac)</b>



SCALE 1:500  
JANUARY 7, 2021





# **DEVELOPMENT CONCEPT PLAN** **TOP END CONSTRUCTION INC.**

8917 HERITAGE ROAD,  
PART OF LOT 5,  
CONCESSION 5, W.H.S.  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL

## **LEGEND**

TYPICAL BUILDING ENVELOPES



SCALE 1:500  
JANUARY 11, 2021



B-2021-0001  
B-2021-0002

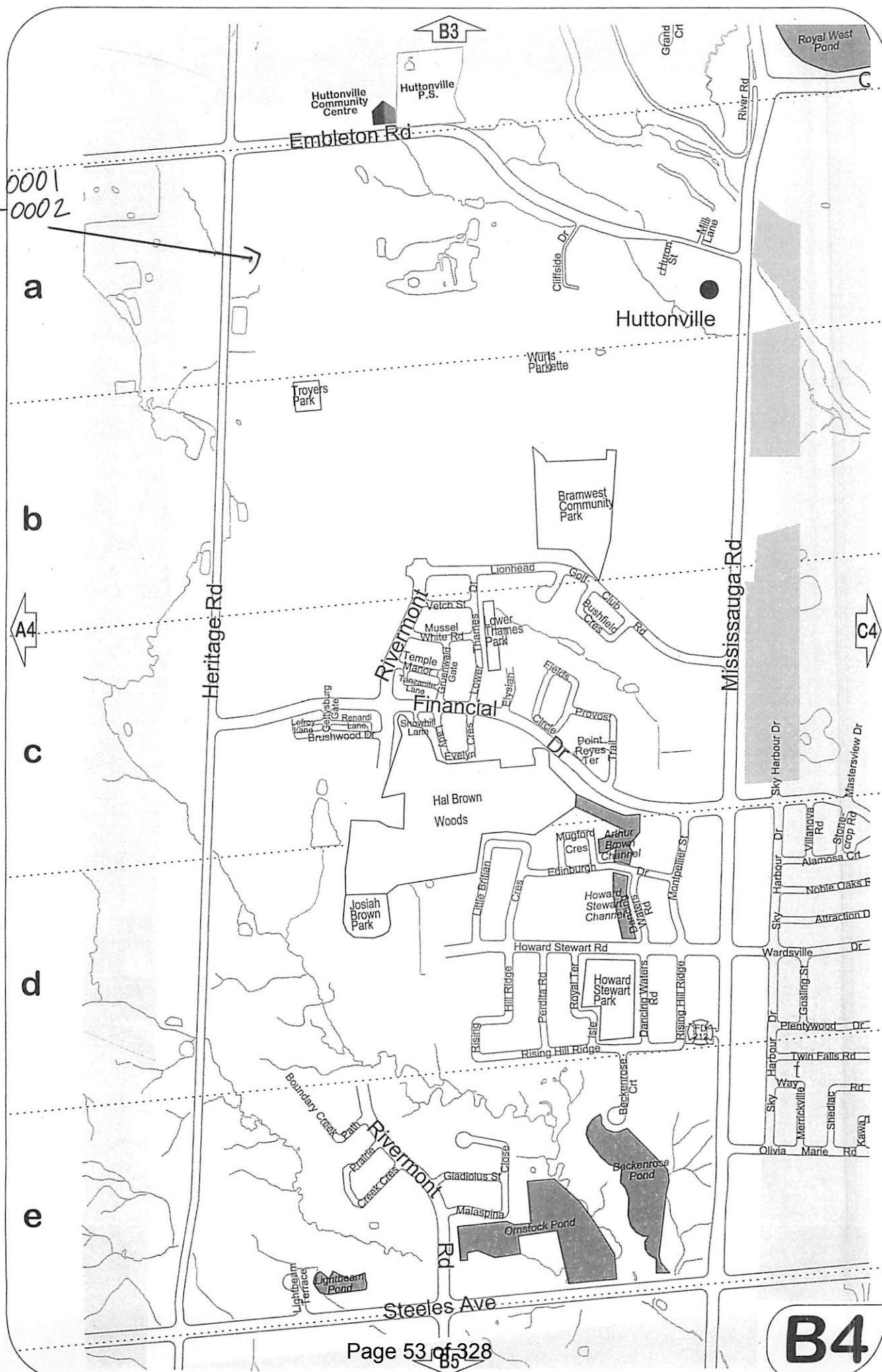
a

b

c

d

e



**Filing Date:** January 14, 2021  
**Hearing Date:** February 16, 2021

**File:** B-2021-0001 & B-2020-0002

**Owner/  
Applicant:** TOP END CONSTRUCTION INC.

**Address:** 8917 HERITAGE ROAD (LOT A& B)

**Ward:** 9

**Contact:** Shelby Swinfield, Planner I

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### **Proposal:**

#### *B-2020-0001*

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.202 hectares (0.50 acres). The effect of the application is to create a new lot having frontage of approximately 15.12 metres (49.60 feet), a depth of approximately 34.28 metres (112.47 feet) and an area of approximately 0.52 hectares (0.13 acres). The proposed severed lot (**Lot A**) will be used for future residential development of a single detached dwelling.

#### *B-2020-0002*

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.202 hectares (0.50 acres). The effect of the application is to create a new lot having frontage of approximately 15.12 metres (49.60 feet), a depth of approximately 34.28 metres (112.47 feet) and an area of approximately 0.52 hectares (0.13 acres). The proposed severed lot (**Lot B**) will be used for future residential development of a single detached dwelling.

### **Recommendations:**

That applications B-2021-0001 and B-2021-0002 are 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:
2. 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;
3. 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;

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;
5. The applicant shall gratuitously convey to the City of Brampton an approx. 5.0 meter road allowance widening along the entire Heritage Road frontage, towards the ultimate right of way designation of 30 meters or 15 meters from the centreline of the right-of-way;
6. The applicant shall prepare and submit prior, to depositing, 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;
7. That the adjacent Draft Plan of Subdivision Application identified as C05W06.007 and 21T-06026B shall be registered and that Part Lot Control shall be lifted from the part lots surrounding the retained lands prior to the issuance of the Secretary Treasurer's Certificate.

**Background:**

- **Official Plan:** The subject property is designated 'Residential' in the Official Plan;
- **Secondary Plan:** The subject property is designated "Low/Medium Density Residential" in the Bram West Secondary Plan (Area 40d); and
- **Zoning By-law:** The subject property is zoned "Residential Single Detached F-15 – Special Section 2917 (R1F-15-2917)" and "Residential Single Detached E-12 – Special Section 2876 (R1E-12-2876) 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**

<b>CRITERIA TO BE CONSIDERED</b>	<b>ANALYSIS</b>
a) <i>The effect of development of the proposed subdivision on matters of provincial interest:</i>	The proposed severances are not considered to have significant impacts on matters of provincial interest, subject to the recommended conditions of approval.
b) <i>Whether the proposal is premature or in the public interest;</i>	A condition of approval is recommended that the proposed severances not be finalized until the adjacent subdivision is registered which will allow for appropriate timing of the application.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	<p>The proposed severances are intended to facilitate the development of the lands into future residential lots in conjunction with an adjacent plan of subdivision identified as C05W06.007 and 21T-06026B.</p> <p>A condition of approval that the adjacent plan must be registered and that Part Lot Control shall be lifted prior to finalization of the severance is intended to ensure that the lots are not created ahead of the subdivision.</p>
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 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 are appropriate in size and shape for their purpose. A condition of approval is recommended that Part Lot Control be lifted from the part lots on the adjacent plan of subdivision prior to the finalization of the consents to ensure that the retained lands can be merged with those parts to create zoning compliant lots.
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 and flood control;</i>	The proposed severances 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. The retained lands will be serviced in conjunction with the adjacent subdivision.
j) <i>The adequacy of school sites;</i>	The proposed severance will facilitate future residential uses. The addition of these residential lots do not present concerns with regard to the adequacy of school sites.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	A condition of approval is recommended that the applicant gratuitously dedicate a portion of the property for road widening purposes to satisfy the City's road widening requirements.
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 severances 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 lots are proposed for residential uses.
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**NOTICE OF AN APPLICATION FOR CONSENT**

An application for consent has been made by **TOP END CONSTRUCTION INC.**

**Purpose and Effect**

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.202 hectares (0.50 acres). The effect of the application is to create a new lot having frontage of approximately 15.12 metres (49.60 feet), a depth of approximately 34.28 metres (112.47 feet) and an area of approximately 0.52 hectares (0.13 acres). The proposed severed lot (**Lot B**) will be used for future residential development of a single detached dwelling. Concurrent consent application B-2021-0001.

**Location of Land:**

Municipal Address: 8917 Heritage Road

Former Township: Chinguacousy

Legal Description: Part of Lot 5, Concession 5 WHS

**Meeting**

The Committee of Adjustment has appointed **TUESDAY, February 16, 2021 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4<sup>th</sup> 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 PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC**

=====

**LAST DAY FOR RECEIVING COMMENTS: FEBRUARY 11, 2021**

=====

**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: C05W05.008
Minor Variance:	NO	File Number:

**Decision and Appeal**

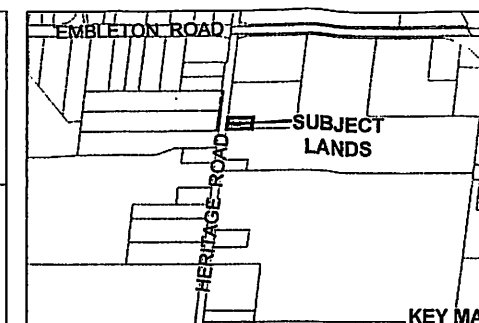
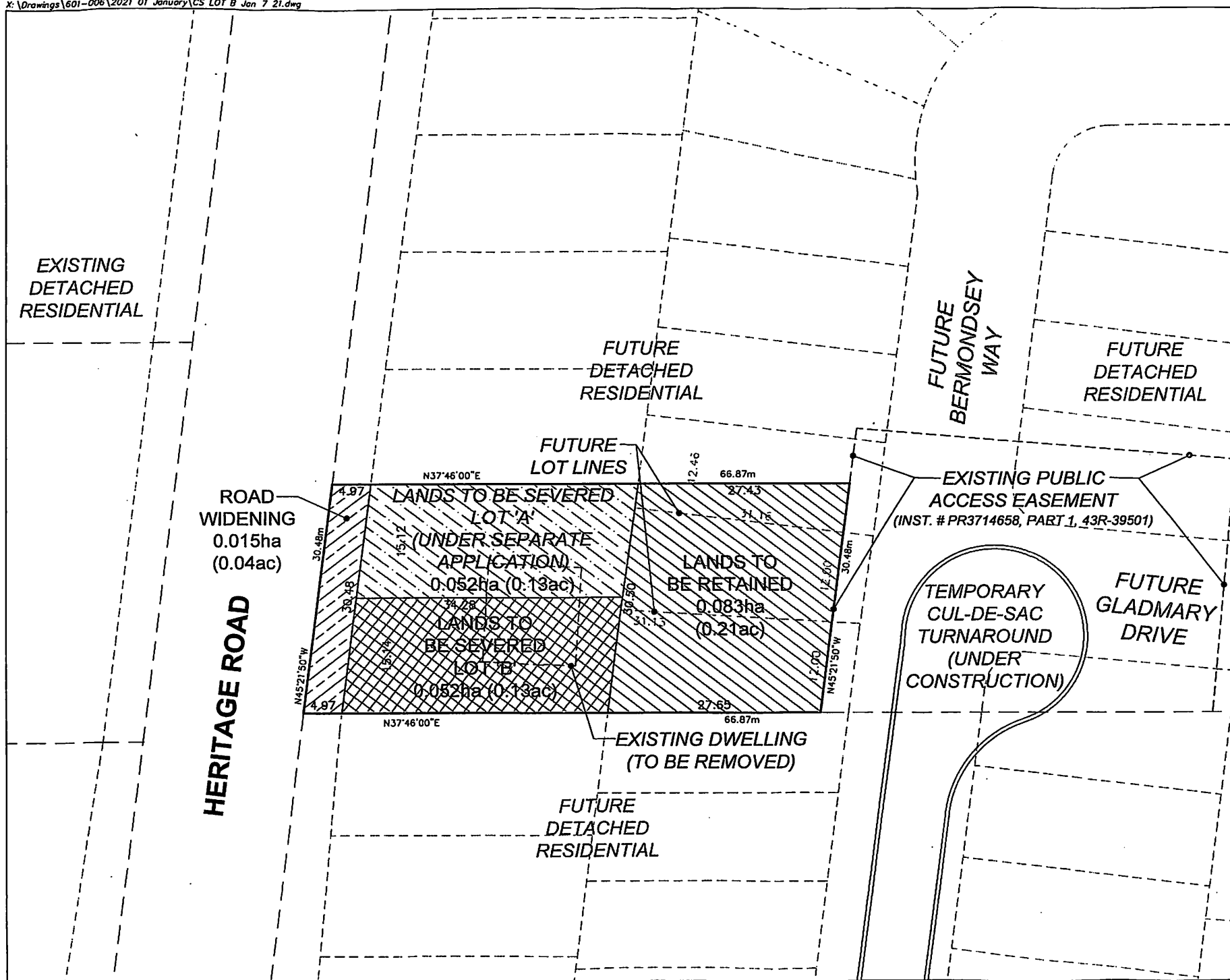
Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer 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](http://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 28th 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  
Page 39 of 328  
[Jeanie.myers@brampton.ca](mailto:Jeanie.myers@brampton.ca)







**SUBJECT  
LANDS**

## KEY MA

**CONSENT SKETCH - LOT 'B'**  
**TOP END CONSTRUCTION INC.**

8917 HERITAGE ROAD,  
PART OF LOT 5,  
CONCESSION 5, W.H.S.  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL

## CONSENT STATISTICS

	LANDS TO BE RETAINED:	0.083ha (0.21ac)
	LANDS TO BE SEVERED:	0.052ha (0.13ac)
	LANDS TO BE SEVERED: (UNDER SEPARATE APP.)	0.052ha (0.13ac)
	ROAD WIDENING:	0.015ha (0.04ac)
	<b>TOTAL:</b>	<b>0.202ha (0.50ac)</b>

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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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.



PARTNERS:

**GLEN SCHNARR, MCIP, RPP**

**GLEN BROLL, MCIP, RPP**

**COLIN CHUNG, MCIP, RPP**

**JIM LEVAC, MCIP, RPP**

January 13, 2021.

GSAI File: 601-006

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

13-2021-0002

Attention: Jeanie Myers  
Secretary-Treasurer

**Re: Applications for Consent  
8917 Heritage Road  
Part of Lot 5, Concession 5 WHS  
East side of Heritage Road, south of Embleton Road  
City of Brampton**

We are pleased to submit 2 Applications for Consent for the above-noted property on behalf of our client, Top End Construction Inc. The property is known as 8917 Heritage Road and is located on the east side of Heritage Road, south of Embleton Road and situated in Ward 6.

The property has a frontage of approximately 30.5 metres on Heritage Road, a depth of approximately 67 metres and an area of approximately 2023 m<sup>2</sup> (0.5 acres). The property is currently occupied by a single storey detached dwelling. The property is designated "Low/Medium Density Residential" in Bram West Secondary Plan Area 40 (d) and "Low/Medium Density Residential" in on the approved Riverview Heights Community Block Plan (Sub Area 40-3) permitting detached dwellings. Additionally, the property has been rezoned (City File no: C05W05.008) from Agricultural (A) to Residential Single Detached (R1F-15.0-2917, R1E-12.0-2876 and R1E-10.4-4227) which also permits detached dwellings. The R1F-15.0-2917 applies to the front half of the property fronting Heritage Road. The R1E-12.0-2876 and R1E-10.4-4227 zones apply to the rear portion of the property which is intended to allow for future detached dwellings fronting onto future Bermondsey Way beyond the rear property line.

The applicant is proposing to demolish the existing dwelling and sever the subject property to create two (2) new single detached lots fronting Heritage Road, in conformity with the Official Plan and Zoning By-law. Lands retained at the rear of the property will be severed later through a separate application generally in accordance with the conceptual lotting pattern shown on the sketch and added to the future part lots created through the adjacent approved plan of subdivision (21T-06026B). In the meantime, access to the retained lands will be available by way of the existing temporary public access easement within the adjacent lands.

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



It is also recognized that a road widening will be required along the frontage of the property to accommodate the ultimate width of the Heritage Road right-of-way. The required land dedication is accommodated as shown on the enclosed consent sketches.

Based on the proposed severances and road widening dedication, As shown on the enclosed sketches, the proposed retained and severed parcels have the following frontage, lot depth and area characteristics:

Parcel	By-law Frontage	Depth	Area
Retained	± 30.48	± 27.65	± 850 m <sup>2</sup>
Parcel A	± 15.12	± 34.28	± 526 m <sup>2</sup>
Parcel B	± 15.14	± 34.28	± 526 m <sup>2</sup>


In support of the application, we have enclosed the following items:

- One (1) copy of the completed Application for Consent form for each proposed severance;
- One (1) original copy of the signed Authorization and Permission to Enter Forms;
- One (1) copy of the required sketch as prepared by Glen Schnarr and Associates Inc. dated January 7, 2021; and
- One (1) copy of concept plan as prepared by Glen Schnarr and Associates Inc. dated January 11, 2021.

We trust this completes the Applications for Consent and we look forward to being considered for the February 16, 2021 hearing date. Please feel free to contact us if you have any questions or require more information.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

  
\_\_\_\_\_  
Jason Afonso, MCIP, RPP  
Senior Associate



The personal information collected on this form is collected pursuant to subsection 53(2) of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

**APPLICATION****Consent**

Lands to be severed PART B

(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 TOP END CONSTRUCTION INC ( Attn: Drazen Vuckovic)  
(print given and family names in full)

Address 1204 Milna Drive, Oakville, Ontario, L6H 0A8

Phone # (905)276-9980 Fax # \_\_\_\_\_

Email drazen.vuckovic@yahoo.ca

(b) Name of Authorized Agent Glen Schnarr and Associates Inc. Attn: Jason Afonso

Address 700, 10 Kingsbridge Garden Circle, Mississauga, Ontario, L5R 3K6

Phone # 416-315-3284 Fax # 905-568-8894

Email jasona@gsai.ca

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

Specify: Severance for the creation of a new lot

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

Unknown at this time

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

a) Name of Street Heritage Road Number 8917

b) Concession No. 5 WHS Lot(s) 5

c) Registered Plan No. N/A Lot(s) N/A

d) Reference Plan No. N/A Lot(s) N/A

e) Assessment Roll No. 211008001202500 Geographic or Former Township Chinguacousy

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

Yes ☐ No ☒

Specify: \_\_\_\_\_

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

a) Frontage ±15.14 m Depth ±34.28m Area ±526.09 sq m

b) Existing Use Residential Proposed Use Detached Residential

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

(existing) 1 Detached Dwelling (To be demolished)

(proposed) 1 Detached Dwelling (Proposed)

d) Access will be by: Existing Proposed

Provincial Highway ☐ ☐

Municipal Road - Maintained all year ☒ ☐

Other Public Road ☐ ☐

Regional Road ☐ ☐

Seasonal Road ☐ ☐

Private Right of Way ☐ ☐

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

N/A

f) Water supply will be by: Existing Proposed

Publicly owned and operated water system ☐ ☒

Lake or other body of water ☐ ☐

Privately owned and operated individual or communal well ☐ ☐

Other (specify): N/A

g) Sewage disposal will be by: Existing Proposed

Publicly owned and operated sanitary sewer system ☐ ☒

Privy ☐ ☐

Privately owned and operated individual or communal septic system ☐ ☐

Other (specify): N/A

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

a) Frontage 30.48m Depth 27.65 m Area 849.83

b) Existing Use Residential (Vacant) Proposed Use Residential (Future Residential)

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

(existing) No Buildings on site

(proposed) None at this time

d)	Access will be by:	Existing	Proposed
	Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input type="checkbox"/>	<input type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input checked="" 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):	N/A	

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):	N/A	

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>R1F-15.0-2917</u>	<u>R1E-12.0-2876</u>
Official Plans		
City of Brampton	<u>Low/Medium Density Residential</u>	<u>Low/Medium Density Residential</u>
Region of Peel	<u>Urban System</u>	<u>Urban System</u>

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

Yes ☐ No ☒

File # \_\_\_\_\_ Status/Decision \_\_\_\_\_

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

Yes ☐ No ☐

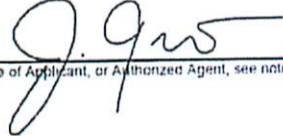
Date of Transfer \_\_\_\_\_ Land Use \_\_\_\_\_

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

	File Number	Status
Official Plan Amendment		
Zoning By-law Amendment	C05W05.008	Approved
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 8th day of January, 2021.

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


Check box if applicable:

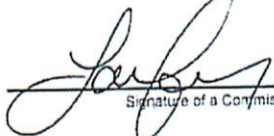
☐ I have the authority to bind the Corporation

#### DECLARATION

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

Declared before me at the City of Brampton  
in the Region of Peel  
this 8th day of January, 2021.

  
Signature of applicant/solicitor/authorized agent, etc.

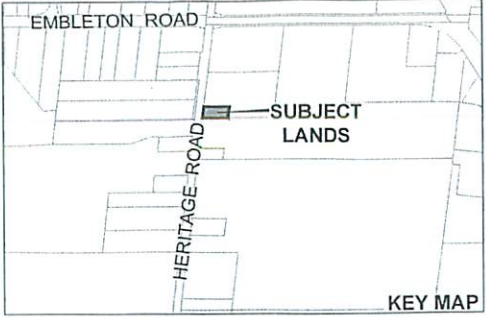
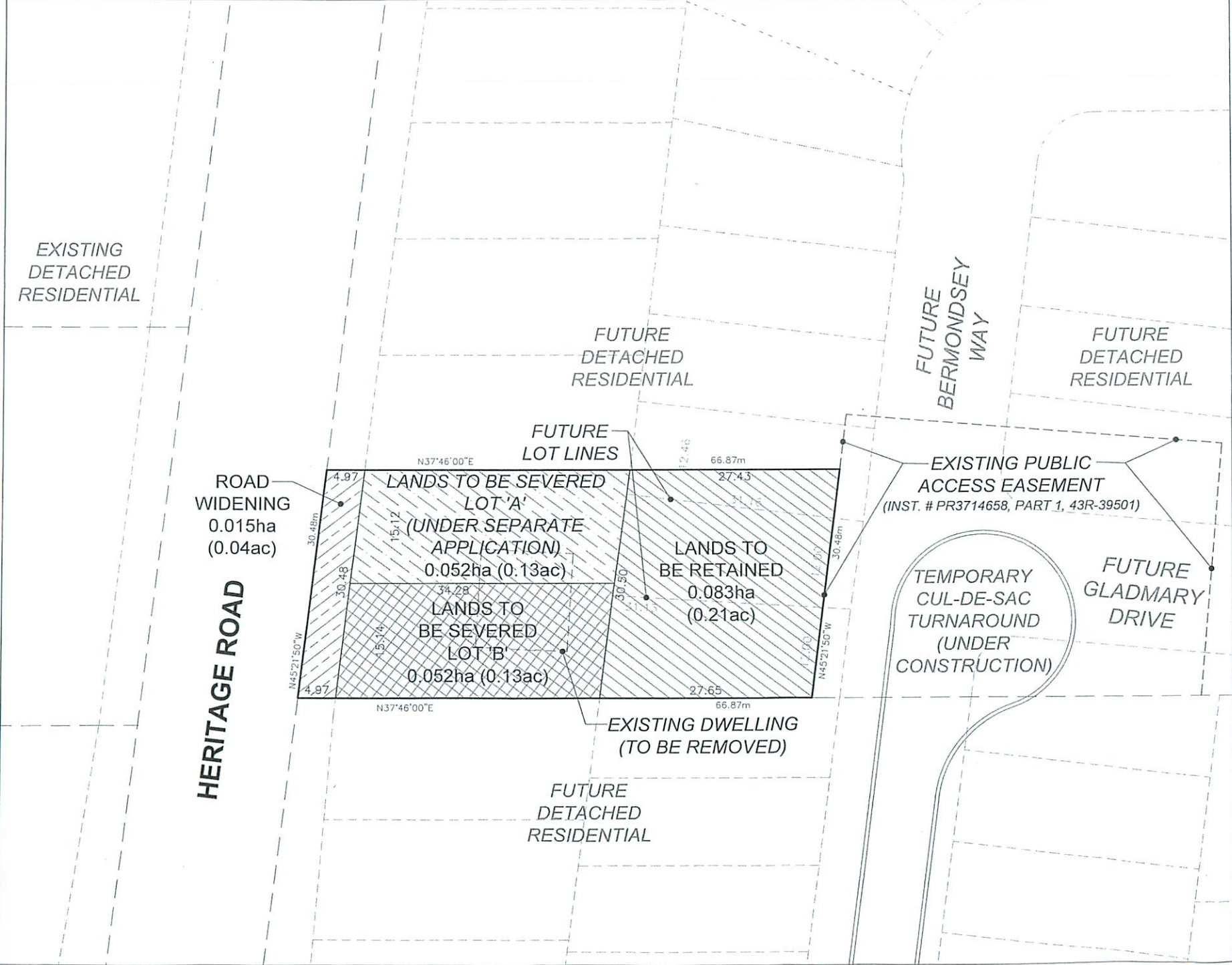
  
Signature of a Commissioner, etc.

Laura Kim Amorim, a Commissioner, etc.  
Province of Ontario, for  
Glen Schnarr & Associates Inc.  
Expires March 3, 2023.

Submit by Email

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.	
HOTHIS.	JAN 14 2021
Zoning Officer	Date

DATE RECEIVED JAN. 13 - 2021  
Date Application Deemed Complete by the Municipality JAN. 14, 2021



**CONSENT SKETCH - LOT 'B'  
TOP END CONSTRUCTION INC.**

8917 HERITAGE ROAD,  
PART OF LOT 5,  
CONCESSION 5, W.H.S.  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEE

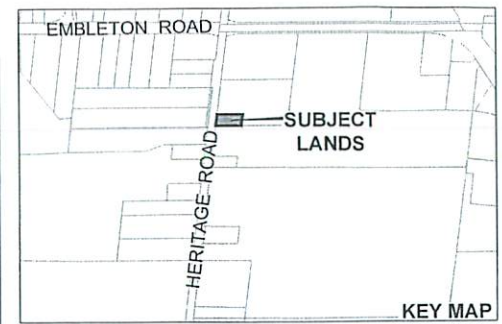
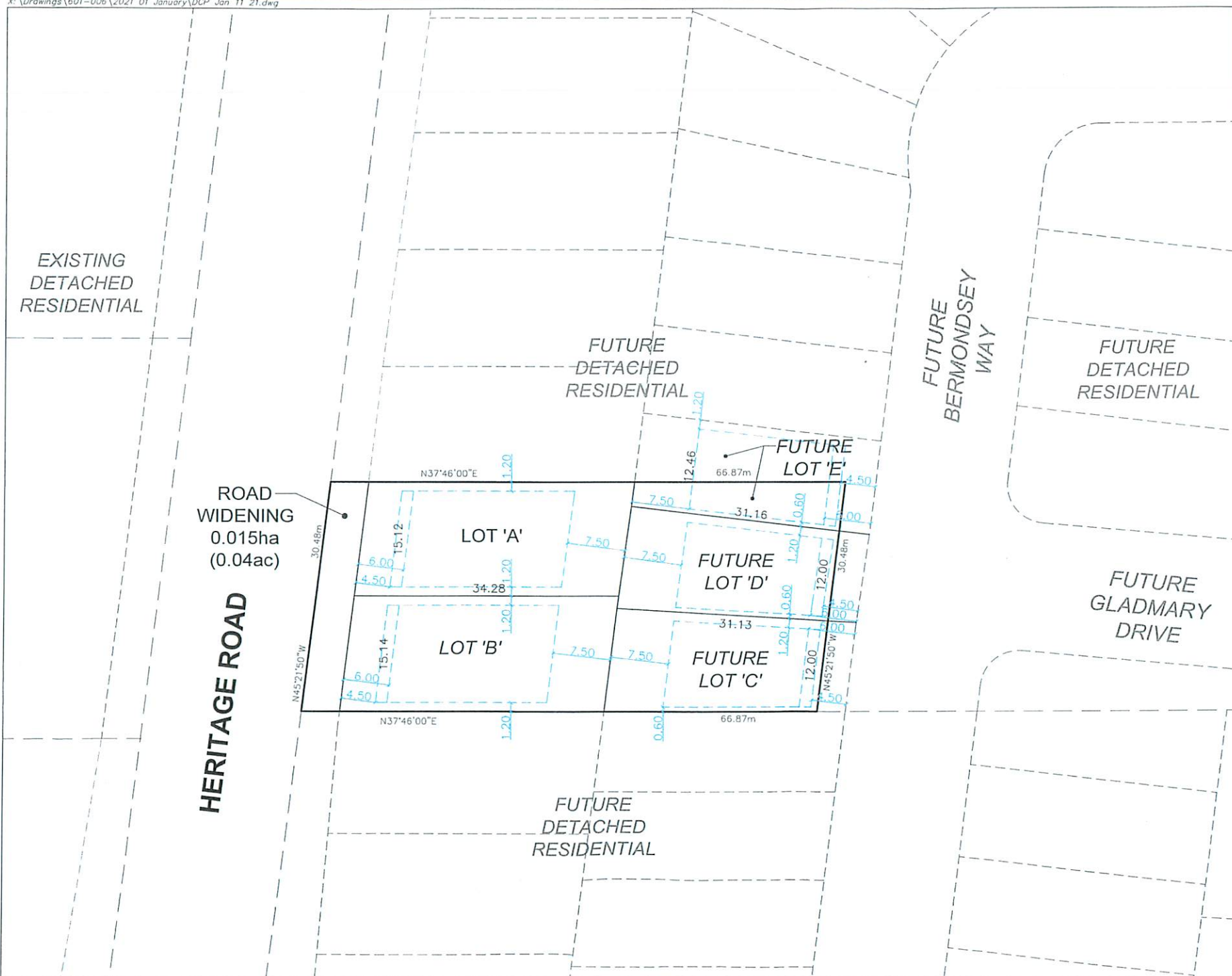
**CONSENT STATISTICS**

	LANDS TO BE RETAINED:	0.083ha (0.21ac)
	LANDS TO BE SEVERED:	0.052ha (0.13ac)
	LANDS TO BE SEVERED: (UNDER SEPARATE APP.)	0.052ha (0.13ac)
	ROAD WIDENING:	0.015ha (0.04ac)
	<b>TOTAL:</b>	<b>0.202ha (0.50ac)</b>



SCALE 1:500  
JANUARY 7, 2021





# **DEVELOPMENT CONCEPT PLAN TOP END CONSTRUCTION INC.**

8917 HERITAGE ROAD,  
PART OF LOT 5,  
CONCESSION 5, W.H.S.  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEE

## **LEGEND**

TYPICAL BUILDING ENVELOPES



SCALE 1:500  
JANUARY 11, 2021



B-2021-0001  
B-2021-0002

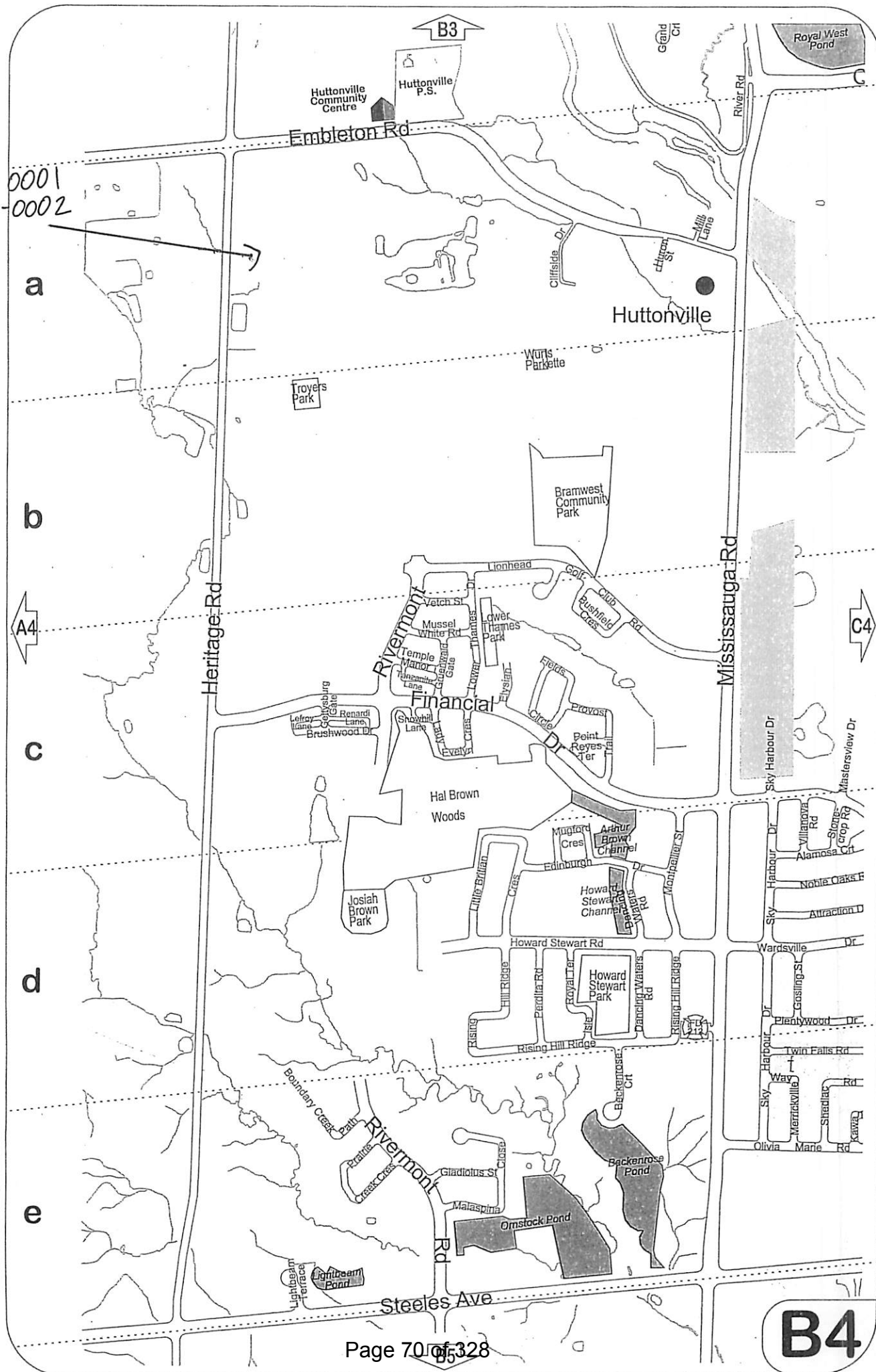
a

b

c

d

e



**Filing Date:** January 14, 2021  
**Hearing Date:** February 16, 2021

**File:** B-2021-0001 & B-2020-0002

**Owner/  
Applicant:** TOP END CONSTRUCTION INC.

**Address:** 8917 HERITAGE ROAD (LOT A& B)

**Ward:** 9

**Contact:** Shelby Swinfield, Planner I

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### **Proposal:**

#### *B-2020-0001*

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.202 hectares (0.50 acres). The effect of the application is to create a new lot having frontage of approximately 15.12 metres (49.60 feet), a depth of approximately 34.28 metres (112.47 feet) and an area of approximately 0.52 hectares (0.13 acres). The proposed severed lot (**Lot A**) will be used for future residential development of a single detached dwelling.

#### *B-2020-0002*

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.202 hectares (0.50 acres). The effect of the application is to create a new lot having frontage of approximately 15.12 metres (49.60 feet), a depth of approximately 34.28 metres (112.47 feet) and an area of approximately 0.52 hectares (0.13 acres). The proposed severed lot (**Lot B**) will be used for future residential development of a single detached dwelling.

### **Recommendations:**

That applications B-2021-0001 and B-2021-0002 are 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:
2. 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;
3. 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;

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;
5. The applicant shall gratuitously convey to the City of Brampton an approx. 5.0 meter road allowance widening along the entire Heritage Road frontage, towards the ultimate right of way designation of 30 meters or 15 meters from the centreline of the right-of-way;
6. The applicant shall prepare and submit prior, to depositing, 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;
7. That the adjacent Draft Plan of Subdivision Application identified as C05W06.007 and 21T-06026B shall be registered and that Part Lot Control shall be lifted from the part lots surrounding the retained lands prior to the issuance of the Secretary Treasurer's Certificate.

**Background:**

- **Official Plan:** The subject property is designated 'Residential' in the Official Plan;
- **Secondary Plan:** The subject property is designated "Low/Medium Density Residential" in the Bram West Secondary Plan (Area 40d); and
- **Zoning By-law:** The subject property is zoned "Residential Single Detached F-15 – Special Section 2917 (R1F-15-2917)" and "Residential Single Detached E-12 – Special Section 2876 (R1E-12-2876) 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**

<b>CRITERIA TO BE CONSIDERED</b>	<b>ANALYSIS</b>
a) <i>The effect of development of the proposed subdivision on matters of provincial interest:</i>	The proposed severances are not considered to have significant impacts on matters of provincial interest, subject to the recommended conditions of approval.
b) <i>Whether the proposal is premature or in the public interest;</i>	A condition of approval is recommended that the proposed severances not be finalized until the adjacent subdivision is registered which will allow for appropriate timing of the application.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	<p>The proposed severances are intended to facilitate the development of the lands into future residential lots in conjunction with an adjacent plan of subdivision identified as C05W06.007 and 21T-06026B.</p> <p>A condition of approval that the adjacent plan must be registered and that Part Lot Control shall be lifted prior to finalization of the severance is intended to ensure that the lots are not created ahead of the subdivision.</p>
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 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 are appropriate in size and shape for their purpose. A condition of approval is recommended that Part Lot Control be lifted from the part lots on the adjacent plan of subdivision prior to the finalization of the consents to ensure that the retained lands can be merged with those parts to create zoning compliant lots.
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 and flood control;</i>	The proposed severances 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. The retained lands will be serviced in conjunction with the adjacent subdivision.
j) <i>The adequacy of school sites;</i>	The proposed severance will facilitate future residential uses. The addition of these residential lots do not present concerns with regard to the adequacy of school sites.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	A condition of approval is recommended that the applicant gratuitously dedicate a portion of the property for road widening purposes to satisfy the City's road widening requirements.
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 severances 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 lots are proposed for residential uses.
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**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MUHAMMAD AKRAM AND KANEEZ FATIMA AKRAM** 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 8, Plan A-12 municipally known as **221 QUEEN STREET WEST**, Brampton;

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

1. To permit a home occupation (law office) to occupy 26.9% of the gross floor area of the dwelling whereas the by-law limits the area associated with a home occupation to a maximum of 15% of the floor area of the dwelling;
2. To permit the rear yard to be paved for the purpose of parking whereas the by-law does not permit the rear yard to be paved for parking purposes;
3. To permit 0.0m of permeable landscaping along the interior side lot lines whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping between the extended driveway/parking area and the interior side lot lines.

**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, February 16, 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**

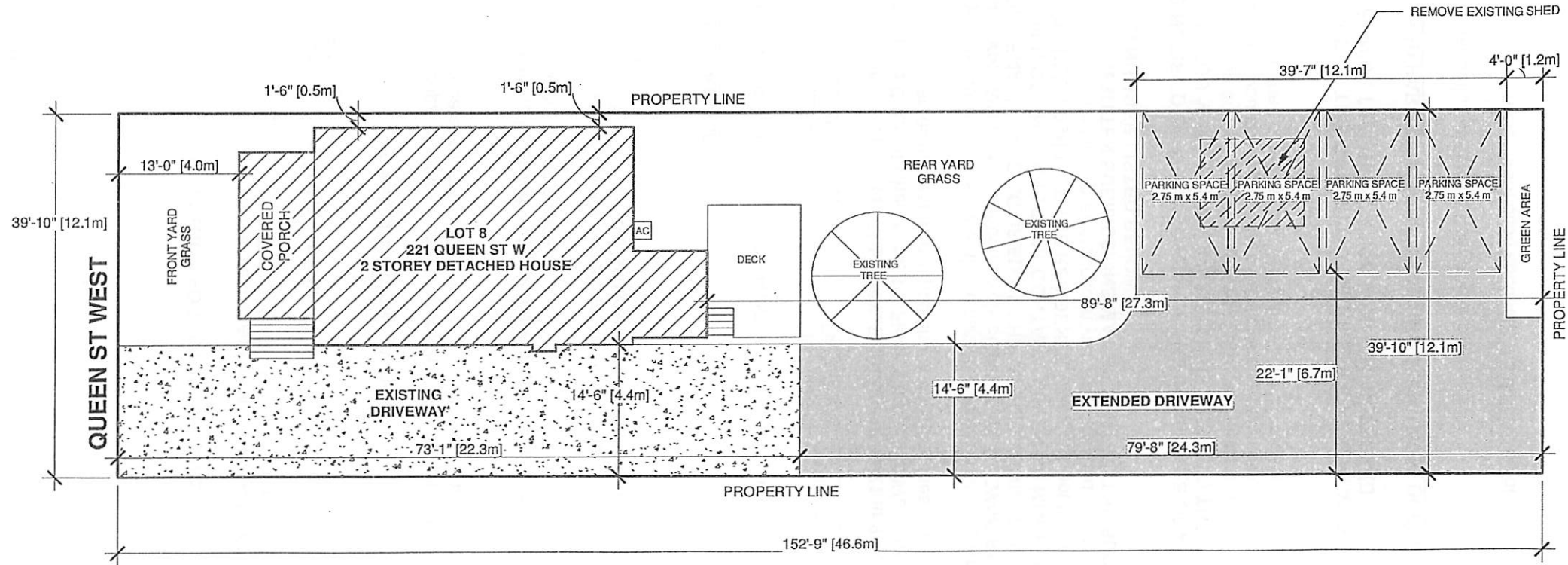
DATED at Brampton Ontario, this 4th day of February, 2020.

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

Jeanie Myers, Secretary-Treasurer  
Committee of Adjustment  
City Clerk's Office,  
Brampton City Hall  
2 Wellington Street West,  
Brampton, Ontario L6Y 4R2  
Phone: (905)874-2117  
Fax: (905)874-2119  
[jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca)

**LOT 8  
221 QUEEN ST W**

**MINOR VARIANCE  
TO PERMIT 26.9% AREA OF RESIDENTIAL  
BUILDING AS LAW OFFICE**



REAR YARD LANDSCAPED AREA = 37.8 %

TOTAL FLOOR AREA: 889 SQF (82.5 SQM)

AREA PROPOSED FOR LAW OFFICE: 239 SQF (22.2 SQM) = 26.9%

SITE PLAN

01 ISSUED FOR MINOR VARIANCE OCT 08/20

ADDRESS:  
221 QUEEN ST W,  
BRAMPTON, ON

DRAWN BY: NK CHECKED BY: TR

PROJECT NUMBER:

**NOBLE PRIME  
SOLUTIONS LTD**

2131 WILLIAMS PARKWAY,  
BRAMPTON ON  
UNIT 19

(437) 888 1800

DATE: OCT 08/20

DWG No.

SCALE: 1:140

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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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**

Feb 02, 2021


To: Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE  
A-2020-0116  
PLAN A12 LOT 8  
221 QUEEN ST W

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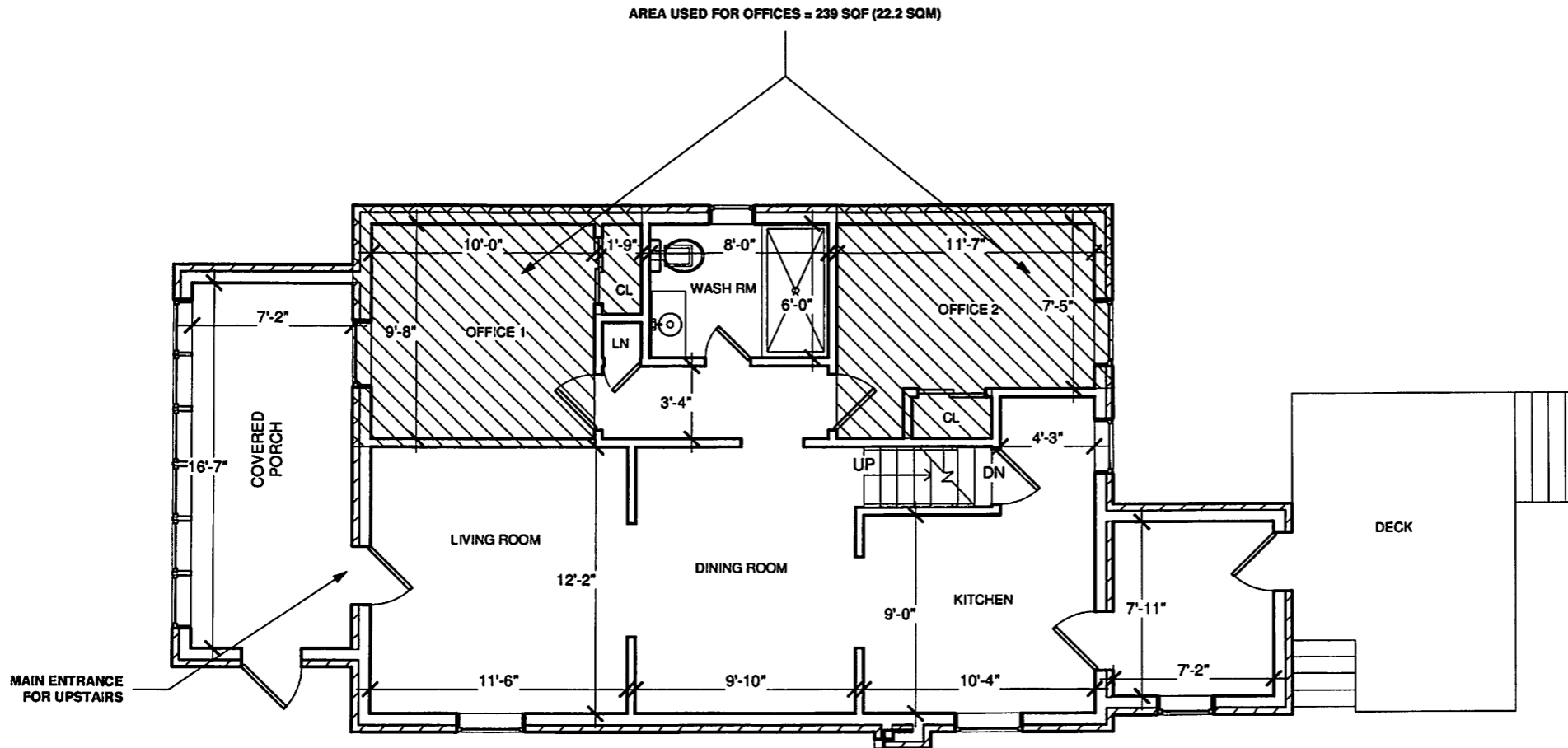
Please **amend** application **A-2020-0116** to reflect the following:

1. To permit parking in the rear yard, whereas the Zoning by-law does not permit parking in the rear yard for a home occupation use.
2. To permit a home occupation that occupies 26.9% of the dwelling, whereas the Zoning by-law requires a home occupation to not occupy more than 15% of the dwelling, excluding the basement or cellar.
3. To permit a 0.0m permeable landscape strip abutting a property line whereas the by-law requires a minimum 0.60m (1.97 ft.) permeable landscape strip.

  
RAVKIRAT SANDHU  
(NOBLE PRIME SOLUTIONS LTD)  
Applicant/Authorized Agent



GROUND FLOOR



**NOTE:**  
ALL WINDOWS EXISTING UNLESS OTHERWISE SPECIFIED

EXISTING GROUND FLOOR AREA: 889 SQF (82.5 SQM)

01 ISSUED FOR MINOR VARIANCE OCT 08/20

ADDRESS  
221 QUEEN ST W,  
BRAMPTON, ON

DRAWN BY: NK CHECKED BY: TR  
PROJECT NUMBER:

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

DATE: OCT 08/20 DRAWING:  
SCALE: 3/16" = 1'-0" A-3

RECEIVED

NOV 13 2020

CITY CLERK'S OFFICE

To  
The Planning Department and Committee of Adjustment  
City of Brampton

Application for a Minor Variance

221 Queen St.W.  
Brampton

A-2020-0116

AMENDMENT

Below are some details about the proposal.

The applicant is Noble Prime Solutions Ltd. on behalf of Muhammad Akram, Kaneez Fatima Akram.

The application for minor variance to include following variances:

To allow for home occupation that occupies 26.9% of the gross floor area of the dwelling (excluding the basement or cellar), whereas the zoning by-law requires that a home occupation does not occupy more than 15% of the gross floor area of the dwelling (excluding the basement or cellar)

To allow for 2 people to be employed other than the family residing in the dwelling whereas the zoning by-law requires that it is carried on only by the occupant of the dwelling or by members of his family residing there and there is no other employee on the premises in connection with the office.

To allow total area devoted to the office to be 22.2 square metres whereas the zoning by-law requires that office shall not exceed 15 square metres.

**Planning Framework:**

1. Brampton Official Plan designation: Central Area (Schedule A)
2. Brampton Secondary Plan: Downtown Brampton (SPA 7)

Secondary Plan Designation: Central Area Mixed-Use designation that permits an appropriate range of street-related business uses in combination with residential apartment uses in a manner that is consistent with the "old town" character of the Downtown Brampton Secondary Plan

3. Zoning: Residential Single Detached B (R1B) which allows single detached dwellings, group homes and non-residential uses such as a place of worship.

**Proposal:**

Current Use and surrounding uses:

The current use of the property is residential. The surrounding context is residential and commercial (with uses such as a law office and salon).

This is a single storey building of 82.5 square metre. area. There is a small shed on the property which can be relocated, and existing trees.

Details of Proposed Use:

A law office is proposed, it will occupy 26.9% of the entire building. No additions to the structure are required for the proposed use. No changes to the infrastructure/drainage are proposed.

Traffic, Access and Street Network:

No changes are proposed to the current site access. We do not anticipate any traffic impacts due to the small size of the proposed operations. The existing driveway (3.5m wide) will be retained and used to facilitate access to the proposed rear yard parking.

Parking:

As per 20.3.1. of the Zoning By-law, we understand that we will require 3 parking spaces for the proposed office, and we have shown parking spaces on site plan. No adverse effects to site drainage will result from this parking.

Landscaping:

The existing trees on site will be retained and preserved. Any required streetscape improvements also will be undertaken as per the City's instructions

Employees:

The proposed facility will generate 2 jobs in total.

We anticipate that the proposed use which is limited to just one office with a limited footfall of clients, in an existing structure, will not create any adverse effects to and will integrate well with the surrounding neighbourhood character.

Thank you

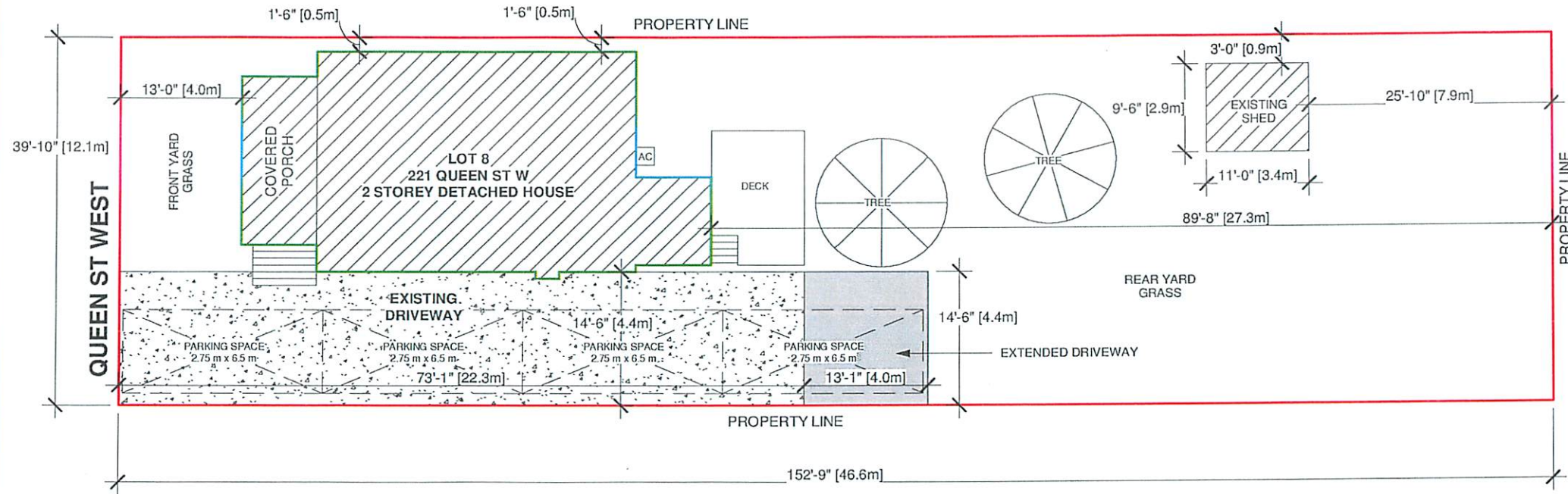
Sincerely

Tanvir Rai

Noble Prime Solutions Ltd

LOT 8  
221 QUEEN ST W

MINOR VARIANCE  
TO PERMIT 26.9% AREA OF RESIDENTIAL  
BUILDING AS LAW OFFICE



TOTAL FLOOR AREA: 889 SQF (82.5 SQM)

AREA PROPOSED FOR LAW OFFICE: 239 SQF (22.2 SQM) = 26.9%

01 ISSUED FOR MINOR VARIANCE OCT 08/20

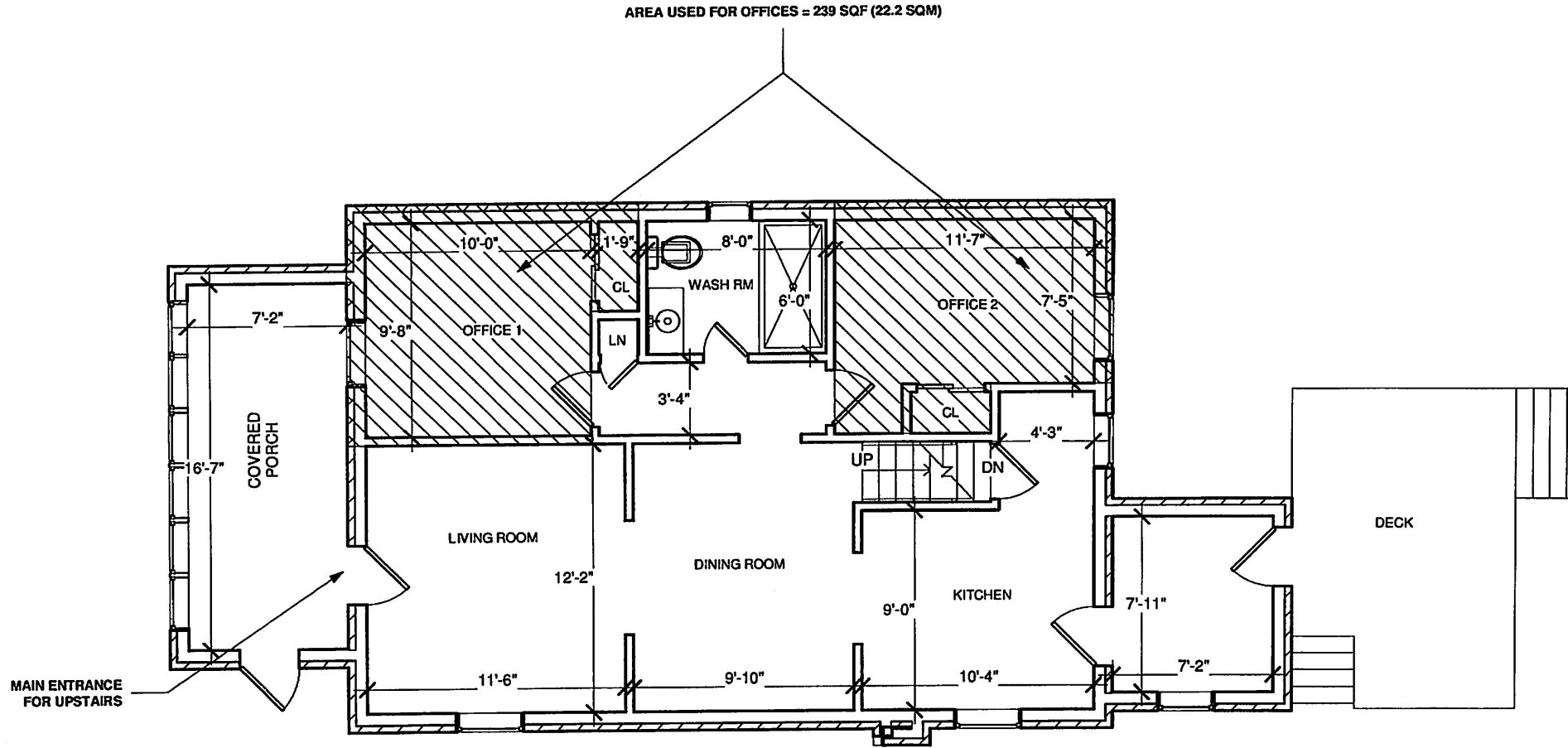
ADDRESS:  
221 QUEEN ST W,  
BRAMPTON, ON

DRAWN BY: NK CHECKED BY: TR  
PROJECT NUMBER:

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

DATE: OCT 08/20 DWG NO:  
SCALE: 1:140 A-1

GROUND FLOOR



**NOTE:**  
ALL WINDOWS EXISTING UNLESS OTHERWISE SPECIFIED

EXISTING GROUND FLOOR AREA: 889 SQF (82.5 SQM)

01 ISSUED FOR MINOR VARIANCE OCT 08/20

ADDRESS:  
221 QUEEN ST W,  
BRAMPTON, ON

DRAWN BY: NK CHECKED BY: TR

PROJECT NUMBER:

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

DATE: OCT 08/20

SCALE: 3/16" = 1'-0"

A-3

To  
The Planning Department and Committee of Adjustment  
City of Brampton

Application for a Minor Variance

221 Queen St.W.  
Brampton

This application is to permit an office (law office) on the property and to permit related parking in the rear yard.

Below are some details about the proposal. The applicant is Noble Prime Solutions Ltd. on behalf of Muhammad Akram, Kaneez Fatima Akram. The proposed law office will occupy a total of 69 sq.m. of GFA and will employ 2 people. The operating hours will be from 9 AM to 6 PM daily and the office will operate on an appointment basis only. We do not plan to retain any residential use on the property.

We willing to work with the City to address any concerns and changes required to our application. We assure the City that this will be a use that is compatible with the general character of the area and with the intent of the Central Area Mixed-Use designation of the Secondary Plan.

**Planning Framework:**

1. Brampton Official Plan designation: Central Area (Schedule A)
2. Brampton Secondary Plan: Downtown Brampton (SPA 7)

Secondary Plan Designation: Central Area Mixed-Use designation that permits an appropriate range of street-related business uses in combination with residential apartment uses in a manner that is consistent with the "old town" character of the Downtown Brampton Secondary Plan

3. Zoning: Residential Single Detached B (R1B) which allows single detached dwellings, group homes and non-residential uses such as a place of worship.

**Proposal:**

Current Use and surrounding uses:

The current use of the property is residential. The surrounding context is residential and commercial (with uses such as a law office and salon).

This is a single storey building of 69 sq.m. area. There is a small shed on the property which can be relocated, and existing trees.

Details of Proposed Use:

A law office is proposed, it will occupy the entire building. No additions to the structure are required for the proposed use. No changes to the infrastructure/drainage are proposed. We understand that a Building Permit for a change of use may also be required.

Traffic, Access and Street Network:

No changes are proposed to the current site access. We do not anticipate any traffic impacts due to the small size of the proposed operations. The existing driveway (3.5m wide) will be retained and used to facilitate access to the proposed rear yard parking.

Parking:

As per 20.3.1. of the Zoning By-law, we understand that we will require 3 parking spaces for the proposed office, and we plan for those in the rear yard, similar to the adjacent properties. There is a green space/provision for a future laneway at the rear of the property, and we will ensure that we will provide appropriate screening to the two flanking/adjacent properties. No adverse effects to site drainage will result from the rear parking.

Landscaping:

The existing trees on site will be retained and preserved. Any required streetscape improvements also will be undertaken as per the City's instructions

Employees:

The proposed facility will generate 2 jobs in total.

We anticipate that the proposed use which is limited to just one office with a limited footfall of clients, in an existing structure, will not create any adverse effects to and will integrate well with the surrounding neighbourhood character.

Thank you

Sincerely



Tanvir Rai  
Noble Prime Solutions Ltd



FILE NUMBER: A-2020-0116

*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)** MUHAMMAD AKRAM, KANEEZ FATIMA AKRAM  
**Address** 221 QUEEN ST W, BRAMPTON, ON, L6Y1M6  
  
**Phone #** 416-275-6664 **Fax #** \_\_\_\_\_  
**Email** AKRAMFRANCE@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 CHANGE THE USE OF THE PROPERTY FROM RESIDENTIAL TO COMMERCIAL (LAW OFFICE)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. **Why is it not possible to comply with the provisions of the by-law?**  
THE PROPERTY IS ZONED AS RESIDENTIAL (R1B), COMMERCIAL LAW OFFICE IS NOT PERMITTED  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. **Legal Description of the subject land:**  
**Lot Number** 8  
**Plan Number/Concession Number** A 12  
**Municipal Address** 221 QUEEN ST W, BRAMPTON, ON, L6Y1M6

6. **Dimension of subject land (in metric units)**  
**Frontage** 12.3  
**Depth** 48.4  
**Area** 589

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.)

SINGLE STOREY DETACHED HOUSE , EXISTING SHED

AREA OF THE BUILDING: 121.8 SQM , AREA OF THE SHED: 11.25 SQM

**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 4.9

Rear yard setback 27.3

Side yard setback 0.3

Side yard setback 3.5

**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: SEP 2020

11. Existing uses of subject property: RESIDENTIAL

12. Proposed uses of subject property: COMMERCIAL (LAW OFFICE)

13. Existing uses of abutting properties: RESIDENTIAL AND COMMERCIAL

14. Date of construction of all buildings & structures on subject land: 1965

15. Length of time the existing uses of the subject property have been continued: 55 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 13<sup>th</sup> DAY OF OCT, 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 13<sup>th</sup> DAY OF

October, 2020.

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 NEIGH

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

Hothi S

Zoning Officer

OCT. 15. 2020

Date

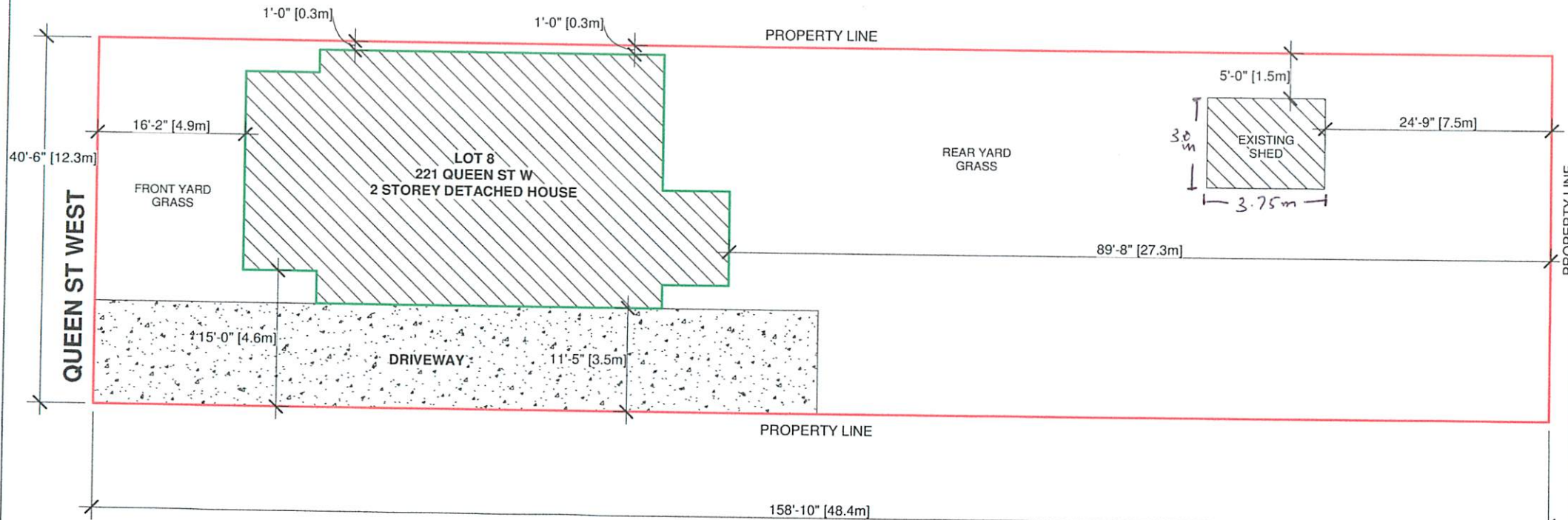
DATE RECEIVED October 13, 2020

Revised 2020/01/07

**LOT 8  
221 QUEEN ST W**

**MINOR VARIANCE  
TO PERMIT THE CHANGE OF USE FROM  
RESIDENTIAL TO COMMERCIAL  
(LAW OFFICE)**

**SITE PLAN**



BUILDING AREA : 121.8 SQM  
TOTAL LOT AREA : 589 SQM

01 ISSUED FOR PERMIT OCT 08/20

ADDRESS:  
221 QUEEN ST W,  
BRAMPTON, ON

DRAWN BY: NK CHECKED BY: TR

PROJECT NUMBER:

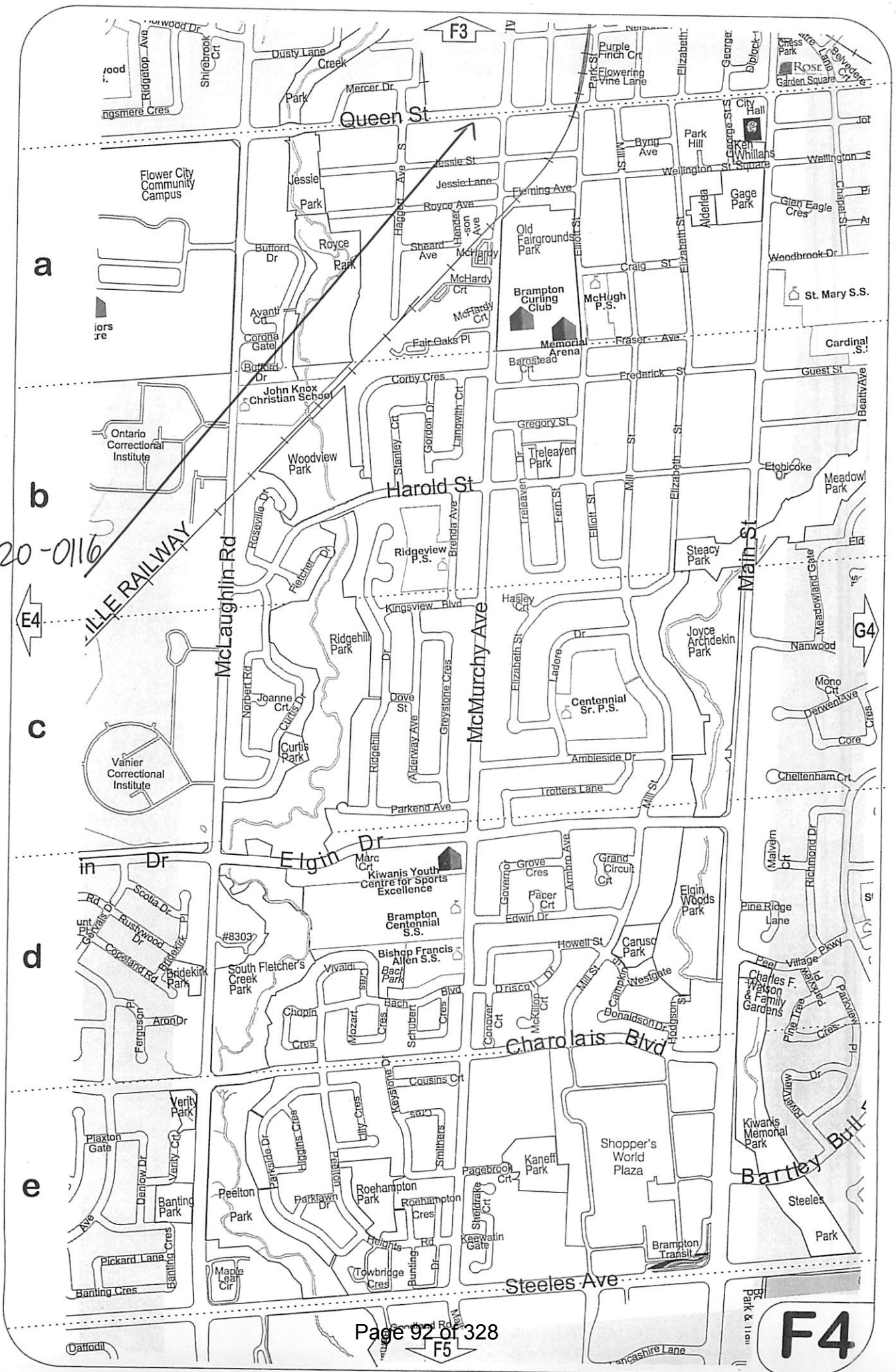
**NOBLE PRIME  
SOLUTIONS LTD**  
2131 WILLIAMS PARKWAY,  
BRAMPTON ON  
UNIT 19  
(437) 888 1800  
(905) 782 5261

DATE: OCT 08/20

SCALE: 1 : 140

A-1

A-2020-0116



**Filing Date:** October 14, 2020  
**Hearing Date:** February 16, 2021

**File:** A-2020-0116

**Owner/  
Applicant:** MUHAMMAD AND KANEEZ AKRAM

**Address:** 221 Queen Street West

**Ward:** 3

**Contact:** Shelby Swinfield, Planner I

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**Recommendations:**

That application A-2020-0116 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 a Grading and Servicing Plan and Stormwater Management Brief shall be approved prior to construction of the driveway and parking area to the satisfaction of the Commissioner of Public Works and Engineering, prior to the establishment of the use;
3. That the existing wood screening fence remain constructed in its current location and height and shall not be removed, lowered, or replaced with a non-wood screening style of fencing;
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

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**Background:****Existing Zoning:**

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

**Requested Variances:**

The applicant is requesting the following variances:

1. To permit a home occupation (law office) to occupy 26.9% of the gross floor area of the dwelling whereas the by-law limits the area associated with a home occupation to a maximum of 15% of the floor area of the dwelling;
2. To permit the rear yard to be paved for the purpose of parking whereas the by-law does not permit the rear yard to be paved for parking purposes;
3. To permit 0.0m of permeable landscaping along the interior side lot lines whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping between the extended driveway/parking area and the interior side lot lines.

#### **Current Situation:**

##### **1. Conforms to the Intent of the Official Plan**

The property is designated "Central Area" in the Official Plan and "Central Area Mixed Use" in the Downtown Brampton Secondary Plan (Area 7). The Central Area Mixed Use designation is intended to accommodate mixed-use developments incorporating a combination of a range of uses, including but not used to office and residential uses. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Official Plan.

Variances 2 and 3 are not considered to have significant impacts within the context of the Official Plan 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 (R1B)" according to By-law 270-2004, as amended.

Variance 1 is to permit a home occupation (law office) to occupy 26.9% of the gross floor area of the dwelling whereas the by-law limits the area associated with a home occupation to a maximum of 15% of the floor area of the dwelling. The intent of the by-law in regulating the maximum permitted floor area for home occupations within a dwelling is to ensure that the primary function of the dwelling remains residential in nature and that the home occupation is subordinate to the residential use.

In the case of the subject property, the home occupation will occupy two offices on the main floor of the dwelling with the remainder of the dwelling being used as a residential dwelling. A condition of approval is recommended that the variance be limited to the extent identified on the sketch attached to the public notice to ensure that the office operation does not expand beyond what is proposed within the scope of this application. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is to permit the rear yard to be paved for the purpose of parking whereas the

by-law does not permit the rear yard to be paved for parking purposes. The intent of the by-law in prohibiting the rear yard to be paved for the purposes of parking is to ensure that amenity space is provided for the residential property, and that some landscaped area is maintained for the property. In the case of the subject property, the portion of the rear yard to be paved for the purposes of parking does not encompass the entire rear yard and leaves a sufficient area of landscaped outdoor amenity space for the property. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

Variance 3 is to permit 0.0m of permeable landscaping along the interior side lot lines whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping between the extended driveway/parking area and the interior side lot lines. The intent of the by-law in requiring a minimum permeable landscape strip along the interior lot line is to ensure that sufficient space is provided for drainage and that drainage on adjacent properties is not impacted.

In the case of the subject property, the existing portion of the driveway is considered to be legal non-conforming with regard to the 0.0m permeable landscaping strip. The requested variance is needed to permit the continuation of that driveway into the rear yard to access the proposed parking area. A condition of approval is recommended that a Grading and Servicing Plan and Stormwater Management Brief shall be approved prior to construction of the driveway to the satisfaction of the Commissioner of Public Works and Engineering to ensure that the drainage design for the property is compatible with the surrounding properties. Subject to the recommended conditions of approval, Variance 3 is considered to maintain the general intent of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

Variance 1 is intended to permit the use of two offices on the ground floor of the dwelling to be used for the purposes of a law office as a home occupation. Given the size of the two offices relative to the dwelling, Variance 1 is requested. It is not anticipated that the increase in permitted floor area from 15% to 26.9% will significantly detract the primary residential use of the property, and will allow the property owner to operate their business from their residence. Additionally, this style of home occupation is common in this area of the City and considered to be in keeping with the character of the neighbourhood. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variances 2 and 3 relate to a proposed paved area in the rear yard of the property that is intended to facilitate a parking area as well as an appropriate turning hammerhead for the parking area. The paved area will be located toward the rear lot line, leaving a significant portion of the rear yard as landscaped amenity space, including an existing deck. The paved area has been designed in consultation with City staff to provide appropriate area to maneuver within the property and avoid creating the need to reverse or maneuver awkwardly onto Queen Street West.

A condition of approval is recommended that the existing fence remain constructed in its current location and height and shall not be removed, lowered, or replaced with a see-through style of fencing. This condition is intended to ensure that the proposed parking area remains fully screened from adjacent residential properties. A further condition is recommended that a Grading and Servicing Plan and Stormwater Management Brief shall be approved prior to construction of the driveway to the satisfaction of the Commissioner of Public Works and Engineering. This will allow City staff to review the proposed grading and design of the paved area to ensure it does not negatively impact drainage for the subject property or adjacent properties. Subject to the recommended conditions of approval, Variances 2 and 3 are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variance 1 is to permit an increase in permitted floor area from 15% to 26.9% for a home occupation. This increase of 11.9% is representative of the floor area of two existing office spaces on the main floor of the dwelling and is not anticipated to impact the primary residential function of the dwelling. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variances 2 and 3 relate to permitting the rear yard to be paved in conjunction with a proposed parking area. The requested variances are anticipated to facilitate the creation of a parking area that will allow an orderly flow of vehicles on the property in conjunction with the home occupation. Subject to the recommended conditions of approval, Variances 2 and 3 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 **AMRO HAYEK AND SANA ISSA GULATI** Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 1, Plan 43M-1822 municipally known as **42 CACHET COURT** Brampton;

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

1. To permit an existing driveway width of 9.60m (31.50 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.);
2. To permit 0.0m of permeable landscaping between the driveway and side property line whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping along the side lot line.
3. To permit a proposed accessory structure (pool equipment/change room) to be located in the exterior side yard whereas the by-law does not permit an accessory structure to be located in the exterior side yard;
4. To permit an existing accessory structure (cabana) having a height of 3.30m (10.83 ft.) whereas the by-law permits a maximum height of 3.0m (9.84 ft.) for an accessory structure;
5. To permit an existing accessory structure (cabana) with a floor area of 32.34 sq. m (348.1sq. ft.) whereas the by-law permits an individual accessory structure to a maximum floor are of 15 sq. m (161.46 sq. ft.);
6. To permit a combined area of 43.48 sq. m (468 ft.) for two (2) accessory structures (gazebo and shed) whereas the by-law permits a maximum combined area of 20 sq. m (215.28 sq. ft.) for two (2) accessory structures;
7. To permit a swimming pool on a corner lot which extends into the exterior side yard and the defined triangular site line area whereas the by-law does not permit a swimming pool to extend into the exterior side yard or the defined triangular site line area when a corner lot abuts the side yard of an adjacent residential lot having habitable room on the front corner of the ground floor.

**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, February 16, 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 February, 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](mailto: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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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.

Mrs. Jeanie Myers, Secretary-Treasurer  
Committee of Adjustment  
City of Brampton

January 6, 2021

Re: Amendment to Application No. A-2020-0122  
42 Cachet Court

To Whom It May Concern:

This letter is to inform you of the following amendments and additions to our Minor Variance Application with the above noted application number.

Amendments

1. To permit a maximum combined area of 43.48m<sup>2</sup> with a gazebo area of 32.34m<sup>2</sup> and a shed area of 11.14m<sup>2</sup>, where-as a maximum combined area of 20m<sup>2</sup> is permitted with no structure exceeding 15m<sup>2</sup>.

Additions:

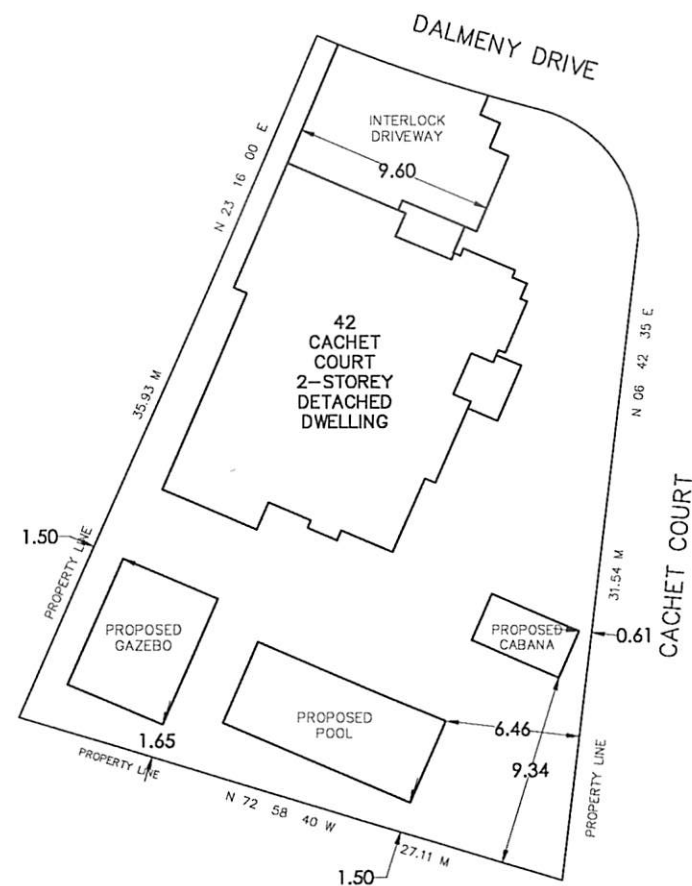
1. To permit 0.0m of soft landscaping, where-as the by-law requires 0.6m between the edge of the driveway and property line;
2. To permit an accessory structure with a height of 3.30m, where-as the by-law allows an accessory structure with a maximum height of 3.0m.

If you have any questions or concerns, please do not hesitate to contact the undersigned.

Yours truly,



Daniel Falzon, P.Eng.  
Lasonne Engineering Limited



INFORMATION TAKEN FROM SURVEY:  
 SURVEYOR'S REAL PROPERTY REPORT  
 PART 1  
 PLAN SHOWING LOT 1  
 REGISTERED PLAN 434-1822  
 CITY OF BRAMPTON  
 REGIONAL MUNICIPALITY OF PEE  
 BY: SCHAEFFER DZALDOV BENNETT LTD.  
 DATED: JANUARY 5, 2011

CONTRACTOR MUST VERIFY ALL DIMENSIONS IN THE  
 FIELD. ANY DISCREPANCIES MUST BE REPORTED  
 BEFORE PROCEEDING WITH THE WORK.

ALL CONSTRUCTION TO ADHERE TO THESE PLANS  
 AND/OR SPECIFICATIONS AND TO CONFORM TO THE  
 ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE  
 CODES AND AUTHORITIES HAVING JURISDICTION. THESE  
 REQUIREMENTS ARE TO BE TAKEN AS MINIMUM  
 SPECIFICATIONS. ONT. REG. 232/12.

General Notes

METRIC

ALL PROPERTY DIMENSIONS  
 IN METERS UNLESS  
 OTHERWISE NOTED



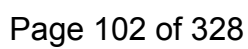
**LASONNE**  
**ENGINEERING LTD.**  
 KLEINBURG 416.882.2673

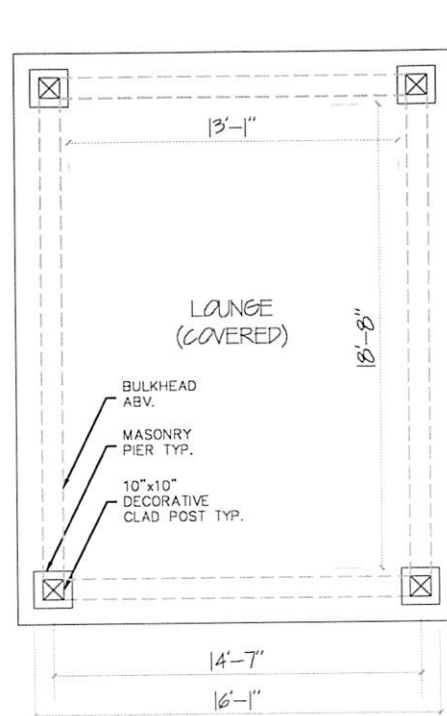
No.	Revision/Issue	Date

**SITE PLAN**

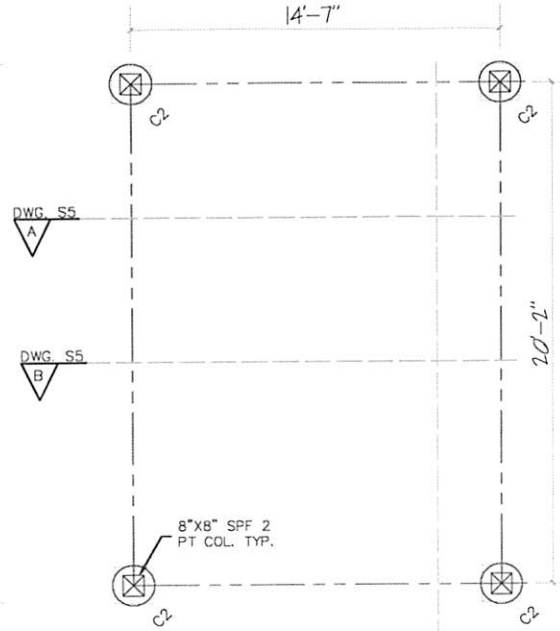
**42 CACHET COURT**  
 MISC. EXTERIOR ALTERATIONS  
 Brampton, Ontario

Project	20114	Sheet
Date	FEB '21	S1
Scale	1:125	





PLAN ARCHITECTURAL



PLAN FOUNDATIONS

SB3 - 3-2"x6" SOLID BEARING  
SB4 - 4-2"x6" SOLID BEARING  
SB5 - 5-2"x6" SOLID BEARING  
SB6 - 5-2"x8" SOLID BEARING  
ALL SOLID BEARING TO BE BRACED  
AT TOP AND BOTTOM

LVL BEAMS SHALL BE 2.0E MIN BY WAYERHAUSER OR  
APPROVED EQUIV. NAIL EACH PLY OF LVL WITH 89mm LG.  
COMMON WIRE NAILS @ 300mm O.C. STAGGERED IN 2  
ROWS FOR DEPTHS UP TO 11-7/8" AND 3 ROWS FOR  
GREATER DEPTHS AND FOR 4 PLY MEMBERS ADD 13mm  
DIA. GALV. BOLTS BOLTED AT MID-DEPTH OF BEAM AT  
400mm O.C.

GENERAL NOTES:

2.1 LUMBER:

1. ALL LUMBER SHALL BE SPRUCE No.2 GRADE OR  
BETTER UNLESS NOTED OTHERWISE.

2. STUDS SHALL BE STUD GRADE SPRUCE, UNLESS  
OTHERWISE NOTED.

3. JOIST HANGERS: PROVIDE APPROVED METAL  
HANGERS FOR ALL JOISTS AND BUILT-UP WOOD  
MEMBERS INTERSECTING WITH FLUSH BUILT-UP  
WOOD MEMBERS.

4. WOOD FRAMING NOT TREATED WITH A WOOD  
PRESERVATIVE IN CONTACT WITH CONCRETE SHALL  
BE SEPARATED FROM THE CONCRETE BY AT LEAST  
2mm POLYURETHANE FILM, No. 50 (45lbs) ROLL  
ROOFING OR OTHER DAMPROOFING MATERIAL.

2.2 STEEL:

1. STRUCTURAL STEEL SHALL CONFORM TO  
CAN/CSA-C40-21 GRADE 300W. HOLLOW  
STRUCTURAL SECTIONS SHALL CONFORM TO  
CAN/CSA-C40-21 GRADE 350W CLASS 'H'.

2. REINFORCING STEEL SHALL CONFORM TO  
CSA-G30-18M GRADE 400W.

2.3 CONCRETE:

1. THE MINIMUM COMPRESSIVE STRENGTH f'c OF  
ALL CONCRETE SHALL BE 30MPa.

2. CLEAR COVER TO REINFORCING STEEL SHALL BE  
AS FOLLOWS:

100mm +/- 20mm FOOTINGS CAST  
AGAINST EARTH

70mm +/- 20mm REMAINDER  
UNLESS NOTED

2.3 MECHANICAL:

1. MECHANICAL VENTILATION SHALL PROVIDE 1 AIR  
CHANGE PER HOUR IF NOT AIR CONDITIONED 0.5  
PER HOUR IF AIR CONDITIONED AVERAGED OVER 25  
HOURS.

2. HOT WATER TANK MANUFACTURER SPECS SHALL  
CONFORM TO SBG 9.31.6.

2.4 FLASHINGS:

1. FLASHING MATERIALS AND DISTALLATION SHALL  
CONFORM TO O.B.C SECTIONS 9.20.13, 9.26.4 &  
9.27.3

2.5 ELECTRICAL FACILITIES:

1. ALL ELECTRICAL FACILITIES SHALL BE INSTALLED  
IN ACCORDANCE WITH SECTION 9.34

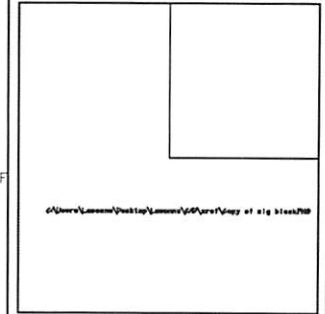
2.6 GRADING:

1. THE BUILDING SHALL BE LOCATED OR THE  
BUILDING SITE GRADED SO THAT WATER WILL NOT  
ACCUMULATE AT OR NEAR THE BUILDING AND WILL  
NOT ADVERSELY AFFECT ADJACENT PROPERTIES.  
GRADING SHALL CONFORM TO 9.14.6.

CONTRACTOR MUST VERIFY ALL DIMENSIONS IN THE  
FIELD. ANY DISCREPANCIES MUST BE REPORTED  
BEFORE PROCEEDING WITH THE WORK.

ALL CONSTRUCTION TO ADHERE TO THESE PLANS  
AND/OR SPECIFICATIONS AND TO CONFORM TO THE  
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CODES AND AUTHORITIES HAVING JURISDICTION. THESE  
REQUIREMENTS ARE TO BE TAKEN AS MINIMUM  
SPECIFICATIONS. ONT. REG. 332/12.

PLAN FRAMING



No.	Revision/Issue	Date
3		
2		

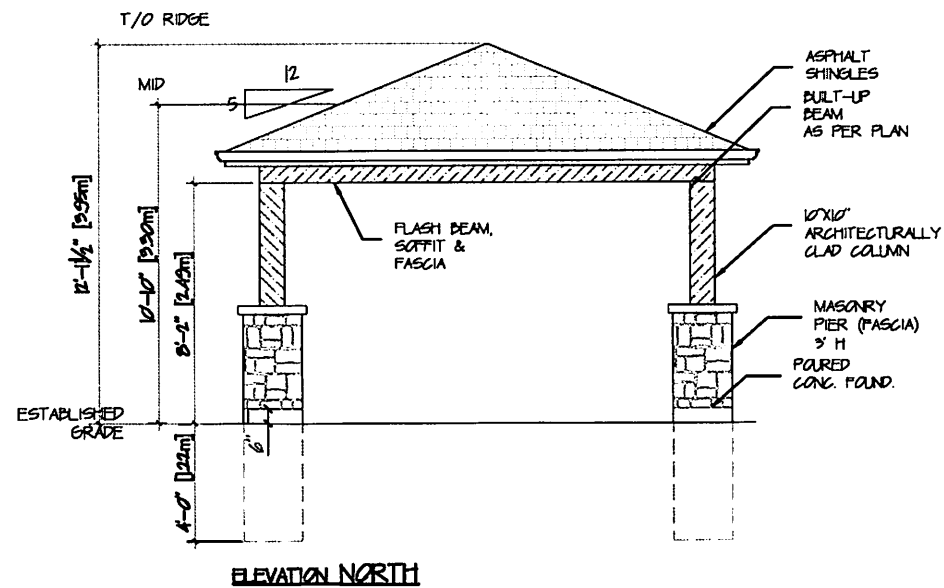
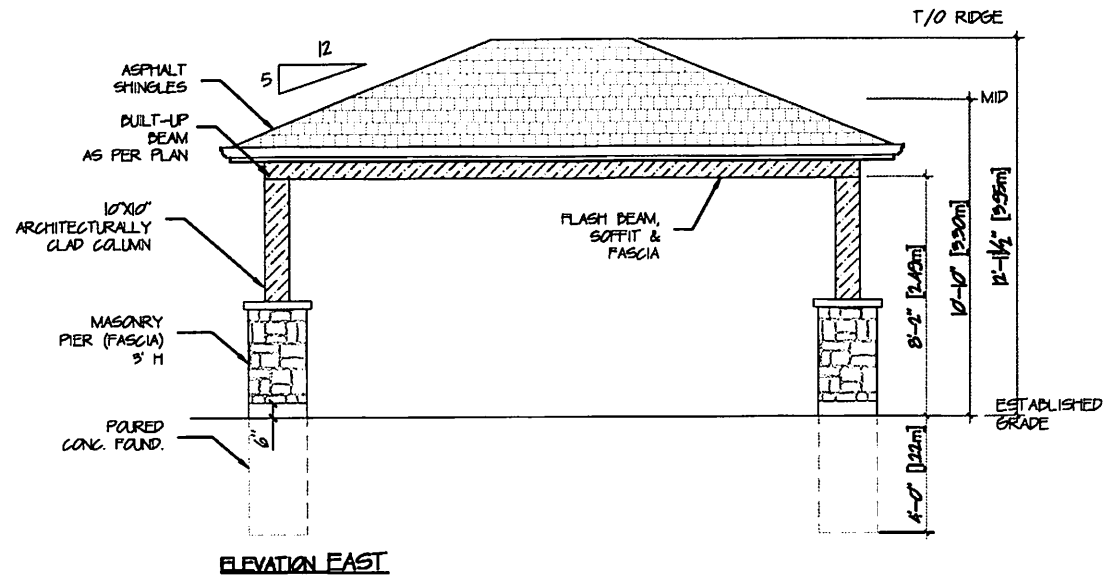


42 CACHET COURT  
REAR YARD MISC. STRUCTURES  
Brampton, Ontario

TITLE

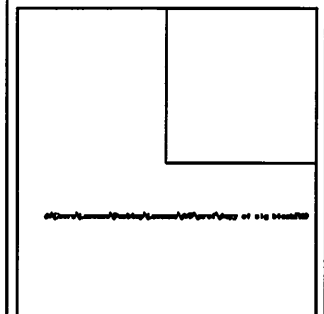
PLAN  
GAZEBO

Drawing No.	S2
Project No.	20114
Date	DEC '20
Scale	3/16" = 1'-0"
Drawn by:	DF
Checked by:	DF



CONTRACTOR MUST VERIFY ALL DIMENSIONS IN THE FIELD. ANY DISCREPANCIES MUST BE REPORTED BEFORE PROCEEDING WITH THE WORK.

ALL CONSTRUCTION TO ADHERE TO THESE PLANS AND/OR SPECIFICATIONS AND TO CONFORM TO THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. THESE REQUIREMENTS ARE TO BE TAKEN AS MINIMUM SPECIFICATIONS. O.R.C. REG. 323/12.



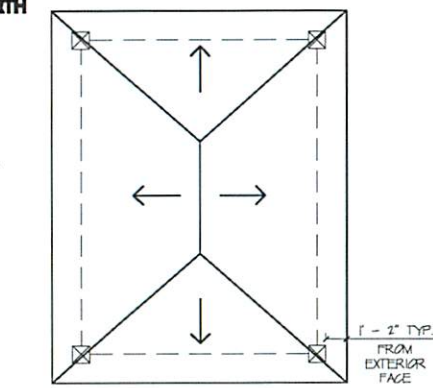
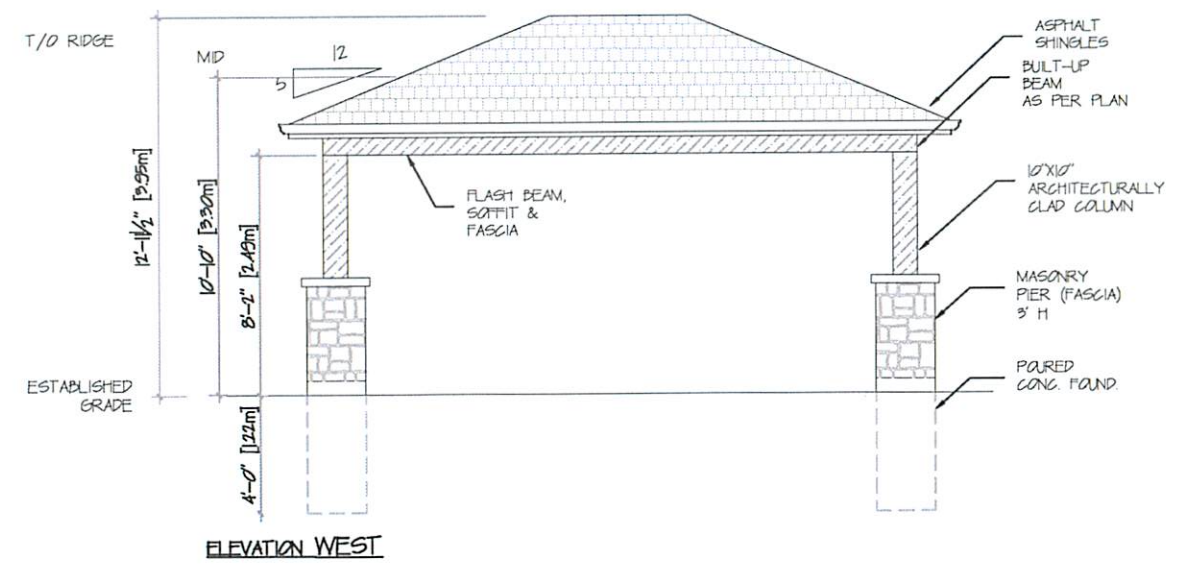
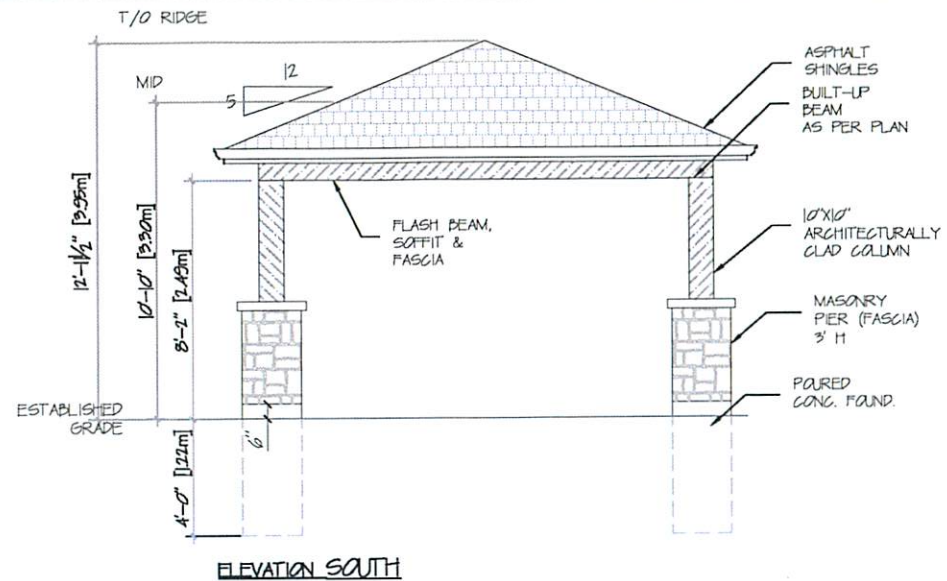
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No.	Revision/Issue	Date



42 CACHET COURT  
REAR YARD MISC. STRUCTURES  
Brampton, Ontario

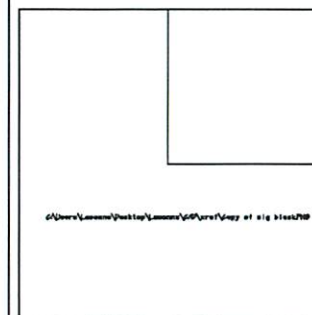
**GAZEBO  
ELEVATIONS I**

Drawing No.	83	
Project No.	20114	
Date	DEC 20	
Scale	1/4"=1'-0"	
Drawn by:	DF	Checked by: DF



CONTRACTOR MUST VERIFY ALL DIMENSIONS IN THE FIELD. ANY DISCREPANCIES MUST BE REPORTED BEFORE PROCEEDING WITH THE WORK.

ALL CONSTRUCTION TO ADHERE TO THESE PLANS AND/OR SPECIFICATIONS AND TO CONFORM TO THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. THESE REQUIREMENTS ARE TO BE TAKEN AS MINIMUM SPECIFICATIONS. ONT. REG. 332/12.



3		
2		
No.	Revision/Issue	Date

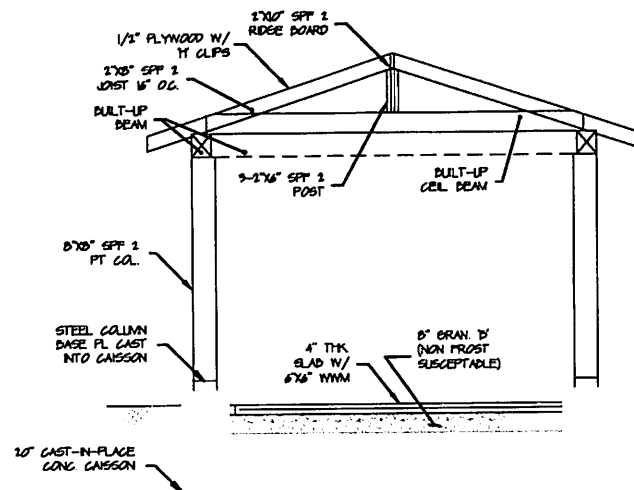


42 CACHET COURT  
REAR YARD MISC. STRUCTURES  
Brampton, Ontario

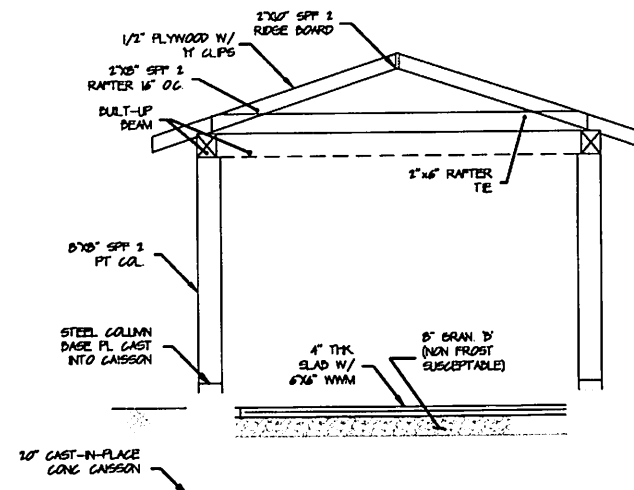
**TITLE**

**GAZEBO  
ELEVATIONS II**

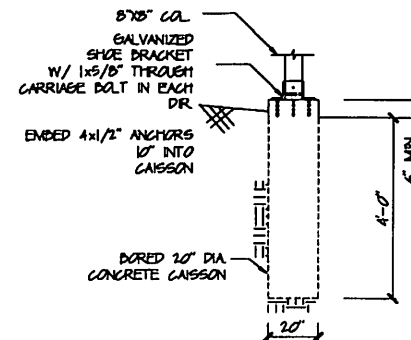
Drawing No.	S4
Project No.	20114
Date	DEC '20
Scale	1/4" = 1'-0"
Drawn by:	DF
Checked by:	DF



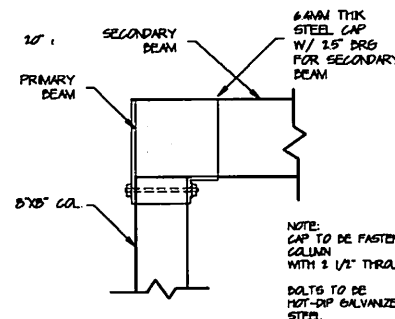
CROSS SECTION: A



CROSS SECTION: B



CAISSON - COLUMNS 'C'  
DETAILS  
NTS



DET A: BEAM TO COL  
CONNECTION DETAILS

#### GENERAL NOTES:

- 2.1 LUMBER:  
1. ALL LUMBER SHALL BE SPRUCE No.2 GRADE OR BETTER UNLESS NOTED OTHERWISE.
2. STUDS SHALL BE STUD GRADE SPRUCE, UNLESS OTHERWISE NOTED.
3. JOIST HANGERS: PROVIDE APPROVED METAL HANGERS FOR ALL JOISTS AND BUILT-UP WOOD MEMBERS INTERSECTION WITH FLUSH BUILT-UP WOOD MEMBERS.
4. WOOD FRAMING NOT TREATED WITH A WOOD PRESERVATIVE IN CONTACT WITH CONCRETE SHALL BE SEPARATED FROM THE CONCRETE BY AT LEAST 2mm POLYURETHANE FILM, No. 50 (400a) ROLL ROOFING OR OTHER DAMPROOFING MATERIAL.
- 2.2 STEEL:  
1. STRUCTURAL STEEL SHALL CONFORM TO CAN/CSA-C40-21 GRADE 300W. HOLLOW STRUCTURAL SECTIONS SHALL CONFORM TO CAN/CSA-C40-21 GRADE 350W CLASS 'H'.
2. REINFORCING STEEL SHALL CONFORM TO CSA-C30-18M GRADE 400W.
- 2.3 CONCRETE:  
1. THE MINIMUM COMPRESSIVE STRENGTH F<sub>c</sub> OF ALL CONCRETE SHALL BE 30MPa.

#### 2. CLEAR COVER TO REINFORCING STEEL SHALL BE AS FOLLOWS:

- |           |      |                             |
|-----------|------|-----------------------------|
| 100mm +/- | 20mm | FOOTINGS CAST AGAINST EARTH |
| 70mm +/-  | 20mm | REMAINDER UNLESS NOTED      |

#### 2.3 MECHANICAL:

1. MECHANICAL VENTILATION SHALL PROVIDE 1 AIR CHANGE PER HOUR IF NOT AIR CONDITIONED 0.5 PER HOUR IF AIR CONDITIONED AVERAGED OVER 25 HOURS.
2. HOT WATER TANK MANUFACTURER SPECS SHALL CONFORM TO OSC 9.31.6.

#### 2.4 FLASHINGS:

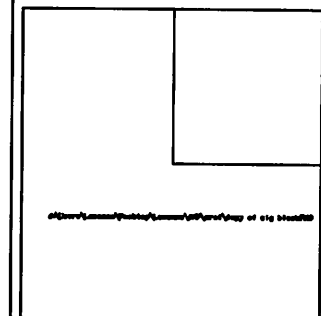
1. FLASHING MATERIALS AND INSTALLATION SHALL CONFORM TO O.B.C. SECTIONS 9.20.13, 9.20.4 & 9.27.3

#### 2.5 ELECTRICAL FACILITIES:

1. ALL ELECTRICAL FACILITIES SHALL BE INSTALLED IN ACCORDANCE WITH SECTION 9.34

#### 2.6 GRADING:

1. THE BUILDING SHALL BE LOCATED ON THE BUILDING SITE GRADED SO THAT WATER WILL NOT ACCUMULATE AT OR NEAR THE BUILDING AND WILL NOT ADVERSELY AFFECT ADJACENT PROPERTIES. GRADING SHALL CONFORM TO 9.14.6.



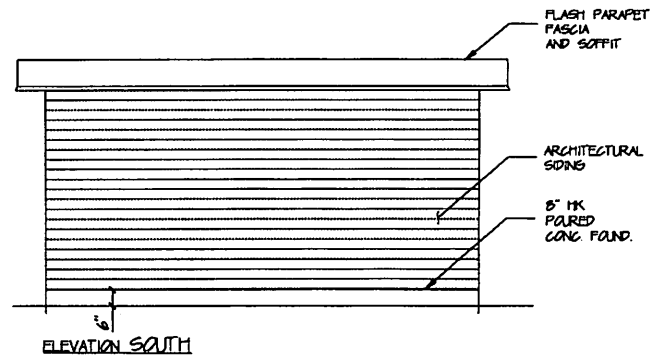
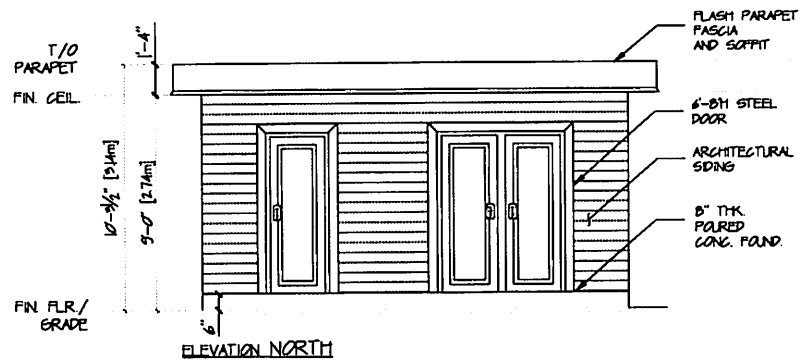
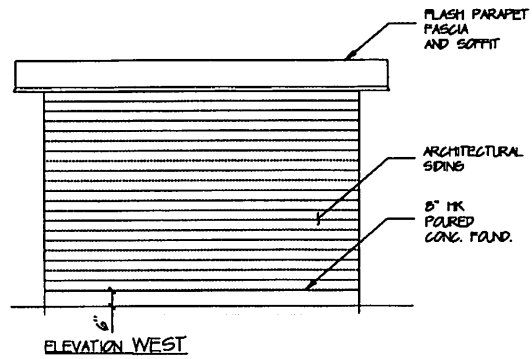
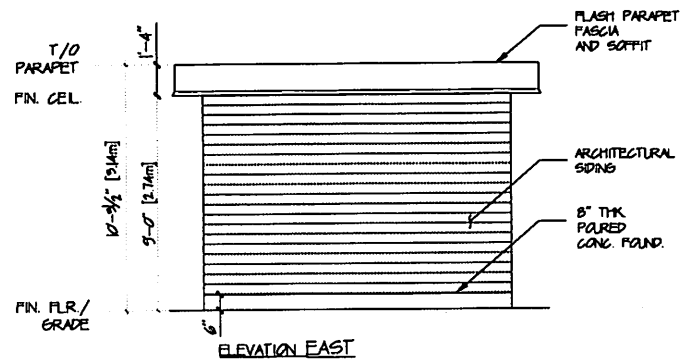
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No.	Revision/Issue	Date



42 CACHET COURT  
REAR YARD MISC. STRUCTURES  
Brampton, Ontario

TITLE  
**DETAILS**

Drawing No.	85
Project No.	20114
Date	DEC '20
Scale	3/16"=1'-0"
Drawn by	DP
Checked by	DP



**GENERAL NOTES:**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2012 CANADIAN NATIONAL BUILDING CODE (CNBC) AND THE 2012 CANADIAN NATIONAL PLUMBING CODE (CNPC).
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2012 CANADIAN NATIONAL ELECTRICAL CODE (CNEC).
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2012 CANADIAN NATIONAL MECHANICAL CODE (CNMC).
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2012 CANADIAN NATIONAL FIRE CODE (CNFC).
5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2012 CANADIAN NATIONAL SAFETY CODE (CNSC).
6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2012 CANADIAN NATIONAL ENVIRONMENTAL CODE (CNEC).
7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2012 CANADIAN NATIONAL HEALTH CARE CODE (CNHC).
8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2012 CANADIAN NATIONAL EDUCATION CODE (CNEC).
9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2012 CANADIAN NATIONAL RECREATION CODE (CNR).
10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2012 CANADIAN NATIONAL TRANSPORTATION CODE (CNT).

**LEGEND:**

- 1. CHIMNEY FLASH - 800MM HEIGHT TO OUTSIDE
- 2. CARBON MONOXIDE DETECTOR
- 3. COLLARS IDENTIFIED BEFORE ALARM (NOT-CONNECTED)
- 4. SOLID BEARING TO BE AS HIGH AS SUPPORTED MEMBER (MIN. 3 PILES)
- 5. SOLID WOOD BEARING TO MATCH FROM ABOVE
- 6. DJ TRIPLE JOIST
- 7. LVL LAMINATED VENEER LUMBER
- 8. PT PRESSURE TREATED LUMBER
- 9. GT GROUND TRAILS BY MAP

ALL MATERIALS PROVIDED TO BE DETERMINED BY HOME OWNER DURING CONSTRUCTION

DOOR SCHEDULE			
NO.	SIZE	TYPE	FIN.
01	6'0" x 8'0"	SW	FIN
02	6'0" x 8'0"	SW	FIN
03	6'0" x 8'0"	SW	FIN
04	6'0" x 8'0"	SW	FIN
05	6'0" x 8'0"	SW	FIN
06	6'0" x 8'0"	SW	FIN
07	6'0" x 8'0"	SW	FIN
08	6'0" x 8'0"	SW	FIN
09	6'0" x 8'0"	SW	FIN
10	6'0" x 8'0"	SW	FIN

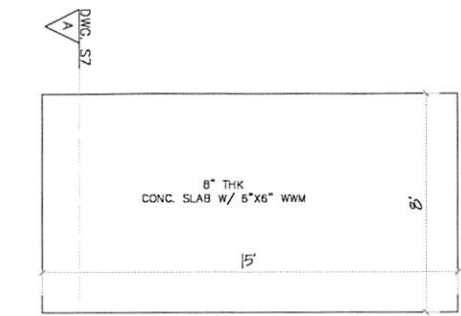
**LASONNE**  
ENGINEERING LTD.  
KLEINBURG 416.882.2573

No. Revision/Issue Date

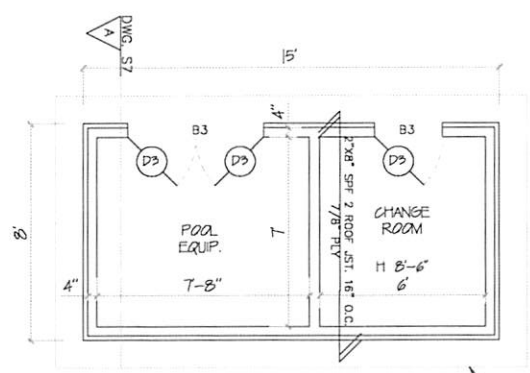
**ELEVATIONS**  
**CABANA**

42 CACHET COURT  
REAR YARD ACCESSORIES  
Brampton, Ontario

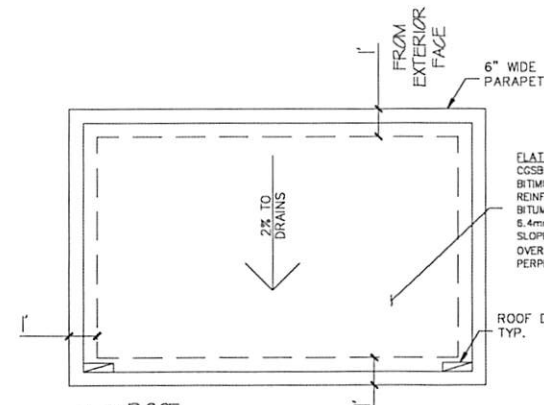
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Date DEC '20  
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S6



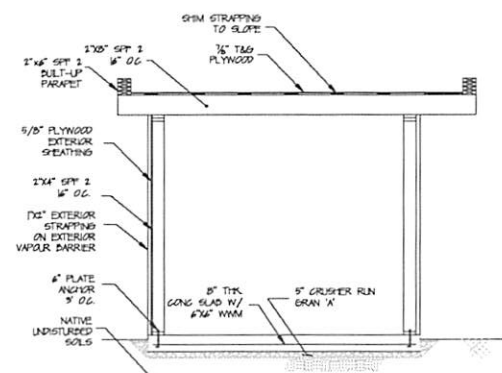
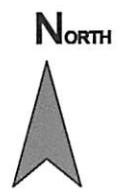
PLAN FOUNDATIONS



PLAN CABANA



PLAN ROOF



CROSS SECTION: A

- GENERAL NOTES:**
1. ALL DIMENSIONS SHALL BE SPACED TO 3/8\"/>

- LEGEND:**
- EXHAUST FAN - 800MM VENTED TO OUTSIDE
  - CARBON MONOXIDE DETECTOR
  - CEILING MOUNTED SMOKE ALARM (WIRE-CONNECTED)
  - SOLID BEARING TO BE AS WIDE AS SUPPORTED MEMBER (MIN. 2 PIECES)
  - SOLID WOOD BEARING TO MATCH FROM ABOVE
  - DOUBLE JOIST
  - TRIPLE JOIST
  - LAMINATED VENEER LUMBER
  - PRESURFACED TREATED LUMBER
  - ORDER TRUSS BY MANU.

ALL MATERIAL FINISHES TO BE DETERMINED BY HOME OWNER DURING CONSTRUCTION

DOOR SCHEDULE		
NO.	SIZE	FINISH
D1	3'0" x 8'0"	5/8"
D2	2'8" x 5'8" - WOOD	N/A
D3	3'0" x 5'8" - WOOD	N/A
D4	3'2" x 5'8" - WOOD	N/A

S183 = 3-2"x6" SOLID BEARING
S184 = 4-2"x6" SOLID BEARING
S185 = 5-2"x6" SOLID BEARING
S186 = 5-2"x8" SOLID BEARING
ALL SOLID BEARING TO BE BRACED AT TOP AND BOTTOM

BEAM SCHEDULE		
B1	2-2"x8"	SPF #2
B2	3-2"x8"	SPF #2
B3	2-2"x10"	SPF #2
B4	3-2"x10"	SPF #2
B5	2-2"x12"	SPF #2
B6	3/2"x12"	SPF #2
B7	2-136"x116"	1x6

LINTEL SCHEDULE (METRIC)		
NO.	SIZE	FINISH
L1	90x90x6.0	mm
L2	90x90x6.0	mm
L3	100x90x6.0	mm
L4	125x90x6.0	mm
L5	125x90x10.0	mm
L6	150x100x10.0	mm
L7	200x100x10.0	mm

**LASONNE**  
ENGINEERING LTD.  
KLEINBURG 416.882.2673

No.	Revision/Issue	Date

**PLANS & SECTION**  
**CABANA**

42 CACHET COURT  
REAR YARD ACCESSORIES  
Brampton, Ontario

Project	20114	Sheet	S7
Date	DEC '20	Scale	1:30

FILE NUMBER: A-2020-0122

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) AMEO HATEK & SANA ISSA  
Address 42 CACKET COURT, BRAMPTON L6X 0W2

Phone # 647 406 7474 Fax # \_\_\_\_\_  
Email \_\_\_\_\_

2. Name of Agent LASONNE ENGINEERING LIMITED  
Address C/O DANIEL FALZON  
44-9131 BEELE ST, VAUGHAN

Phone # 416 662 2673 Fax # \_\_\_\_\_  
Email DANIEL@LASONNE.CA

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

1. CONSTRUCTION OF POOL IN EXT. SIDE YARD  
2. CONSTRUCTION OF SHED IN EXT. SIDE YARD  
3. MAX COMBINED AREA OF ACC. STRUCTURES OF 20 M<sup>2</sup> w/ NO STRUCTURE TO EXCEED 15 M<sup>2</sup> PERMITTED. 20.81m<sup>2</sup> CABANA + 11.14m<sup>2</sup> SHED

4. DRIVEWAY WIDTH OF 9.14m permitted, 9.60m REQUESTED

4. Why is it not possible to comply with the provisions of the by-law?  
WEST PROPERTY LINE DOES NOT RUN PARALLEL TO DWELLING. FENCED REAR YARD PERIMETER (ORIGINAL CONSTRUCTION) IS TECHNICALLY EXT. SIDE YARD

5. Legal Description of the subject land:

Lot Number 1  
Plan Number/Concession Number 43M-1822  
Municipal Address 42 CACKET COURT

6. Dimension of subject land (in metric units)

Frontage 12.56 m  
Depth 35.93 m  
Area 778.63 m<sup>2</sup> (APPROX.)

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.)

DETACHED DWELLING (RESIDENTIAL) - 369.85 Sq. m.  
(APPROXIMATE)

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PROPOSED BUILDINGS/STRUCTURES on the subject land:

SHED - 4.45 Sq. m  
CARAVAN - 20.81 Sq. m  
POOL - 41.62 Sq. m

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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

WEST EAST  
Front yard setback 5.84 m DWELL  
Rear yard setback 12.00 m DWELL  
Side yard setback 1.28 m DWELL  
Side yard setback 4.84 m DWELL

PROPOSED

WEST EAST  
Front yard setback 5.84 m DWELL  
Rear yard setback 12.00 m DWELL  
Side yard setback 1.28 m DWELL  
Side yard setback 4.84 m DWELL

10. Date of Acquisition of subject land: 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: SINCE NEW

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 23<sup>RD</sup> DAY OF OCTOBER, 2020.

IF THIS APPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE SUBJECT LANDS, WRITTEN AUTHORIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF THE APPLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE CORPORATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.

I, Sama Issa, 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 29<sup>TH</sup> DAY OF

OCTOBER, 2020

A Commissioner etc.

Signature of Applicant(s) or Authorized Agent

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

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R1E-15.1-1451

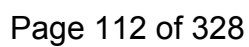
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

[Signature]  
Zoning Officer

November 3, 2020

Date

DATE RECEIVED October 29, 2020



C2

Mount Pleasant  
Village Community  
Centre & Library

a

b

A-2020-0122

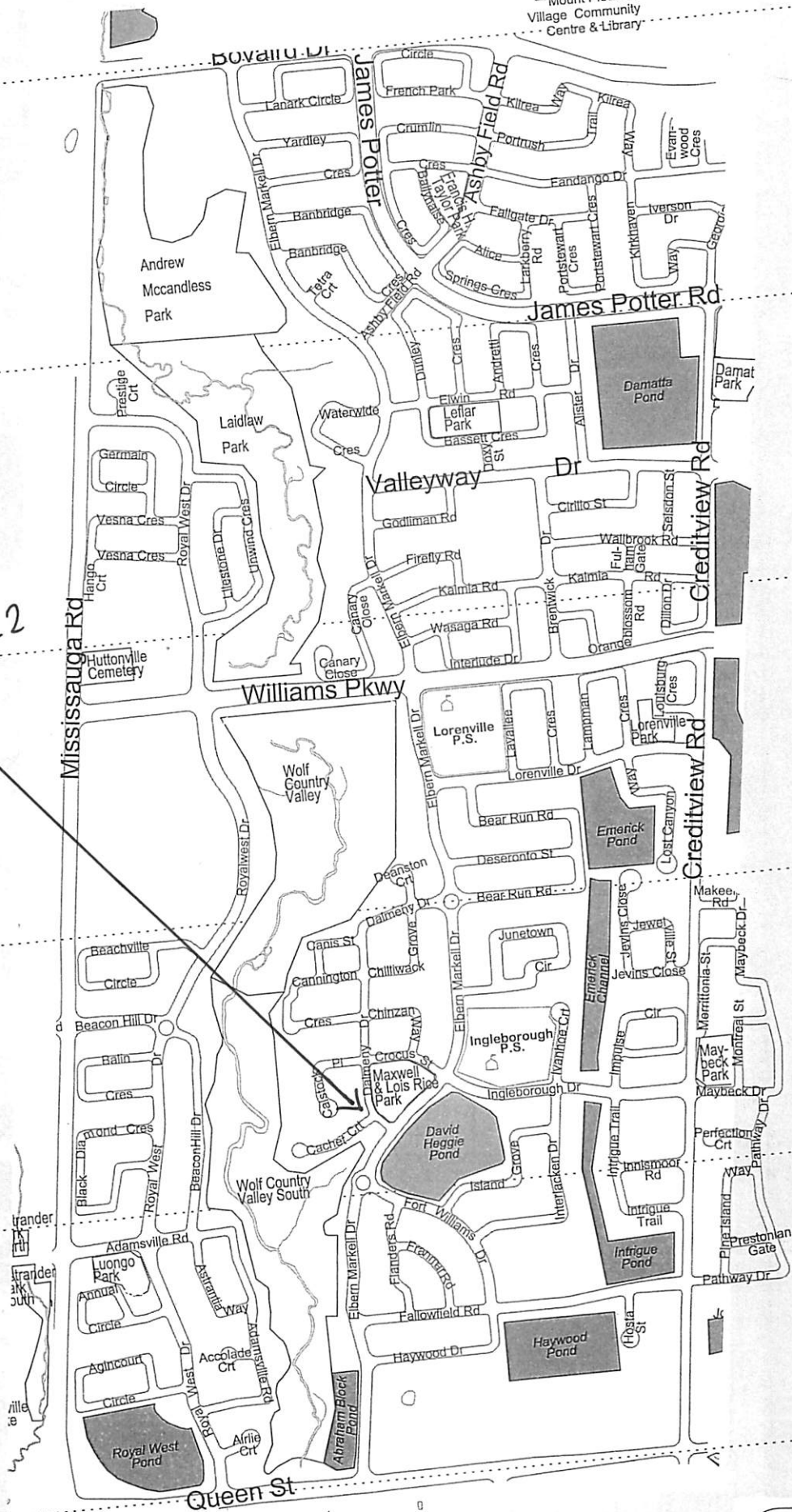
B3

c

d

e

D3



C3

**Filing Date:** November 2, 2020

**Hearing Date:** February 16, 2020

**File:** A-2020-0122

**Owner/**

**Applicant:** SANA ISSA AND AMRO HAYEK

**Address:** 42 CACHET COURT

**Ward:** 5

**Contact:** Shelby Swinfield, Planner I

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**Recommendations:**

That application A-2020-0122 is supportable, in part, subject to the following conditions being imposed:

1. That Variance 2 be refused and the required permeable landscape strip shall be reinstated no later than June 1, 2021, to the satisfaction of the Director of Development Services;
2. That the extent of Variances 1, 3, 4, 5, 6, and 7 be limited to that shown on the sketch attached to the Public Notice;
3. That the applicant obtain a building permit for the accessory structures within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
4. 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 the cabana structure shall be of a primarily open style construction and shall not be fully enclosed;
6. That the rear yard shall be screened from the adjacent side yard and street by a solid wood board fence;
7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

**Background:****Existing Zoning:**

The property is zoned "Residential Single Detached E-15.1 – Special Section 1451 (R1E-15.1-1451)" according to By-law 270-2004, as amended.

**Requested Variances:**

The applicant is requesting the following variances:

1. To permit an existing driveway width of 9.60m (31.50 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.);
2. To permit 0.0m of permeable landscaping between the driveway and side property line whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping along the side lot line;
3. To permit a proposed accessory structure (pool equipment/change room) to be located in the exterior side yard whereas the by-law does not permit an accessory structure to be located in the exterior side yard;
4. To permit an existing accessory structure (cabana) having a height of 3.30m (10.83 ft.) whereas the by-law permits a maximum height of 3.0m (9.84 ft.) for an accessory structure;
5. To permit an existing accessory structure (cabana) with a floor area of 32.34 sq. m (348.1sq. ft.) whereas the by-law permits an individual accessory structure to a maximum floor area of 15 sq. m (161.46 sq. ft.);
6. To permit a combined area of 43.48 sq. m (468 ft.) for two (2) accessory structures (gazebo and shed) whereas the by-law permits a maximum combined area of 20 sq. m (215.28 sq. ft.) for two (2) accessory structures;
7. To permit a swimming pool on a corner lot which extends into the exterior side yard and the defined triangular site line area whereas the by-law does not permit a swimming pool to extend into the exterior side yard or the defined triangular site line area when a corner lot abuts the side yard of an adjacent residential lot having habitable room on the front corner of the ground floor.

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

The subject property is designated "Residential" in the Official Plan and "Executive Residential" in the Credit Valley Secondary Plan (Area 45). 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 E-15.1 – Special Section 1451 (R1E-15.1-1451)" according to By-law 270-2004, as amended.

Variance 1 is to permit an existing driveway width of 9.60m (31.50 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. This increase in driveway width of 0.46m (1.5 ft) is not anticipated to facilitate the parking of an additional vehicle beyond what is facilitated by the permitted driveway width. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is to permit 0.0m of permeable landscaping between the driveway and side property line whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping along the side lot line. The intent of the by-law in requiring a minimum permeable landscape strip along the interior lot line is to ensure that sufficient space is provided for drainage and that drainage on adjacent properties is not impacted. The requested reduction in permeable landscaped area is anticipated to negatively impact drainage on the property. Variance 2 is not considered to maintain the general intent of the Zoning By-law.

Variance 3 is to permit a proposed accessory structure (pool equipment/change room) to be located in the exterior side yard whereas the by-law does not permit an accessory structure to be located in the exterior side yard. 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, the exterior side yard forms part of the outdoor amenity area for the property and is located behind a fence. The structure is therefore not anticipated to negatively impact the streetscape. Subject to the recommended conditions of approval, Variance 3 is considered to maintain the general intent of the Zoning By-law.

Variances 4, 5, and 6 relate to two accessory structures in the functional rear yard of the property.

Variance 4 is to permit an existing accessory structure (cabana) having a height of 3.30m (10.83 ft.) whereas the by-law permits a maximum height of 3.0m (9.84 ft.) for an accessory structure. The intent of the by-law in regulating the permitted height of an accessory structure is to ensure that the structure does not have negative massing impacts on adjacent properties. In the case of the cabana structure it is setback at least 1.5m (4.9 ft) which is anticipated to mitigate any massing impacts from the extra height

of the structure. 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 an existing accessory structure (cabana) with a floor area of 32.34 sq. m (348.1sq. ft.) whereas the by-law permits an individual accessory structure to a maximum floor are of 15 sq. m (161.46 sq. ft.). Variance 6 is to permit a combined area of 43.48 sq. m (468 ft.) for two (2) accessory structures (gazebo and shed) whereas the by-law permits a maximum combined area of 20 sq. m (215.28 sq. ft.) for two (2) accessory structures

The intent of the by-law in regulating the maximum permitted floor area of an individual accessory structure and the maximum permitted floor area for all permitted accessory structures is to ensure that the size of the structure does not negatively impact the provision of outdoor amenity space for the property. In the case of the subject property the oversized cabana structure is of a primarily open style construction and is used to enhance the use of the outdoor amenity space. The additional accessory structure that forms part of the total floor area is a storage shed that holds pool equipment and a change room. A condition the cabana structure shall be of a primarily open style construction and shall not be fully enclosed to ensure that the structure remains complementary to the use of the outdoor amenity area. Subject to the recommended conditions of approval Variances 5 and 6 are considered to maintain the general intent of the Zoning By-law.

Variance 7 is to permit a swimming pool on a corner lot which extends into the exterior side yard and the defined triangular site line area whereas the by-law does not permit a swimming pool to extend into the exterior side yard or the defined triangular site line area when a corner lot abuts the side yard of an adjacent residential lot having habitable room on the front corner of the ground floor.

The intent of the by-law in regulating the location of a swimming pool in this way is to ensure that any impacts generated from the use of the swimming pool such as noise do not negatively impact the adjacent property. In the case of the subject property, only a portion of the proposed pool encroaches into the prohibited area. It is not anticipated that this encroachment of the pool will have a more significant impact on the adjacent property than if the pool were entirely located within the permitted area of the yard. Subject to the recommended conditions of approval, Variance 7 is considered to maintain the general intent of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

Variance 1 is to facilitate an extension to the permitted driveway width of 0.46m (1.5 ft) which is not anticipated to facilitate the parking of an additional vehicle, but will allow a hardscaped design that contributes positively to the overall appearance of the property. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variance 2 is requested to permit a 0.0 metre permeable landscape strip between the driveway and the side property line. This reduction is anticipated to have negative impacts on the drainage patterns for the property. Variance 2 is not considered to be desirable for the appropriate development of the land.

Variance 3 is to permit a shed in the exterior side yard of the property. The portion of the exterior side yard where the shed is to be located is in the functional rear yard for the property and is behind a fence, screened from public view. The shed does not have any significant impacts on the streetscape. Subject to the recommended conditions of approval, Variance 3 is considered to be desirable for the appropriate development of the land.

Variance 4 is to permit an increased height for the cabana structure in the rear yard. This structure has a peaked roof and the height is largely related to the design of the structure. The height is not anticipated to have negative impacts from a massing perspective as it relates to adjacent properties. Subject to the recommended conditions of approval, Variance 4 is considered to be desirable for the appropriate development of the land.

Variances 5 and 6 relate to two accessory structures in the rear yard: a shed and a cabana. The cabana structure is largely of an open style construction and enhances the use of the outdoor amenity area. The combined floor area of the two accessory structures does not detract from the provision of outdoor space for the property. Subject to the recommended conditions of approval, Variances 5 and 6 are considered to maintain the general intent of the Zoning By-law.

Variance 7 is to permit a pool in the exterior yard of the corner lot abutting the side yard of another residential property. Only a portion of the pool encroaches into the prohibited area of the yard and it is not anticipated that the encroachment will result in a more significant impact to adjacent properties than if the pool were to be located entirely within the permitted area. Subject to the recommended conditions of approval, Variance 7 is considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

Variance 1 represents an increase in permitted driveway width of 0.46m (1.5 ft) which is not capable of parking an extra vehicle and will facilitate an aesthetic improvement to the property. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 proposes to remove the required permeable landscape strip adjacent to the driveway. This is anticipated to negatively impact drainage. Variance 2 is not considered to be minor in nature.

Variance 3 is to permit a shed to be located in the exterior side yard of the property which functions as a portion of the rear yard. This structure is not anticipated to have any significant impact on the streetscape. Subject to the recommended conditions of

approval, Variance 3 is considered to be minor in nature.

Variance 4 is to permit an increase in permitted height of 0.3m (1. ft) for the cabana accessory structure. This increase is not anticipated to have negative impacts on the massing of the structure. Subject to the recommended conditions of approval, Variance 4 is considered to be minor in nature.

Variances 5 and 6 relate to the cabana and shed structures in the rear yard. The floor area of the structures, both individually and collectively, do not detract from the provision or use of the outdoor amenity area. Subject to the recommended conditions of approval, Variances 5 and 6 are considered to be minor in nature.

Variance 7 is to permit a portion of the swimming pool to encroach into the exterior side yard of the property, which is a functional part of the rear yard of the property. It is not anticipated that this encroachment will have a more significant impact on adjacent properties than if the pool were located out of the side yard. Subject to the recommended conditions of approval, Variance 7 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 **ARBOR MEMORIAL 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 the West Half of Lot 11, Concession 2 WHS, municipally known as **10061 CHINGUACOUSY ROAD (NORTHWEST CORNER OF BOVAIRD DRIVE AND EDENBROOK HILL DRIVE)**, Brampton;

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

1. To permit the continued use of a portion of the property as a golf driving range for a temporary period of five (5) years whereas the by-law does not permit the use.

Note: A previous approval granted under Application A15-044 will expire on March 23, 2021.

**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, February 16, 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.

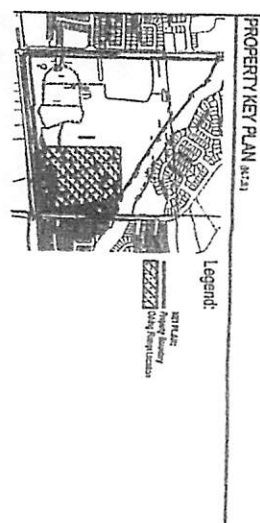
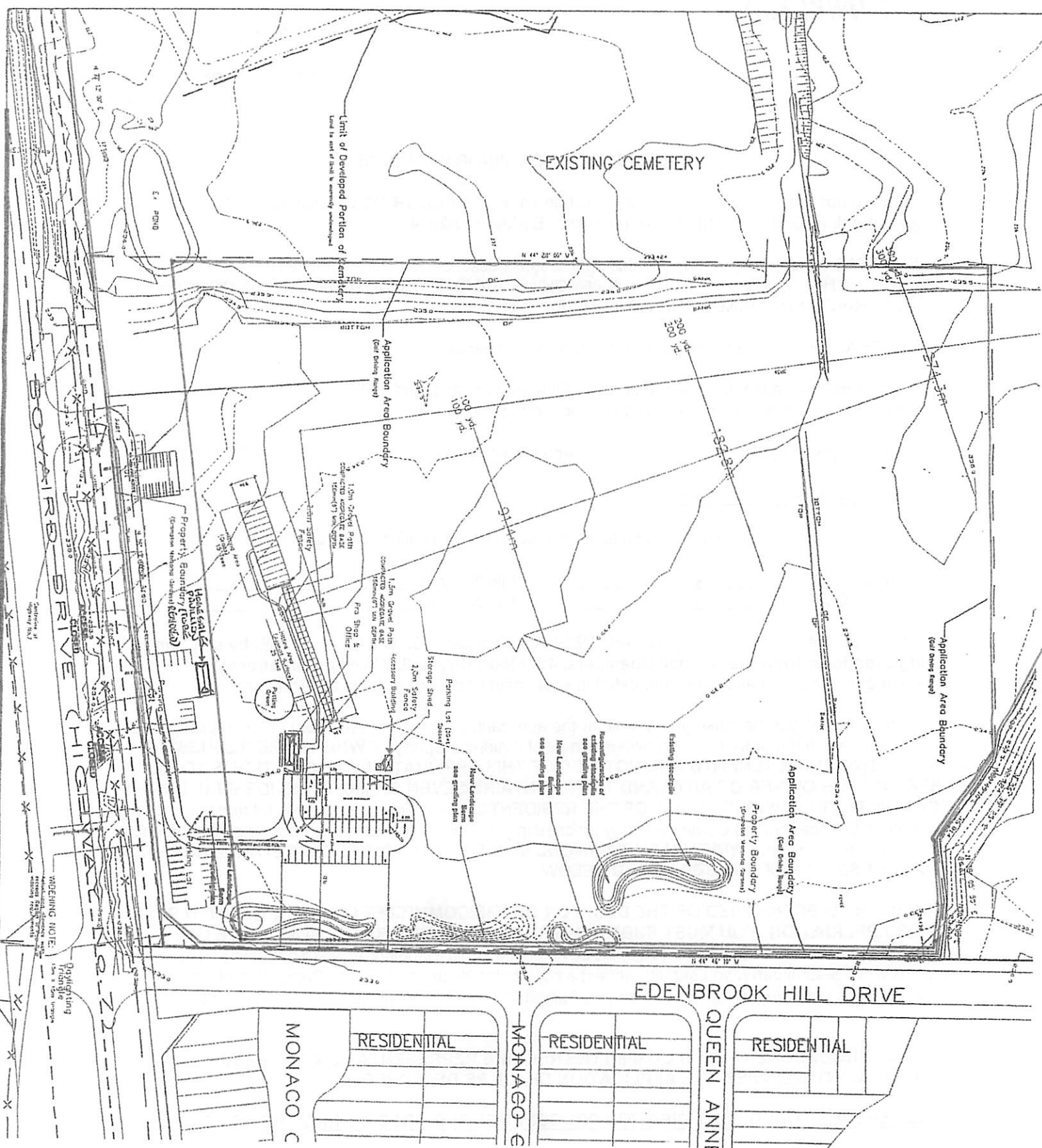
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 4th day of February, 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](mailto:jeanie.myers@brampton.ca)



## STATISTICS

[illegible]

## DESIGN NOTES

- [illegible]

**DRAWING NOTES**

[illegible]

# SITE PLAN

Sam / Young-Soo Che  
City of Brampton File No. SP02-073

SCALE 1:750



**BRAMPTON**  
MEMORIAL GARDENS  
Brampton, Ontario

PART OF THE WEST HALF OF LOT 11  
CONCESSION 2, WEST OF HURONTARIO STREET  
CITY OF BRANTFORD, REGIONAL MUNICIPALITY OF PER  
MEMORIAL GARDENS

DRAWING **A1.9**

**AESTHETICS+DESIGN**  
*landscape architects*

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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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 17, 2020.

**Landowner:** Arbor Memorial Inc.  
(DBA Brampton Memorial Gardens)

**Applicant/Agent:** Sam Che  
**Operator**

**Subject** 10061 Chinguacousy Rd.  
**Property:** Part of Lot 11, Concession 2 WHS

**Mailing Address:** 852 Bramble Court  
Mississauga, ON  
L5C 4S1

Dear Members of Committee of Adjustment,  
Planning Dept - City of Brampton

A- 2020- 0162

Brampton Golf Range is a family owned and operated driving range that is located on the northwest corner of Bovaird Dr. & Edenbrook Hill Dr. in Brampton, Ontario. The driving range exists on a portion of land that is currently not needed by the landowner, Arbor Memorial Inc. (DBA Brampton Memorial Gardens). Our range is a family friendly outdoor recreational facility that provides new and experienced golfers of all ages a place to learn and improve their skills in the game of golf. The facility operates during daylight hours only from dawn until dusk and does not serve alcohol.

A temporary use by-law (By-law 151-88) was approved in 2004 to permit a golf driving range on a portion of the property for a period of three (3) years. Site plan approval for the use (File SP02-073) was granted on March 4, 2005. The Committee of Adjustment granted subsequent approvals for the use between 2007 and 2015. In the last minor variance application in March 2015 (City file # A15-044), the Committee of Adjustment granted approval for the use for a period of six (6) years which will expire in March 2021. We wish to submit a Minor Variance application to the Committee of Adjustment to continue using the subject property as a golf driving range for a temporary period of five (5) years. There are no proposed site alterations on the property.

Please find enclosed the following:

- 1) Minor Variance or Special Permission application
- 2) 12 copies of Site Plan

Should there be any questions regarding this application, I can be reached at the contact information below.  
Thank you.

Sincerely,



Sam Che  
**Email:** [schebramptongolf@gmail.com](mailto:schebramptongolf@gmail.com)  
**Mobile:** 416-457-4498



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

FILE NUMBER: A-2020-0162

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)** Arbor Memorial Inc.  
**Address** 2 Jane Street Suite 101,  
Toronto, ON  
M6S 4W8  
**Phone #** 416-763-3230 **Fax #** \_\_\_\_\_  
**Email** grogerson@arbormemorial.com

2. **Name of Agent** Sam Che  
**Address** 221 Balliol St. #615  
Toronto, ON M4S 1C8  
**Phone #** 416-457-4498 **Fax #** \_\_\_\_\_  
**Email** schebrampton@golf@gmail.com

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

The applicant is seeking a Minor Variance/Special Permission to continue using a portion of the property as a golf driving range for a temporary period of five (5) years.

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

The current bylaw permits the use on a temporary basis only which will expire in March 2021.

5. **Legal Description of the subject land:**

**Lot Number** Part of West Half Lot 11  
**Plan Number/Concession Number** Concession 2 WHS  
**Municipal Address** 10061 Chinguacousy Rd.

6. **Dimension of subject land (in metric units)**

**Frontage** 270 metres  
**Depth** 300 metres  
**Area** 8.53 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.)

Proshop/Office	45.31 SM
Storage Shed.	7.60 SM
Accessory Building	22.30 SM
Total Coverage:.	75.21 SM

All buildings/structures are single storey.

**PROPOSED BUILDINGS/STRUCTURES on the subject land:**

There are no proposed changes.

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	Proshop/Office 50 Metres	Shed 90 Metres	Accessory Building 93 Metres
Rear yard setback	250 Metres	210 Metres	207 Metres
Side yard setback	85 Metres	85 Metres	85 Metres
Side yard setback	185 Metres	185 Metres	185 Metres

**PROPOSED**

Front yard setback	There are no proposed changes.
Rear yard setback	
Side yard setback	
Side yard setback	

10. Date of Acquisition of subject land: 1986
11. Existing uses of subject property: Cemetery and Temporary Golf Driving Range
12. Proposed uses of subject property: Same. No new proposed uses.
13. Existing uses of abutting properties: Cemetery, Residential, Open Space
14. Date of construction of all buildings & structures on subject land: Proshop/Office & Shed May 2004, Accessory Bldg April 2010
15. Length of time the existing uses of the subject property have been continued: Golf Driving Range since May 2004
16. (a) What water supply is existing/proposed?  
Municipal ☐ Other (specify) Provided by operator (transported in)  
Well ☐
- (b) What sewage disposal is/will be provided?  
Municipal ☐ Other (specify) Provided by operator (portable)  
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 # A07-043	Decision Approved
File # A10-040	Decision Approved
File # A15-044	Decision Approved

Relief	Continuance as Golf Driving Range for temporary period
Relief	Continuance as Golf Driving Range for temporary period
Relief	Continuance as Golf Driving Range for temporary period

  
\_\_\_\_\_  
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF TORONTO  
THIS 17<sup>th</sup> 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, SAM CHE, 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  
Deel THIS 17<sup>th</sup> DAY OF  
December, 2020.

April Dela Cerna  
A Commissioner etc.

  
\_\_\_\_\_  
Signature of Applicant or Authorized Agent  
April Dela Cerna,  
a Commissioner, etc.,  
Province of Ontario,  
for the Corporation of the  
City of Brampton.  
Expires May 8, 2021.

Submit by Email

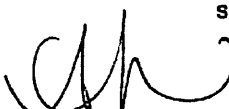
FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: \_\_\_\_\_

A

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

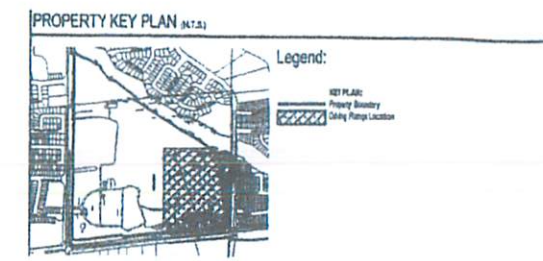
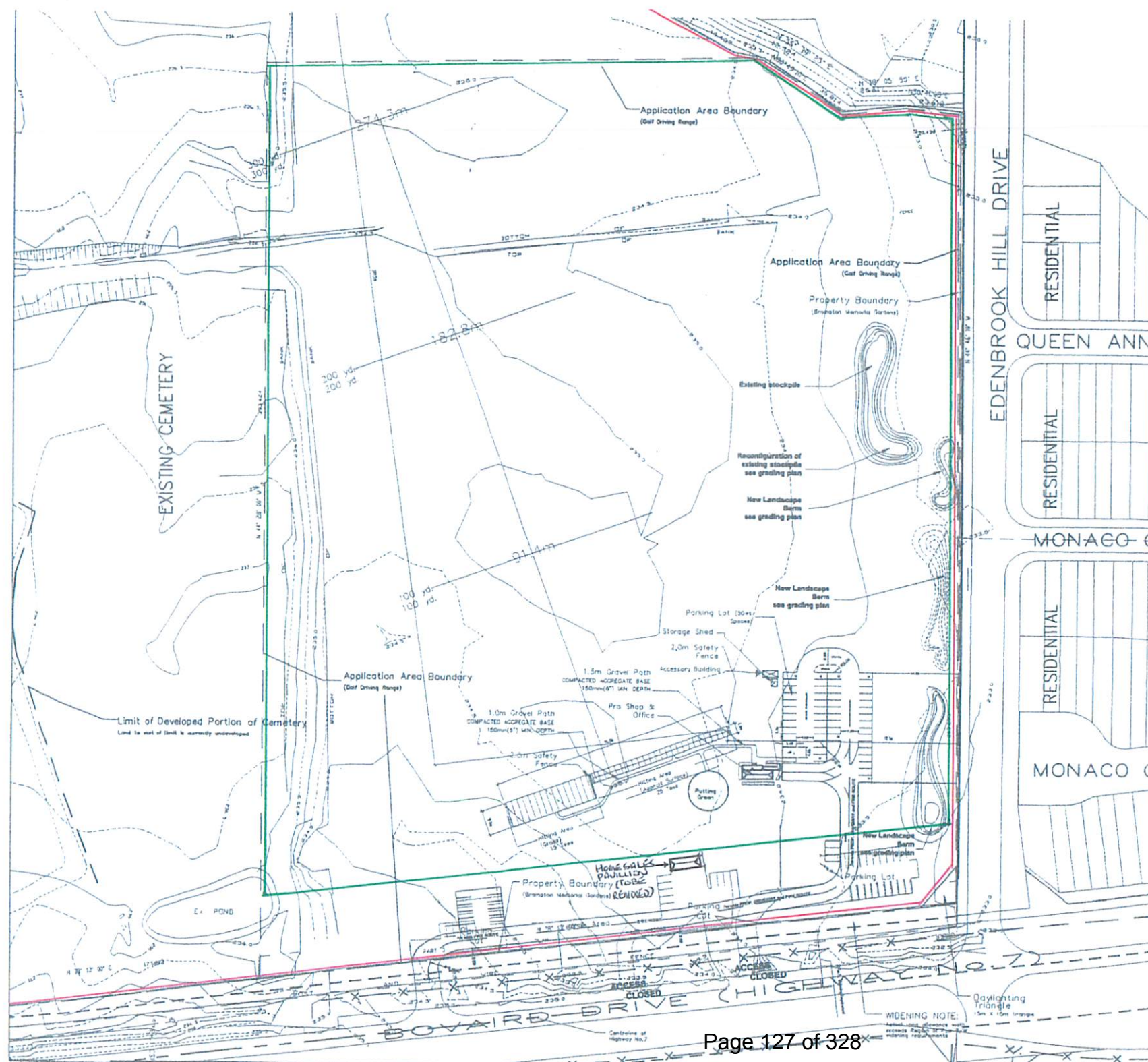
  
\_\_\_\_\_  
Zoning Officer

December 21, 2020  
\_\_\_\_\_  
Date

DATE RECEIVED December 17, 2020

Date Application Deemed Complete by the Municipality December 21, 2020

Revised 2020/01/07



STATISTICS	
Site Area (Gross)	29.85 ha / 74,237 sq. ft.
App's Area (Golf Range)	6.53 ha / 16,188 sq. ft.
Building Coverage	45.31 sq. ft. / 482.34 sq. ft.
Storage Shed	1.48 sq. ft. / 16.28 sq. ft.
Accessory Building	22.38 sq. ft. / 240.88 sq. ft.
Total Coverage	79.17 sq. ft. / 849.50 sq. ft.
Ratio of Coverage (Gross)	4.80%
Ratio of Coverage (App's)	75.21 sq. ft. / 828.64 sq. ft.
Landscape Regard	NA
Landscape Potential	NA
Parking Required	40
Parking Provided	300 + 1
Loading Required	NA
Loading Provided	NA

DRAWING NOTES	
1. APPROX. File Number: 2025-11.3	2. APPROX. File Number: 2025-11.3
3. APPROX. File Number: 2025-11.3	4. APPROX. File Number: 2025-11.3
5. APPROX. File Number: 2025-11.3	6. APPROX. File Number: 2025-11.3
7. APPROX. File Number: 2025-11.3	8. APPROX. File Number: 2025-11.3
9. APPROX. File Number: 2025-11.3	10. APPROX. File Number: 2025-11.3
11. APPROX. File Number: 2025-11.3	12. APPROX. File Number: 2025-11.3
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99. APPROX. File Number: 2025-11.3	100. APPROX. File Number: 2025-11.3

# SITE PLAN

## GOLF DRIVING RANGE

Sam / Young-Soo Che  
City of Brampton File No. SP02-073

SCALE 1: 750

BRAMPTON  
MEMORIAL GARDENS  
Brampton, Ontario

PART OF THE WEST HALF OF LOT 11  
CONCESSION 2, WEST OF HURONTARIO STREET  
CITY OF BRAMPTON, REGIONAL MUNICIPALITY OF PEE

MEMORIAL GARDENS

A1.9

AESTHETICS+DESIGN  
landscape architects



## Committee of Adjustment

**HEARING DATE MARCH 3, 2015**



## Notice of Decision

Committee of Adjustment

FILE NUMBER A10-040HEARING DATE MARCH 9, 2010APPLICATION MADE BY MEMORIAL GARDENS CANADA LIMITED

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW 270-2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO CONTINUE USING A PORTION OF THE PROPERTY AS A GOLF DRIVING RANGE FOR A TEMPORARY PERIOD OF FIVE (5) YEARS;

(NW CRNR BOVAIRD DR. AND EDENBROOK HILL DR. – PT. W HALF OF LT 11, CONC. 2 WHS)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS  
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)

1. The variance be approved for a temporary period of five (5) years from the final date of Committee's decision;
2. The golf range shall conform to the approved site plan (SP02-073.000);
3. That any landscaping shown on the approved landscape plan (approved in 2005 under SP02-073.000) that is dead or missing be reinstated by June 1, 2010;
4. Outside storage and oversized vehicles be removed from the site within 30 days of the final date of Committee's decision;
5. Failure to satisfy any of the above conditions will result in the approval being rendered null and void.

## 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.

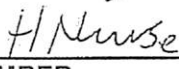
MOVED BY: P. S. ChahalSECONDED BY: F. TurnerSIGNATURE OF CHAIR OF MEETING: 

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

  
MEMBER

  
MEMBER

  
MEMBER

  
MEMBER

MEMBER

DATED THIS 9<sup>TH</sup> DAY OF MARCH, 2010

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MARCH 29, 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.

  
ACTING SECRETARY-TREASURER  
COMMITTEE OF ADJUSTMENT



## Notice of Decision

Committee of Adjustment

FILE NUMBER A043/07HEARING DATE APRIL 3, 2007APPLICATION MADE BY MEMORIAL GARDENS CANADA LIMITED

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW 270-2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO CONTINUE USING A PORTION OF THE PROPERTY AS A GOLF DRIVING RANGE FOR A PERIOD OF THREE (3) YEARS;

(10061 CHINGUACOUSY ROAD – PART OF THE WEST HALF OF LOT 11, CONC. 2 WHS)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS  
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED)

1. The proposed variance shall be allowed for a temporary period of three (3) years from the final date of Committee's decision.
2. The golf range operation shall conform to the existing approved site plan (SP02-73).

### 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: R. NURSESECONDED BY: K. BOKORSIGNATURE OF CHAIR OF MEETING: [Signature]

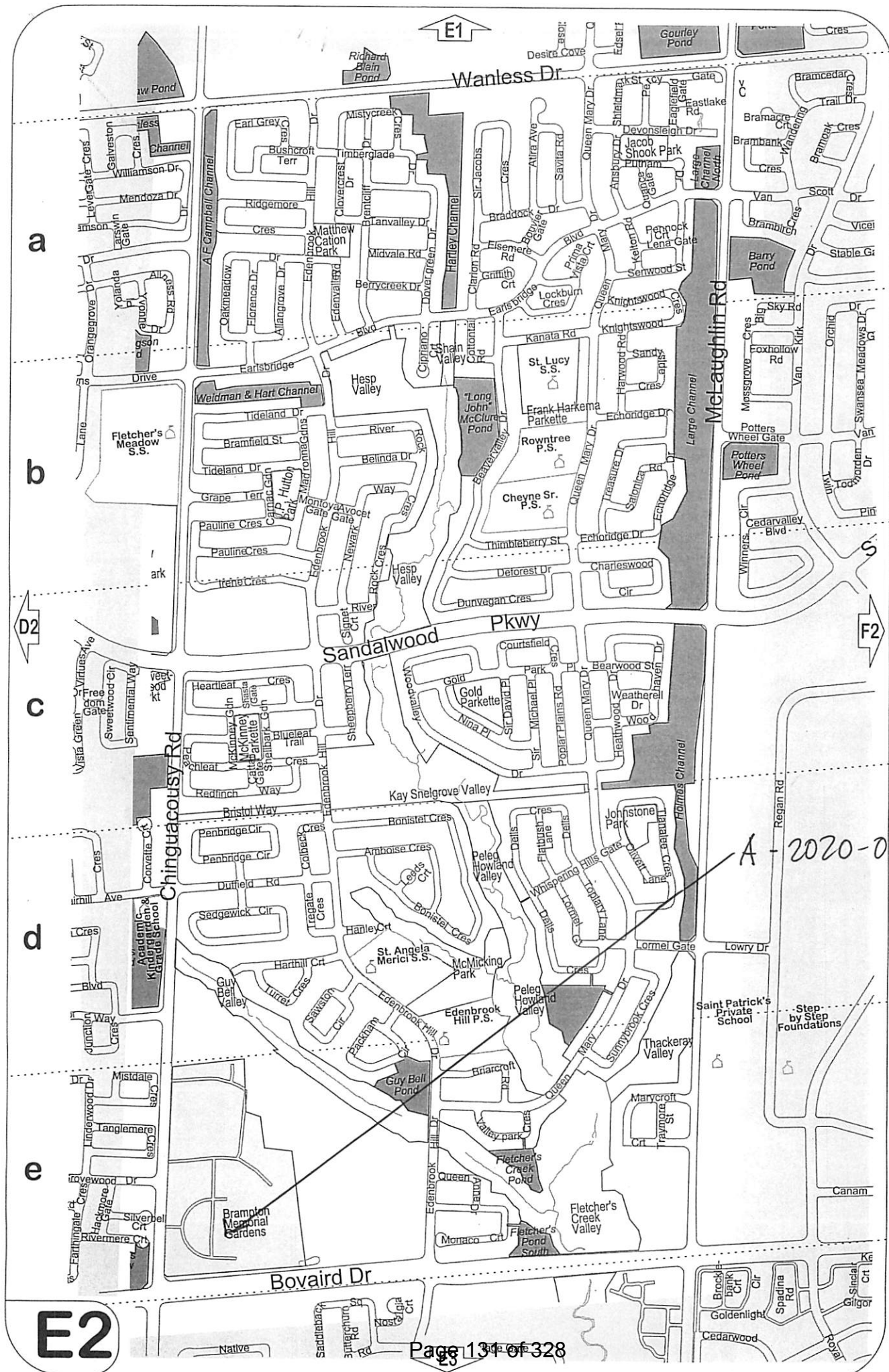
WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

MEMBER [Signature]MEMBER [Signature]MEMBER [Signature]MEMBER H NurseMEMBER [Signature]DATED THIS 3<sup>RD</sup> DAY OF APRIL, 2007

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE APRIL 23<sup>RD</sup>, 2007.

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.

Eileen Collie  
SECRETARY-TREASURER  
COMMITTEE OF ADJUSTMENT



**Filing Date:** December 17, 2020

**Hearing Date:** February 16, 2021

**File:** A-2020-0162

**Owner/  
Applicant:** ARBOR MEMORIAL INC.

**Address:** 10061 Chinguacousy Road

**Ward:** 6

**Contact:** Shelby Swinfield, Planner I

---

**Recommendations:**

That application A-2020-0162 is supportable, in part, subject to the following conditions being imposed:

1. That the variance be approved for a temporary period of three (3) years from the final date of the Committee's decision;
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.

---

**Background:**

Existing Zoning:

The property is zoned "Agricultural – Special Section 1172 (A-1172) according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit the continued use of a portion of the property as a golf driving range for a temporary period of five (5) years whereas the by-law does not permit the use.

*\*Note: A previous approval granted under Application A15-044 will expire on March 23, 2021.*

## **Current Situation:**

### **1. Conforms to the Intent of the Official Plan**

The property is designated "Open Space" in the Official Plan and "Cemetery" in the Fletcher's Meadow Secondary Plan (Area 44). The intent of the "Cemetery" designation is to recognize the existing cemetery on the subject property. The requested variance to permit the lands to be used as a driving range is intended to facilitate the use of the land until it is eventually required to be used as a portion of the cemetery. A condition of approval is recommended that the variance be approved for a temporary period of three years to ensure that the ultimate use of a cemetery is eventually realized for the lands. 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 "Agricultural – Special Section 1172 (A-1172)" according to By-law 270-2004, as amended. The requested variance is to permit use of a portion of the property as a golf driving range for a temporary period of five (5) years whereas the by-law does not permit the use. The use was previously permitted on the property by way of a "Temporary Use By-law" that allowed the use to operate until April 1, 2007, when the temporary permissions in the by-law expired.

The existing provisions within Special Section 1172 of the Zoning By-law are intended to appropriately regulate a driving range use on this portion of the property. This by-law special section permitted the use to exist for a total temporary period of three (3) years, and the use has since been subject to temporary permission via Minor Variance Applications.

The subject property contains the Brampton Memorial Gardens Cemetery which currently occupies approximately half of the total property. The intention of the by-law in permitting the use for a temporary period of time is to ensure that the use is transitory in nature and only exists until a point where the lands are needed for cemetery purposes. A condition of approval is recommended that the use be approved for a temporary period of three (3) years as per the limitations of temporary use permissions within the *Planning Act*. 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 continued use of a portion of the property as a driving range while the lands are not currently needed to serve the space needs of the cemetery. The continued use of the property as a driving range does not present concerns with regard to land use compatibility and the proposed temporary nature of the use will facilitate the ultimate development of the property for cemetery purposes. 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 driving range use proposed through the subject application is anticipated to be temporary in nature and is not anticipated to negatively impact the future development of the property for its designated purpose as per the Official Plan. 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 **RAVNEET GILL AND SAMANDEEP GILL** 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 43, Plan 43M-877, municipally known as **192 TORRANCE WOODS**, Brampton;

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

1. To permit a below grade entrance to be located between the main wall of a dwelling and 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;
2. To permit an exterior side yard setback of 2.5m (8.20 ft.) to a below grade stairway leading to a below grade entrance in the required exterior side yard whereas the by-law 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, February 16, 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.

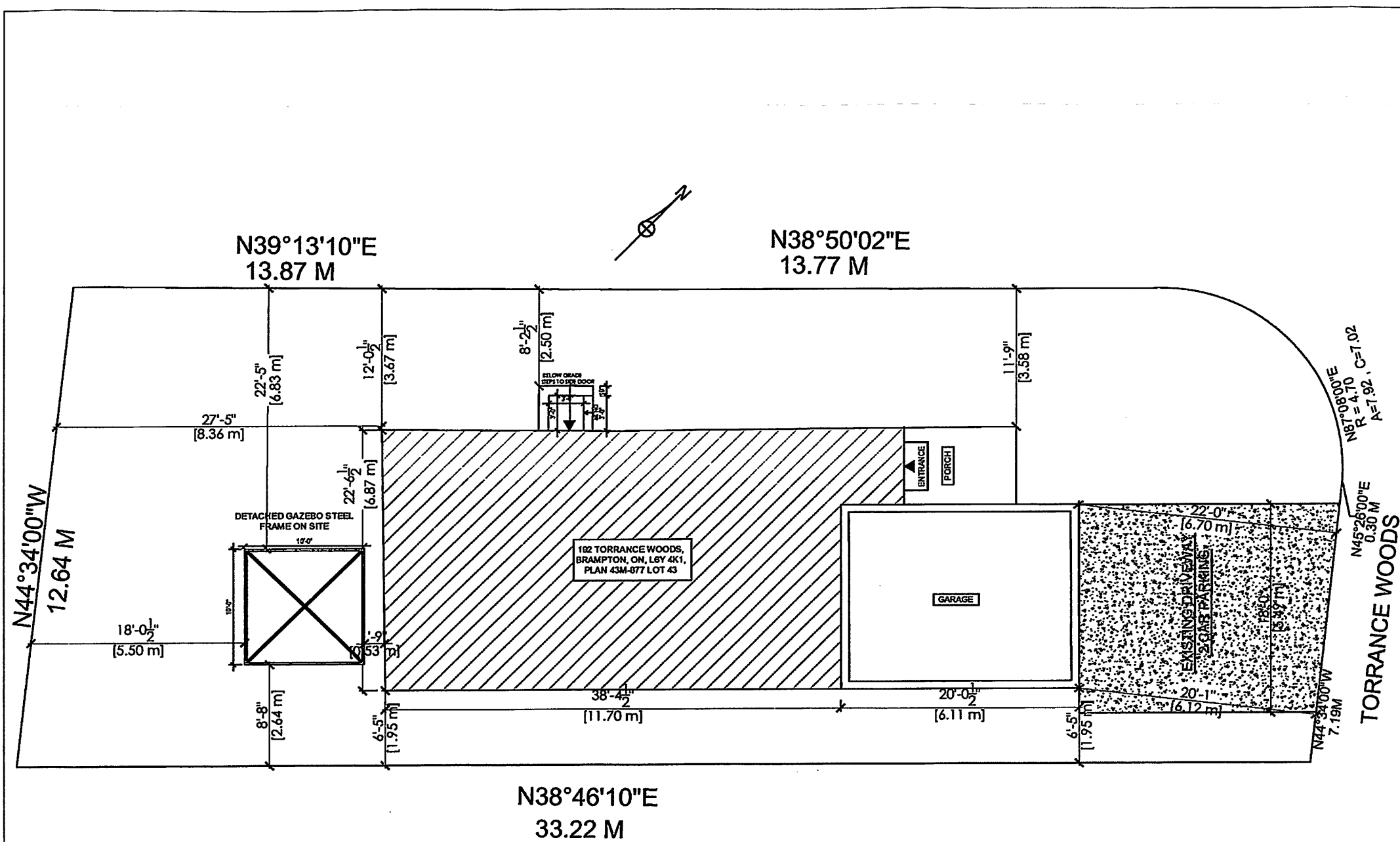
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 4th day of February, 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](mailto:jeanie.myers@brampton.ca)



PLEASE NOTE : DETACHED GAZEBO FRAME EXISTS ON SITE SINCE MANY YEARS AND OWNER DOES NOT THE SPACE FOR SPECIFIC ACTIVITY, AND HAS NO INTENTIONS TO MODIFY, THE STRUCTURE OR COVER/ ENCLOSE IT.

**General Notes**

\* CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK SITE AND REPORT DISCREPANCIES TO THE CONSULTANT BEFORE PROCEEDING.  
 \* ALL DIMENSIONS AND SPECIFICATIONS ARE THE PROPERTY OF CONSULTANT AND MUST BE RETURNED AT THE COMPLETION OF WORK.  
 \* THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL APPROVED BY THE CONSULTANT.  
 \* DRAWINGS ARE NOT TO BE SCALED.

**LEGENDS:-**

REVISION NO.	DATE	DESCRIPTION	BY

**Firm Name and Address**  
 MEM ENGINEERING INC  
 3365 LEHIGH CRES.  
 MISSISSAUGA, ON, L4T1W9  
 416-658-6755  
 Email: harry@memengineering.ca

**LICENCED PROFESSIONAL ENGINEER**  
 H. SINGH  
 100156144  
 10/08/19  
 PROVINCE OF ONTARIO

**PROJECT TITLE:**  
 192 TORRANCE WOODS, BRAMPTON, ON, L6Y 4K1,

**SHEET TITLE:**  
 SITE PLAN

**CLIENT EMAIL:**

**CLIENT CONTACT:**

**SCALE:** 1/8" = 1'-0"  
**PLOT DATE:** 19-04-2020  
**DRAWN BY:** RK  
**CHECKED BY:** HS

**DRAWING NO.:**  
**A100**

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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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.

2020-12-18

COVERING LETTER

To  
The Secretary-Treasurer  
Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

A-2020-0163

Subject: Minor Variance application for 192 Torrance Woods, Brampton, ON L6Y 4K1

Sir/ Madam,

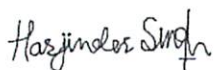
We hope this letter finds you well. Please accept our minor variance application for our client at 192 Torrance Woods, Brampton, ON L6Y 4K1

A side entrance door (less than 24" below grade) exists on the exterior side yard of the lot. The client wants to change from existing Single family dwelling to Twin Unit Dwelling. However, it does not meet zoning requirements due to side entrance door being on exterior side.

So we request you to kindly consider our application for minor variance and allow for the existing side entrance to remain so owner can easily continue the process of registering basement as Twin Unit Dwelling.

We appreciate your cooperation in this matter.

Thank You



Harjinder Singh

P Eng. PMP, CET, RCJI



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) RAVNEET GILL SAMANDEEP GILL  
Address 192 Torrance Woods Brampton,  
ON L6Y 4K1

Phone # 647-771-6533 Fax # \_\_\_\_\_  
Email RAVNEET\_GILL@OUTLOOK.COM

2. Name of Agent HARJINDER SINGH  
Address 2355 DERRY ROAD EAST, MISSISSAUGA  
ON L5S 1V6

Phone # 416-558-6755 Fax # \_\_\_\_\_  
Email HARRYCIVIL@HOTMAIL.COM

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

SIDE ENTRANCE DOOR (LESS THAN 24" BELOW GRADE) OPENING FROM EXTERIOR SIDE  
YARD AS THE LOT IS A CORNER LOT.

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

SINCE THIS IS A CORNER LOT, SIDE ENTRANCE FALLS ON EXTERIOR SIDE AND IT DOES  
NOT MEET ZONING BY-LAW. HOWEVER, THE OWNER WOULD LIKE TO GET IT APPROVED  
AS T.U.D. SINCE THE DOOR ALREADY EXISTS LONG BEFORE. IT IS DIFFICULT TO MOVE  
THE DOOR ON THE OTHER SIDES DUE TO THE CURRENT FINANCIAL SITUATION BECAUSE  
OF PANDEMIC.

5. Legal Description of the subject land:

Lot Number 43  
Plan Number/Concession Number PLAN 43M-877  
Municipal Address 192 Torrance Woods Brampton, ON L6Y 4K1

6. Dimension of subject land (in metric units)

Frontage 7.19 M  
Depth 33.22 M  
Area 407.85 sq m

7. Access to the subject land is by:

Provincial Highway ☐  
Municipal Road Maintained All Year ☒  
Private Right-of-Way ☐

Seasonal Road ☐  
Other Public Road ☐  
Water ☐

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 2 STOREY DETACHED BRICK DWELLING WITH 1 CAR GARAGE + 2 CAR DRIVEWAY	
SINGLE FAMILY DWELLING	
Ground floor area : 83.7 sq m	Gross floor area : 197.4 sq m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

PROPOSED TWIN UNIT DWELLING WITH SIDE ENTRANCE (AS BUILT SIDE ENTRANCE LESS THAN 24" BELOW GRADE, ON EXTERIOR SIDE YARD OF THE LOT)	
Ground floor area : 83.7 sq m	Gross floor area : 197.4 sq m

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

<u>EXISTING</u>		
Front yard setback	6.12 m	
Rear yard setback	8.36 m	
Side yard setback	1.95 m	
Side yard setback	3.58 m	EXTERIOR SIDE YARD
<u>PROPOSED</u>		
Front yard setback	6.12 m	
Rear yard setback	8.36 m	
Side yard setback	1.95 m	
Side yard setback	3.58 m	EXTERIOR SIDE YARD

10. Date of Acquisition of subject land: 2015

11. Existing uses of subject property: SFD

12. Proposed uses of subject property: TUD

13. Existing uses of abutting properties: RESIDENTIAL

14. Date of construction of all buildings & structures on subject land: 1989

15. Length of time the existing uses of the subject property have been continued: 31 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 _____

Harjinder Singh  
Signature of Applicant(s) or Authorized Agent

DATED AT THE \_\_\_\_\_ CITY \_\_\_\_\_ OF \_\_\_\_\_ BRAMPTON  
THIS 22nd 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, HARJINDER SINGH, 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  
Reel THIS 22nd 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.

Harjinder Singh  
Signature of Applicant or Authorized Agent

Jeanie Myers  
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: \_\_\_\_\_

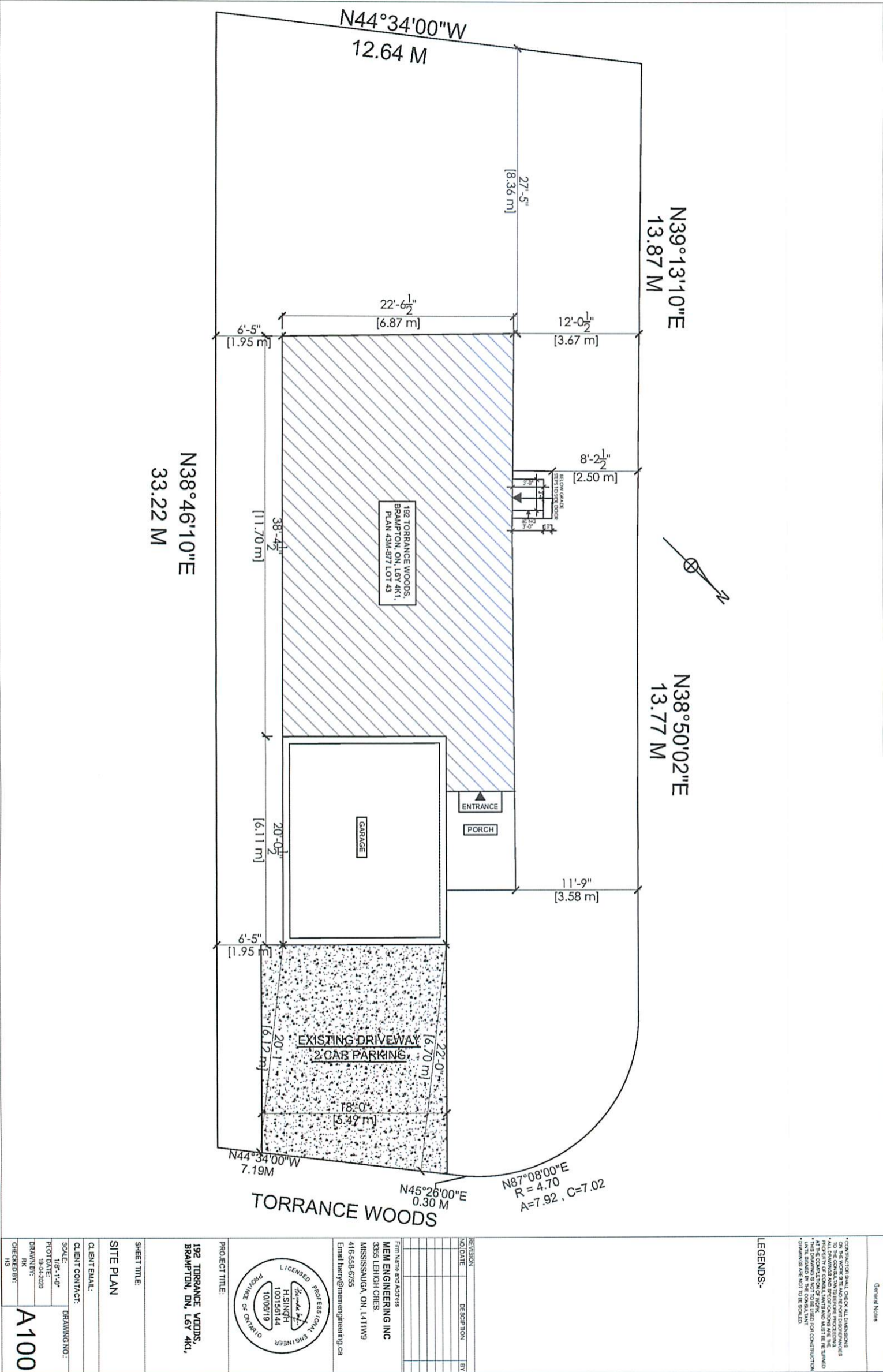
R1D, Mature Neighbourhood

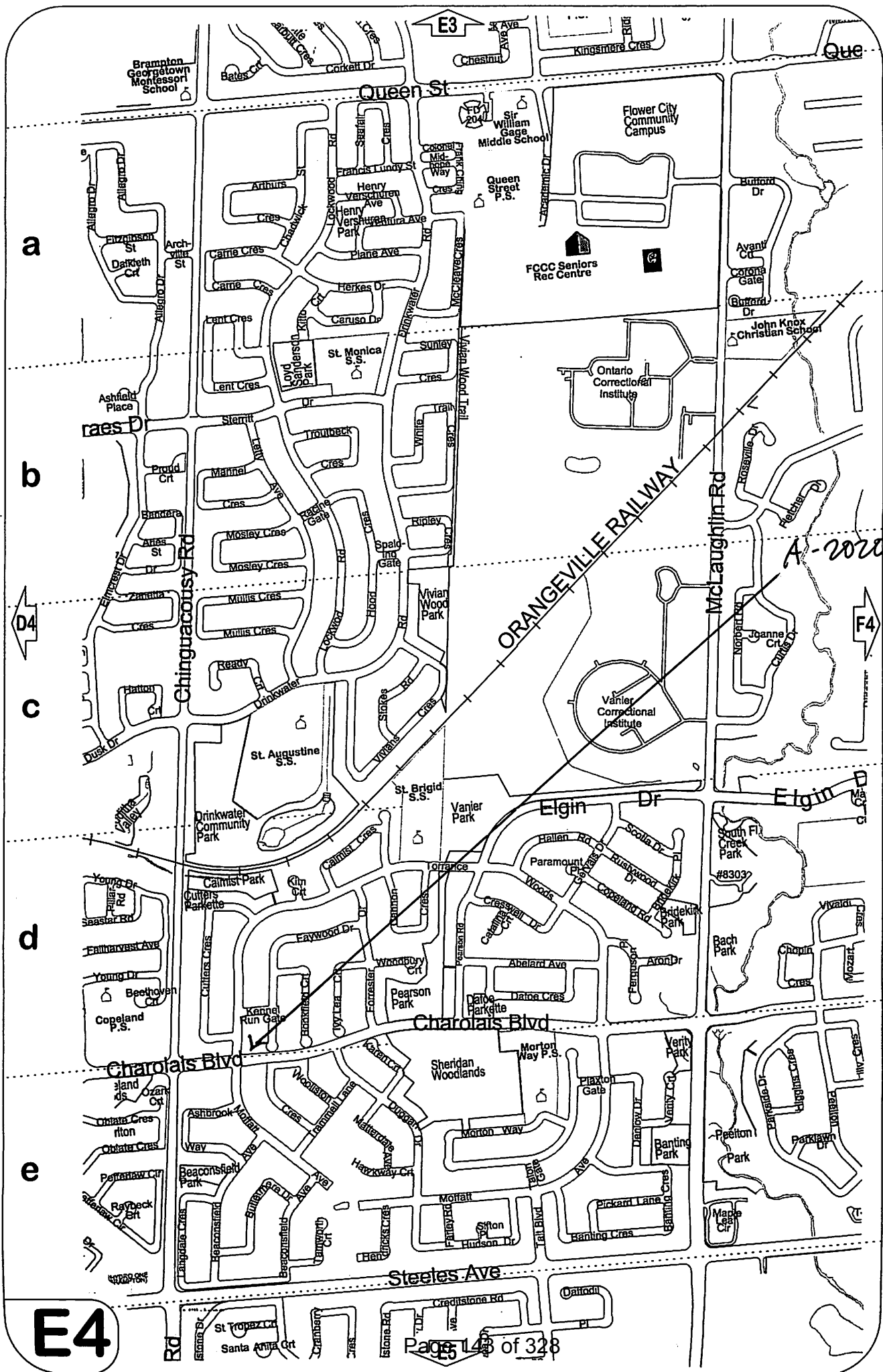
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

J. Chau  
Zoning Officer

Dec 22, 2020  
Date

DATE RECEIVED December 22, 2020





**Filing Date:** December 22, 2020

**Hearing Date:** February 15, 2021

**File:** A-2020-0163

**Owner/  
Applicant:** RAVNEET GILL AND SAMANDEEP GILL

**Address:** 192 Torrance Woods

**Ward:** 4

**Contact:** Shelby Swinfield, Planner I

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**Recommendations:**

That application A-2020-0163 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 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.

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**Background:**

Existing Zoning:

The property is zoned "Residential Single Detached D (R1D)" according to By-law 270-2004, as amended.

**Requested Variances:**

The applicant is requesting the following variances:

1. To permit a 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;
2. To permit an exterior side yard setback of 2.5m (8.20 ft.) to a below grade stairway leading to a below grade entrance in the required exterior side yard whereas the by-law 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 Density Residential" in the Brampton Flowerstown Secondary Plan (Area 6). The requested variances are not considered to have significant implications within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Official Plan.

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

The property is zoned "Residential Single Detached D (R1D)" according to By-law 270-2004, as amended. The requested variances are intended to permit an existing below grade entrance in the exterior side yard of the property.

Variance 1 is to permit a 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. Variance 2 is to permit an exterior side yard setback of 2.5m (8.20 ft.) to a below grade stairway leading to a below grade entrance in the required exterior side yard whereas the by-law 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 and in requiring a minimum required setback is to ensure that the appearance of the below grade entrance and stairway does not negatively impact the overall streetscape.

In the case of the subject property, the below grade entrance is located behind a fence and is not visible from 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 entrance remains screened from the street. 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 permit an existing below grade entrance in the exterior side yard of the property. The entrance and associated stairway are currently located behind the existing fence and are therefore screened from the street. A condition of approval is recommended that the fence remain in its current location and height to ensure that screening remains in place. A further condition is recommended that the entrance not be used to access an unregistered second unit to ensure that any second unit within the dwelling has completed the City's registration process. 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 existing below grade entrance in the exterior side yard of the property are not anticipated to negatively impact the appearance or function of the property. A condition of approval is recommended that a building permit be obtained for the below grade entrance to ensure it has been constructed in accordance with the Ontario Building Code. 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 **BIKRAMJEET BAJWA AND PAWANJIT 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 43, Plan 43M-877, municipally known as **2 FASCINATION STREET**, 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, February 16, 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.

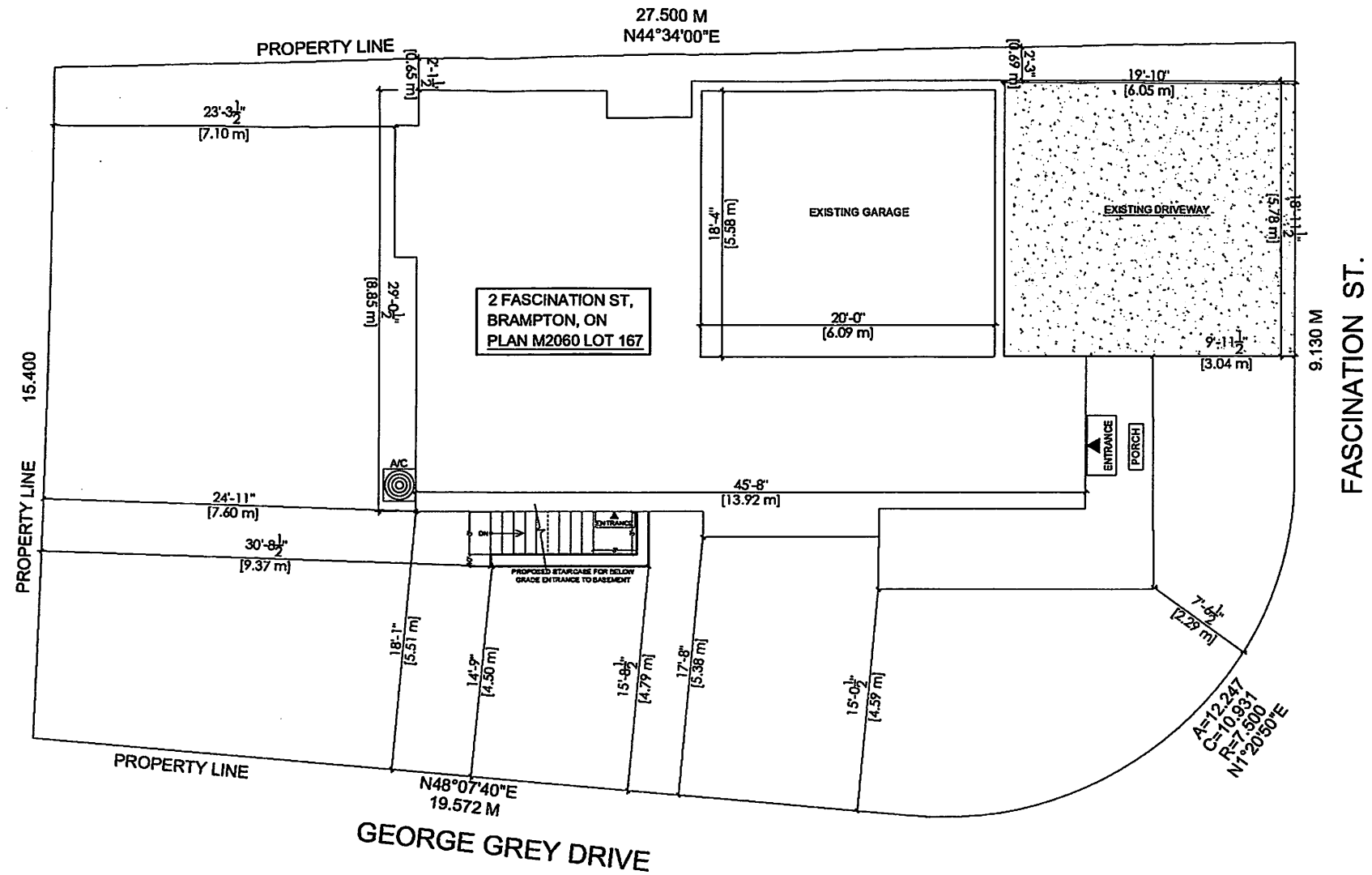
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 4th day of February, 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](mailto:jeanie.myers@brampton.ca)



SITE PLAN

SC: 1/8" - 1'-0"

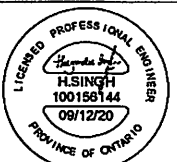
General Notes

\* CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK SITE AND REPORT DISCREPANCIES TO THE CONSULTANTS BEFORE PROCEEDING. 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 UNTIL SIGNED BY THE CONSULTANT. \* DIMENSIONS ARE NOT TO BE SCALED.

LEGENDS:-

REVISION NO./DATE	DESCRIPTION	BY

Firm Name and Address  
**MEM ENGINEERING INC**  
3355 LEHIGH CRES.  
MISSISSAUGA, ON, L4T1W9  
416-658-6755  
Email: herry@memengineering.ca



PROJECT TITLE:  
2 Fascination St,  
Brampton, ON L6R 0B3

SHEET TITLE:  
**SITE PLAN**

CLIENT EMAIL:

CLIENT CONTACT:

SCALE:

1/8" - 1'-0"

PLOT DATE:

2020-12-09

DRAWN BY:

AR

CHECKED BY:

HS

DRAWING NO.:

**A100**

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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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.

2020-12-18

COVERING LETTER

To  
The Secretary-Treasurer  
Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

A-2020-0164

Subject: Minor Variance application for 2 Fascination St. Brampton, ON L6R 0B3

Sir/ Madam,

We hope this letter finds you well. Please accept our minor variance application for our client at 2 Fascination Street, Brampton, ON L6R 0B3.

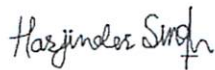
We have proposed a below grade entrance to the basement so that the existing Single Family Dwelling can be used as Twin Unit Dwelling. However, since this is a corner lot, the only side yard available in terms of setback is the exterior side yard.

The interior side yard setback is 0.65 m from the building line.

So we request you to kindly consider our application for minor variance and allow for the below grade staircase (entrance) from the exterior side yard.

We appreciate your cooperation in this matter.

Thank You



Harjinder Singh

*P Eng. PMP, CET, RCJI*



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) BIKRAMJEET BAJWA PAWANJIT KAUR  
Address 2 FASCINATION ST, BRAMPTON,  
ON L6R 0B3  
Phone # 647-724-0058 Fax # \_\_\_\_\_  
Email BIKRAMJEETBAJWA@GMAIL.COM

2. Name of Agent HARJINDER SINGH  
Address 2355 DERRY ROAD EAST, MISSISSAUGA  
ON L5S 1V6  
Phone # 416-558-6755 Fax # \_\_\_\_\_  
Email HARRYCIVIL@HOTMAIL.COM

3. Nature and extent of relief applied for (variances requested):  
BELOW GRADE STAIRCASE TO ENTER THE BASEMENT HAS BEEN PROPOSED FROM THE  
EXTERIOR SIDE YARD (BECAUSE IT IS A CORNER LOT)

4. Why is it not possible to comply with the provisions of the by-law?  
SINCE THIS IS A CORNER LOT, ONLY SIDE YARD AVAILABLE FOR BELOW GRADE STAIR-  
CASE IS THE EXTERIOR SIDE YARD BECAUSE INTERIOR SIDE YARD'S SETBACK IS MERE  
2'-1/2" FROM THE BUILDING LINE.

5. Legal Description of the subject land:  
Lot Number 167  
Plan Number/Concession Number PLAN M2060  
Municipal Address 2 FASCINATION ST, BRAMPTON, ON L6R 0B3

6. Dimension of subject land (in metric units)  
Frontage 9.13 M  
Depth 27.50 M  
Area 392.16 sq m

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 2 STOREY DETACHED BRICK DWELLING WITH 2 CAR GARAGE.	
SINGLE FAMILY DWELLING	
Ground floor area : 104.3 sq m	Gross floor area : 284.09 sq m

**PROPOSED BUILDINGS/STRUCTURES** on the subject land:

PROPOSED BELOW GRADE STAIRCASE TO ENTER THE BASEMENT	
TWIN UNIT DWELLING	
Ground floor area : 104.3 sq m	Gross floor area : 284.09 sq m

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

**EXISTING**

Front yard setback	4.34 m
Rear yard setback	7.10 m
Side yard setback	0.65 m
Side yard setback	5.38 m

**PROPOSED**

Front yard setback	4.34 m
Rear yard setback	7.10 m
Side yard setback	0.65 m
Side yard setback	5.38 m

10. Date of Acquisition of subject land: 2020

11. Existing uses of subject property: SFD

12. Proposed uses of subject property: TUD

13. Existing uses of abutting properties: RESIDENTIAL

14. Date of construction of all buildings & structures on subject land: 2020

15. Length of time the existing uses of the subject property have been continued: 1 year

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 _____

Harjinder Singh  
Signature of Applicant(s) or Authorized Agent

DATED AT THE \_\_\_\_\_ CITY \_\_\_\_\_ OF \_\_\_\_\_ BRAMPTON \_\_\_\_\_

THIS 22nd 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, HARJINDER SINGH, 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

Reel THIS 22nd DAY OF

December, 2020

Jeanie Myers

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.

Harjinder Singh  
Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: \_\_\_\_\_

R1F - 2368

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

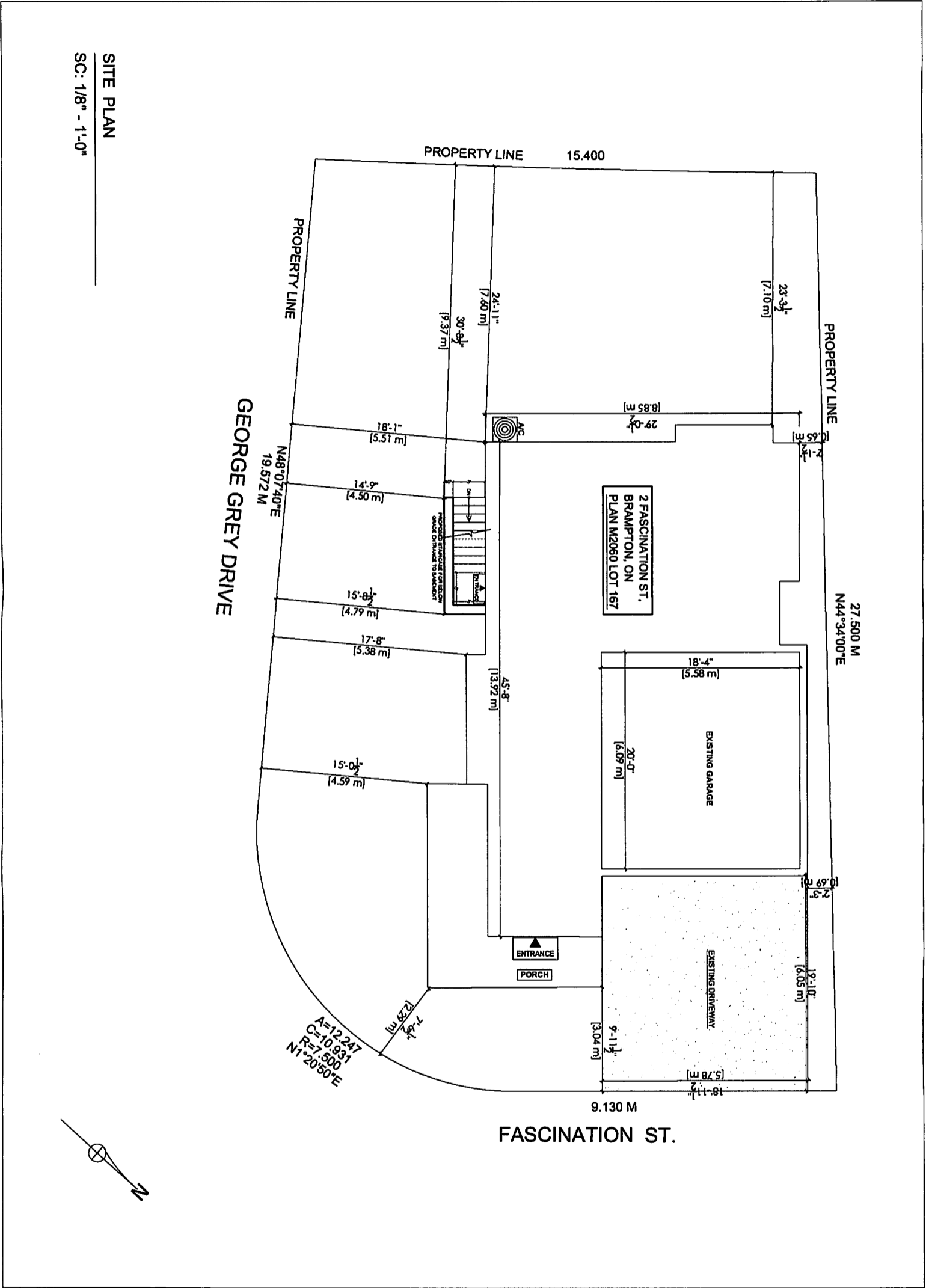
HOTHU S.

Zoning Officer

DEC. 22. 2020

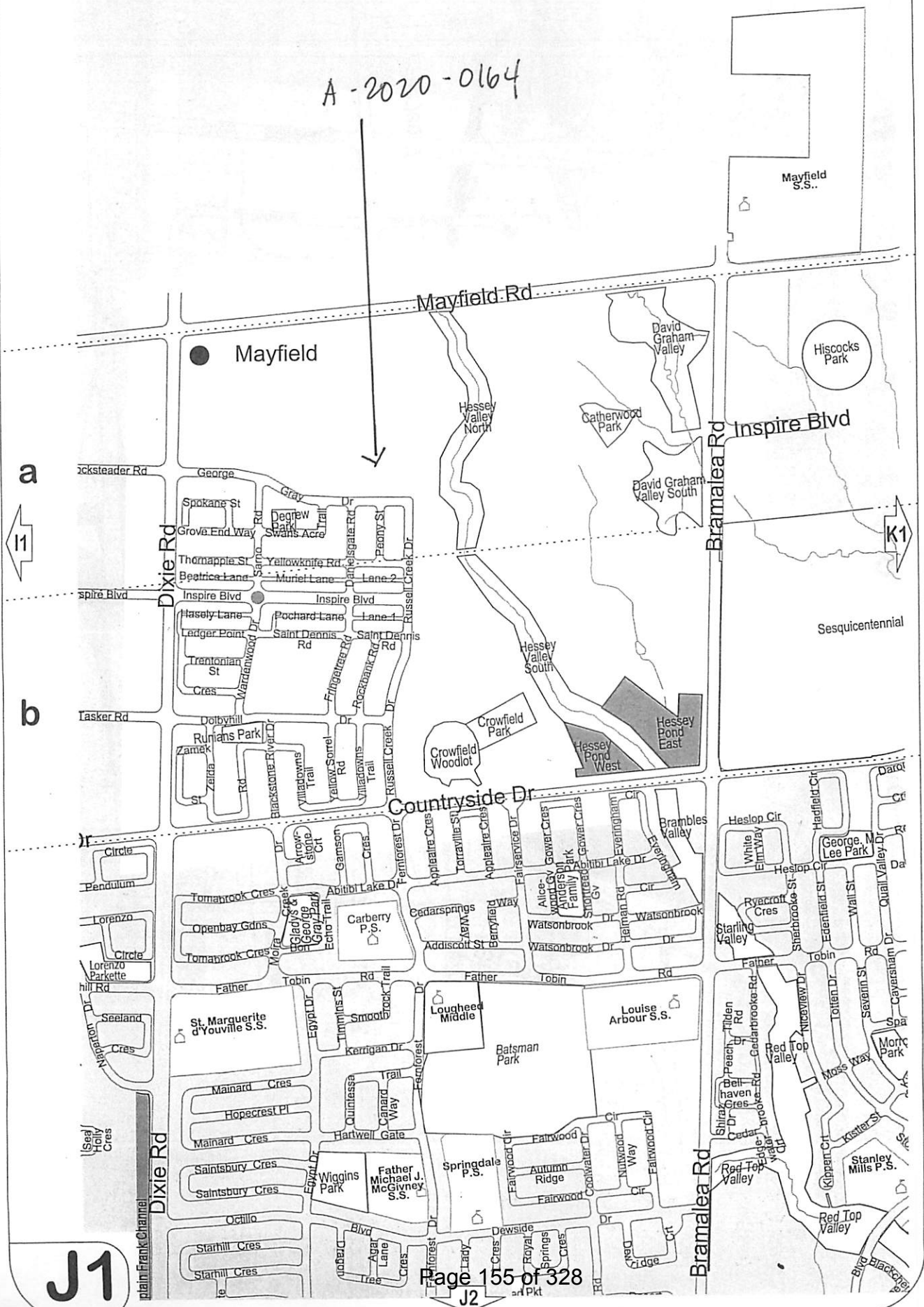
Date

DATE RECEIVED December 22, 2020



Drawn Name	
LEGENDS:-	
NOTES:- THIS DRAWING IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A CONTRACT. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED. THE DRAWING IS NOT TO BE USED FOR CONSTRUCTION.	
REVISION	DESCRIPTION
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A-2020-0164



**Filing Date:** December 22, 2020

**Hearing Date:** February 16, 2020

**File:** A-2020-0164

**Owner/**

**Applicant:** BIKRAMJEET BAJWA AND PAWANJIT KAUR

**Address:** 2 Fascination Street

**Ward:** 9

**Contact:** Shelby Swinfield, Planner I

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**Recommendations:**

That application A-2020-0164 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 applicant shall extend or adjust the existing fence (if required) to screen the below grade entrance in a manner satisfactory to 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 "Residential Single Detached F-9 – Special Section 2368 (R1F-9-2368)" 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 Countryside Villages Secondary Plan (Area 48b). The requested variance is not considered to have significant impacts within the context of the Official Plan. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

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

The property is zoned “Residential Single Detached F-9 – Special Section 2368 (R1F-9-2368)” according to By-law 270-2004, as amended.

The requested variance 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. A condition of approval is recommended that the applicant shall extend or adjust the existing fence to screen the below grade entrance in a manner satisfactory to the Director of Development Services to ensure that the below grade entrance is fully screened from view of the street.

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 construction of a below grade entrance in the exterior side yard of the property in order to create a second unit within the residential dwelling. A condition of approval is recommended that the entrance not be used to access an unregistered second unit to ensure that the second unit is constructed in accordance with the Ontario Building Code.

A further condition of approval is recommended that the applicant shall extend or adjust the existing fence to screen the below grade entrance in a manner satisfactory to the Director of Development Services so that the location of the fence can be adjusted (if required) to ensure full screening of the below grade entrance.

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 location of the below grade entrance is not anticipated to have negative impacts on the streetscape and will facilitate the creation of a second unit within the residential dwelling. 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 **DANIEL TIBURCIO AND CHERRY TANEGA** 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 37, Plan 43M-1825, municipally known as **34 PATHWAY DRIVE**, Brampton;

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

1. To permit a proposed swimming pool on a corner lot, which extends into the exterior side yard and the defined triangular site line area prescribed by Section 10.7 whereas the by-law does not permit a swimming pool to extend into the exterior side yard or the defined triangular site line area when a corner lot abuts the side yard of an adjacent residential lot having a habitable room on the front corner of the ground floor;
2. To permit a proposed accessory building (pavilion/gazebo) having a gross floor area of 17.2 sq. m (185.14 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.

**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, February 16, 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.**

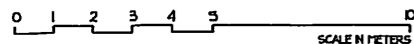
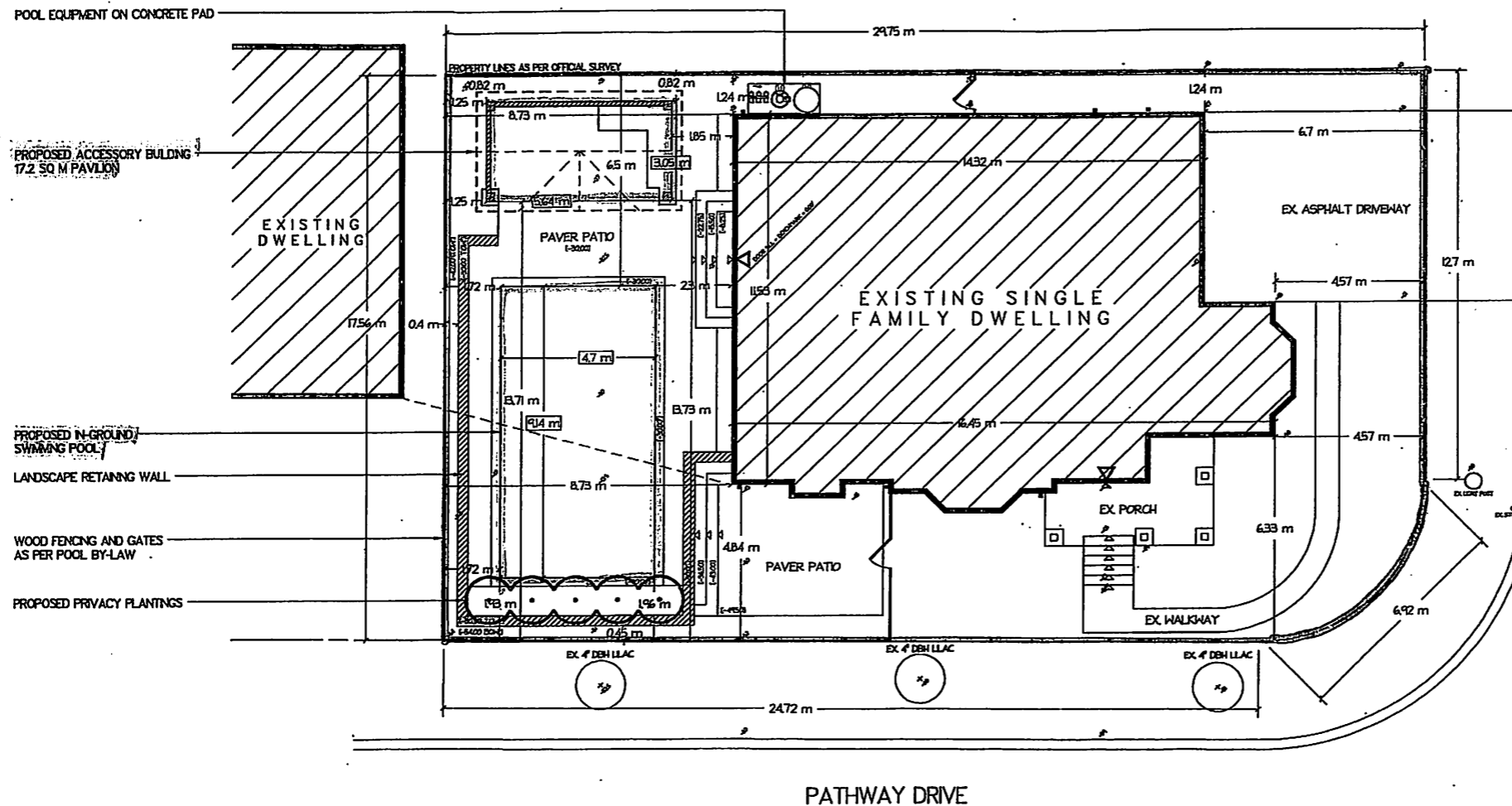
**PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC**

DATED at Brampton Ontario, this 4th day of February, 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](mailto:jeanie.myers@brampton.ca)

LOT STATISTICS:	NOTES:
ZONE: R14-3-1462	-NO GRADE CHANGES WITHIN 0.30M OF PROPERTY LINES
LOT AREA: 519.7 SQ M	-ALL DRAINAGE PATTERNS TO REMAIN AS BEFORE CONSTRUCTION
HOUSE AREA: 189.65 SQ M	
EX. LOT CVG: 36.49%	
PROPOSED LOT CVG: 39.8%	



# SITE PLAN

34 PATHWAY DRIVE  
BRAMPTON, ON

SCALE: 1:50  
DATE: DEC 2020

EXISTING GRADES:  
(IN INCHES)  
PROPOSED GRADES:  
(IN INCHES)

**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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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.

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

A-2020-0165

From: Cedar Springs Landscape Group (Adrian Hordyk)  
3242 South Service Road West, Oakville, ON L6L 6T1  
905-333-6789  
ahordyk@cedarsprings.net

December 22, 2020

To whom it may concern:

This letter is intended to be reviewed in conjunction with the application and drawings for the Minor Variance application at 34 Pathway Drive, Brampton.

The homeowners have hired Cedar Springs to turn their backyard into a space that they can enjoy as a young family. The proposed plan includes a covered sitting/cooking area (pavilion), as well as an inground swimming pool. Two variances are requested for the above development.

The first variance is in regards to the pavilion. The By-law permits a total gross floor area of 20 sq metres for accessory structures (permitted no individual building exceeds 15 sq metres). We are requesting relief from this by-law with a proposed floor area of 17.2 sq metres. This complies with the total allowed gross floor area, but we are requesting an additional 2.2 sq m so that the structure can accommodate a larger living space for the homeowner.

The second variance is in regards to the pool location. Being a corner lot, the subject property has enough area to accommodate a swimming pool, but we are hoping to use the location beyond the required offset to fit in a pool. To mitigate any negative views of the pool, the entire rear yard will be enclosed by a solid wood fence. We are also proposing some columnar trees along Pathway Drive to further increase privacy.

We kindly ask for your consideration for the requested variances.

Sincerely,



Adrian Hordyk

Cedar Springs Landscape Group













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)** Daniel Tiburcio and Cherry Tanega  
**Address** 34 Pathway Drive, Brampton, ON, L6X 0Z7

**Phone #** 647-261-1253 **Fax #** \_\_\_\_\_  
**Email** djtiburcio@hotmail.com

2. **Name of Agent** Adrian Hordyk (Cedar Springs Landscape Group)  
**Address** 3242 South Service Road West, Oakville, ON, L6L 6T1

**Phone #** 905-333-6789 **Fax #** \_\_\_\_\_  
**Email** ahordyk@cedarsprings.net

3. **Nature and extent of relief applied for (variances requested):**  
Pool  
To permit a private, uncovered swimming pool in the rear yard of a corner lot beyond the line between the rear exterior corner of the dwelling and the front corner of the dwelling on the abutting lot. (1.93 m from the exterior side property line)

Pavilion  
To permit a gross floor area of 17.2 sq m instead of 15 sq m.

4. **Why is it not possible to comply with the provisions of the by-law?**  
The homeowner is trying to create an outdoor space for his family to enjoy, which includes a pool and covered living area (pavilion).  
The size of the pavilion (17.2 sqm) is required to accommodate a covered sitting area.  
Although the property is large enough to accommodate a pool and accessory structure, because it is a corner lot, a variance is required to allow the pool to be located in the exterior side yard.

5. **Legal Description of the subject land:**  
**Lot Number** Lot 37  
**Plan Number/Concession Number** 43M-1825  
**Municipal Address** 34 Pathway Drive, Brampton, ON, L6X 0Z7

6. **Dimension of subject land (in metric units)**  
**Frontage** 12.702  
**Depth** 29.750  
**Area** 519.7

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

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

EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)

One existing two-storey single family dwelling.  
11.53 m wide by 16.45 m deep by +/-8.2 m high

PROPOSED BUILDINGS/STRUCTURES on the subject land:

One in-ground swimming pool - 4.7 m x 9.14 m  
One pavilion (accessory structure) - 5.64 m x 3.05 m x 3.47 m h (top of roof)

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 4.57 m  
Rear yard setback 8.73 m  
Side yard setback 1.24 m  
Side yard setback 4.84 m

PROPOSED

Front yard setback	n/a	n/a
Rear yard setback	1.25 (pavilion)	1.72 m (pool)
Side yard setback	13.71 m (pavilion)	6.5 m (pool)
Side yard setback	0.82 m (pavilion)	1.93 m (pool)

10. Date of Acquisition of subject land: 2009
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: 2010/2011
15. Length of time the existing uses of the subject property have been continued: 11 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 _____

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

DATED AT THE City OF Brampton

THIS 22 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, Adrian Hordyk, OF THE City OF Hamilton

IN THE Region OF Durham 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 22<sup>nd</sup> 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]  
Signature of Applicant or Authorized Agent

[Signature]  
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation:

R1F - 1462

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.

HOTHU S.

Zoning Officer

DEC 22 2020

Date

DATE RECEIVED December 22, 2020

Revised 2020/01/07

<b>LOT STATISTICS:</b> ZONE: R1F-14.3-1462 LOT AREA: 519.7 SQ M HOUSE AREA: 189.65 SQ M EX. LOT CVG: 36.49% PROPOSED LOT CVG: 39.8%	<b>NOTES:</b> -NO GRADE CHANGES WITHIN 0.30M OF PROPERTY LINES -ALL DRAINAGE PATTERNS TO REMAIN AS BEFORE CONSTRUCTION
--	--

POOL EQUIPMENT ON CONCRETE PAD

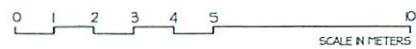
PROPOSED ACCESSORY BUILDING  
17.2 SQ M PAVILION

PROPOSED IN-GROUND  
SWIMMING POOL

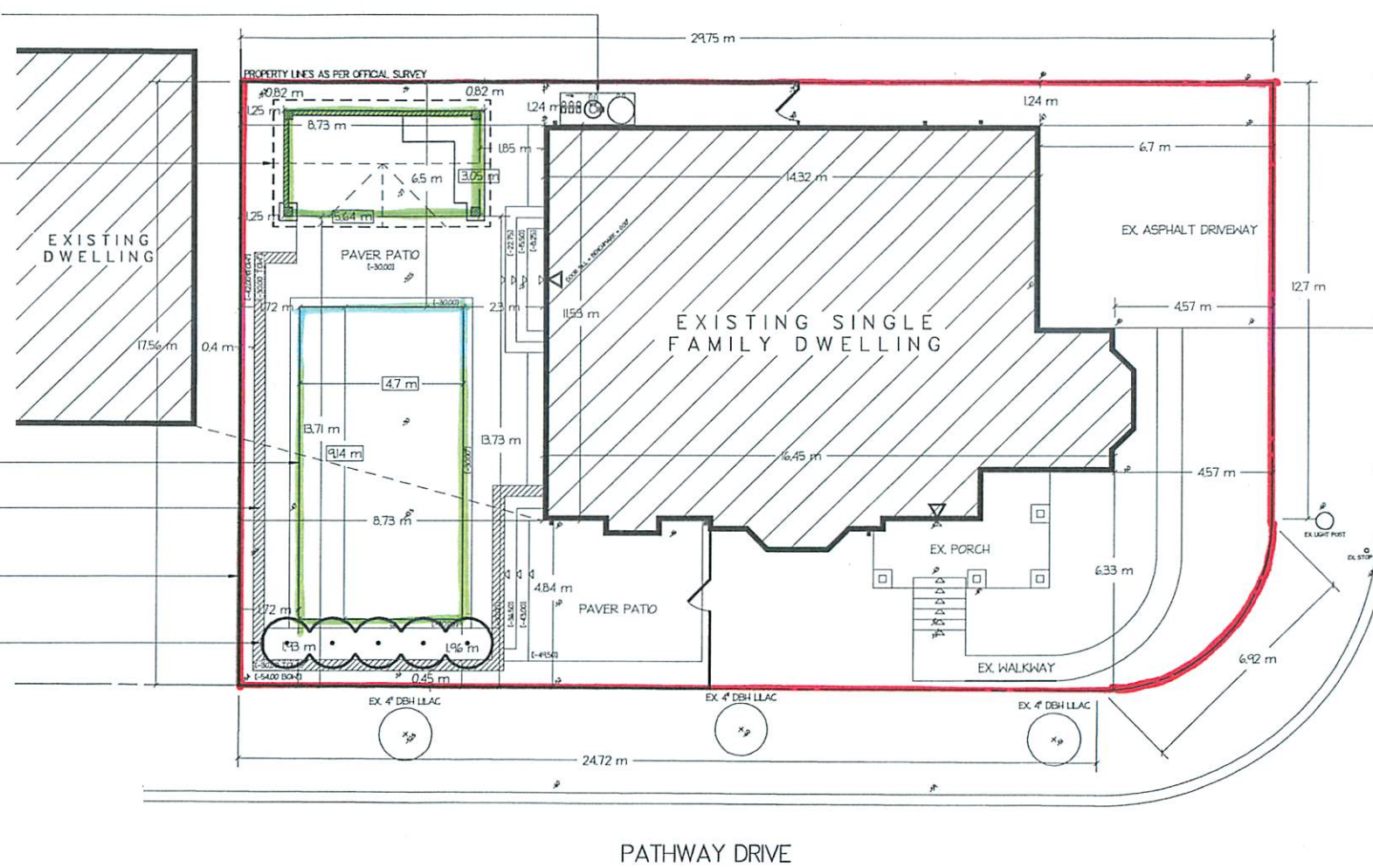
LANDSCAPE RETAINING WALL

WOOD FENCING AND GATES  
AS PER POOL BY-LAW

PROPOSED PRIVACY PLANTINGS



SCALE IN METERS



PINE ISLAND WAY

PATHWAY DRIVE



SITE PLAN

34 PATHWAY DRIVE  
BRAMPTON, ON

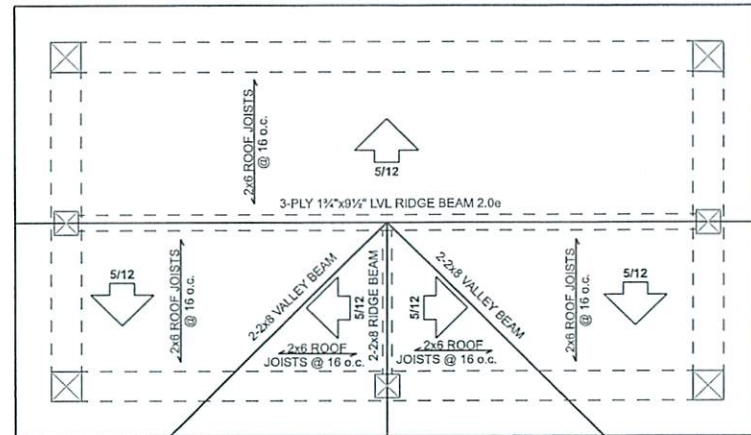
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DATE: DEC 2020

EXISTING GRADES:  
(N INCHES)  
PROPOSED GRADES:  
(N INCHES)



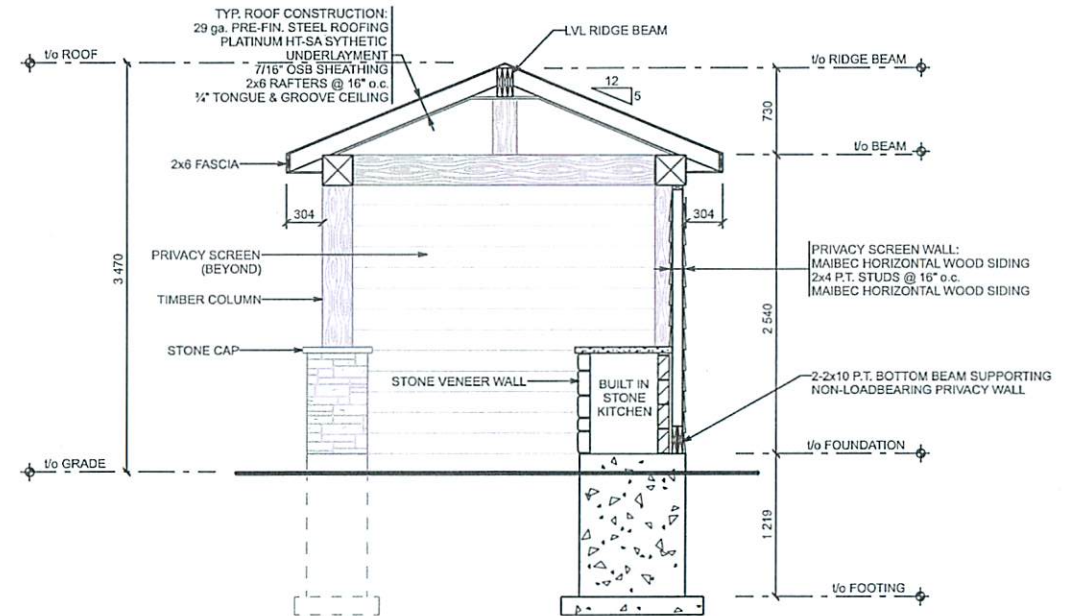
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<p><b>QUALIFICATION INFORMATION</b>          REQUIRED UNLESS DESIGN IS EXEMPT UNDER          DIVISION G-3.2.4.1 OF THE 2012 O.B.C.</p>  <p>ROBERT VANDERWEERD BCIN 43763          FIRM NAME: VANDERWEERD DRAFTING &amp; DESIGN, BCIN 38975</p> <p><small>THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, ANALYSIS AND          THE QUALIFICATION AND MEETS THE REQUIREMENTS SET FORTH IN THE ORIGINAL BILLING COVER TO BE A REGISTERED.</small></p>	<p style="font-size: 2em; color: #C00000;"><b>Cedar Springs</b></p> <p style="font-size: 0.8em; color: #C00000;">LANDSCAPE</p>	 <p style="font-size: 1.5em; margin: 0;"><b>ELEVATE</b></p> <p style="font-size: 0.8em; margin: 0;">HOME DESIGN</p> <p>BEATTY LINE N ◦ FERGUS ◦ ON          WWW.ELEVATEHOMEDSIGN.CA          ROB@ELEVATEHOMEDSIGN.CA ◦ 519-731-4246</p>	<p><b>TIMBER PAVILION</b></p> <p>TIBURCIO RESIDENCE          34 PATHWAY DRIVE          BRAMPTON, ON</p>	<p style="text-align: center; font-weight: bold;">FLOOR PLANS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; padding: 5px;">                 PROJECT NO: 20-047                  STARTING DATE: Nov 27, 2020                  LAST REVISION DATE: Nov 27, 2020                  DRAWN BY:             </td> <td style="width: 20%; text-align: center; vertical-align: middle; font-size: 2em; font-weight: bold; padding: 5px;">A1</td> </tr> <tr> <td colspan="2" style="padding: 5px;">                 SCALE: 1:50             </td> </tr> </table>	PROJECT NO: 20-047 STARTING DATE: Nov 27, 2020 LAST REVISION DATE: Nov 27, 2020 DRAWN BY:	A1	SCALE: 1:50	
PROJECT NO: 20-047 STARTING DATE: Nov 27, 2020 LAST REVISION DATE: Nov 27, 2020 DRAWN BY:	A1							
SCALE: 1:50								



## ROOF PLAN

SCALE: 1:50



## CROSS SECTION 'A'

SCALE: 1:50

### QUALIFICATION INFORMATION

REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION C-3.2.4.1 OF THE 2012 O.B.C.

*[Signature]*

ROBERT VANDERWEGH BORN 43753

FIRM NAME: VANDERWEGH DRAFTING & DESIGN, BCIN 35975

THIS 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.

**Cedar Springs**  
LANDSCAPE

**ELEVATE**  
L.P. INC.

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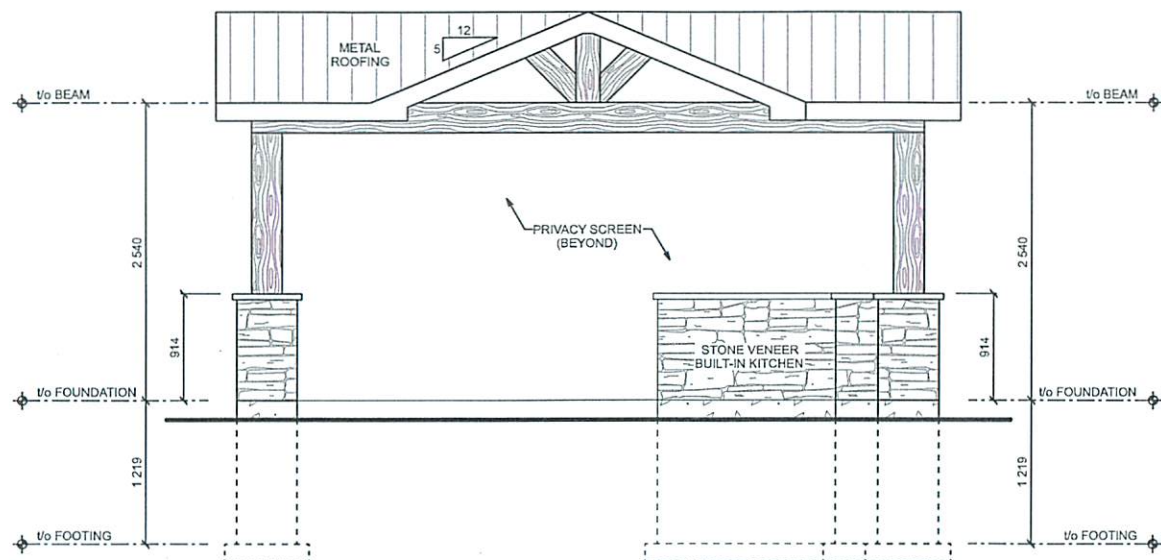
**TIMBER PAVILION**  
TIBURCIO RESIDENCE  
34 PATHWAY DRIVE  
BRAMPTON, ON

### ROOF AND CROSS SECTION

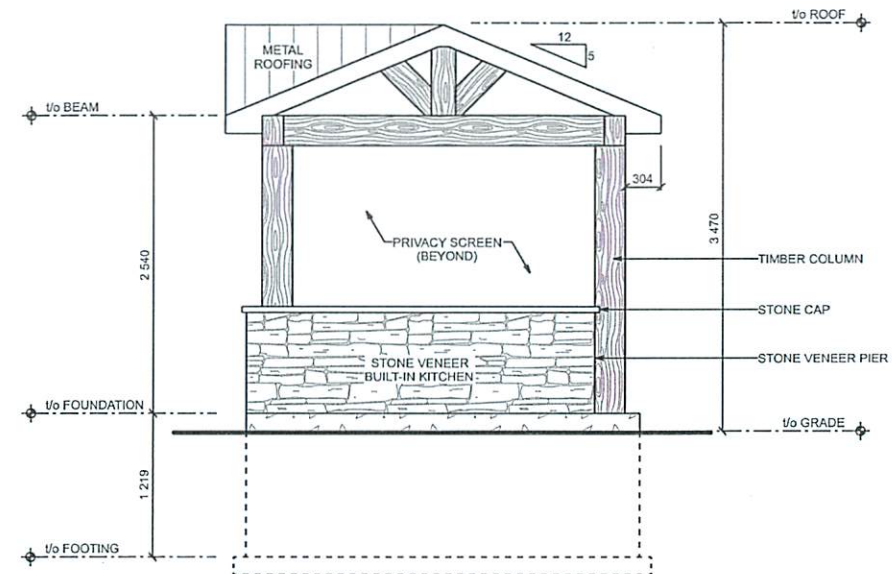
PROJECT NO: 20-047  
STARTING DATE: Nov 27, 2020  
LAST REVISION DATE: Nov 27, 2020  
DRAWN BY:

SCALE: 1:50

**A2**



**FRONT ELEVATION**  
SCALE: 1:50



**RIGHT ELEVATION**  
SCALE: 1:50

**QUALIFICATION INFORMATION**  
REQUIRED UNLESS DESIGN IS EXEMPT UNDER  
DIVISION C-3.2.4.1 OF THE 2012 O.B.C.

*Robert Vanderweide*  
ROBERT VANDERWEIDE (BCIN 43153)  
FIRM NAME: VANDERWEIDE INC. DRAFTING & DESIGN, BCIN 38975  
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE  
QUALIFICATIONS AND METS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

**Cedar Springs**  
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Page 174 of 328

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**TIMBER PAVILION**  
TIBURCIO RESIDENCE  
34 PATHWAY DRIVE  
BRAMPTON, ON

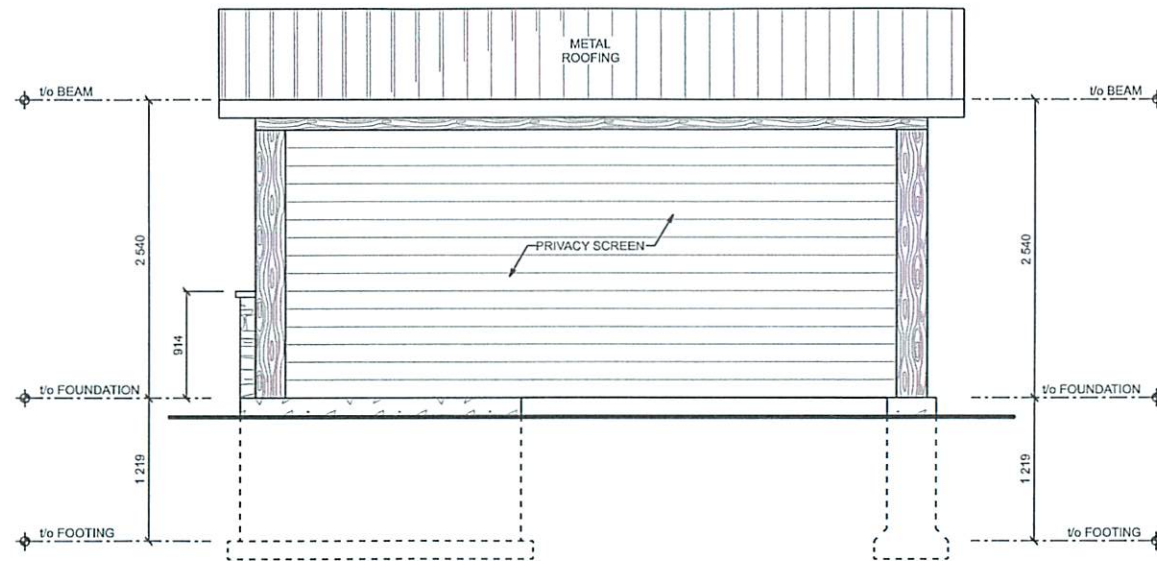
**FRONT & RIGHT ELEVATION**

PROJECT NO: 20-047  
STARTING DATE: Nov 27, 2020  
LAST REVISION DATE: Nov 27, 2020  
DRAWN BY:

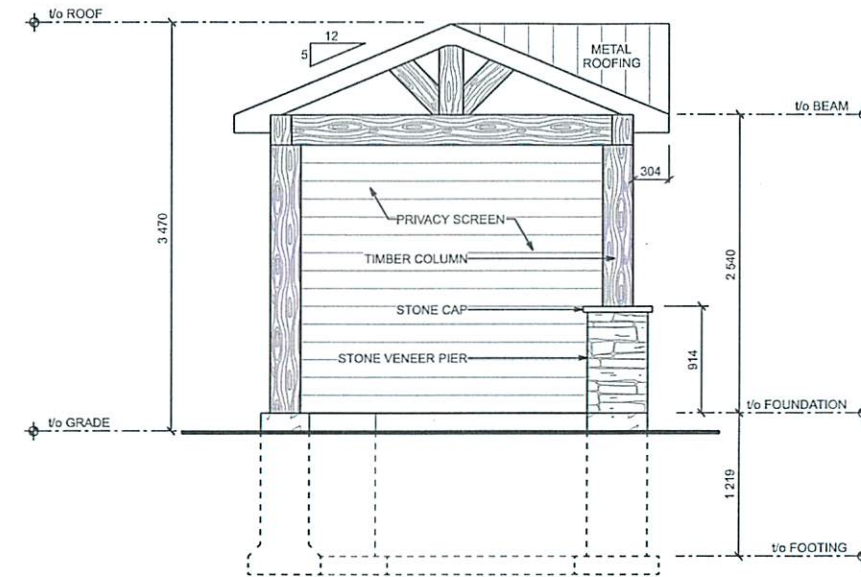
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**A3**

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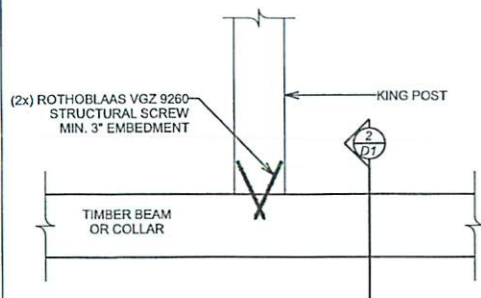


**REAR ELEVATION**  
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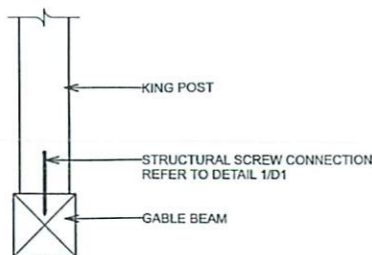


**LEFT ELEVATION**  
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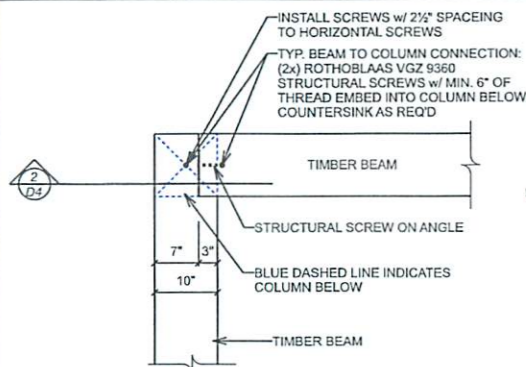
<p><b>QUALIFICATION INFORMATION</b> REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION C-3.2.4.1 OF THE 2012 O.B.C.</p> <p><i>[Signature]</i></p> <p>ROBERT VANDERVOERD BCIN 43753 FIRM NAME: WINTERPOINTE DRAFTING &amp; DESIGN, BCIN 38975</p> <p><small>THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONSHORE REGULATORY CODE TO BE A DESIGNER.</small></p>	<p><b>Cedar Springs</b> LANDSCAPE</p>	<p><b>ELEVATE</b> DESIGN</p> <p>BEATTY LINE N • FERGUS • ON WWW.ELEVATEHOMEDSIGN.CA ROB@ELEVATEHOMEDSIGN.CA • 519-731-4246</p>	<p><b>TIMBER PAVILION</b> TIBURCIO RESIDENCE 34 PATHWAY DRIVE BRAMPTON, ON</p>	<p><b>REAR &amp; LEFT ELEVATION</b></p> <p>PROJECT NO: 20-047 STARTING DATE: Nov 27, 2020 LAST REVISION DATE: Nov 27, 2020 DRAWN BY:</p> <p>SCALE: 1:50</p> <p><b>A4</b></p>
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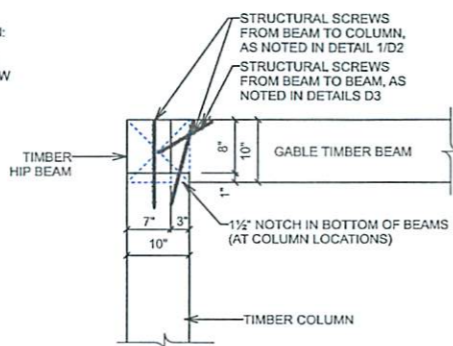
1 KING POST TO GABLE BEAM  
1/D1 1/2" = 1'-0" ELEVATION



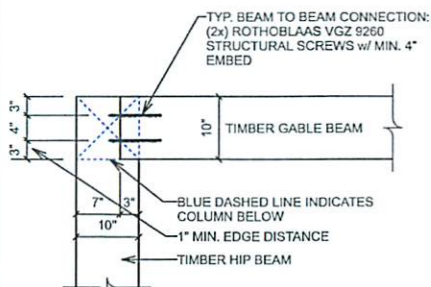
2 KING POST TO GABLE BEAM  
2/D1 1/2" = 1'-0" CROSS SECTION



1 BEAM TO COLUMN  
1/D2 1/2" = 1'-0" TOP VIEW



2 BEAM TO COLUMN  
2/D2 1/2" = 1'-0" CROSS SECTION



1 TIMBER BEAM INTERSECTION  
1/D3 1/2" = 1'-0" TOP VIEW

NOTE: GRK SCREWS OF SAME DIAMETER MAY ALSO BE USED  
MAINTAIN MIN. EMBEDMENT

QUALIFICATION INFORMATION  
REQUIRED UNLESS DESIGN IS EXEMPT UNDER  
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ROBERT VANDERKAMER BCIN 43753  
FIRM NAME: VANDERKAMER DRAFTING & DESIGN BCIN 35575  
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Page 176 of 328

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TIMBER PAVILION  
TIBURCIO RESIDENCE  
34 PATHWAY DRIVE  
BRAMPTON, ON

TIMBER DETAILS

PROJECT NO: 20-047  
STARTING DATE: Nov 27, 2020  
LAST REVISION DATE: Nov 27, 2020  
DRAWN BY:

SCALE: 1/2" = 1'-0"

A5

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OBC NOTES

9.3.1. Concrete

9.3.1.1. General

(1) Except as provided in Sentence (2), unreinforced and nominally reinforced concrete shall be designed, mixed, placed, cured and tested in accordance with the requirements for "R" class concrete stated in Clause 8.13 of CSA A23.1, "Concrete Materials and Methods of Concrete Construction".

(2) Unreinforced and nominally reinforced site-batched concrete shall be designed, mixed, placed and cured in accordance with Articles 9.3.1.2. to 9.3.1.9.

9.3.1.2. Cement

(1) Cement shall meet the requirements of CAN/CSA-A3001, "Cementitious Materials for Use in Concrete".

9.3.1.3. Concrete in Contact with Sulfate Soil

(1) Concrete in contact with sulfate soil, which is deleterious to normal cement, shall conform to the requirements in Clause 15.5 of CAN/CSA-A23.1, "Concrete Materials and Methods of Concrete Construction".

9.3.1.4. Aggregates

(1) Aggregates shall,

(a) consist of sand, gravel, crushed rock, crushed air-cooled blast furnace slag, expanded shale or expanded clay conforming to CAN/CSA-A23.1, "Concrete Materials and Methods of Concrete Construction", and

(b) be clean, well-graded and free of injurious amounts of organic and other deleterious material.

9.3.1.5. Water

(1) Water shall be clean and free of injurious amounts of oil, organic matter, sediment or any other deleterious material.

9.3.1.6. Compressive Strength

(1) Except as provided elsewhere in this Part, the compressive strength of unreinforced concrete after 28 days shall be not less than,

(a) 32 MPa for garage floors, carport floors and all exterior flatwork,

(b) 20 MPa for interior floors other than those for garages and carports, and

(c) 15 MPa for all other applications.

(2) Concrete used for garage and carport floors and exterior steps shall have air entrainment of 5 to 8%.

9.3.1.7. Concrete Mixes

(1) For site-batched concrete, the concrete mixes described in Table 9.3.1.7. shall be considered acceptable if the ratio of water to cementing materials does not exceed,

(a) 0.45 for garage floors, carport floors and all exterior flatwork,

(b) 0.65 for interior floors other than those for garages and carports, and

(c) 0.70 for all other applications.

(2) The size of aggregate in unreinforced concrete mixes referred to in Sentence (1) shall not exceed,

(a) 1/5 the distance between the sides of vertical forms, or

(b) 1/3 the thickness of flatwork.

9.3.1.8. Admixtures

(1) Admixtures shall conform to ASTM C260, "Air-Entraining Admixtures for Concrete", or ASTM C494 / C494M, "Chemical Admixtures for Concrete", as applicable.

9.3.1.9. Cold Weather Requirements

(1) When the air temperature is below 5°C, concrete shall be,

(a) kept at a temperature of not less than 10°C or more than 25°C while being placed, and

(b) maintained at a temperature of not less than 10°C for 72 h after placing.

(2) No frozen material or ice shall be used in concrete described in Sentence (1).

9.20.13.12. Drips Beneath Window Sills

(1) Except for wall openings located less than 150 mm above ground level, where a concealed flashing is not installed beneath window and door sills, such sills shall be provided with an outward slope and a drip located not less than 25 mm from the wall surface.

9.23 Wood Frame Construction

9.23.2.1. Strength and Rigidity

(1) All members shall be so framed, anchored, fastened, tied and braced to provide the necessary strength and rigidity.

9.23.3. Fasteners

9.23.3.1. Standards for Nails and Screws

(1) Unless otherwise indicated, nails specified in this Section shall be common steel wire nails or common spiral nails, conforming to CSA B111, "Wire Nails, Spikes and Staples".

(2) Wood screws specified in this Section shall conform to ANSI/ASME B18.6.1, "Wood Screws (Inch Series)".

9.23.3.2. Length of Nails

(1) All nails shall be long enough so that not less than half their required length penetrates into the second member. 9.23.3.3. Prevention of Splitting

9.23.3.3. Prevention of Splitting

(1) Splitting of wood members shall be minimized by staggering the nails in the direction of the grain and by keeping nails well in from the edges.

9.23.3.4. Nailing of Framing

(1) Except as provided in Sentence (2), nailing of framing shall conform to Table 9.23.3.4.

DESIGN LOADS:

DEAD SNOW

ROOF LOAD: 15 PSF 23.3 PSF

SPECIFIED SNOW LOAD CALCULATED USING 3.1 KPa (SHELBURNE)

Ss = 1.3 KPa x 0.55 + 0.4

= 1.115 KPa

= 23.3 PSF

9.23.16. Wall Sheathing

9.23.16.1. Required Sheathing

(1) Exterior walls and gable ends shall be sheathed when the exterior cladding requires intermediate fastening between supports or if the exterior cladding requires solid backing.

9.23.16.2. Thickness, Rating and Material Standards

(1) Where wall sheathing is required, it shall conform to Table 9.23.16.2.A. or Table 9.23.16.2.B

9.23.16.5. Joints in Panel-Type Sheathing

(1) A gap of not less than 2 mm shall be left between sheets of plywood, OSB, waferboard or fibreboard.

9.27.4. Caulking

9.27.4.1. Required Caulking

(1) Caulking shall be provided where required to prevent the entry of water into the structure.

(2) Caulking shall be provided between masonry, siding or stucco and the adjacent door and window frames or trim, including sills unless such locations are completely protected from the entry of rain.

(3) Caulking shall be provided at vertical joints between different cladding materials unless the joint is suitably lapped or flashed to prevent the entry of rain.

9.27.4.2. Materials

(1) Caulking shall be,

(a) a non-hardening type suitable for exterior use,

(b) selected for its ability to resist the effects of weathering, and

(c) compatible with and adhere to the substrate to which it is applied.

(2) Caulking shall conform to,

(a) CGSB 19-GP-5M, "Sealing Compound, One Component, Acrylic Base, Solvent Curing",

(b) CAN/CGSB-19.13-M, "Sealing Compound, One Component, Elastomeric, Chemical Curing",

(c) CGSB 19-GP-14M, "Sealing Compound, One Component, Butyl-Polyisobutylene Polymer Base, Solvent Curing", or

(d) CAN/CGSB-19.24-M, "Multicomponent, Chemical Curing Sealing Compound".

9.23.15. Roof Sheathing

9.23.15.1. Required Roof Sheathing

(1) Except as provided in Section 9.26., continuous lumber or panel-type roof sheathing shall be installed to support the roofing.

9.23.15.2. Material Standards

(1) Wood-based panels used for roof sheathing shall conform to the requirements of,

(a) CSA O121-M, "Douglas Fir Plywood",

(b) CSA O151, "Canadian Softwood Plywood",

(c) CSA O153-M, "Poplar Plywood",

(d) CAN/CSA-O325.0, "Construction Sheathing", or

(e) CSA O437.0, "OSB and Waferboard".

9.23.15.3. Direction of Installation

(1) Plywood roof sheathing shall be installed with the surface grain at right angles to the roof framing.

(2) OSB roof sheathing conforming to CAN/CSA-O325.0, "Construction Sheathing", or to O-1 and O-2 grades as specified in CSA O437.0, "OSB and Waferboard", shall be installed with the direction of face orientation at right angles to the roof framing members.

9.23.15.4. Joints in Panel-Type Sheathing

(1) Panel-type sheathing board shall be applied so that joints perpendicular to the roof ridge are staggered where,

(a) the sheathing is applied with the surface grain parallel to the roof ridge, and

(b) the thickness of the sheathing is such that the edges are required to be supported.

(2) A gap of not less than 2 mm shall be left between sheets of plywood, OSB or waferboard.

9.23.15.6. Edge Support

(1) Except as permitted in Sentence (2), where panel-type roof sheathing requires edge support, the support shall consist of,

(a) metal H clips, or

(b) not less than 38 mm by 38 mm blocking securely nailed between framing members.

(2) The supports referred to in Sentence (1) are not required when tongued-and-grooved edged panel-type sheathing board is used.

9.23.15.7. Thickness or Rating

(1) The thickness or rating of roof sheathing on a flat roof used as a walking deck shall conform to either Table 9.23.14.5.A. or Table 9.23.14.5.B. for subfloors.

9.34.2.6. Garages and Carports

(1) A lighting outlet with fixture shall be provided for an attached, built-in or detached garage or carport.

(2) Except as provided in Sentence (3), lighting outlets required in Sentence (1) shall be controlled by a wall switch near the doorway.

(3) Where the lighting outlet and fixture required in Sentence (1) are ceiling mounted above an area not normally occupied by a parked car; or are wall mounted, a fixture with a built-in switch is permitted to be used.

(4) Where a carport is lighted by a light at the entrance to a dwelling unit, additional carport lighting is not required.

9.15.3.9. Step Footings

(1) Where step footings are used,

(a) the vertical rise between horizontal portions shall not exceed 600 mm, and

(b) the horizontal distance between risers shall be not less than 600 mm.

9.15.4.6. Extension above Ground Level

(1) Exterior foundation walls shall extend not less than 150 mm above finished ground level.

9.15.6. Parging and Finishing of Foundation Walls

9.15.6.1. Foundation Walls Below Ground

(1) Concrete block foundation walls shall be parged on the exterior face below ground level as required in Section 9.13.

9.15.6.2. Foundation Walls Above Ground

(1) Exterior surfaces of concrete block foundation walls above ground level shall have tooled joints, or shall be rendered, parged or otherwise suitably finished.

9.15.4. Foundation Walls

9.15.4.2. Foundation Wall Thickness and Required Lateral Support

(1) Except as required in Sentence (2), the thickness of foundation walls made of unreinforced concrete block or solid concrete and subject to lateral earth pressure shall conform to Table 9.15.4.2.A. for walls not exceeding 2.5 m in unsupported height.

(4) Where average stable soils are encountered and wind loads on the exposed portion of the foundation are no greater than 0.70 kPa, the thickness and reinforcing of foundation walls made of reinforced concrete block and subject to lateral earth pressure shall conform to Table 9.15.4.2.B. and Sentences (5) to (10).

(5) For concrete block walls required to be reinforced, continuous vertical reinforcement shall, (a) be provided at wall corners, wall ends, wall intersections, at changes in wall height, at the jambs of all openings and at movement joints,

(b) extend from the top of the footing to the top of the foundation wall, (c) where foundation walls are laterally unsupported at the top, have not less than 600 mm embedment into the footing, and

(d) where foundation walls are laterally supported at the top, have not less than 50 mm embedment into the footing, if the floor slab does not provide lateral support at the wall base.

(6) Where foundation walls are laterally unsupported, the footing shall be designed according to Part 4 to resist overturning and sliding, if the maximum height of finished ground above the basement floor or crawl space ground cover exceeds 1.50 m.

(7) At the base of concrete block walls required to be reinforced and where the height of finished ground above the basement floor or crawl space ground cover exceeds 2.0 m, not less than one 15M intermediate vertical bar reinforcement shall be installed midway between adjacent continuous vertical reinforcement, and shall,

(a) extend to not less than 800 mm above the top of the footing, and

(b) have not less than 50 mm embedment into the footing, if the floor slab does not provide lateral support at the wall base.

(8) For concrete block walls required to be reinforced, a continuous horizontal bond beam containing at least one 15M bar shall be installed,

(a) along the top of the wall,

(b) at the sill and head of all openings greater than 1.20 m in width, and

(c) at structurally connected floors.

(9) In concrete block walls required to be reinforced, all vertical bar reinforcement shall be installed along the centre line of the wall.

(10) In concrete block walls required to be reinforced, ladder or truss type lateral reinforcement not less than 3.8 mm (No. 9 ASWG) shall be installed in the bed joint of every second masonry course.

9.15.4.3. Foundation Walls Considered to be Laterally Supported at the Top

(1) Sentences (2) to (4) apply to lateral support for walls described in Sentence 9.15.4.2.(1).

(2) Foundation walls shall be considered to be laterally supported at the top if,

(a) such walls support solid masonry superstructure,

(b) the floor joists are embedded in the top of the foundation walls, or

(c) the floor system is anchored to the top of the foundation walls with anchor bolts, in which case the joists may run either parallel or perpendicular to the foundation walls.

(3) Unless the wall around an opening is reinforced to withstand earth pressure, the portion of the foundation wall beneath an opening shall be considered laterally unsupported, if,

(a) the opening is more than 1.2 m wide, or

(b) the total width of the openings in the foundation wall constitutes more than 25% of the length of the wall.

(4) For the purposes of Sentence (3), the combined width of the openings shall be considered as a single opening if the average width is greater than the width of solid wall between them.

Table 9.23.16.2.B.  
Rating For Wall Sheathing When Applying CAN/CSA-O325.0

Forming Part of Sentence 9.23.16.2.(1)

Item	Column 1 Maximum Spacing of Supports, mm	Column 2 Panel Mark
1.	406	W16
2.	508	W20
3.	610	W24

Table 9.23.3.4.  
Nailing for Framing

Forming Part of Sentence 9.23.3.4.(1)

Item	Column 1 Construction Detail	Column 2 Minimum Length of Nails, mm	Column 3 Minimum Number or Maximum Spacing of Nails
1.	Floor joist to plate – toe nail	82	2
2.	Wood or metal strapping to underside of floor joists	57	2
3.	Cross bridging to joists	57	2 at each end
4.	Double header or trimmer joists	76	300 mm (o.c.)
5.	Floor joist to stud (balloon construction)	76	2
6.	Ladder strip to wood beam	82	2 per joist
7.	Joist to joist splice (See also Table 9.23.13.B.)	76	2 at each end
8.	Header joist end nailed to joists along perimeter	101	3
9.	Tail joist to adjacent header joist (end nailed) around openings	82	5
10.	Each header joist to adjacent trimmer joist (end nailed) around openings	101	3
11.	Stud to wall plate (each end) toe nail or end nail	62	4
12.	Doubled studs at openings, or studs at walls or wall intersections and corners	82	2
13.	Doubled top wall plates	76	750 mm (o.c.)
14.	Bottom wall plate or sole plate to joists or blocking (exterior walls) <sup>d</sup>	82	600 mm (o.c.)
15.	Interior walls to framing or subflooring	82	600 mm (o.c.)
16.	Horizontal member over openings in non-loadbearing walls – each end	82	2
17.	Lintels to studs	82	2 at each end
18.	Ceiling joist to plate – toe nail each end	82	2
19.	Roof rafter, roof truss or roof joist to plate – toe nail	82	3
20.	Rafter plate to each ceiling joist	101	2
21.	Rafter to joist (with ridge supported)	76	3
22.	Rafter to joist (with ridge unsupported)	76	See Table 9.23.13.8.
23.	Gusset plate to each rafter at peak	57	4
24.	Rafter to ridge board – toe nail – end nail	82	3
25.	Collar tie to rafter – each end	76	3
26.	Collar tie lateral support to each collar tie	57	2
27.	Jack rafter to hip or valley rafter	82	2
28.	Roof strut to rafter	76	3
29.	Roof strut to loadbearing wall – toe nail	82	2
30.	38 mm x 140 mm or less plank decking to support	82	2
31.	Plank decking wider than 38 mm x 140 mm to support	82	3
32.	38 mm edge laid plank decking to support (toe nail)	76	1
33.	38 mm edge laid plank to each other	76	450 mm (o.c.)

Table 9.23.16.2.A.  
Wall Sheathing Thickness and Specifications

Forming Part of Sentence 9.23.16.2.(1)

Item	Column 1 Type of Sheathing	Column 2 Minimum Thickness, mm <sup>(1)</sup> With Supports 406 mm o.c.	Column 3 With Supports 610 mm o.c.	Column 4 Material Standards
1.	Fibreboard (insulating)	9.5	11.1	CAN/ULC-S708
2.	Gypsum Sheathing	9.5	12.7	CAN/CSA-A82.27-M ASTM C1177 / C1177M ASTM C1396 / C1396M
3.	Lumber	120	170	See Table 9.3.2.1.
4.	Mineral Fibre, Rigid Board, Type 2	25	25	CAN/ULC-S702
5.	OSB, O-2 Grade	6.0	7.5	CSA O4370
6.	OSB, O-1 Grade, and Waferboard, R-1 Grade	6.35	7.9	CSA O4370
7.	Phenolic, faced	25	25	CAN/CSB-5125-M
8.	Plywood (exterior type)	6	7.5	CSA O121-M CSA O151-M CSA O153-M
9.	Polystyrene, Types 1 and 2	38	38	CAN/ULC-S701
10.	Polystyrene, Types 3 and 4	25	25	CAN/ULC-S701
11.	Polyurethane and Polyisocyanurate Type 1, faced	38	38	CAN/ULC-S704
12.	Polyurethane and Polyisocyanurate Types 2 and 3, faced	25	25	CAN/ULC-S704

QUALIFICATION INFORMATION  
REQUIRED UNLESS DESIGN IS EXEMPT UNDER  
DIVISION C-3.2.4.1 OF THE 2012 O.B.C.

ROBERT VANCE INCORPORATED BCIN 43753  
FIRM NAME: VANCE/VOICER/DRAFTER/DESIGNER, BCIN 36975  
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE  
QUALIFICATIONS AND MEETS THE REQUIREMENTS SET FORTH IN THE DIVISION INCLUDES CODE TO BE A DESIGNER.

Cedar Springs  
LANDSCAPES

ELEVATE  
HOME DESIGN

BEATTY LINE N • FERGUS • ON  
WWW.ELEVATEHOMEDESIGN.CA  
ROB@ELEVATEHOMEDESIGN.CA • 519-731-4246

TIMBER PAVILION

TIBURCIO RESIDENCE  
34 PATHWAY DRIVE  
BRAMPTON, ON

OBC NOTES

PROJECT NO: 20-047  
STARTING DATE: Nov 27, 2020  
LAST REVISION DATE: Nov 27, 2020  
DRAWN BY:

SCALE: N.T.S.

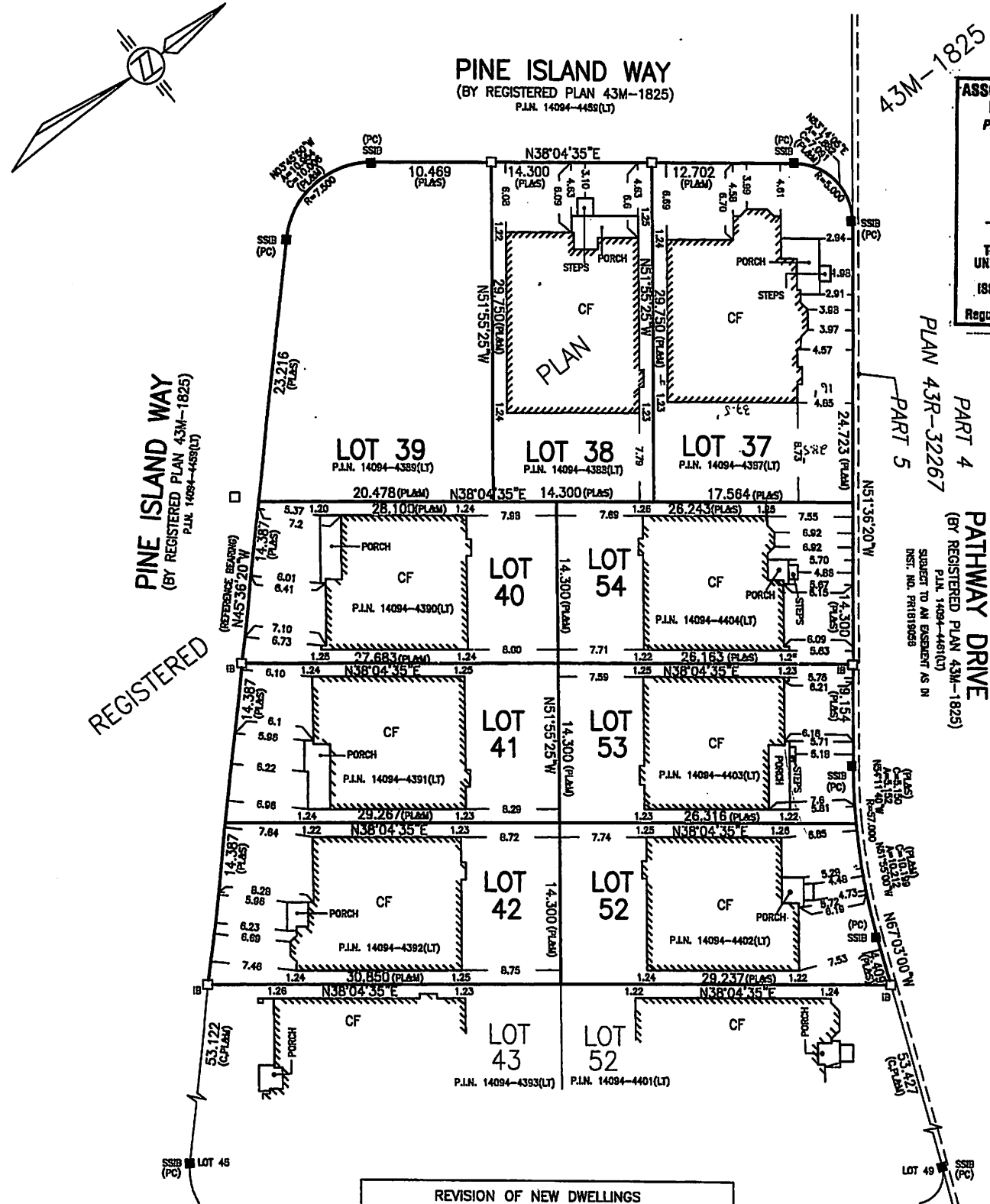
A6

THESE DRAWINGS ARE COPYRIGHT PROTECTED AND MAY NOT BE COPIED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER. ANY UNAUTHORIZED REPRODUCTION OR USE OF THESE DRAWINGS WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER IS PROHIBITED AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.

SURVEYOR'S REAL PROPERTY REPORT  
PART 1) PLAN OF  
LOTS 37 TO 42 AND 52 TO 54 ALL INCLUSIVE  
REGISTERED PLAN 43M-1825  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL  
SCALE 1:400  
P. SALNA CO. 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:  
NO EASEMENTS OR RIGHT OF WAYS ARE REGISTERED.  
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:  
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING  
BY-LAWS.



ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
1779267

THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
In accordance with  
Regulation 1026, Section 26(3).

BEARING NOTE  
BEARINGS ARE GRID AND ARE  
DERIVED FROM THE NORTHEASTERLY  
LIMIT OF PINE ISLAND WAY AS SHOWN  
ON REGISTERED PLAN 43M-1825  
HAVING A BEARING OF N45°36'20"W.

NOTE:  
ALL FOUND MONUMENTS SHOWN HEREON WERE PLANTED  
BY SCHAEFFER & DZALDOV BENNETT LIMITED, O.L.S.  
UNLESS NOTED OTHERWISE.

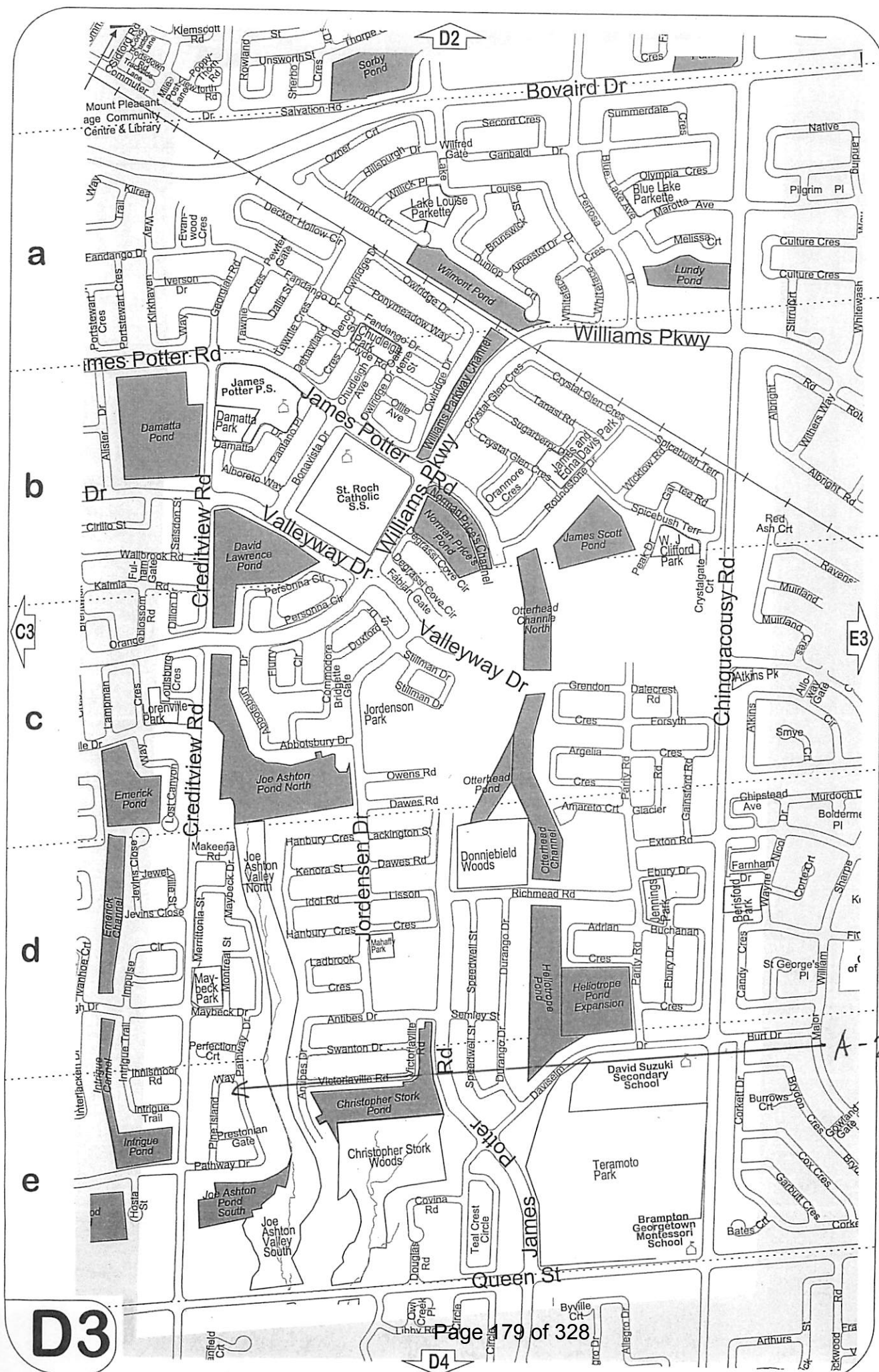
REVISION OF NEW DWELLINGS		
LOT	DATE	O.L.S.
37	MAR. 3rd., 2011	<i>Danmanoo</i>
38	MAR. 3rd., 2011	<i>Danmanoo</i>
39		
40	MAR. 3rd., 2011	<i>Danmanoo</i>
41	MAR. 3rd., 2011	<i>Danmanoo</i>
42	MAR. 3rd., 2011	<i>Danmanoo</i>

THIS REPORT WAS PREPARED FOR  
WYNDMERE ESTATES INC.  
AND THE UNDERSIGNED ACCEPTS NO  
RESPONSIBILITY FOR USE BY  
OTHER PARTIES.

- LEGEND
- DENOTES SURVEY MONUMENT PLANTED
  - DENOTES SURVEY MONUMENT FOUND
  - IB DENOTES STANDARD IRON BAR
  - IB DENOTES IRON BAR
  - WIT DENOTES WITNESS
  - OU DENOTES ORIGIN UNKNOWN
  - PC DENOTES POINT OF CURVATURE
  - CF DENOTES CONCRETE FOUNDATION WALLS
  - PL DENOTES REGISTERED PLAN 43M-1825

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 3rd., DAY OF NOVEMBER, 2010.  
JANUARY 08th., 2011  
DATE  
S.N. RAMSAMOOJ  
ONTARIO LAND SURVEYOR

P.SALNA COMPANY LTD.  
ONTARIO LAND SURVEYORS  
64 INDUSTRIAL ROAD  
RICHMOND HILL, ONTARIO L4C 2Y1  
PHONE:(905) 884-3988 FAX:(905)737-7516  
E-MAIL: psalna@ican.net  
FIELD: PANCHA  
DRAWN BY: ELENA/ARUL  
CHECKED BY: SNR  
CAD FILE: 1825G  
FILE: 10-061



**Filing Date:** December 22, 2020

**Hearing Date:** February 16, 2021

**File:** A-2020-0165

**Owner/  
Applicant:** DANIEL TIBURCIO AND CHERRY TANEGA

**Address:** 34 Pathway Drive

**Ward:** 5

**Contact:** Shelby Swinfield, Planner I

---

**Recommendations:**

That application A-2020-0165 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the applicant shall obtain a building permit prior to commencing construction;
3. That the proposed gazebo be of a primarily open style construction and shall not be fully enclosed;
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

---

**Background:**

Existing Zoning:

The property is zoned "Residential Single Detached F-14.3 – Special Section 1462 (R1F-14.3-1462)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a proposed swimming pool on a corner lot, which extends into the

exterior side yard and the defined triangular sight line area prescribed by Section 10.7 whereas the by-law does not permit a swimming pool to extend into the exterior side yard or the defined triangular site line area when a corner lot abuts the side yard of an adjacent residential lot having a habitable room on the front corner of the ground floor;

2. To permit a proposed accessory building (pavilion/gazebo) having a gross floor area of 17.2 sq. m (185.14 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.

### **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 Credit Valley Secondary Plan (Area 45). 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 F-14.3 – Special Section 1462 (R1F-14.3-1462)" according to By-law 270-2004, as amended.

Variance 1 is to permit a proposed swimming pool on a corner lot, which extends into the exterior side yard and the defined triangular sight line area prescribed by Section 10.7, whereas the by-law does not permit a swimming pool to extend into the exterior side yard or the defined triangular site line area when a corner lot abuts the side yard of an adjacent residential lot having a habitable room on the front corner of the ground floor.

The intent of the by-law in regulating the location of a swimming pool in this way is to ensure that any impacts generated from the use of the swimming pool (such as noise) do not negatively impact the front yard of the adjacent property.

It is not anticipated that the addition of the pool will result in a level of impact (such as from noise) at a significantly higher rate than use of the rear yard amenity space without the proposed pool. Further, it is noted that the pool equipment is not proposed to be located in this portion of the yard, which will assist in lessening noise impacts. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is to permit a proposed accessory building (pavilion/gazebo) having a gross floor area of 17.2 sq. m (185.14 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure. The intent of the by-law in regulating the maximum permitted floor area of an accessory structure is to ensure that the size of the structure does not negatively impact the provision of outdoor amenity space for the property.

In the case of the subject property, the proposed gazebo will be of a mainly open style construction and is intended to enhance the use of the outdoor amenity space. A condition of approval is recommended that the proposed gazebo be of a primarily open style construction and shall not be fully enclosed to ensure that the structure is not enclosed on all sides. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

Variance 1 is to permit a proposed swimming pool on a corner lot, which extends into the exterior side yard and the defined triangular sight line area prescribed by Section 10.7 whereas the by-law does not permit a swimming pool to extend into the exterior side yard or the defined triangular site line area when a corner lot abuts the side yard of an adjacent residential lot having a habitable room on the front corner of the ground floor.

In the case of the subject property approximately 50% of the proposed pool is located within the area defined by Section 10.7 of the Zoning By-law as is a significant portion of the rear yard amenity space for the dwelling.

It is not anticipated that any noise impacts arising from the use of the proposed swimming pool will significantly exceed that of use of the amenity area without the swimming pool, or that of the use of a pool only located within the permitted area. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variance 2 is to permit an oversized accessory gazebo in the rear yard. The structure is intended to enhance the use of the outdoor amenity area. A condition of approval is recommended that the proposed gazebo be of a primarily open style construction and shall not be fully enclosed to ensure that the gazebo does not detract from the provision of outdoor amenity space and continues to be used to enhance the outdoor space. Subject to the recommended conditions of approval, Variance 2 is considered to be desirable for the appropriate development of the land.

### 4. Minor in Nature

Variance 1 is to permit a portion of the pool to extend into the exterior side yard of the property, and the portion of the rear yard that directly abuts a neighbouring side yard. Approximately 50% of the pool is in this portion of the yard, the other 50% of the pool is in a permitted portion of the yard.

Locating the pool in this portion of the property is not anticipated to impact the neighbouring property in a form more significant than what would arise from locating the pool in the permitted area of the yard. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 is to permit an increase in gross floor area of 2.2 sq. m (23.38 sq. ft.) from the permitted 15 sq. m (161.46 sq. ft.) to 17.2 sq. m (185.14 sq. ft.). The increase is

considered to be nominal in nature and is not anticipated to have significant impacts on the provision of outdoor amenity space. Subject to the recommended conditions of approval, Variance 2 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 **2300 NORTH PARK DRIVE 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 9, Concession 6 EHS, municipally known as **2300 NORTH PARK DRIVE**, Brampton;

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

1. To permit outside storage of oversized motor vehicles (fleet vehicles) whereas the by-law does not permit outside storage other than outside storage of stock and custom mobile offices and buildings.

**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, February 16, 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.

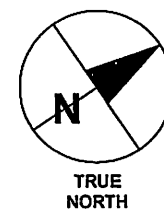
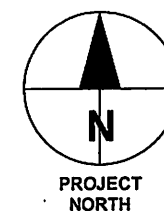
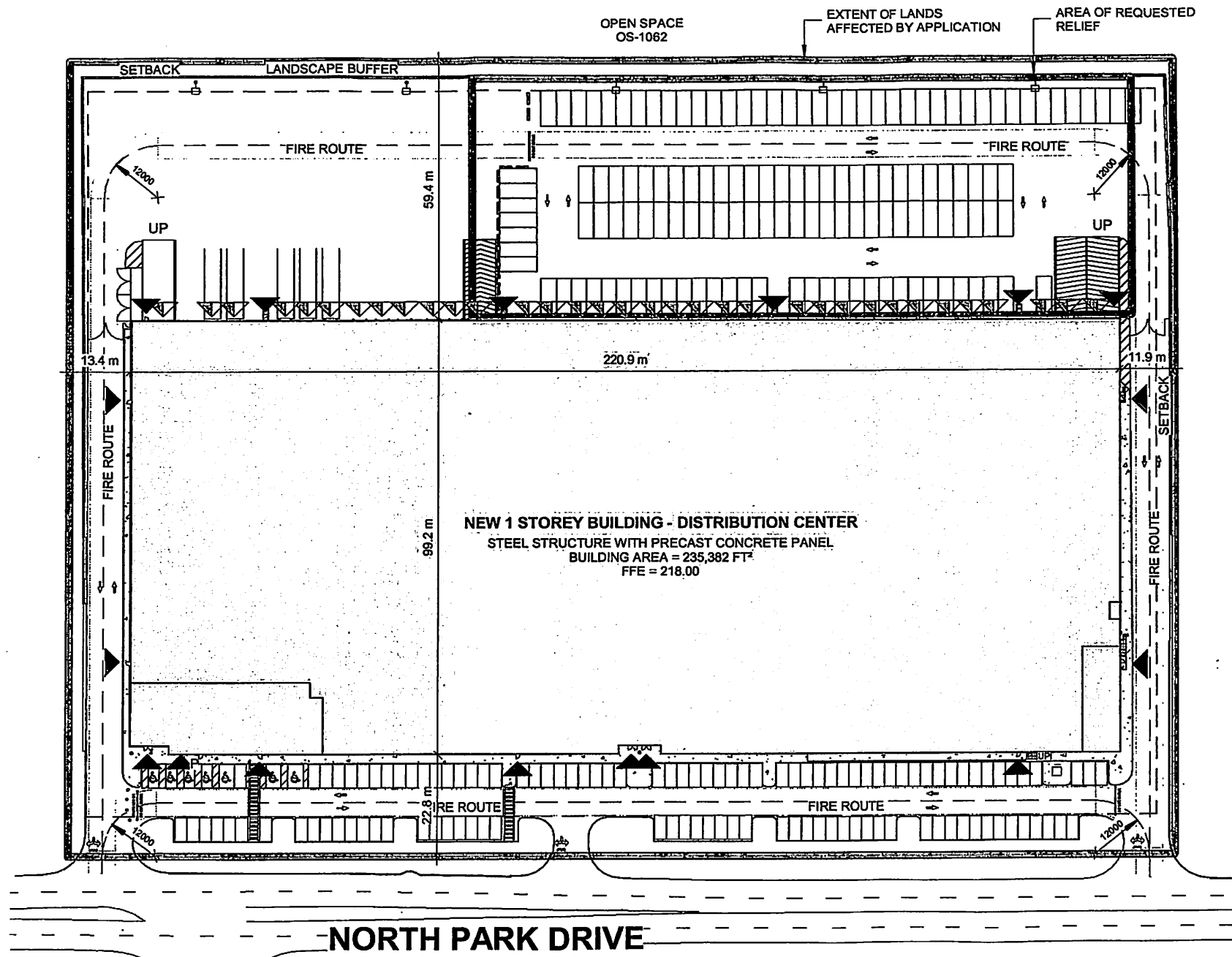
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 4th day of February, 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](mailto: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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://www.brampton.ca). By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

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

jeanie.myers@brampton.ca

December 18 2020

**Your Reference**  
2300 North Park Drive

**Our Reference**  
60634621

A - 2020-0166

### Minor Variance Application

Dear Ms. Myers

This minor variance application as previously discussed with your department, requests the site in question be approved for an outdoor storage ancillary use. The outdoor storage proposed consists of fleet vehicles considered to be oversized by the City of Brampton's Zoning by-law. The definition of outdoor storage and oversized vehicles are as follows:

*"OUTSIDE STORAGE shall mean the storage of goods, inventory, materials, machinery or vehicles including oversized motor vehicles not actively engaged in loading and unloading of goods and materials in conjunction with a business located within a building or structure on the same lot."*

*"OVERSIZED MOTOR VEHICLE shall mean any motor vehicle having a height greater than 2.6 metres or overall length greater than 6.7 metres or combination of both. External attachments to the vehicle are included in the measurement of height and length."*

The current fleets largest vehicle is 3.0m tall by 2.7m wide by 6.7m long. Under these definitions the overnight parking of fleet van vehicles on the site of 2300 North Park Drive can be considered oversized due to the vehicle's height 3.0m. Understanding the other dimensions are within tolerance we consider this a minor adjustment to the current zoning by-law in effect on the site.

The site has parking areas to the front and to the rear, we have located all storage parking to the rear of the building to provide complete screening of the area from the street, minimizing the impact to the area. The front parking area is reserved for parking of employee personal vehicles during their shifts.

The site plan application includes a site plan indicating the stalls designated for fleet parking as "VAN PARKING SPACES" and shaded in blue. All other spots are either actively engaged in loading / unloading or for parking of personal vehicles of employees.

We trust this variance application can be considered complete with the above information, the enclosed site plan and the application form itself. Please don not hesitate to contact me via email should you require any additional information.

Kind regards,



Mark Roloson  
BIM Manager  
AECOM Canada Ltd.  
T: +1-519-505-0687  
E: Mark.Roloson@aecom.com

enclosures: , Minor Variance Application form, Site Plan Minor Variance Plan

Flower City



brampton.ca

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

FILE NUMBER: A-2020-0166

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) 2300 North Park Drive GP Inc.  
Address 20 Adelaide St E - Unit 800  
Toronto, Ontario  
M5C 2T6  
Phone # 416-723-7730 Fax # \_\_\_\_\_  
Email jbagbasi@carttera.com

2. Name of Agent Mark Roloson  
Address 50 Sportsworld Crossing rd, Suite 290  
Kitchener, Ontario  
N2P 0A4  
Phone # 519-505-0687 Fax # \_\_\_\_\_  
Email Mark.Roloson@aecom.com

3. Nature and extent of relief applied for (variances requested):  
Request for variance to permit parking and storage of fleet vehicles on exterior parking areas of property

4. Why is it not possible to comply with the provisions of the by-law?  
The number of fleet vehicles to serve the local population effectively cannot fit entirely within structures

5. Legal Description of the subject land:  
Lot Number 9  
Plan Number/Concession Number 6 EHS  
Municipal Address 2300 North Park Drive

6. Dimension of subject land (in metric units)  
Frontage 246.2m  
Depth 181.0m  
Area 44,567m<sup>2</sup>

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 Storey 22,044m<sup>2</sup> new industrial building

**PROPOSED BUILDINGS/STRUCTURES on the subject land:**

1 Storey 22,044m<sup>2</sup> new industrial building - to remain

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 22.25m

Rear yard setback 50.58m

Side yard setback 11.84m

Side yard setback 13.45m

**PROPOSED**

Front yard setback 22.25m

Rear yard setback 50.58m

Side yard setback 11.84m

Side yard setback 13.45m

10. Date of Acquisition of subject land: 2020
11. Existing uses of subject property: F2 - Brand New shell building
12. Proposed uses of subject property: Group F Div 3 - Low Fire load warehouse - Sorting and Distribution
13. Existing uses of abutting properties: Industrial / Warehousing
14. Date of construction of all buildings & structures on subject land: 2020
15. Length of time the existing uses of the subject property have been continued: <1 year

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 \_\_\_\_\_ Guelph

THIS 15<sup>th</sup> 22<sup>nd</sup> 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, MARK BOLOSON, OF THE CITY OF GUELPH

IN THE REGION OF WELLINGTON 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 \_\_\_\_\_

THIS 22<sup>nd</sup> 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.

Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: \_\_\_\_\_

M2-897

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

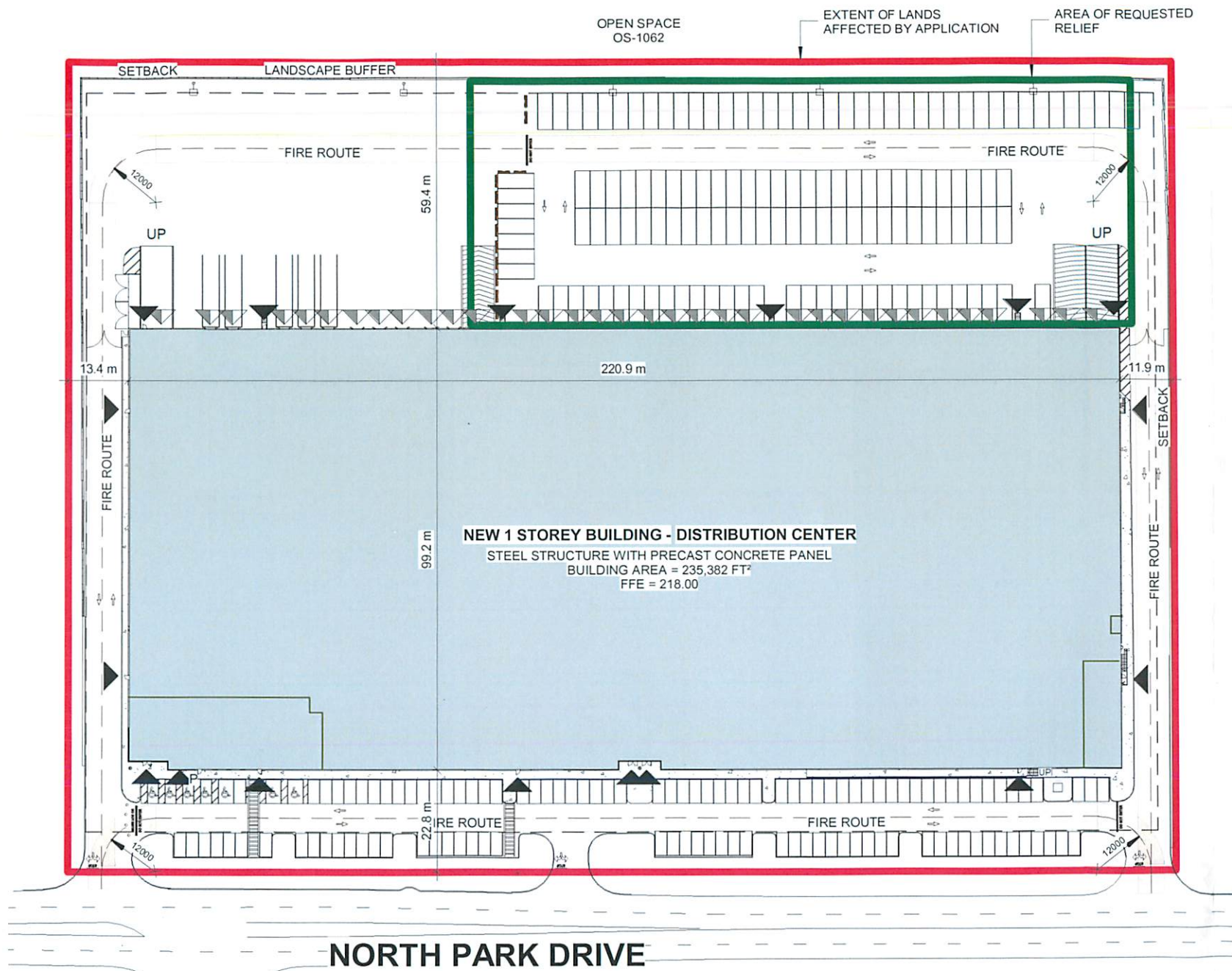
Dec. 23, 2020

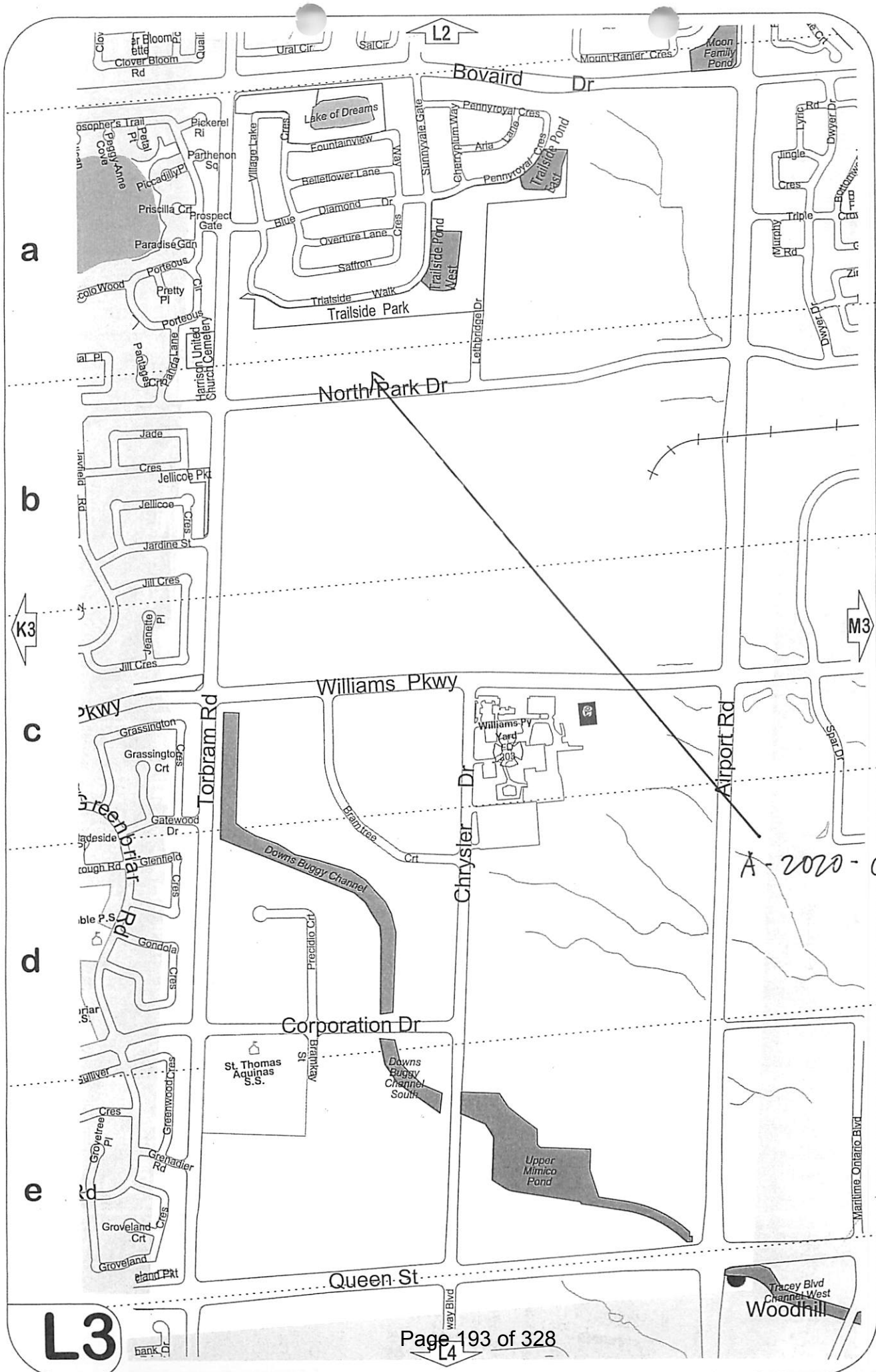
Date

DATE RECEIVED December 22, 2020

Date Application Deemed Complete by the Municipality December 23, 2020

Revised 2020/01/07





**Filing Date:** December 22, 2020

**Hearing Date:** February 16, 2021

**File:** A-2020-0166

**Owner/**

**Applicant:** 2300 NORTH PARK DRIVE GP INC.

**Address:** 2300 North Park Drive

**Ward:** 8

**Contact:** Shelby Swinfield, Planner I

---

**Recommendations:**

That application A-2020-0166 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Public Notice;
  2. That the maximum size of the vehicles stored within the area identified on the sketch attached to the Public notice shall be 6.8 metres (22.3 feet) in length;
  3. That no cleaning, maintenance or repairs of the fleet vehicles shall take place on the property; 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 – Special Section 897 (M2-897)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit outside storage of oversized motor vehicles (fleet vehicles) whereas the by-law does not permit outside storage other than outside storage of stock and custom mobile offices and buildings.

## **Current Situation:**

### **1. Conforms to the Intent of the Official Plan**

The property is designated “Industrial” in the Official Plan and “Industrial” in the Bramalea North Industrial Secondary Plan (Area 13). Within the Bramalea North Industrial Secondary Plan, Policy 3.1.6 provides that “lands designated for General Industrial purposes may include uses that have outdoor storage areas. In instances where outdoor storage is provided, visual screening shall be required in the form of landscaping or fencing.”

In the case of the subject property, the proposed outdoor storage of fleet vehicles will be screened from the street by the building, and from the adjacent residential area by a landscaped berm. 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 – Special Section 897 (M2-897)” according to By-law 270-2004, as amended. The Zoning By-law defines Oversized Motor Vehicles as motor vehicle having a height greater than 2.6 metres or overall length greater than 6.7 metres of combination of both.

The requested variance is required to facilitate the parking of van style fleet vehicles, the height of which classify them as oversized vehicles. The vans proposed to be stored are 3.0 m (9.84 ft) in height.

The intent of the By-law in prohibiting outdoor storage in this zone category is to ensure that a certain aesthetic quality is maintained. The requested variance does not relate to the storage of goods or materials but rather to the overnight parking of the van style fleet vehicles that is proposed to be located entirely behind the industrial building.

Additionally, 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 impacts of the outdoor storage are minimized and the outdoor storage of the vehicles is located behind the building.

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 variance proposes outdoor storage of van style fleet vehicles on portions of the subject property that will be screened visually from surrounding land uses by existing vegetation and constructed screening. Further, the oversized vehicles are only marginally within the limits of being considered oversized. A condition of approval is

recommended that the maximum size of the vehicles stored within the area identified on the sketch attached to the Public notice shall be 6.8 metres (22.3 feet) in length. This condition is to ensure the vehicles being stored are van style fleet vehicles and not large trucks or construction vehicles. A further condition is recommended that no cleaning, maintenance or repairs of the fleet vehicles shall take place on the property to ensure that the area is used purely for storage purposes.

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 vehicle storage will be van style fleet vehicles and will be screened by both the existing industrial building and a vegetative berm that separates the industrial area from an adjacent residential area. It is not anticipated that this outdoor storage will impact the character of the property given its location at the rear of the building. Subject to the recommended conditions of approval, the variance is considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I

**Public Notice**  
**Committee of Adjustment**

**APPLICATION # A-2020-0167**  
**WARD #6**

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **RAJA RAEES NAWAZ AND NAHEED KOSER** 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 5, Concession 4 WHS, municipally known as **8921 MISSISSAUGA ROAD**, Brampton;

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

1. To permit a minimum lot width of 6.98 metres whereas the by-law requires a minimum lot width of 45 metres for lots having an area of 5 hectares or less;
2. To permit a building height of 12.0m (39.37 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.);
3. To permit a garage door height of 3.0m (9.84 ft.) whereas the by-law permits a maximum garage door height of 2.4m (7.87 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, February 16, 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.

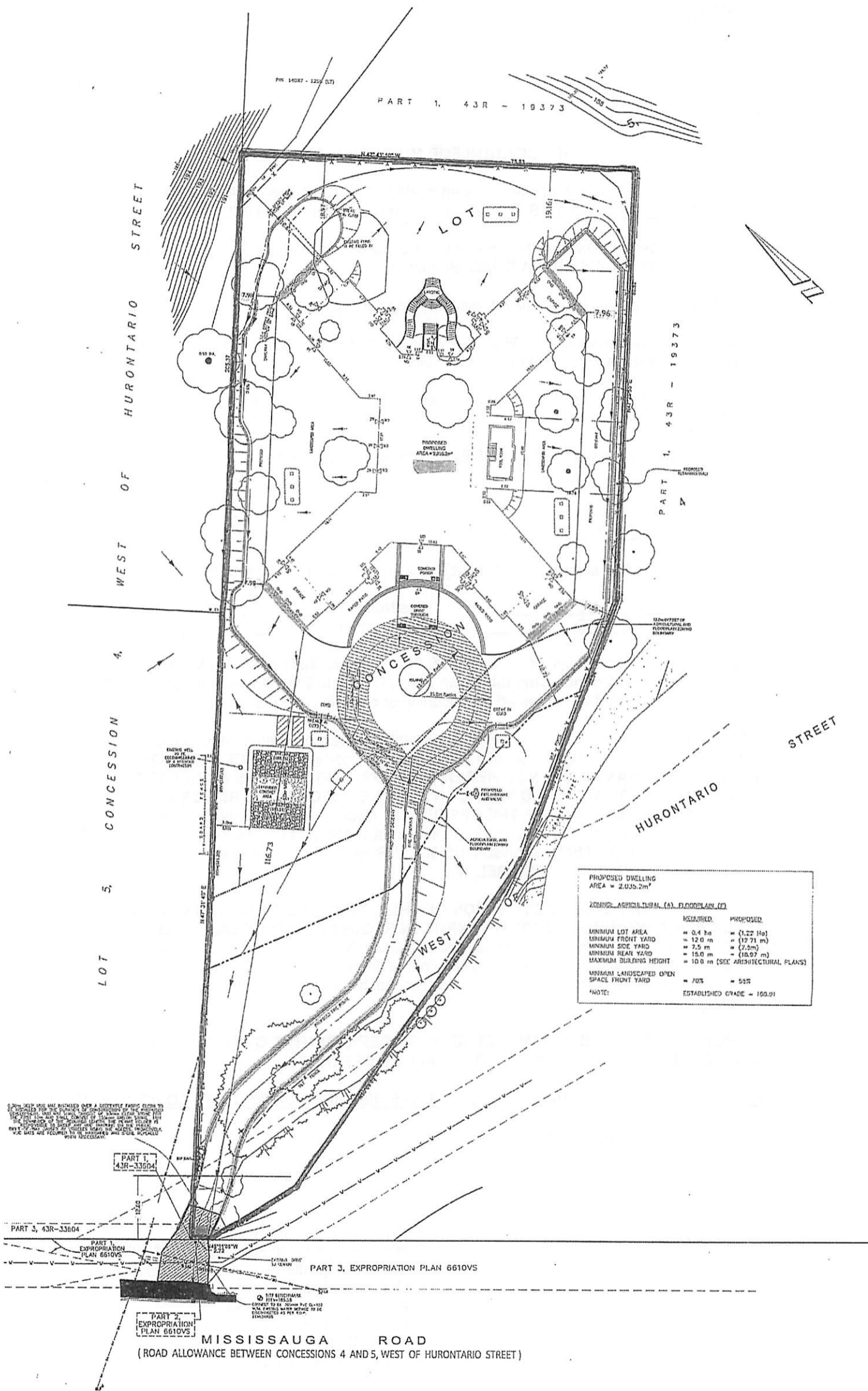
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 4th day of February, 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](mailto: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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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

February 4, 2021

To: Committee of Adjustment

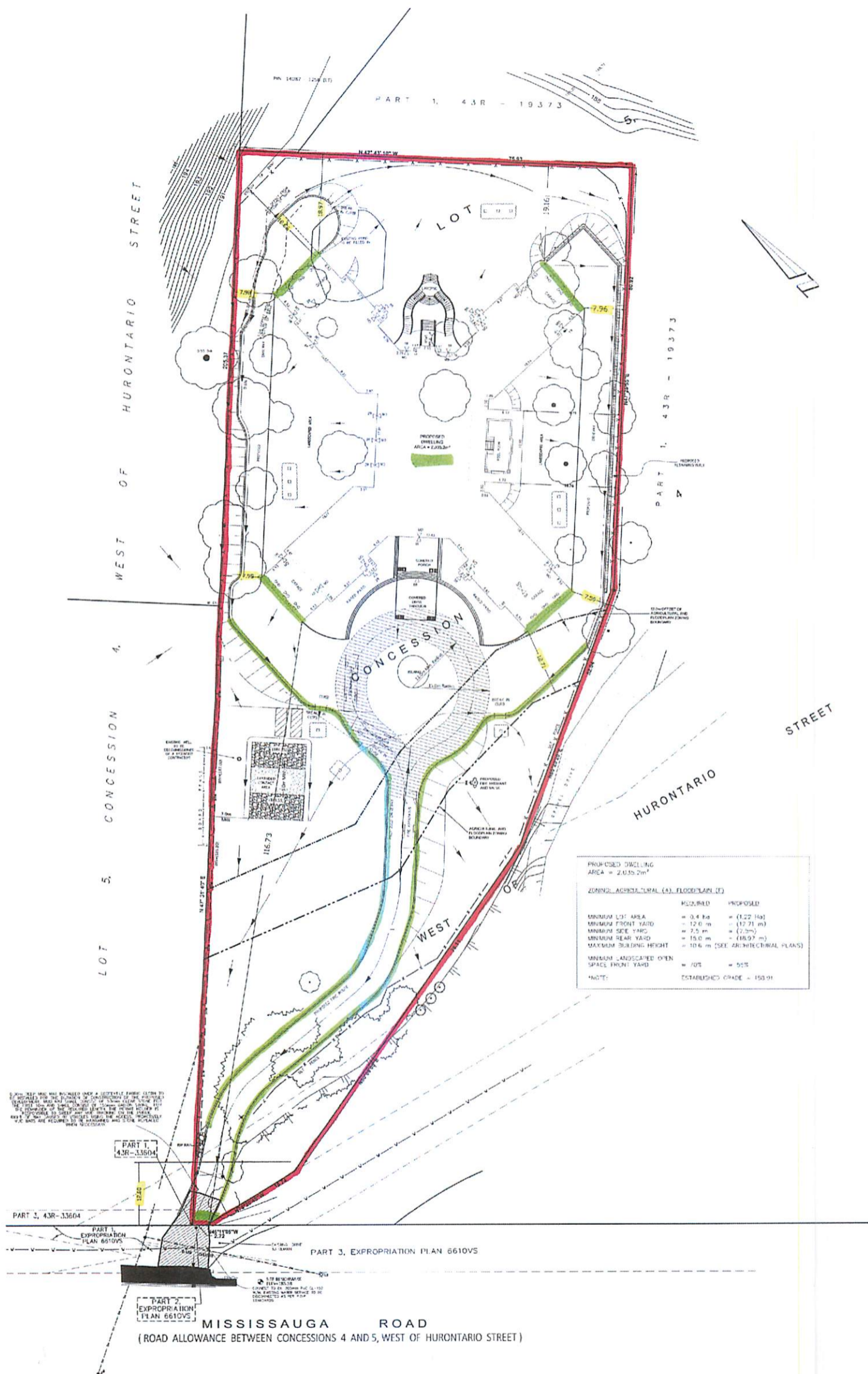
**RE: APPLICATION FOR MINOR VARIANCE  
RAJA RAEES NAWAZ AND NAHEED KOSER  
PART OF LOT 5, CONCESSION 4 WHS  
A-2020-0167 – 8921 MISSISSAUGA ROAD  
WARD 4**

---

Please **amend** application **A-2020-0167** to reflect the following:

1. To permit a minimum lot width of 6.98 metres whereas the by-law requires a minimum lot width of 45 metres for lots having an area of 5 hectares or less;
2. To permit a building height of 12.0m (39.37 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.);
3. To permit a garage door height of 3.0m (9.84 ft.) whereas the by-law permits a maximum garage door height of 2.4m (7.87 ft.);

  
\_\_\_\_\_  
Applicant/Authorized Agent





## Planning Justification Report

Committee of Adjustment Minor Variance

Raja Raees Nawaz & Naheed Koser

8921 Mississauga Road

A-2020-0167

Attention: Committee of Adjustment

Date: December 22, 2020

### INTRODUCTION

Empire Design Company has been retained by the owners of 8921 Mississauga Road to provide a planning justification report for the proposed construction of a new single family home. The owners of this property have granted me permission to proceed with this application.

Our proposal reflects similarities of styling compared to the majority of the current existing dwellings within the surrounding neighborhood within a radius of 1 kilometer of our property. Due to the restrictions of the current zoning bylaw, we have found our proposed dwelling will not comply.

In this instance, the current zoning designation is listed as RHM1 under bylaw 204-2010.

We are seeking relief from the following:

- Insufficient lot frontage
- Excessive garage door height
- Excessive height to mid-point of roof
- Insufficient front yard landscape area

Our intent is to maintain the general purpose of the bylaws and adhere to the official plan guidelines set forth by the City of Brampton.

Based on the four tests of the Planning Act, testing for a minor variance, we have evaluated the requested variance against these tests, as follows:

1. Is the variance minor in nature?

The proposed variances will not adversely affect the adjacent properties nor decrease the visibility from the neighboring properties. Our proposed home will be constructed at a lower elevation height than the adjacent properties to the north and there are no residential dwellings to the south other than an open golf course. The drainage and grading patterns currently existing will only be slightly altered in order to maintain a proper drainage pattern around the perimeter of the house. The driveways with respect to their location, configuration and dimensions will not have any adverse drainage flows to the adjacent properties. They will be self-maintained on our own lot which will naturally drain off to the existing swales, proposed swales and down to the street line. We feel that our proposal is placed proportionally onto the existing lot which clearly meets the official plan and zoning bylaws.

Therefore, based on these facts, we feel this variance may be considered minor in nature.

2. Does the variance maintain the intent and purpose of the Official Plan?

This development will be compatible with the surrounding neighborhood of Huttonville when reviewing the existing built homes of the surrounding neighborhood within a 1 kilometer radius. This property in height, architectural character and styling, roof slopes and exterior materials will resemble the majority of homes previously approved within the neighborhood in close proximity to our lot. Based on the lot size, the scale of this home does not overwhelm the streetscape on Mississauga Road nor the adjacent neighbors, but enhances, in a way by defining the flat landscaped across from the north to the south. In fact, the existing tree lines across Mississauga Road mostly conceal the massing of the home from the street and the neighboring properties to the north.

We are in the opinion that this variance meets the intent and purpose of the Official Plan.

3. Does the variance meet the intent and purpose of the Zoning Bylaw?

Having noted the zoning bylaw designation, the insufficiency of the frontage is existing and beyond our control. The garage door height will not be visible from any direction as there are few residents on either side of our lot and the view is distracted by the tree line, as well, the angled walls reduce the massing of garage doors, plus the doors are set back further away. The height of the building will be partially concealed by the existing tree line fronting Mississauga Road. The lower pitch roof slopes will also help to deter the height. The landscape area in the front yard will not be noticeable due to the extent of the lot distance towards the street line from the front wall of the house and the tree clusters surrounding it. In fact, it will seem larger due to the sloped landscape escalating upwards towards the house.

Therefore, we feel this does not indicate or reflect over-development on the property and is still maintaining the general intent and purpose of the Zoning Bylaw.

4. Is the variance desirable for the appropriate development of the lands?

The Huttonville district has a vast collaboration of many different styles of homes with many different types of materials including stucco, brick, and siding elements. The neighborhood has a wide variety of home styles ranging from the existing small brick bungalows to larger 2-storey brick dwellings, including newly developed custom designed homes in the nearby area, as well as, mass production subdivisions. Undoubtedly, more redevelopment will follow along Mississauga Road which will engulf the larger lots with the existing smaller homes for new larger custom homes. Our intent is to blend this home into the characteristic of the neighborhoods by enriching the streetscape and also to the appeal of the City of Brampton's culture but not to overwhelm it. Hence the reason the house is placed closer to the rear of the lot with conservative roof slopes and is also maintaining all the existing trees surrounding it.

Therefore, based on having similar aspects in comparison to the neighboring homes, we believe this variance is currently desirable for the appropriate development of these lands.

PROPERTY LOCATION

The subject lands are located in the South East quadrant of Queen Street and Mississauga Road.

SURROUNDING LAND USES

All the lands within a 200M radius this property are all residential, agricultural, conservation and open space.

PROPOSAL

A proposed two-storey single family dwelling with attached garages and an enclosed pool area.

TECHNICAL DATA

Current zoning bylaw RHM1

CONCLUSIONS

The official plan allows these lands to remain as residential with an RHM1 zoning. The proposal for our use fits within these designations.

PHOTOS

See attached.

DOCUMENTS

See attached.

SUMMARY

We feel that all efforts have been considered to allow this proposal to be constructed without adversely affecting the neighboring properties.

We are hoping the committee finds this application minor and favorable and grants permission for relief to proceed with this development.

Peter Vozikas  
Empire Design Company  
416-500-8989

(Agent for owner)

A handwritten signature in black ink, appearing to read 'P. Vozikas', with a stylized flourish at the end.



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) RAJA RAEES NAWAZ & NAHEED KOSER  
Address 8845 CREDITVIEW RD, BRAMPTON, ON L6Y0X3

Phone # 289 400 2000  
Email TEHSEEN G @HOTMAIL.COM

Fax # \_\_\_\_\_

2. Name of Agent PETER VOZIKAS c/o EMPIRE DESIGN COMPANY  
Address 5 NORTH RIDGE CRESCENT  
GEORGETOWN ON L7G 6E7

Phone # 416-500-8989  
Email VOZIKKASS@HOTMAIL.COM

Fax # \_\_\_\_\_

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

- INSUFFICIENT FRONT YARD LANDSCAPE OF 3710.9 m<sup>2</sup> (7.60%)  
- EXCESSIVE GARAGE DOOR HEIGHT OF 3.00 m  
- INSUFFICIENT LOT FRONTAGE OF 2.72 m  
- EXCESSIVE HEIGHT OF BUILDING OF 12.00 m

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

- REQUIRED FRONT YARD LANDSCAPE AREA = 4205.60 m<sup>2</sup> REQ (70%)  
- MAXIMUM GARAGE DOOR HEIGHT PERMITTED = 2.40 m  
- REQUIRED LOT FRONTAGE MINIMUM = 45.0 m  
- REQUIRED MAXIMUM HEIGHT OF BUILDING = 10.60 m

5. Legal Description of the subject land:

Lot Number PT-5  
Plan Number/Concession Number CONC. 4 WH3  
Municipal Address 8921 MISSISSAUGA ROAD

6. Dimension of subject land (in metric units)

Frontage 2.72 m  
Depth 205.37 m  
Area 1.22 ha / 3.01 ac. / 12200.00 m<sup>2</sup>

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.)

ONE STOREY FRAME SINGLE FAMILY DWELLING / 2 ACCESSORY GLASS GREENHOUSES  
APPROX. 206.00 M<sup>2</sup> TO BE DEMOLISHED

PROPOSED BUILDINGS/STRUCTURES on the subject land:

TWO-STOREY SINGLE DETACHED DWELLING WITH (4) 3-CAR ATTACHED GARAGES, ENCLOSED ATTACHED POOL, SECOND DWELLING UNIT (NANNY SUITE)  
APPROX. 20,500 SQ.FT (2648.5 M<sup>2</sup>) OF LIVING SPACE

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	64.09 M
Rear yard setback	90.00 M
Side yard setback	3.10 M
Side yard setback	10.56 M

PROPOSED

Front yard setback	116.73 m
Rear yard setback	18.97 m
Side yard setback	7.50 m
Side yard setback	7.50 m

10. Date of Acquisition of subject land: JUNE 18, 2019

11. Existing uses of subject property: RESIDENTIAL

12. Proposed uses of subject property: RESIDENTIAL

13. Existing uses of abutting properties: RESIDENTIAL / AGRICULTURAL / GREENBELT / OPEN SPACE

14. Date of construction of all buildings & structures on subject land: UNKNOWN

15. Length of time the existing uses of the subject property have been continued: 50+ 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 TOWN OF HALTON HILLS

THIS 22<sup>ND</sup> 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, PETER VOZIKAS, OF THE TOWN OF HALTON HILLS  
IN THE REGION OF HALTON 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 23<sup>rd</sup> 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

Jeanie Myers  
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: \_\_\_\_\_

(A) AGRICULTURAL

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.

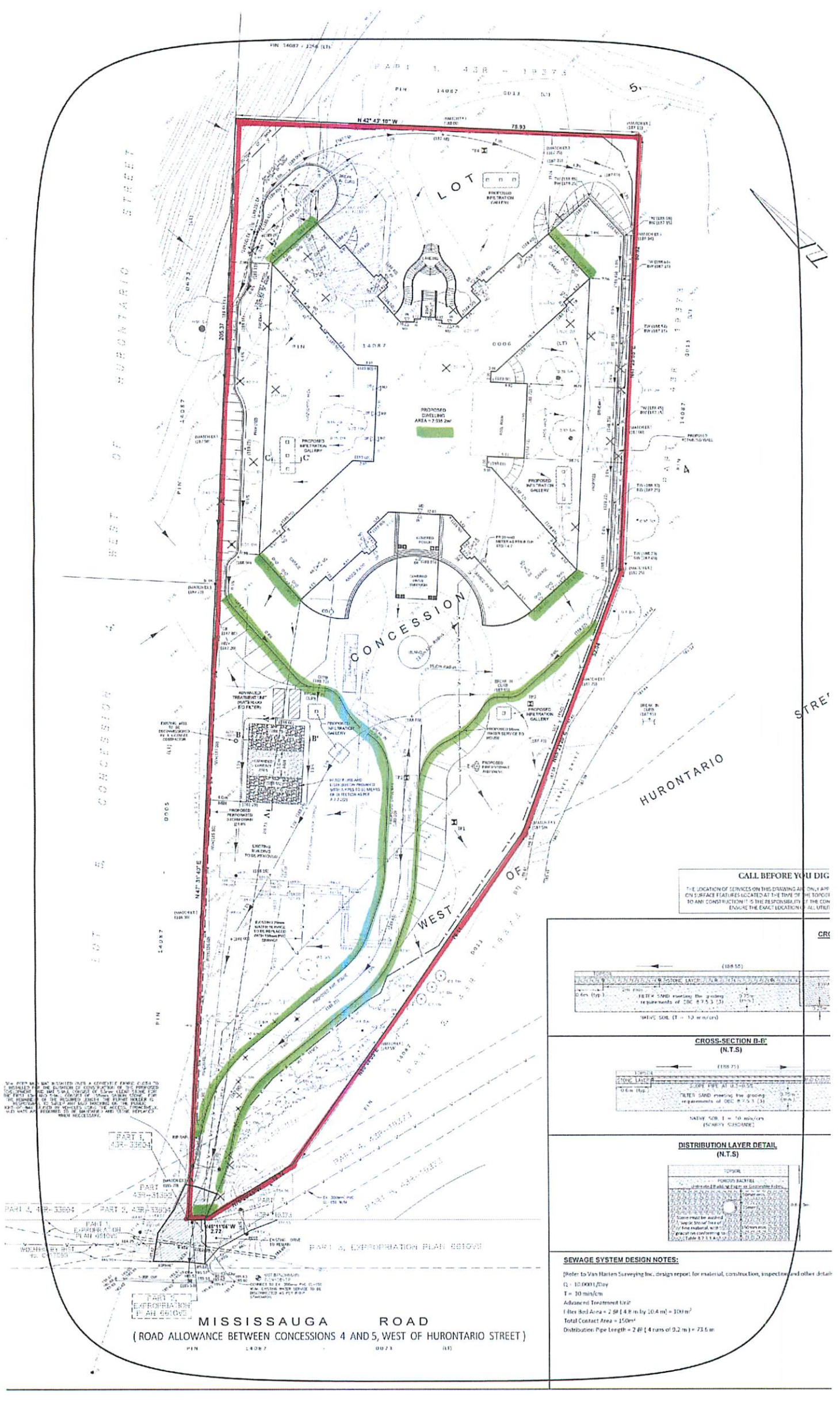
Zoning Officer

DEC 23 2020

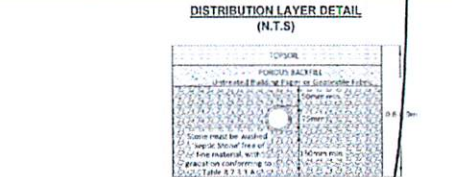
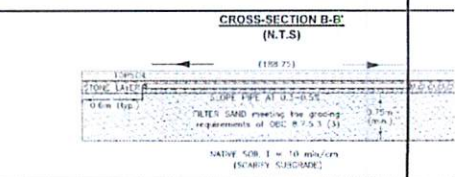
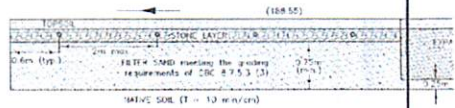
Date

DATE RECEIVED December 23, 2020

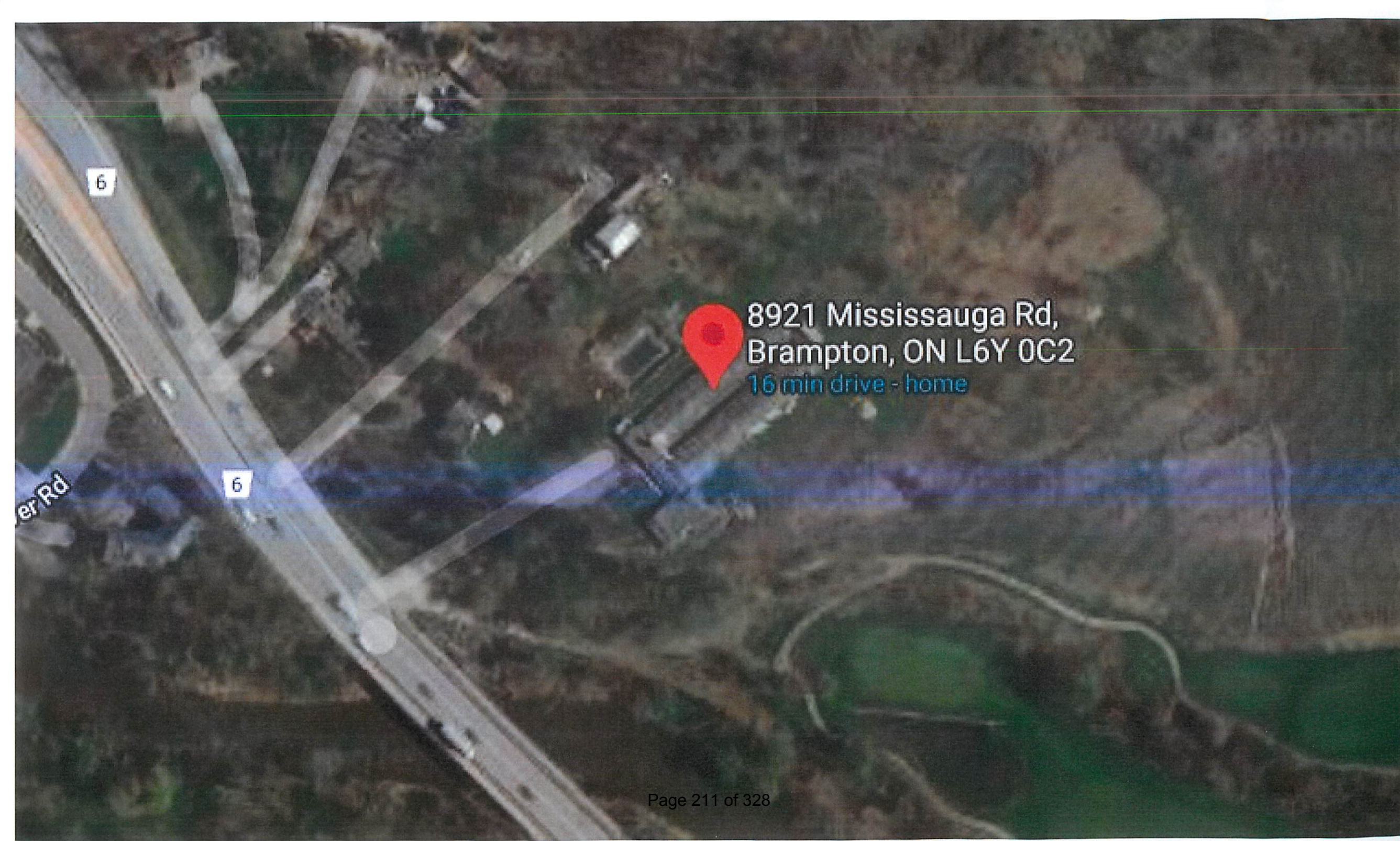
Revised 2020/01/07



**CALL BEFORE YOU DIG**  
THE LOCATION OF SERVICES ON THIS DRAWING ARE ONLY AN INDICATION OF THE LOCATION OF SERVICES. IT IS THE RESPONSIBILITY OF THE USER TO VERIFY THE LOCATION OF SERVICES BY CONTACTING THE APPROPRIATE AGENCIES.

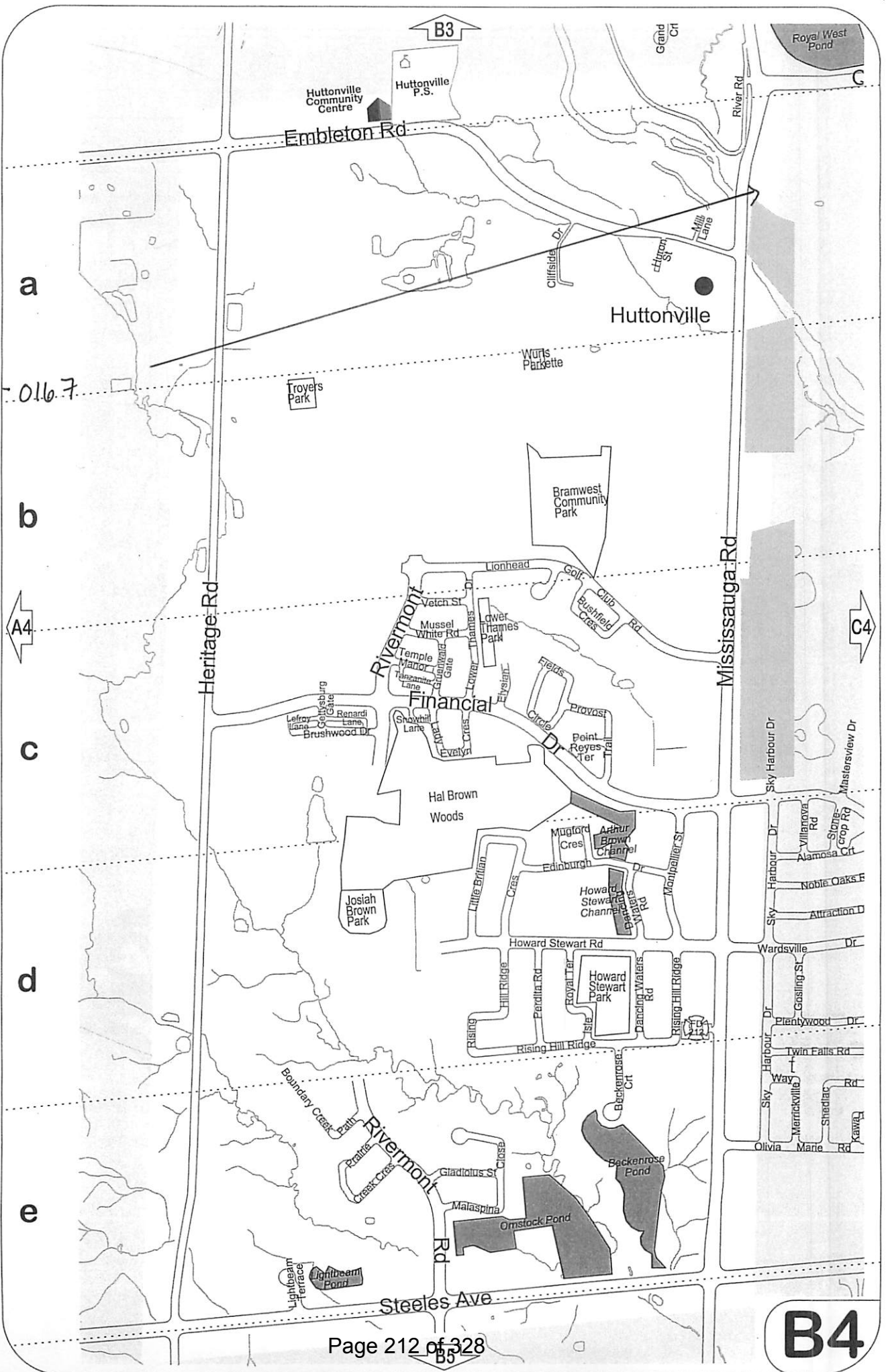


**SEWAGE SYSTEM DESIGN NOTES:**  
[Refer to Van Hatten Surveying Inc. design report for material, construction, inspection and other details]  
Q = 10,000 L/day  
T = 10 min/cm  
Advanced Treatment Unit  
Flex Box Area = 2.50 (4.0 m by 10.0 m) = 100 m<sup>2</sup>  
Total Contact Area = 150 m<sup>2</sup>  
Distribution Pipe Length = 2.40 (4 runs of 0.2 m) = 73.5 m



8921 Mississauga Rd,  
Brampton, ON L6Y 0C2  
16 min drive - home

A-2020-0167



**Filing Date:** December 23, 2020

**Hearing Date:** February 16, 2021

**File:** A-2020-0167

**Owner/**

**Applicant:** RAJA RAEES NAWAZ AND NAHEED KOSER

**Address:** 8921 MISSISSAUGA ROAD

**Ward:** 4

**Contact:** Shelby Swinfield, Planner I

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**Recommendations:**

That application A-2020-0167 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 garages shall not be used to store oversized motor vehicles;
  3. That the applicant shall obtain all required permits and pay all required fees to the satisfaction of the Credit Valley Conservation Authority;
  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 "Agricultural (A)" and "Floodplain (F)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a minimum lot width of 6.98 metres whereas the by-law requires a minimum lot width of 45 metres for lots having an area of 5 hectares or less;
2. To permit a building height of 12.0m (39.37 ft.) whereas the by-law permits a

maximum building height of 10.6m (34.78 ft.);

3. To permit a garage door height of 3.0m (9.84 ft.) whereas the by-law permits a maximum garage door height of 2.4m (7.87 ft.);

### **Current Situation:**

Staff note that Variance 1, related to lot width is representative of the existing lot condition and the lot width is therefore considered to be Legal Non-Conforming. Staff will not be speaking to this variance within the report.

#### **1. Conforms to the Intent of the Official Plan**

The subject property is designated "Open Space" in the Official Plan and "Primary Valleyland" in the Credit Valley Secondary Plan (Area 45). The Open Space designation is intended to recognize an existing natural feature. In the case of the subject property, the proposal has been reviewed by the Credit Valley Conservation Authority who have advised that the proposal presents no concerns with regard to the natural feature. 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 "Agricultural (A)" and "Floodplain (F)" according to By-law 270-2004, as amended. The requested variances are intended to facilitate the development of a new single detached dwelling on the property. It is noted for reference that lands within the Floodplain zone category cannot be counted toward developable area for the property.

Variance 2 is to permit a building height of 12.0m (39.37 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.). The intent of the by-law in regulating the maximum permitted building height for a property is to ensure that there are no negative massing impacts on adjacent properties. In the case of the subject property the proposed location of the dwelling will be set back into the property, away from adjacent residential dwellings. The increased height is not anticipated to have negative massing impacts on adjacent properties. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

Variance 3 is to permit a garage door height of 3.0m (9.84 ft.) whereas the by-law permits a maximum garage door height of 2.4m (7.87 ft.). The intent of the by-law in regulating the maximum permitted garage door height for a residential dwelling is to ensure that the garage is not a primary focus of the dwelling's design, and to ensure that the garage is used for residential purposes. The proposed dwelling design includes decorative garage doors that are of an appropriate scale to the size of the dwelling. A condition of approval is recommended that the garages not be used to store oversized motor vehicles to ensure their primary residential purpose 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

Variance 2 is to permit an increased building height related to the design of the dwelling. The increased height is not considered to have negative massing impacts on adjacent properties given the proposed location of the dwelling on the property. Further, the grade of the property will assist in offsetting any potential impacts of the increased height. Subject to the recommended conditions of approval, Variance 2 is considered to be desirable for the appropriate development of the land.

Variance 3 is to permit an increased garage door height related to 12 proposed garage doors on the dwelling. The height of the garage doors is considered to be proportionate to the dwelling and the design of the doors will positively impact the overall design of the dwelling. Subject to the recommended conditions of approval, Variance 3 is considered to be desirable for the appropriate development of the land.

### 4. Minor in Nature

Variance 2 is to permit an increase in permitted height of 1.4m (4.59 ft) for a proposed residential dwelling. This increase in height is not considered to have significant impacts on the design of the dwelling given the scale of the overall proposal. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Variance 3 is to permit an increase in permitted garage door height of 0.6m (2 ft). The proposed increase in garage door height is considered to represent an appropriate scale of garage door relative to the dwelling design and does not detract from the overall appearance of the dwelling. Subject to the recommended conditions of approval, Variance 3 is considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I

February 11, 2021

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

Attention: Jeanie Myers, Secretary-Treasurer

Dear Ms. Myers:

**Re: CVC File No. A 20/167  
Municipality File No. A 2020-0167  
Raja Raees Nawaz and Naheed Koser  
8921 Mississauga Road  
Part of Lot 5, Concession 4 WHS  
City of Brampton**

---

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Watershed Based Resource Management Agency and Public (commenting) Body under the Planning Act - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities - providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
4. Regulatory Responsibilities - providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency - providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

**Ontario Regulation 160/06:**

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

February 11, 2021

Re: CVC File No. A 20/167  
Municipality File No. A 2020-0167  
Raja Raees Nawaz and Naheed Koser  
8921 Mississauga Road  
Part of Lot 5, Concession 4 WHS  
City of Brampton

### **Site Characteristics:**

Based on our existing mapping, the property is within the slope valley of the Credit River, and a portion of the property also appears to be within the floodplain. As such, the property is regulated by CVC under Ontario Regulation 160/06.

Additionally, the property is located within the Peel Core Greenlands. It is the policy of the Region of Peel to protect the form and function of these natural areas. CVC provides technical support to this agency with respect to delineation of natural features and reviewing potential impacts from subsequent development within and adjacent to these lands. We suggest you contact the Region of Peel if you have questions on this matter.

Our mapping also indicates that the property is partially within the Environmentally Significant Area (ESA): Huttonville Valley.

### **Proposal:**

It is our understanding that the applicant is requesting the Committee to approve a minor variance to permit:

1. A minimum lot width of 6.98 metres whereas the by-law requires a minimum lot width of 45 metres for lots having an area of 5 hectares or less.
2. A building height of 12.0m (39.37 ft) whereas the by-law permits a maximum building height of 10.6m (34.78 ft).
3. A garage door height of 3.0m (9.84 ft) whereas the by-law permits a maximum garage door height of 2.4m (7.87 ft).

### **Comments:**

CVC staff have reviewed the proposed development through a permit application (FF 20/140) and a CVC permit has been issued for construction of a dwelling, septic system and associated grading. The plan provided with the minor variance application appears to be consistent with the plans approved through CVC permit 20/140. As such, we have reviewed the minor variance application and have no concerns and **no objection** to its approval by the Committee at this time.

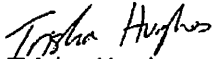
The applicant should note that the subject property is within the CVC Regulated Area. Any changes to the previously approved plans, or any future development proposed on this property, will require a permit from CVC.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at trisha.hughes@cvc.ca or 905-670-1615 (ext. 325) should you have any further questions or concerns. Please circulate CVC on any future correspondence or applications regarding this site.

February 11, 2021

Re: CVC File No. A 20/167  
Municipality File No. A 2020-0167  
Raja Raees Nawaz and Naheed Koser  
8921 Mississauga Road  
Part of Lot 5, Concession 4 WHS  
City of Brampton

Sincerely,



Trisha Hughes  
Planner

cc: Raja Raees Nawaz & Naheed Koser (Owners)  
Peter Vozikas c/o Empire Design Company (Agent)  
Alex Martino, Peel Region

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **1337564 ONTARIO INC.** under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lot 5, Concession 4 EHS, municipally known as **1729 QUEEN STREET EAST**, Brampton;

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

1. To vary Schedule "C" Section 386 of the by-law to permit an outside sales area from April 1 to October 31 each year until 2025, while providing 54 parking spaces whereas the by-law requires a minimum of 83 parking spaces;
2. To vary Schedule "C" Section 386 of the by-law to permit an 82.8 sq. m (891.25 sq. ft.) outside storage area at the rear southeast end of the building whereas the by-law does not permit outside storage;
3. To vary Schedule "C" Section 386 of the by-law to permit a 371.62 sq. m. (4000 sq. ft.) shade structure in the east side yard and a 71.35 sq. m. (768 sq. ft.) cashier tent in the front yard from April 1 to October 31 each year until 2025.

**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, February 16, 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.

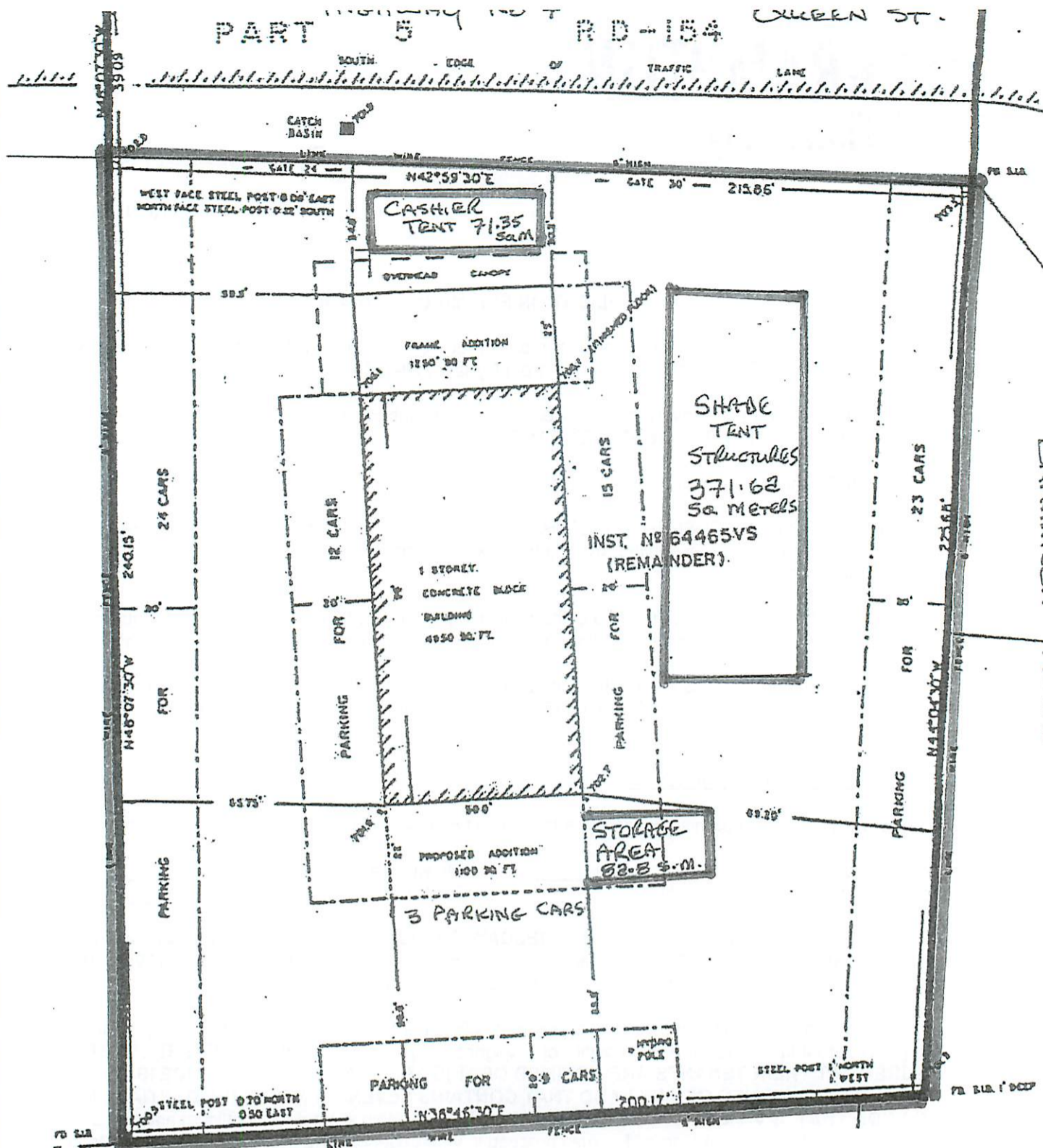
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 4th day of February, 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](mailto:jeanie.myers@brampton.ca)



JANUARY 2021  
 APPLICATION # 10-015 FANTASY FRUIT MARKET (BRAMALCA) LTD.

LOCATIONS OF EXISTING BUILDING AND TENT/SHADE STRUCTURES.

SET-BACK DESCRIPTION	CASHIER TENT	SHADE/TENT	STORAGE	EXISTING BUILDING
FRONT YARD SETBACK	1.82 m	10.363 m	46.32 m	10.363 m
REAR YARD SETBACK	47.854 m	28.954 m	14.47 m	16.764 m
W SIDE SETBACK	20.116 m	37.186 m	36.57 m	27.127 m
E SIDE SETBACK	30.699 m	8.230 m	13.71 m	17.983 m
DISTANCE FROM EXISTING BUILDING	3.35 m	3.96 m	0	X

— ZONE BOUNDARY

Schedule C-Section 386

BY-LAW 270-2004

Page 220 of 328



CITY OF BR  
 Planning, Design and

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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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.



February 2<sup>nd</sup>, 2021

To Todd Payne,

Cc: Jeanie Myers

**RE: Amendment To The Minor Variance Application A-2021-0001 Fantasy Fruit Market (Bramalea) Ltd.**

Thank you for your email today with reference to the inconsistency of the size on the outside storage area.

This letter is to confirm that I made an error on the actual application and the size is 82.8 Square Meters as shown on the sketch attached to the application.

This letter serves as an Amendment To The application referenced above.

Please let me know if you have any other questions.

Kind Regards,

President CEO

Fantasy Fruit Market (Bramalea) Ltd

416-989-8416

Email: [danny@fantasygardencenters.com](mailto:danny@fantasygardencenters.com)

Sincerely,

*Fantasy Fruit Market (Bramalea) Ltd. 2058 Brant St. Burlington L7P 3A6*



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)** 1337564 Ontario Inc.  
**Address** 9 Newman Court  
Brampton Ontario L6S 5T1  
**Phone #** 905-455-0673 **Fax #** \_\_\_\_\_  
**Email** cdraga@rogers.com

2. **Name of Agent** Fantasy Fruit Market (Bramalea) Ltd.  
**Address** 1729 Queen St East  
Brampton Ontario L6T 2H2  
**Phone #** 416-989-8416 **Fax #** \_\_\_\_\_  
**Email** danny@fantasygardencenters.com

3. **Nature and extent of relief applied for (variances requested):**  
 1. To vary Schedule "C" Section 386 of the by-law to allow an outside sales area from April 1st to October 31st, each year while providing 54 parking spaces.  
 2. To vary Schedule "C" Section 386 of the by-law to allow a 83.61sq meters outside storage area at the rear South East end of the building.  
 3. To permit a shade tent structure 371.62 sq metres on East Side Yard, and a cashier tent 71.35 sq meters in the North Front Yard for Garden Center Sales and Wine Grape Sales from April 1st to October 31st each year until 2025. (Wine Grape Sales are from September 1st to October 31st)

4. **Why is it not possible to comply with the provisions of the by-law?**  
 The Store Operator and the Garden Centre Operator are unable to generate enough sales to sustain the business and pay rent for the premises. By having the extra space in the parking lot the Garden Center Operator is able to generate profit in order to subsidize the rent payable to the Landlord. This allows both operators to be profitable.

5. **Legal Description of the subject land:**  
**Lot Number** Part of East Half of Lot 5  
**Plan Number/Concession Number** 4 Plan R.D. 154  
**Municipal Address** 1729 Queen St. East Brampton

6. **Dimension of subject land (in metric units)**  
**Frontage** 65.532  
**Depth** 73.152  
**Area** 4749.667

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.)

Building is a one storey building. It is approximately 891.869 sq meters.

**PROPOSED BUILDINGS/STRUCTURES on the subject land:**

1. Temporary Cashier/Shade Tents 71.35 sq meters Dimension 4.87 M X 14.63 M  
2. Temporary Shade/Tents 371.62 sq meters Dimension 12.19 M X 30.48 M  
3. Temporary Fenced Outside Storage Area 83.61 sq meters Dimension 9.14 M X 9.14 M

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

**EXISTING**

Front yard setback	10.363 M
Rear yard setback	16.764 M
Side yard setback	27.127
Side yard setback	17.983

**PROPOSED**

Front yard setback	Cashier Tent 1.82 M	Shade/Tent 10.363 M	Storage Area 46.32 M
Rear yard setback	47.854 M	28.954 M	14.47 M
Side yard setback	20.116 M	37.186 M	36.57 M
Side yard setback	30.699 M	8.230 M	13.71 M

10. Date of Acquisition of subject land: March 1963
11. Existing uses of subject property: Food Store And Garden Center
12. Proposed uses of subject property: Same Use
13. Existing uses of abutting properties: Medical Centers, Gas Station And Car Wash
14. Date of construction of all buildings & structures on subject land: 1963 with renovation Addition in 1986
15. Length of time the existing uses of the subject property have been continued: Over 50 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?

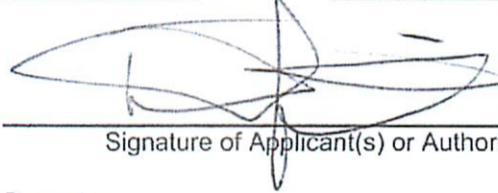
Yes ☐ No ☒

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 # A11-029	Decision _____	Relief _____
File # _____	Decision _____	Relief _____
File # A16-033	Decision _____	Relief _____



Signature of Applicant(s) or Authorized Agent

DATED AT THE City \_\_\_\_\_ OF Brampton  
THIS 6<sup>th</sup> DAY OF January, 2021.

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, Danny MAZZILLI, OF THE City OF Burlington  
IN THE Region OF Huron 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 11<sup>th</sup> DAY OF  
January, 2021  
April Dela Cerna  
A Commissioner etc.



Signature of Applicant or Authorized Agent

nd 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: \_\_\_\_\_

SC - 386

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

JAN 11 2021

Date

DATE RECEIVED January 11, 2021

Date Application Deemed \_\_\_\_\_



FILE NUMBER A16-033

HEARING DATE MARCH 1, 2016

APPLICATION MADE BY 1337564 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 VARIANCES:

1. To vary Schedule "C" Section 386 of the by-law to permit an outside sales area from April 1 to October 31 each year until 2020, while providing 54 parking spaces;
2. To vary Schedule "C" Section 386 of the by-law to permit an 82.8 sq. m (891.25 sq. ft.) outside storage area at the rear of the building;
3. To vary Schedule "C" Section 386 of the by-law to permit a 297.3 sq. m. (3200 sq. ft.) shade structure and a 28.0 sq. m. (300 sq. ft.) cashier tent in the front yard from April 1 to August 24 each year until 2020;
4. To vary Schedule "C" Section 386 of the by-law to permit a 111.0 sq. m (1200 sq. ft.) sales tent from August 24 to October 31 each year until 2020.

(1729 QUEEN STREET EAST – PART OF LOT 5, CONC. 4 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 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: R. Nurse

SECONDED BY: R. Chatha

SIGNATURE OF CHAIR OF MEETING: 

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

MEMBER 

MEMBER

MEMBER 

MEMBER

MEMBER 

DATED THIS 1ST DAY OF MARCH, 2016

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MARCH 21, 2016

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



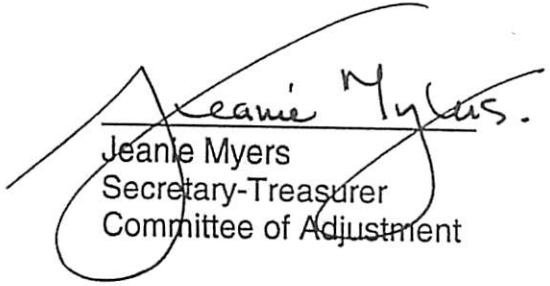
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: A16-033

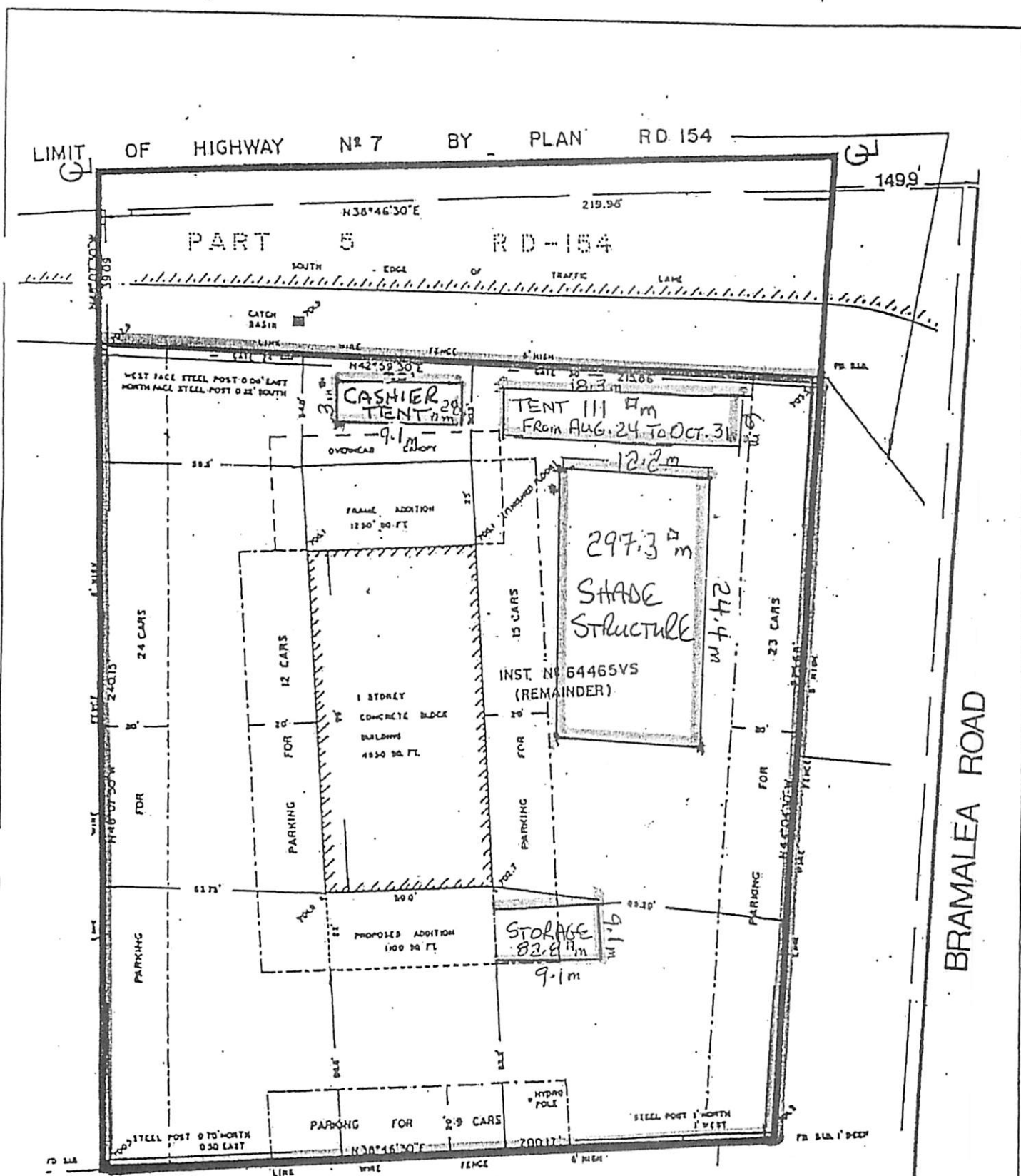
DATED: MARCH 1, 2016

Conditions:

1. That the parking reduction be permitted from April 1 to October 31 of each year until October 31, 2020. During the sales period time from August 24 to October 31, the parking area on the east side of the building shall be restored to functional use and shall provide a minimum of 20 additional spaces;
2. That the location of the tent structures and outdoor storage areas shall be in general conformity with the application sketch, with the exception that the 111.0 m<sup>2</sup> sales tent shall not extend beyond the front wall of the main building, to the satisfaction of the Executive Director, Planning and Building;
3. The requested variances shall only be permitted in association with a garden centre and outdoor wine grape sales use;
4. That the outdoor storage shall only include items incidental to a garden centre and outdoor wine grape sales use;
5. All outdoor storage shall be fully screened at all times from abutting properties and Queen Street, to the satisfaction of the Executive Director, Planning and Building;
6. That drainage from the proposed shade structures must be contained on site, and drainage on adjacent properties not be adversely impacted; and,
7. That failure to comply with and maintain the conditions of the Committee will render the approval null and void.

  
Jeanie Myers  
Secretary-Treasurer  
Committee of Adjustment

# FANTASY FRUIT MARKET (BRAMALEA) LTD.



FANTASY FRUIT MARKET (BRAMALEA) LTD

LOCATION OF TENT & SHADE STRUCTURE & EXISTING BUILDINGS

	CASHIER TENT 28m	SHADE STRUCTURE 297.3m	SHADE 111m TENT	EXISTING BUILDING	STORAGE 82.8m
FRONT YARD SETBACK	3.35m	10.36m	3.35m	10.36m	46.32
REAR YARD SETBACK	47.85m	35.05m	44.8m	16.76m	14.4
W SIDE YARD SET BACK	17.06m	37.19m	31.08m	27.12	36.3
E SIDE YARD SET BACK	30.48m	8.53m	24.3m	17.98m	13.7
DISTANCE FROM EXISTING BUILDING	3.35m	3.96m	3.90m	X	0

— ZONE BOUNDARY

Schedule C-Section 386

BY-LAW 270-2004

Page 228 of 328



CITY OF BRAMPTON  
Planning, Design and Development

## Notice of Decision

Committee of Adjustment

FILE NUMBER A11-029

HEARING DATE FEBRUARY 15, 2011

APPLICATION MADE BY 1337564 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 VARIANCES:

1. To vary Schedule "C" Section 386 of the by-law to allow an outside sales area from April 1 to October 31 each year until 2019, while providing 54 parking spaces;
2. To vary Schedule "C" Section 386 of the by-law to allow a 30 ft. x 30 ft. outside storage area at the rear of the building;
3. To vary Schedule "C" Section 386 of the by-law to permit a shade structure (3200 sq.ft.) and a cashier tent (300 sq.ft.) in the front yard from April 1 to August 24 each year until 2019;
4. To vary Schedule "C" Section 386 of the by-law to permit a sales tent (1200 sq. ft) from August 24 to October 31 each year until 2019.

(1729 QUEEN STREET EAST - PT. LOT 5, CONC. 4, 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 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: P.S. CHAHAL

SECONDED BY: R. NURSE

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 15TH DAY OF FEBRUARY, 2011

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MARCH 7, 2011.

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



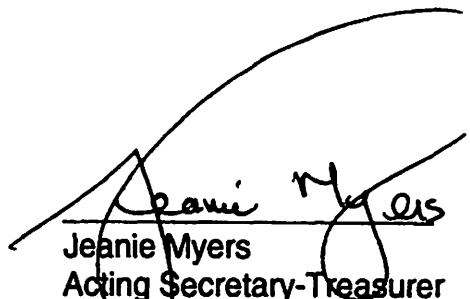
**THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION**

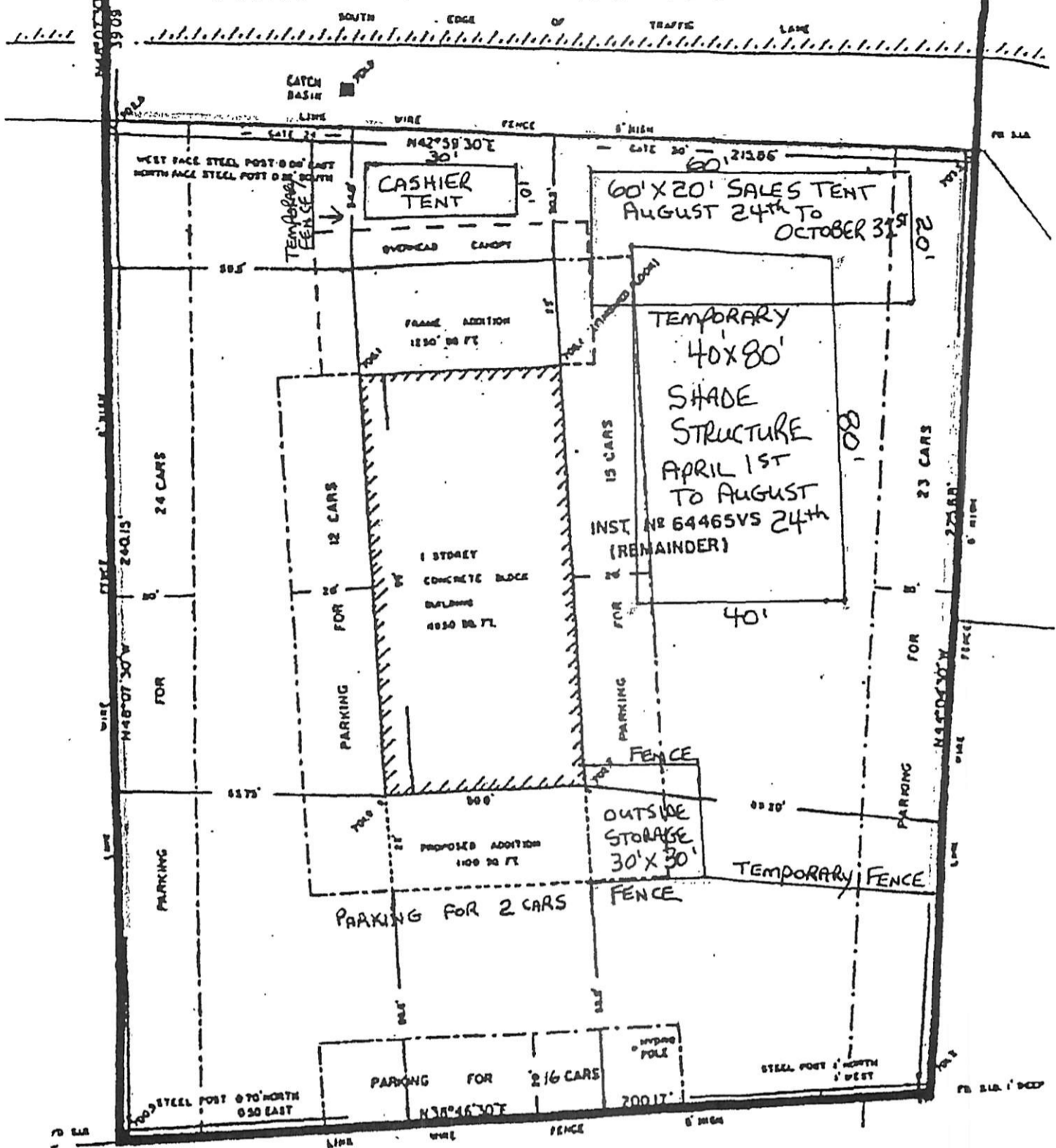
**APPLICATION NO: A11-029**

**DATED: FEBRUARY 15, 2011**

**Conditions:**

1. That the parking reduction be permitted from April 1 to October 31 of each year until October 31, 2015. During the sales period time from August 24 to October 31, the parking area on the east side of the building shall be restored to functional use and shall provide a minimum of 20 additional spaces.
2. That the 12.19 metre by 24.38 metre (40 ft. by 80 ft.) shade structure and the cashier tent be permitted from April 1 to August 24 of each year until August 24, 2015.
3. That the 6.1 metre by 18.3 metre (20 ft. by 60 ft.) shade structure be permitted from August 24 to October 31 of each year until October 31, 2015.
4. That the location of the tent structures and outdoor storage areas shall be in generally conformity with the application sketch, with the exception that the 6.1 metre by 18.3 metre (20 ft. by 60 ft.) sales tent shall not extend beyond the front wall of the main building, to the satisfaction of the Commissioner of Planning, Design and Development.
5. The requested variances shall only be permitted in association with a garden centre and outdoor wine grape sales use.
6. That the outdoor storage shall only include items incidental to a garden centre and outdoor wine grape sales use.
7. All outdoor storage shall be fully screened at all times from abutting properties and Queen Street, to the satisfaction of the Commissioner of Planning, Design and Development.

  
Jeanie Myers  
Acting Secretary-Treasurer  
Committee of Adjustment



MINOR VARIANCE  
APPLICATION MADE BY:  
1337564 ONTARIO INC.

AGENT:  
FANTASY FRUIT MARKET (BRAMBLEA) LTD.  
1729 QUEEN ST. E.  
BRAMPTON.

JANUARY 2011

— ZONE BOUNDARY

Schedule C-Section 386

BY-LAW 270-2004



CITY OF BR  
Planning, Design and  
BRAMPTON



## Notice of Decision

Committee of Adjustment

FILE NUMBER A08/037HEARING DATE MARCH 11, 2008APPLICATION MADE BY 1337564 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 TO ALLOW THE FOLLOWING VARIANCES:

1. To vary Schedule "C" Section 386 of the by-law to allow an outside sales area from May 1 to July 31 each year, while providing 54 parking spaces;
2. To vary Schedule "C" Section 386 of the by-law to allow a 20 ft. x 30 ft. outside storage area;
3. To vary Schedule "C" Section 386 of the by-law to permit a shade structure (1600 sq.ft.) and a cashier tent (260 sq.ft.) from May 1 to August 1, each year

(1729 QUEEN STREET EAST – PART OF THE EAST HALF OF LOT 5, CONC. 4 E.H.S.)

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)

### 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: K. BOKORSECONDED BY: J. MASSEY-SINGH

SIGNATURE OF CHAIR OF MEETING: \_\_\_\_\_

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

MEMBER

MEMBER

MEMBER

MEMBER

MEMBER

DATED THIS 11<sup>TH</sup> DAY OF MARCH, 2008

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MARCH 31<sup>ST</sup>, 2008.

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.

*Eileen Collie*  
SECRETARY-TREASURER  
COMMITTEE OF ADJUSTMENT



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

APPLICATION NO. **A08/037**

DATED **MARCH 11, 2008**

Conditions:

1. The proposed parking reduction and shade structure be permitted from May 1<sup>st</sup> to July 31<sup>st</sup> of each year until **July 31, 2010**.
2. The location and size of the tent structures and outdoor storage areas shall be in general conformity with the application sketch, to the satisfaction of the Commissioner of Planning, Design and Development.
3. That a building permit be obtained for the shade structure within sixty (60) days of the final date of Committee's decision.
4. The requested variances shall only be permitted in association with a garden centre sales establishment.
5. Outdoor storage shall only include items incidental to a garden centre.
6. All outdoor storage shall be fully screened at all times from abutting properties and Queen Street, to the satisfaction of the Commissioner of Planning, Design and Development.
7. Prior to establishing an outside sales area, parking arrangements shall be made, to the satisfaction of the Commissioner of Planning, Design and Development, to provide 23 parking spaces on an abutting property in favour of the subject site, and should the 23 parking spaces not be available, the variances shall become null and void.
8. That the approval of minor variance application A08/037 shall become null and void failing satisfaction of any of the conditions contained herein.



Eileen Collie  
Secretary-Treasurer  
Committee of Adjustment

## Notice of Decision

Committee of Adjustment

FILE NUMBER A095/06

HEARING DATE AUGUST 8, 2006

APPLICATION MADE BY 1337564 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 TO ALLOW THE FOLLOWING VARIANCES:

1. To vary Schedule "C" Section 386 of the by-law to allow an outside sales area from May 1 to July 31 each year, while providing 54 parking spaces.
2. To vary Schedule "C" Section 386 of the by-law to allow a 30 ft. x 30 ft. outside storage area.
3. To vary Schedule "C" Section 386 of the by-law to allow closure of the Entrance Gate from May 1 to July 31 each year.
4. To vary Schedule "C" Section 386 of the by-law to permit a shade structure (1600 sq.ft.) and a cashier tent (260 sq.ft.) from May 1 to August 1, each year.

(1729 QUEEN STREET EAST - PART OF THE EAST HALF OF LOT 5, CONC. 4 E.H.S.)

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)

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: P. S. CHAHAL

SECONDED BY: P. NOE ROSS

SIGNATURE OF CHAIR OF MEETING: [Signature]

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

MEMBER

MEMBER

MEMBER

MEMBER

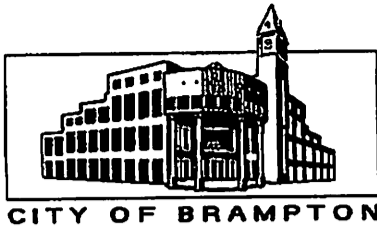
MEMBER

DATED THIS 8<sup>TH</sup> DAY OF AUGUST, 2006

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE AUGUST 28<sup>TH</sup>, 2006.

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.

Eileen Collie  
SECRETARY-TREASURER  
COMMITTEE OF ADJUSTMENT



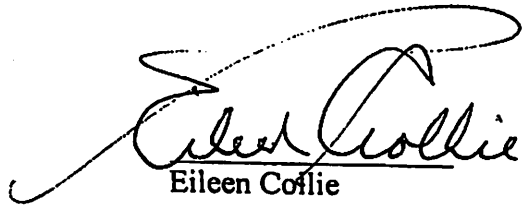
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO. A095/06

DATED AUGUST 8, 2006

Conditions:

1. The proposed parking reduction, outdoor storage area, shade structure and closure of the entrance gate shall be permitted from May 1<sup>st</sup> to July 31<sup>st</sup> of each year to 2009.
2. That the location and size of the tent structures and outdoor storage areas shall be in general conformity with the application sketch, to the satisfaction of the Commissioner of Planning, Design and Development.
3. The requested variances shall only be permitted in association with a garden centre sales establishment.
4. Outdoor storage shall only include items incidental to a garden centre.
5. Prior to the use of outdoor storage on the property, a plan shall be submitted to the satisfaction of the Commissioner of Planning, Design and Development, which illustrates how the storage area will be fully screened from abutting properties and Queen Street East.
6. All outdoor storage shall be fully screened at all times from abutting properties and Queen Street East to the satisfaction of the Commissioner of Planning, Design and Development.
7. Prior to establishing an outside sales area, parking arrangements shall be made, to the satisfaction of the Commissioner of Planning, Design and Development, to provide 23 parking spaces on an abutting property in favour of the subject site, and should the 23 parking spaces not be available, the variances shall become null and void.

  
Eileen Collie  
Secretary-Treasurer  
Committee of Adjustment



# COMMITTEE OF ADJUSTMENT

## Notice of Decision

The City of Brampton

FILE NUMBER A339/02

HEARING DATE DECEMBER 10, 2002

APPLICATION MADE BY 1337564 ONTARIO INC

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW NUMBER 151-88 AS AMENDED AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO ALLOW FOR PART OF THE BUILDING TO BE USED AS A PHARMACY HAVING AN AREA OF APPROX. 93 SQ.M. (1,000 SQ.FT.).

(1729 QUEEN STREET EAST - PART LOT 5, CONC 4 EHS)

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 variance is not considered minor in nature.

MOVED BY: R. HUNTER

SECONDED BY: B. REED

SIGNATURE OF CHAIR OF MEETING: 

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

  
MEMBER

  
MEMBER

  
MEMBER

  
MEMBER

  
MEMBER

DATED THIS 10<sup>TH</sup> DAY OF DECEMBER, 2002

**NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE \*JANUARY 2, 2003.**

\* (Due to closure of City Hall from December 24, 2002 until January 2, 2003)

I, EILEEN COLLIE, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

  
SECRETARY-TREASURER

COMMITTEE OF ADJUSTMENT

FILE NO. A7/86 HEARING DATE FEBRUARY 11th, 1986  
APPLICATION MADE BY 536887 ONTARIO LIMITED

IN THE MATTER OF SECTION 49 OF THE PLANNING ACT; ZONING BY-LAW NUMBER  
65-73 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL  
PERMISSION TO ALLOW

FOR THE ERECTION OF A 1500 SQUARE FOOT ADDITION OUTSIDE OF THE EXISTING  
BUILDING ENVELOPE.

THE REQUEST IS HEREBY APPROVED.

REASONS:

This decision reflects that regard has been had to those matters to be  
regarded under Section 49(1) of The Planning Act, R.S.O. 1980.

MOVED BY O. DIGNARD SECONDED BY T. THOMPSON

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

[Signature]  
CHAIRMAN

[Signature]  
MEMBER

[Signature]  
MEMBER

[Signature]  
MEMBER

MEMBER

DATED THIS 11th DAY OF FEBRUARY 19 86

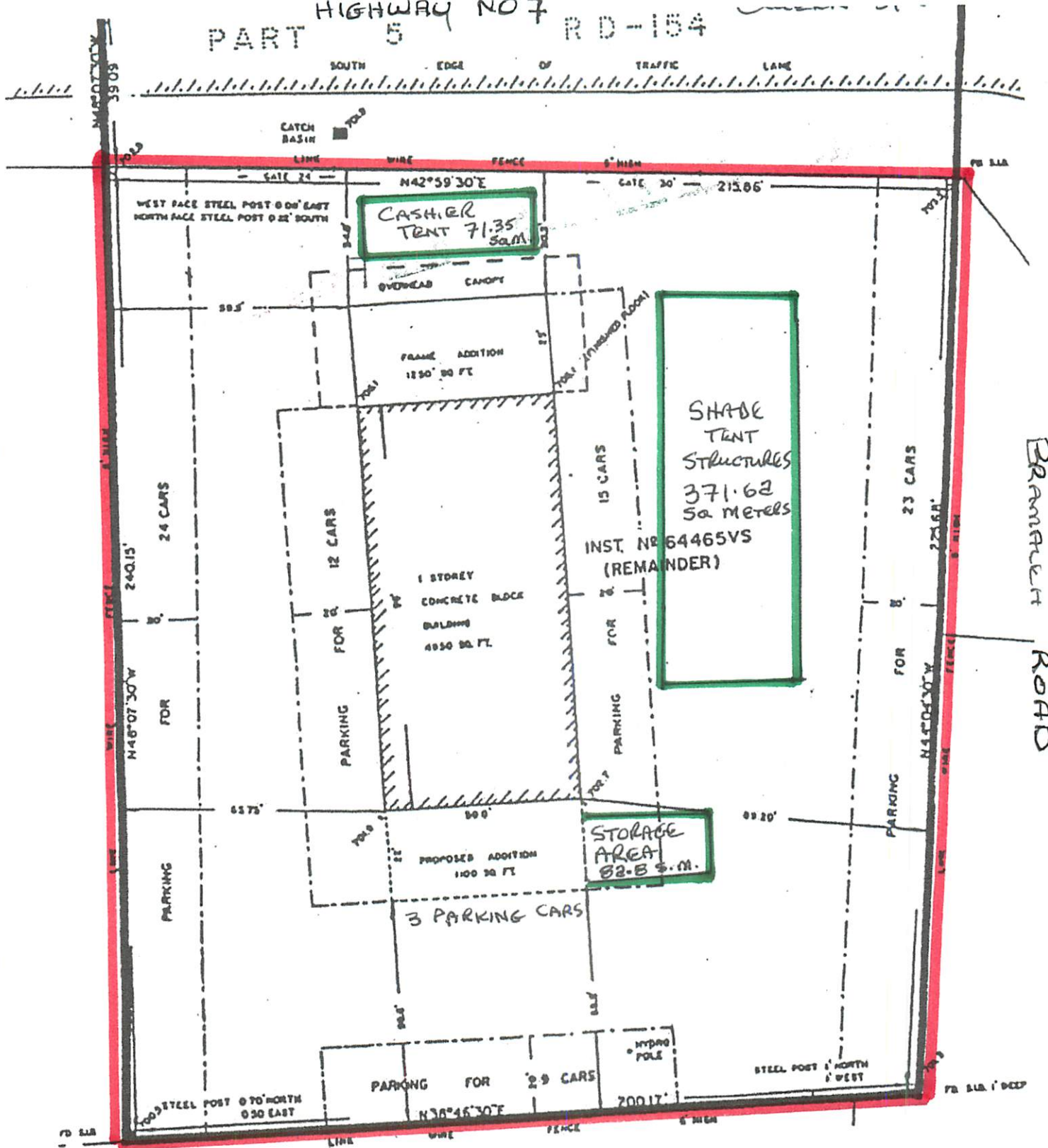
NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING  
THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE

THURSDAY, MARCH 13th, 19 86

I, FRANK BALDASSINI, 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.

DATED THIS 14th DAY OF FEBRUARY 19 86

SECRETARY-TREASURER  
COMMITTEE OF ADJUSTMENT



JANUARY 2021  
APPLICATION #

FANTASY FRUIT MARKET (BRAMALEA) LTD.

LOCATIONS OF EXISTING BUILDING AND TENT/SHADE STRUCTURES.

SET-BACK DESCRIPTION	CASHIER TENT	SHADE/TENT	STORAGE	EXISTING BUILDING
FRONT YARD SETBACK	1.82 m	10.363 m	46.32 m	10.363 m
REAR YARD SETBACK	47.854 m	28.954 m	14.47 m	16.764 m
W SIDE SETBACK	20.116 m	37.186 m	36.57 m	27.127 m
E SIDE SETBACK	30.699 m	8.230 m	13.71 m	17.983 m
DISTANCE FROM EXISTING BUILDING	3.35 m	3.96 m	0	X

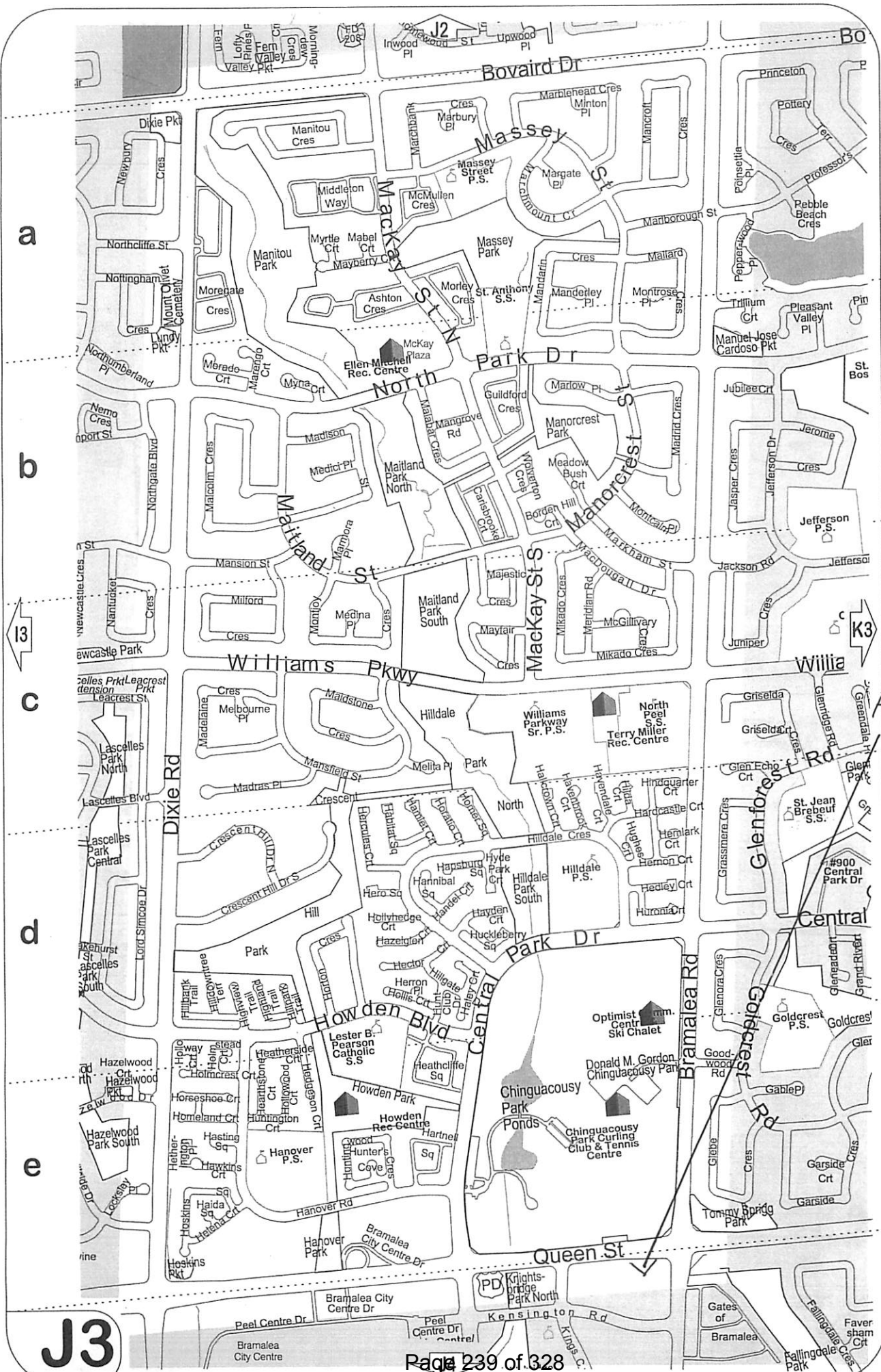
— ZONE BOUNDARY

Schedule C-Section 386

BY-LAW 270-2004



CITY OF BR.  
Planning, Design and



A-2021-0001

**Filing Date:** January 11, 2021  
**Hearing Date:** February 16, 2021

**File:** A-2021-0001

**Owner/  
Applicant:** 1337564 ONTARIO INC.

**Address:** 1729 Queen Street East

**Ward:** 7

**Contact:** Shelby Swinfield, Planner I

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**Recommendations:**

That application A-2021-0001 is supportable, in part, subject to the following conditions being imposed:

1. That the variances be approved from for a temporary period of three (3) years from the final date of the Committee's decision;
  2. That the extent of the variances be generally limited to that shown on the sketch attached to the Public Notice;
  3. That the applicant shall obtain any required building permits prior to the erection of the temporary structures each year, to the satisfaction of the Chief Building Official;
  4. That the requested variances shall only be permitted in association with a permitted garden centre use;
  5. That the permitted outdoor storage shall only include items incidental to a garden centre and an outdoor wine grape sales use;
  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 "Service Commercial – Special Section 386 (SC-386)" according to By-law 270-2004, as amended.

**Requested Variances:**

The applicant is requesting the following variances:

1. To vary Schedule "C" Section 386 of the by-law to permit an outside sales area from April 1 to October 31 each year until 2025, while providing 54 parking spaces whereas the by-law requires a minimum of 83 parking spaces;
2. To vary Schedule "C" Section 386 of the by-law to permit an 82.8 sq. m (891.25 sq. ft.) outside storage area at the rear southeast end of the building whereas the by-law does not permit outside storage;
3. To vary Schedule "C" Section 386 of the by-law to permit a 371.62 sq. m. (4000 sq. ft.) shade structure in the east side yard and a 71.35 sq. m. (768 sq. ft.) cashier tent in the front yard from April 1 to October 31 each year until 2025.

**Current Situation:**

**1. Conforms to the Intent of the Official Plan**

The property is designated "Central Area" in the Official Plan and "Central Area Mixed Use" in the Queen Street Corridor Secondary Plan (Area 36). 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 "Service Commercial – Special Section 386 (SC-386)" according to By-law 270-2004, as amended. The requested variances relate to a seasonal outdoor sales area that is intended to operate from April 1 to October 31 each year of the approval.

Variance 1 seeks a parking reduction for a temporary portion of the year to allow for space to construct the temporary sales area. 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. In the case of the subject property, the proposed temporary tents will only impact the parking for a portion of the year and other parking areas are available on the site that will not be impacted by the location of the temporary tents.

Variance 2 is to permit outdoor storage at the rear of the property of materials associated with the seasonal sales area. The intent of the by-law in prohibiting outdoor storage is to ensure that a certain aesthetic quality is maintained for the property. Given that the location of the proposed outdoor storage space is at the rear of the building and will be behind the seasonal sales area, it is not anticipated that this storage area will have negative aesthetic impacts on the property. A condition of approval is recommended that the permitted outdoor storage shall only include items incidental to a garden centre and an outdoor wine grape sales use to ensure this is its only purpose.

Variance 3 is to permit a temporary tent structure to facilitate a seasonal sales area whereas Schedule C does not allow a temporary tent. The intent of the by-law in regulating a property via a Schedule C provision is to provide a visual representation of the building area on the property. This type of regulation is typically associated with older areas of the City. In the case of the subject property, the installation of the temporary tent is not anticipated to impact the overall function of the property given its seasonal nature. A condition of approval is recommended that the applicant shall obtain any required building permits prior to the erection of the temporary structures each year, to the satisfaction of the Chief Building Official to ensure the tents are in compliance with the Ontario Building Code. A further condition is recommended that the requested variances shall only be permitted in association with a permitted garden centre use.

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 a seasonal outdoor sales area associated with a garden centre and wine grape sales use. The proposed permissions would only be needed for a period of the year and have previously been granted by way of temporary minor variance. This temporary and seasonal use has not demonstrated any issues with regard to compatibility with adjacent properties and does not present concerns with regard to parking demand given that the reduction in parking is only for part of the year. A condition of approval is recommended that the application be approved for a temporary period of three years in accordance with the maximum time staff can recommend as per the *Planning Act*.

Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

### 4. Minor in Nature

The requested variances intend to facilitate a seasonal and temporary outdoor sales area including two tents and a small storage area for incidental items. The outdoor tents are only proposed to be erected for a portion of the year to accommodate seasonal sales that could not otherwise be accommodated within the building. The temporary nature of the request is not anticipated to have significant or lasting impacts on the function of the property. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I



**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MONTEREY PARK 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 4, Plan M-766, municipally known as **15 FISHERMAN DRIVE, UNITS 12 AND 13**, Brampton;

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

1. To permit a place of worship having an area of 438.44 square metres (Units 12 and 13) whereas the by-law limits the total gross floor area of an individual place of worship to 350 square metres;
2. To permit a total cumulative gross floor area devoted to all places of worship of 1061.54 square metres whereas the by-law limits the total combined gross floor area for all places of worship to 700 square 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: NO

File Number: \_\_\_\_\_  
File Number: \_\_\_\_\_

The Committee of Adjustment has appointed **TUESDAY, February 16, 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.

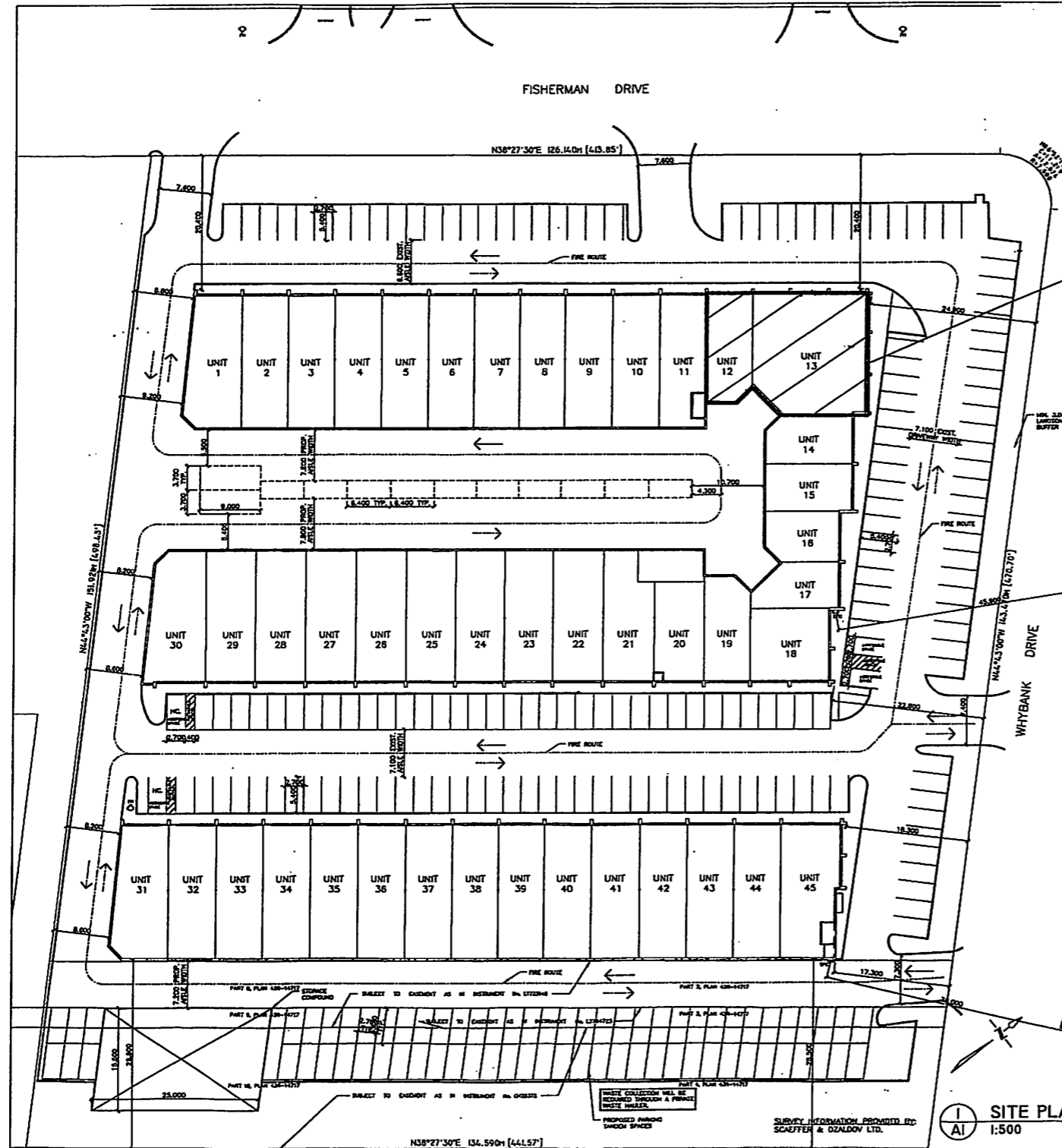
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 4th day of February, 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](mailto:jeanie.myers@brampton.ca)



Place of Worship  
Units 12 and 13

#### SITE STATISTICS

15 FISHERMAN DR.  
REGISTERED PLAN 34-766  
PART OF LOT 4  
CITY OF BRAMPTON

MAJOR OCCUPANCY: A, D, E & F

LOT AREA: 218,349.21 S.F. [20,284.64 m<sup>2</sup>]

LOT FRONTAGE: 413.85' [126.14 m]

BUILDING HEIGHT: ONE STOREY

NUMBER OF EXIST. UNITS: 45

NUMBER OF PROPOSED UNITS: 0

SETBACKS:

	REQUIRED	PROVIDED
FRONT (DITCH):	9.00 m	20.44 m
PLANNAGE (EAST):	6.00 m	17.89 m
SIDE (WEST):	4.00 m	8.0 m
REAR (EAST):	7.00 m	28.44 m

GROSS FLOOR AREA:

	S.F.	[m <sup>2</sup> ]
BUILDING A (UNITS 1-30)	14,148.58	[1,316.93]
BUILDING B (UNITS 31-45)	23,928.04	[2,222.92]
TOTAL:	38,076.62	[3,539.85]

PARKING:

	REQUIRED	PROVIDED
PARKING PROVIDED	213	213
LOADING SPACE	2	2
PARKING REQUIRED	215	215

15 FISHERMAN DR. UNIT INFO		
UNIT #	SQ. FT.	USE
1-3	470.69	AUTOMOTIVE
4-6	293.25	WORKSHOP
7	140.62	RESTAURANT
8	140.62	AUTOMOTIVE
9	140.62	CATERING
10-11	270.99	AUTOMOTIVE
12	140.62	INDUSTRIAL
13	140.62	INDUSTRIAL
14-15	290.84	INDUSTRIAL
16	140.62	INDUSTRIAL
17	93.44	INDUSTRIAL
18-19	183.53	WORKSHOP
20-21	322.00	INDUSTRIAL
22	157.24	INDUSTRIAL
23	157.24	INDUSTRIAL
24	157.24	INDUSTRIAL
25-26	314.48	INDUSTRIAL
27-28	304.25	DANCE STUDIO
29	157.24	INDUSTRIAL
30	157.24	INDUSTRIAL
31-32	427.37	AUTOMOTIVE
33	140.62	AUTOMOTIVE
34	290.80	INDUSTRIAL
35-36	290.80	AUTOMOTIVE
37-38	140.62	WORKSHOP
39	140.62	AUTOMOTIVE
40	140.62	AUTOMOTIVE
41	140.62	AUTOMOTIVE
42	140.62	AUTOMOTIVE
43	140.62	INDUSTRIAL
44	140.62	INDUSTRIAL
45	140.62	INDUSTRIAL
TOTAL	3,539.85	INDUSTRIAL @ 1/50th = 53
	2,440.91	AUTOMOTIVE @ 1/50th = 113

SITE PLAN  
1:500

DREW LASZLO ARCHITECT

THE ARCHITECT IS NOT RESPONSIBLE FOR THE  
ACCURACY OF SURVEY, STRUCTURAL,  
MECHANICAL, ELECTRICAL, ETC. INFORMATION  
SHOWN ON THIS DRAWING. REFER TO THE  
APPROPRIATE ENGINEERING OR PROFESSIONAL  
PROFESSION WITH WORK.

CONTRACTOR SHALL CHECK ALL DIMENSIONS  
ON THE WORK AND REPORT ANY DISCREPANCY  
TO THE ARCHITECT BEFORE PROCEEDING.  
CONSTRUCTION MUST CONFORM TO ALL  
APPLICABLE CODES AND REGULATIONS OF  
AUTHORITIES HAVING JURISDICTION.

ALL DIMENSIONS, SPECIFICATIONS AND RELATED  
INFORMATION AND THE EXISTING PROPERTY OF  
THE ARCHITECT AND MUST BE RETURNED UPON  
REQUEST. RETENTION OF DRAWINGS,  
SPECIFICATIONS AND RELATED INFORMATION IS  
PART OF WHOLE IS PROVIDED WITHOUT THE  
ARCHITECT'S PERMISSION.

THIS DRAWING IS NOT TO BE SCALED.

THIS DRAWING AND NOT TO BE USED FOR  
CONSTRUCTION UNLESS SIGNED AND SEALED  
BY THE ARCHITECT.

NO.	DATE	REVISION / ISSUE
1	1/15/19	ISSUED FOR PERMIT APPLICATION
2	1/15/19	REVISED PER CITY COMMENTS
3	1/15/19	REVISED PER CITY COMMENTS
4	1/15/19	REVISED PER CITY COMMENTS
5	1/15/19	REVISED PER CITY COMMENTS
6	1/15/19	REVISED PER CITY COMMENTS
7	1/15/19	REVISED PER CITY COMMENTS
8	1/15/19	REVISED PER CITY COMMENTS
9	1/15/19	REVISED PER CITY COMMENTS
10	1/15/19	REVISED PER CITY COMMENTS

CITY FILE #SP18-123.00



DATE: JANUARY 2019

PROJECT:  
15 FISHERMAN DR.  
BRAMPTON, ONTARIO

DRAWING TITLE:  
SITE PLAN

SHEET NUMBER:  
AI

**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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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.



#446-1111 Davis Drive, Unit 23  
Newmarket, Ontario  
L3Y 9E5  
Phone (416) 417-1357  
randaldickie@rogers.com  
www.urbangrowthinc.com

January 4, 2021

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

A-2021-0002

**Re: Application for Minor Variance  
Monterey Park Inc.  
15 Fisherman Drive  
(Associated Files C01W13.016, 21CDM-160001B, and SPA-2019-0069)  
City of Brampton**

We are submitting this application for a minor variance to the Committee of Adjustment to permit a Place of Worship Use to remain in Units 12 & 13 on the subjected site, bringing the total GFA for Place of Worship Uses to 1,062 m<sup>2</sup>, whereas the Zoning By-law (section 1508.1) limits of GFA devoted to Place of Worship Uses to a maximum of 700 m<sup>2</sup>. This variance will not incur any physical changes to the site, only the conversion of existing space within the building.

The property at 15 Fisherman Road is an existing, one storey, 6,539.85m<sup>2</sup> (70,396.66 sq. ft.), multiple unit industrial building, consisting of 45 units in total. The site is currently completing a Site Plan Control review with City staff, to refurbish and enhance the below grade sewers, the parking and driveways areas, as well as new landscaping for the overall site. As part of this Site Plan Control review, City Zoning staff have flagged the need for a variance to the total amount of Place of Worship GFA. The conversion of units 12 and 13 in the building to a Place of Worship complies with the Zoning By-law in terms of use (but not size). Unit 13 is the Place of Worship use, while unit 12 is an associated food preparation space (i.e., commercial kitchen) used to prepare food for either the members of the Place of Worship in Unit 13, or throughout the greater community. The owner is therefore requesting a minor variance to permit the expansion.

#### **ZONING BY-LAW**

The current zoning for the subjected site is Industrial (M2-1508) and the requested use of place of worship is a permitted use. The proposed change in total GFA devoted to place of worship will not incur any physical changes to unit 12 and 13 in the building or the property



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in any way. The increased GFA from the limited 700 m<sup>2</sup> will benefit the local communities in providing Place of worship space for worship activities, and other supports.

## PARKING

The site has 243 parking spaces provided on site, whereas the total parking requirement for all uses on site is 214. Therefore, no relief to parking is requested. The parking rate for a Place of Worship of 1 space per 45m<sup>2</sup> of GFA is applicable to this site. This will continue to apply.

We ask that the Committee grant the request, for the following reasons:

1. It is supportable from a Planning perspective;
2. Provides space for Place of Worship Use to serve the surrounding community;
3. Will have no adverse impact on either the building or the other industries;
4. Ample parking is available to provide for the use;

Please feel free to contact me at 416-417-1357 if you have any questions.

Yours truly,  
**URBAN GROWTH INC.**

Randal Dickie, MCIP, RPP  
President

**Consolidated Comment Report****Date:** August 13, 2020**File:** SPA-2019-0069**Applicant/Owner:** Randal Dickie / Monterey Park Inc.**Location:** 15 Fisherman Dr, Brampton, ON L7A 1B7

**Proposal:** Site Plan application to convert existing 45-unit industrial complex to a condominium. No development is proposed and no site servicing changes are proposed. Scope of work limited to site improvements to ensure all aspects of the existing site meet municipal standards.  
Basic Site Plan

This report contains comments from the technical groups who have reviewed the proposal. Additional comments may be forthcoming pending the review of any revised drawings, reports and documentation. The applicant/owner must address all of the comments by creating a "Comment Response Table" identifying how all comments have been addressed. In order to resubmit, please upload all revised drawings/reports/etc., and as a final step, upload the "Comment Response Table". If you have any questions or concerns, please contact the planner assigned to your file: Jacqueline Lee, [jacqueline.lee@brampton.ca](mailto:jacqueline.lee@brampton.ca).

**Development Review****Not Cleared****Jacqueline Lee - [jacqueline.lee@brampton.ca](mailto:jacqueline.lee@brampton.ca)****Comments**

Clearance from TransCanada Pipeline and Enbridge are outstanding. TransCanada Pipeline has advised clearance will be forwarded to the applicant as well as the City once prepared.

TransCanada Pipeline has advised a previous agreement to permit the tandem parking and impound yard on the southerly easement has not been established and that use of the easement for such purposes is therefore not permitted. Confirmation from TransCanada permitting the outdoor storage use within the easement will be required prior to Site Plan Approval.

The site plan indicates a portion of the property as 'gravel' where outdoor storage exists in present day condition. Please clarify on the drawing if this area is intended to continue with the outside storage use.

A Minor Variance is required for the cumulative GFA exceedance for places of worship use.

All resubmissions are to be accompanied by a detailed cover letter that responds to all comments identified within this report. Responses such as 'Noted' or 'Done' do not constitute sufficient detail. Please provide this written response to each of the individuals that have provided comments on this application.

Please provide a copy of the Cover Letter to the Assigned Development Planner via email

for review prior to resubmission.

The municipal address and the assigned City file number (SPA-2019-0069) shall be clearly identified in the title block on all drawings, on the cover of all reports, and referenced in all correspondence associated with this application.

**Accessibility Review****Cleared****Sylvia Ingham - sylvia.ingham@brampton.ca****Comments**

Accessible parking spaces have been checked for compliance. No accessible parking spaces have been assigned to units. No further comments.

**Development Engineering Review****Not Cleared****Junlei Qu - junlei.qu@brampton.ca****Comments**

Grading and servicing plans and a stormwater management report shall be approved by the City of Brampton, Development Engineering Services Section. All plans and stormwater management reports shall be stamped by a professional engineer (PEO).

Please include overland flow directions and outlet on the grading drawing.

Update the City file number to SPA-2019-0069 on all documents.

Provide an engineering stamp to the previously submitted SWM brief.

**Open Space Development Review****Not Cleared****Eric Teixeira - eric.teixeira@brampton.ca****Conditions**

Secure \$93,000.00 for Open Space securities.

**Comments**

Please confirm if the gravel area is proposed for outdoor storage use. If so, additional landscaping and asphalt will be required.

**Traffic Services Review****Cleared****Zoran Nedelkovski - zoran.nedelkovski@brampton.ca****Comments**

There are no issues to comment on at this time. Any changes to the proposal may require further review.

**Zoning Review****Not Cleared****Rose Bruno - rose.bruno@brampton.ca****Comments**

The maximum GFA permitted on the site for place of worship uses is 700sm, whereas 1,061.54sm exists. A Minor Variance is required.

Flower City



brampton.ca

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

FILE NUMBER: A-2021-0002

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) Monterey Park Inc.  
Address 1002 Lawrence Avenue East  
Toronto, Ontario  
M3C 1R4  
Phone # 416-225-6364 Fax # 416-225-6432  
Email \_\_\_\_\_

2. Name of Agent Urban Growth Inc. (Randal Dickie)  
Address #446 - 1111 Davis Drive Unit 23  
Newmarket, Ontario  
L3Y 9E5  
Phone # 416-417-1357 Fax # \_\_\_\_\_  
Email randaldickie@rogers.com

3. Nature and extent of relief applied for (variances requested):  
The owner is requesting a variance to permit the existing Places of Worship to remain, totaling 1,062m<sup>2</sup>, whereas the ZBL permits a maximum of 700m<sup>2</sup>. The request applies specifically to Units 12 and 13.

4. Why is it not possible to comply with the provisions of the by-law?  
The owner is requesting additional space to accommodate a larger Place of Worship.

5. Legal Description of the subject land:  
Lot Number Part of Block 4  
Plan Number/Concession Number 43M-766  
Municipal Address 15 Fisherman Road - Units 12 and 13

6. Dimension of subject land (in metric units)  
Frontage 126.14m  
Depth 151.92m  
Area 20,284.64m<sup>2</sup>

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.)

The existing structure is a multiple unit industrial building that consists of 45 existing units. The building height is one storey and existing GFA is 6,539.85m<sup>2</sup>.

**PROPOSED BUILDINGS/STRUCTURES** on the subject land:

No physical changes are 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 20.44m

Rear yard setback 28.46m

Side yard setback 17.29m (North)

Side yard setback 8.17m (south)

**PROPOSED**

Front yard setback 20.44m

Rear yard setback 28.46m

Side yard setback 17.29m (north)

Side yard setback 8.17m (south)

10. Date of Acquisition of subject land: 1980s
11. Existing uses of subject property: Industrial (automotive, place of worship, catering, industrial, dance studio, etc.)
12. Proposed uses of subject property: Industrial (automotive, place of worship, catering, industrial, dance studio, etc.)
13. Existing uses of abutting properties: Industrial/Commercial
14. Date of construction of all buildings & structures on subject land: 1980s
15. Length of time the existing uses of the subject property have been continued: Approx. 30 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 # SPA-2019-0069 Status Pending

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>A65/92</u>	Decision <u>APPROVED</u>	Relief <u>USE</u>
File # <u>A88/98</u>	Decision <u>APPROVED</u>	Relief <u>USE</u>
File # <u>A19/01</u>	Decision <u>APPROVED</u>	Relief <u>USE</u>
<u>A079/04</u>	<u>APPROVED</u>	<u>USE</u>
<u>A118/05</u>	<u>APPROVED</u>	<u>USE</u>
<u>A117/160</u>	<u>APPROVED</u>	<u>USE</u>

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON  
THIS 11 DAY OF JANUARY, 20 21

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, Randal Dickie, OF THE Town OF Newmarket

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 Brampton  
IN THE Region OF  
Peel THIS 11th DAY OF  
January, 20 21  
April Sela Cerna  
A Commissioner etc.

Signature of Applicant or Authorized Agent  
April Sela 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:

M2-1508

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

January 12, 2020

Date

DATE RECEIVED January 11, 2021

Date Application Deemed Complete by the Municipality January 12, 2021

Revised 20200107





# NOTICE OF DECISION

## Committee of Adjustment

FILE NUMBER A19/01

HEARING DATE FEBRUARY 6, 2001

APPLICATION MADE BY MONTEREY PARK INC.

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW NUMBER 151-88  
AS AMENDED AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO  
CONTINUE USING UNITS 4 & 5 FOR A CHURCH USE FOR A PERIOD OF THREE (3) YEARS,  
HAVING A PARKING SHORTAGE OF 14 SPACES.

(15 FISHERMAN DRIVE, UNITS 4 & 5)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITION:  
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE  
CITY OF BRAMPTON WHERE REQUIRED)

1. The applicant shall not physically alter the outside appearance of the building or else the variance shall be null and void.

### REASONS:

This decision reflects that in the opinion of the Committee:

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

MOVED BY: D. Sutter

SECONDED BY: J. Pappain

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 6TH DAY OF FEBRUARY, 2001

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION  
TO THE ONTARIO MUNICIPAL BOARD WILL BE FEBRUARY 26, 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



# NOTICE OF DECISION

## Committee of Adjustment

FILE NUMBER A126/03

HEARING DATE MAY 20, 2003

APPLICATION MADE BY MONTEREY PARK INC

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW NUMBER 151-88  
AS AMENDED AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO  
ALLOW MOTOR VEHICLE SALES IN CONJUNCTION WITH THE PERMITTED AUTO  
BODY REPAIR SHOP.

(15 FISHERMAN DR UNIT 37 & 38 - PART BLK 4, PLAN M-766 (PART 1-10, PLAN 43R-14717))

THE REQUEST IS HEREBY REFUSED

### REASONS:

This decision reflects that in the opinion of the Committee:

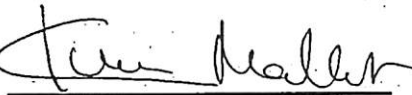
1. The variance is not desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are not maintained and the variance is not minor.

MOVED BY: B. REED

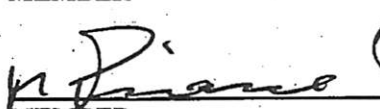
SECONDED BY: M. PIANE

SIGNATURE OF CHAIR OF MEETING: 


WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

  
MEMBER

  
MEMBER

  
MEMBER


  
MEMBER

  
MEMBER

DATED THIS 20<sup>TH</sup> DAY OF MAY, 2003

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION  
TO THE ONTARIO MUNICIPAL BOARD WILL BE JUNE 9<sup>TH</sup>, 2003.

I, EILEEN COLLIE, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT  
CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE  
COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

  
SECRETARY-TREASURER  
COMMITTEE OF ADJUSTMENT



# COMMITTEE OF ADJUSTMENT

## Notice of Decision

The City of Brampton

FILE NUMBER A079/04

HEARING DATE OCTOBER 26, 2004

APPLICATION MADE BY MONTEREY PARK INC.

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW NUMBER 151-88 AS AMENDED AND ZONING BY-LAW 2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO CONTINUE USING UNITS 4 AND 5 FOR A RELIGIOUS INSTITUTION FOR A PERIOD OF TWO (2) YEARS, HAVING A PARKING DEFICIENCY OF 30 SPACES.

(15 FISHERMAN DRIVE, UNITS 4 & 5 - PT BLOCK 4, PLAN M-766, PTS 1 -10 PLAN 43R-14717)

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. The variance shall be for a temporary period of two (2) years.
2. The variance shall be null and void should the applicant physically alter the outside appearance of the building.

### REASONS:

This decision reflects that in the opinion of the Committee:

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

MOVED BY: D. COKE

SECONDED BY: J. PAPPAIN

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 26<sup>TH</sup> DAY OF OCTOBER, 2004

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE NOVEMBER 15<sup>TH</sup>, 2004.

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

## Notice of Decision

Committee of Adjustment

FILE NUMBER A118/05

HEARING DATE APRIL 26, 2005

APPLICATION MADE BY MONTEREY PARK 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 TO ALLOW THE OPERATION OF A TAKE-OUT RESTAURANT FROM UNIT 6 WHILE PROVIDING THREE (3) PARKING SPACES

(15 FISHERMAN DRIVE, UNIT 6 – PART BLOCK 4, PLAN M-766, DESIGNATED AS PTS. 1-10, PLAN 43R-14717)

THE REQUEST IS HEREBY APPROVED  
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED)

### 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.

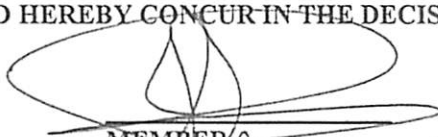
MOVED BY: P. NOÉ ROSS


SECONDED BY: D. BILLET

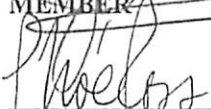
SIGNATURE OF CHAIR OF MEETING: 

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

  
MEMBER

  
MEMBER

  
MEMBER

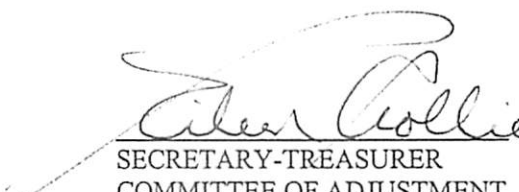
  
MEMBER

MEMBER

DATED THIS 26<sup>TH</sup> DAY OF APRIL, 2005

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MAY 16<sup>TH</sup>, 2005.

I, EILEEN COLLIE, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

  
SECRETARY-TREASURER  
COMMITTEE OF ADJUSTMENT



## Notice of Decision

### Committee of Adjustment

FILE NUMBER A17-160

HEARING DATE SEPTEMBER 12, 2017

APPLICATION MADE BY MONTEREY PARK INCORPORATED

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 VARIANCES:

1. To permit a motor vehicle washing establishment (Unit 40);
2. To permit a motor vehicle washing establishment having no stacking spaces.

(15 FISHERMAN DRIVE, UNIT 40 – PT. OF LOT 4, PLAN 43M-766)

THE REQUEST IS HEREBY APPROVED  
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)

#### 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: D. Doerfler

SIGNATURE OF CHAIR OF MEETING: 

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

  
MEMBER

  
MEMBER

MEMBER

MEMBER

MEMBER

DATED THIS 12TH DAY OF SEPTEMBER, 2017

**NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE OCTOBER 2, 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

NOTICE OF DECISION

FILE NUMBER A88/98

HEARING DATE MARCH 24, 1998

APPLICATION MADE BY MONTEREY PARK INCORPORATED

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW NUMBER 151-88 AS AMENDED  
AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO ALLOW A CHURCH USE ON THE  
PREMISES FOR A PERIOD OF THREE (3) YEARS RESULTING IN A PARKING DEFICIENCY OF 14 SPACES.

(15 FISHERMAN DRIVE, UNITS 4 & 5)

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. The variance shall be for a temporary period of three (3) years.
2. The applicant shall agree not to physically alter the appearance of the outside of the building, otherwise the variance will be considered null and void.

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: M. PIANE


SECONDED BY: D. SUTTER

SIGNATURE OF CHAIR OF MEETING: 

WE THE UNDERSIGNED ~~HEREBY~~ CONCUR IN THE DECISION

  
MEMBER

MEMBER

  
MEMBER

MEMBER

MEMBER

NOTE: B. REED DECLARED  
A CONFLICT OF INTEREST

DATED THIS 24TH DAY OF MARCH, 1998

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO  
THE ONTARIO MUNICIPAL BOARD WILL BE APRIL 14, 1998

I, EILEEN COLLIE, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF  
THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

  
SECRETARY-TREASURER  
COMMITTEE OF ADJUSTMENT

CITY OF BRAMPTON  
COMMITTEE OF ADJUSTMENT

FILE NUMBER A65/92 HEARING DATE APRIL 28, 1992

APPLICATION MADE BY BRAMPTON BUSINESS PARK

IN THE MATTER OF SECTION 44 OF THE PLANNING ACT; ZONING BY-LAW NUMBER 151-88 AS AMENDED AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION FOR OPERATION OF A BUSINESS FOR THE RETAIL, WHOLESALE AND SERVICING OF MOTOR CYCLES, MOTOR CYCLE PARTS AND ACCESSORIES;

(15 FISHERMAN DRIVE, UNITS 14 AND 15)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITION:-

(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED.)

1. The applicant shall agree that the servicing of motor cycles not be the primary use.
2. That there be no outside storage permitted on the property.
3. That this approval be granted to the current tenant, S & M Oakville Custom Cycle only, and for a period not to exceed 5 years.

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 H. E. THOMPSON SECONDED BY B. REED

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

ACTING  
CHAIRMAN

MEMBER

MEMBER

MEMBER

NOTE: J. PAPPAIN DECLARED CONFLICT OF INTEREST

MEMBER

DATED THIS 28TH DAY OF APRIL 1992

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

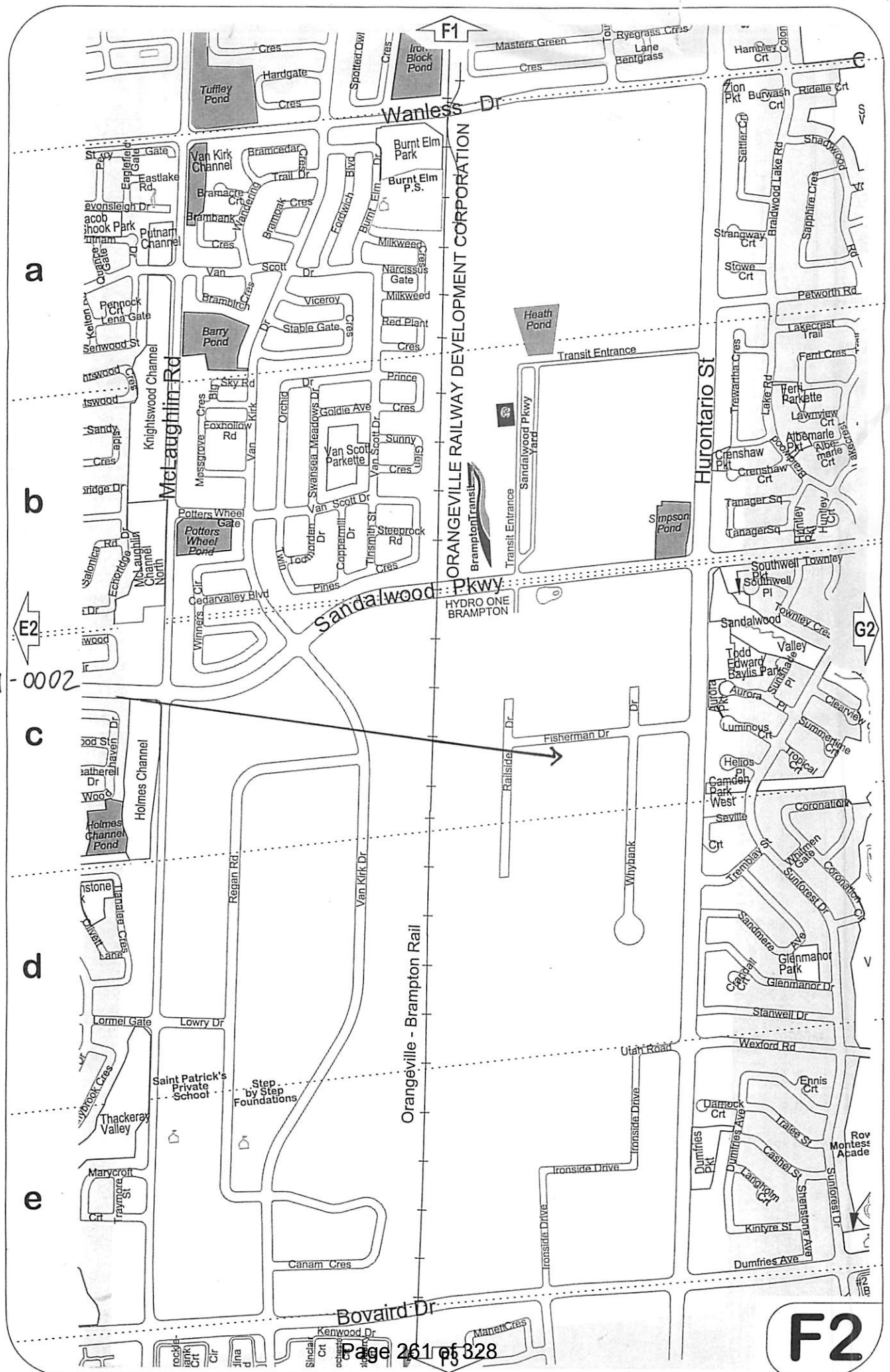
MAY 28TH, 1992

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.

DATED THIS 28TH DAY OF APRIL 1992

Eileen M. Collie  
SECRETARY-TREASURER  
COMMITTEE OF ADJUSTMENT

A-2021-0002



**Filing Date:** January 11, 2021  
**Hearing Date:** February 16, 2021

**File:** A-2021-0002

**Owner/  
Applicant:** **MONTEREY PARK INC.**

**Address:** **15 FISHERMAN DRIVE**

**Ward:** 2

**Contact:** Shelby Swinfield, Planner I

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**Recommendations:**

That application A-2021-0002 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
  2. That the owner finalize site plan approval under City File SPA-2019-0069, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
  3. That the applicant obtain a change of use permit within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
  4. That 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 – Special Section 1508 (M2-1508)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variances:

1. To permit a place of worship having an area of 438.44 square metres (Units 12

and 13) whereas the by-law limits the total gross floor area of an individual place of worship to 350 square metres;

2. To permit a total cumulative gross floor area devoted to all places of worship of 1061.54 square metres whereas the by-law limits the total combined gross floor area for all places of worship to 700 square metres.

### **Current Situation:**

#### **1. Conforms to the Intent of the Official Plan**

The subject property is designated "Industrial" in the Official Plan and "General Employment 1" in the Snelgrove Heartlake Secondary Plan (Area 1). The subject property has been identified as one of the industrial properties within the City where place of worship uses are permitted in the industrial designation. The proposed increase in floor area for Place of Worship is not anticipated to preclude the development of other permitted industrial uses on the site. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Zoning By-law.

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

The property is zoned "Industrial Two – Special Section 1508 (M2-1508)" according to By-law 270-2004, as amended.

The intent of the by-law in limiting the permitted floor area for a particular use within an individual unit and limiting the total permitted floor area for a particular use is to ensure that an equal opportunity is provided to other users within a development to establish that use or other permitted uses.

In the case of the subject property, it is identified as one of the industrial properties within the City where place of worship uses are permitted in the industrial designation. The intent of the requested variances is to expand the existing place of worship within Unit 13 into Unit 12 which contains a food preparation area. This expansion will allow a food preparation space to be added to the existing place of worship and does not propose any increase to worship area within the existing place of worship. 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 that if there should be any further expansion to any place of worship within the development, an additional variance would be required. 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 a food preparation area being added to the existing place of worship. The increase in floor area for the individual place of worship use does not propose to actually expand the worship area but rather to include

a food preparation area for members of the congregation and worship leaders. It is not anticipated that this expansion in permitted floor area for an individual place of worship use, or for the sum of place of worship uses on the property will negatively impact the overall function of the property or preclude the development of the lands with other permitted uses. The property is currently undergoing a Site Plan Application with regard to property improvements surrounding the existing building. A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2019-0069, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services to ensure that the on site improvements are completed.

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 propose to add a food preparation area to an existing place of worship. The variances do not proposed to expand the physical worship area or capacity of the place of worship but rather serve an additional function for the existing place of worship. 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 **HARINDER GAHIR AND SUMANPREET GAHIR** 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 6, Concession 3 WHS, municipally known as **9035 CREDITVIEW ROAD**, Brampton;

AND WHEREAS the applicants are proposing a 3 storey elementary school and are requesting the following variance(s):

1. To permit a Day Nursery whereas the by-law does not permit a Day Nursery;
2. To permit a front yard setback of 6.2m (20.34 ft.) whereas the by-law requires a minimum front yard setback of 12.0m (39.37 ft.);
3. To permit a building height of 15.0m (49.21 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 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, February 16, 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.

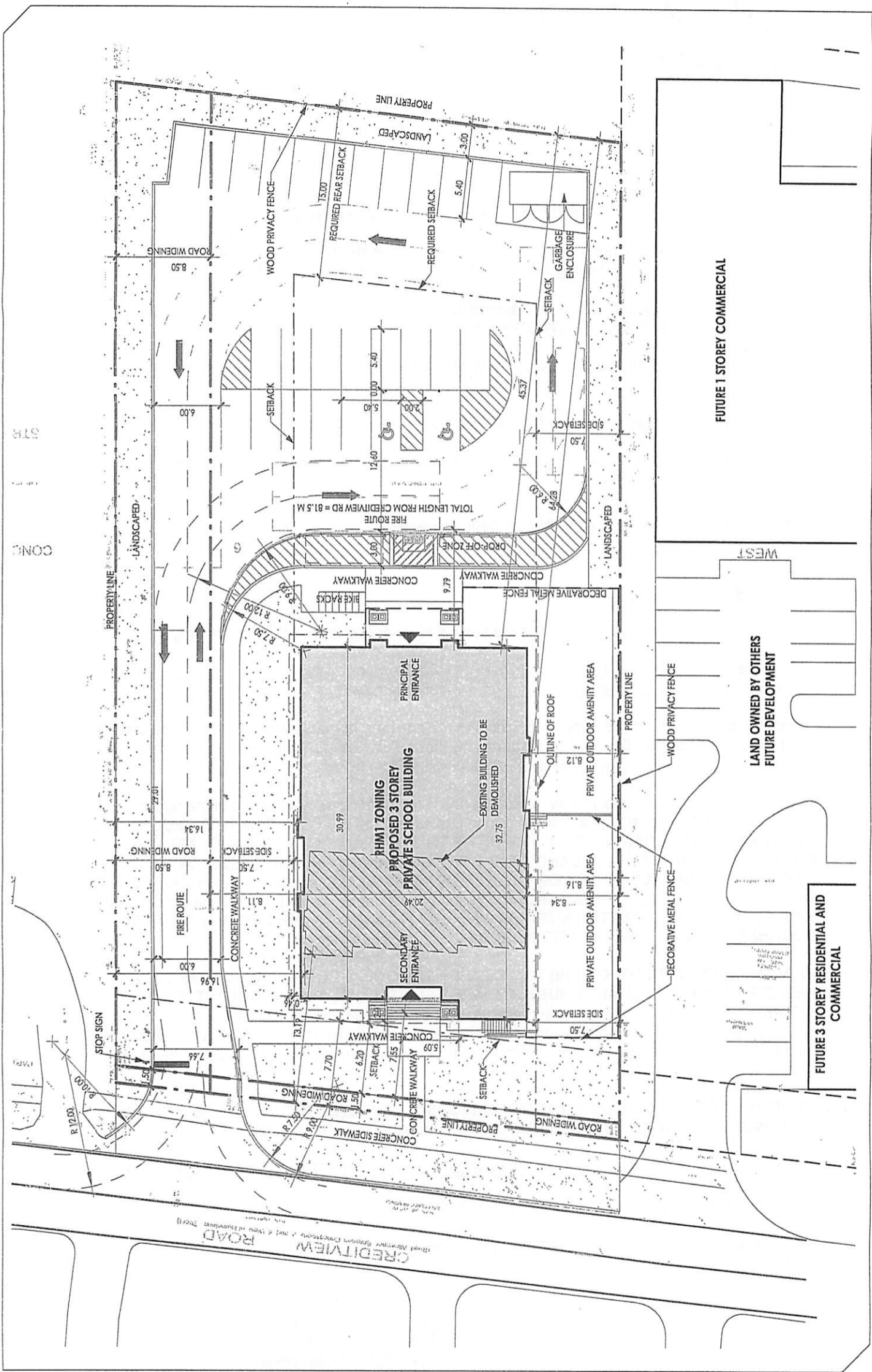
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 4th day of February, 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](mailto:jeanie.myers@brampton.ca)



ATA ARCHITECTS

DRAWING TITLE

SITE PLAN

ATA ARCHITECT INC.  
211 LAKESHORE ROAD EAST,  
OAKVILLE ONTARIO L6J 1H7  
T 905 849 6986  
E info@ataarchitect.com  
www.ataarchitect.com



SCALE

PAGE NUMBER

1 : 400

A101

**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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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

# A-2021-0003

DATE: 2021 02 03

PROJECT: 9035 Creditview Rd

ATA  
PROJECT # 18-1239

To whom this may concern,

This letter is to **amend** the application of the above noted project to request a variance be added to include a day nursery use to the minor variance application.



Jun Gu

M.Arch., B.Arch., OAA, LEED AP BD+C  
Associate Architect

OAKVILLE OFFICE  
211 LAKESHORE ROAD EAST  
ONTARIO L6J 1H7 T 905 849 6986  
WWW.ATAARCHITECTSINC.COM

ALEXANDER TEMPORALE  
B.Arch., OAA, CAHP, FRAIC  
PRINCIPAL

MARK J. DRIEDGER  
M.Arch., B.Arch., Sci., OAA, LEED AP  
ASSOCIATE

MICHAEL W. BILJETINA  
B.Sc., B.Arch., MRAIC, AIA, OAA  
ASSOCIATE

JUN GU  
M. ARCH., B. ARCH., OAA, LEED AP  
ASSOCIATE



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

FILE NUMBER: A-2021-0003

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)** Harinder S. Gahir and Sumanpreet Gahir  
**Address** 373 Steeles Avenue West, Suite 206  
Brampton/ON  
**Phone #** 905-789-0585 **Fax #** \_\_\_\_\_  
**Email** h.gahir@gahirlaw.com

2. **Name of Agent** ATA Architects Inc.  
**Address** 211 Lakeshore Road East  
Oakville/ON  
**Phone #** 647-739-1031 **Fax #** \_\_\_\_\_  
**Email** jun@ataarchitectsinc.com

3. **Nature and extent of relief applied for (variances requested):**  
Front Yard: Required: 12 m; Proposed: 6.2 m  
Height: Required: max. 10.6 m; Proposed: 15 m

4. **Why is it not possible to comply with the provisions of the by-law?**  
The parking lot was required to be placed in the rear yard as requested by City of Brampton Urban Design team, thus pushing the building toward the front yard. Also to achieve a better urban design, the proposed development is aiming to match the front yard of the proposed commercial plaza to the south.  
The proposed development is proposing to enroll 125 students (including day care) which needs 3 floors above ground. Due to the sloped site and roof - the sloped roof is requested by City of Brampton Urban Design team to have more residential character, 10.6 m is not enough for 3 floors when calculating the height from the established grade to the mean height of eaves and ridge.

5. **Legal Description of the subject land:**  
**Lot Number** Part of Lot 6, Concession 3 West of Hurontario Street  
**Plan Number/Concession Number** 43R-36987  
**Municipal Address** 9035 Creditview Road, Brampton Ontario, L6X 0E5

6. **Dimension of subject land (in metric units)**  
**Frontage** 45.7 m  
**Depth** 88.1 m  
**Area** 4 ha

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.)

Building area: 163 m2  
GFA: 163 m2  
Height: 1 storey  
Width: 20 m  
Length: 9 m

**PROPOSED BUILDINGS/STRUCTURES** on the subject land:

Building area: 643 m2  
GFA: 2,400 m2  
Height: 3 storeys, 15 m  
Width: 20.5 m  
Length: 31 m

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

**EXISTING**

Front yard setback	13 m
Rear yard setback	64 m
Side yard setback	17 m
Side yard setback	8 m

**PROPOSED**

Front yard setback	6.2 m
Rear yard setback	45 m
Side yard setback	8 m
Side yard setback	7.5 m

10. Date of Acquisition of subject land: June 2, 2017

11. Existing uses of subject property: Residential

12. Proposed uses of subject property: Private School/day care

13. Existing uses of abutting properties: Residential

14. Date of construction of all buildings & structures on subject land: 1980 approximately

15. Length of time the existing uses of the subject property have been continued: 40 years approximately

16. (a) What water supply is existing/proposed?  
Municipal ☒ Other (specify) \_\_\_\_\_  
Well ☐
- (b) What sewage disposal is/will be provided?  
Municipal ☒ Other (specify) \_\_\_\_\_  
Septic ☐
- (c) What storm drainage system is existing/proposed?  
Sewers ☒ Other (specify) \_\_\_\_\_  
Ditches ☒  
Swales ☐

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

Yes ☐ No ☒

If answer is yes, provide details: File # \_\_\_\_\_ Status \_\_\_\_\_

18. Has a pre-consultation application been filed?

Yes ☒ No ☐

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

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

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

DATED AT THE CITY \_\_\_\_\_ OF BRAMPTON \_\_\_\_\_

THIS SEVENTH DAY OF JANUARY, 2021.

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, Harinder Gahir & Sumanpreet Gahir OF THE City OF Brampton  
IN THE Province OF Ontario SOLEMNLY DECLARE THAT:

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

DECLARED BEFORE ME AT THE

City OF Brampton  
IN THE Province OF  
Ontario THIS 13<sup>th</sup> DAY OF  
Jan, 2021.

[Signature]  
Signature of Applicant or Authorized Agent

[Signature]  
Tarlochan Banwait  
a Commissioner, etc., Province of Ontario,  
for Harinder Singh Gahir Professional  
Corporation, Barrister and Solicitor,  
and Gahir Law Office,  
Expires November 15, 2022.

FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: RHM1

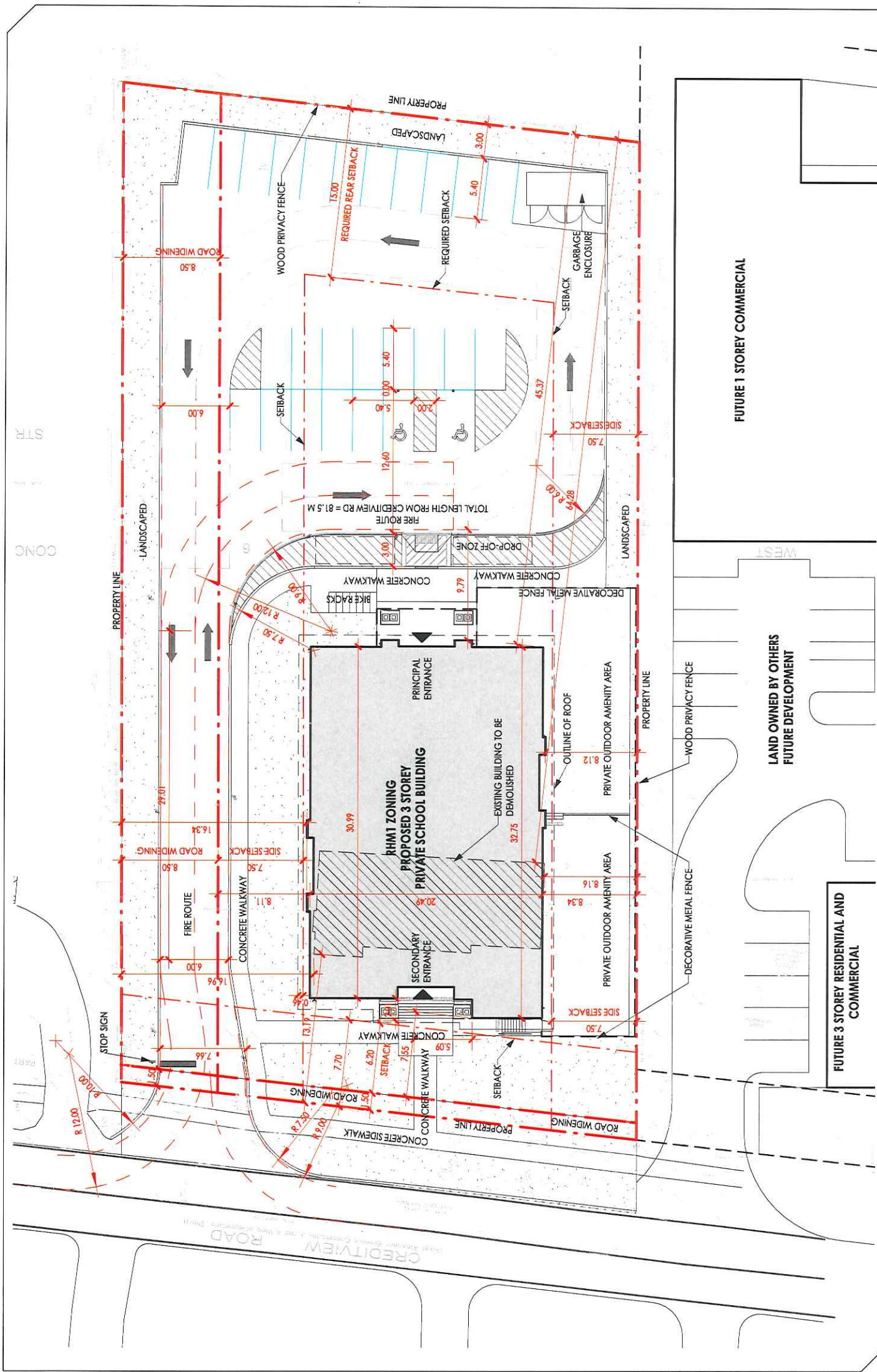
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

HOTHU S. JAN 15 2021  
Zoning Officer Date

DATE RECEIVED JAN 15, 2021

Date Application Deemed Complete by the Municipality JAN. 15, 2021

Revised 2020/01/07



ATA ARCHITECTS

ATA ARCHITECT INC.  
211 LAKESHORE ROAD EAST,  
OAKVILLE ONTARIO L6J 1H7  
T 905 849 6986  
E info@ataarchitect.com  
www.ataarchitect.com

DRAWING TITLE

SCALE

1 : 400

PAGE NUMBER

A101

SITE PLAN

STATISTIC

LEGAL DESCRIPTION	Part of Lot 6, Concession 3 West of Hurontario Street
ZONING CODE	RHM1
LOT AREA	4,008
LOT AREA AFTER ROAD WIDENING	3,939.9 m2
FRONTAGE	45.7 m
BUILDING AREA	641.4 m2
LOT COVERAGE	16.3%
BUILDING CLASSIFICATION	GROUP A, DIVISION 2, UP TO 6 STOREYS
BUILDING HEIGHT	15 M
ESTABLISHED GRADE	218.29

COVERAGE

ASPHALT	1,653.3 m²
BUILDING AREA	641.4 m²
LANDSCAPE AREA	1,061.7 m²
PAVING AREA	583.5 m²
TOTAL	3,939.9 m²

PARKING PROVIDED

	REQUIRED	PROVIDED
PARKING - 1 SPACE/100 M2	24	30

GROSS FLOOR AREA

LEVEL	AREA	SQ. FT.
05 - BASEMENT	559 m²	6,021 ft²
01 - MAIN FLOOR	613 m²	6,603 ft²
02 - 2ND FLOOR	613 m²	6,603 ft²
03 - 3RD FLOOR	613 m²	6,602 ft²
Grand total	2,400 m²	25,829 ft²

ZONING BY-LAW

	ZONING REQUIREMENT	PROPOSED
LOT WIDTH	45M MIN.	45.7M
LOT DEPTH	NO REQUIREMENT	88.1M
FRONT YARD	12M MIN.	6.2M
INTERIOR SIDE YARD	7.5M MIN.	7.5M
REAR YARD	15M MIN.	15M
BUILDING HEIGHT	10.6M MAX.	15M
LOT COVERAGE	NO REQUIREMENT	16.3%
MIN. LANDSCAPE OPEN SPACE	70% OF THE FRONT YARD, 446 M2 X 70% = 312 M2	369 M2
MIN. GROUND FLOOR AREA FOR MAIN BUILDING	115 M2	613 M2

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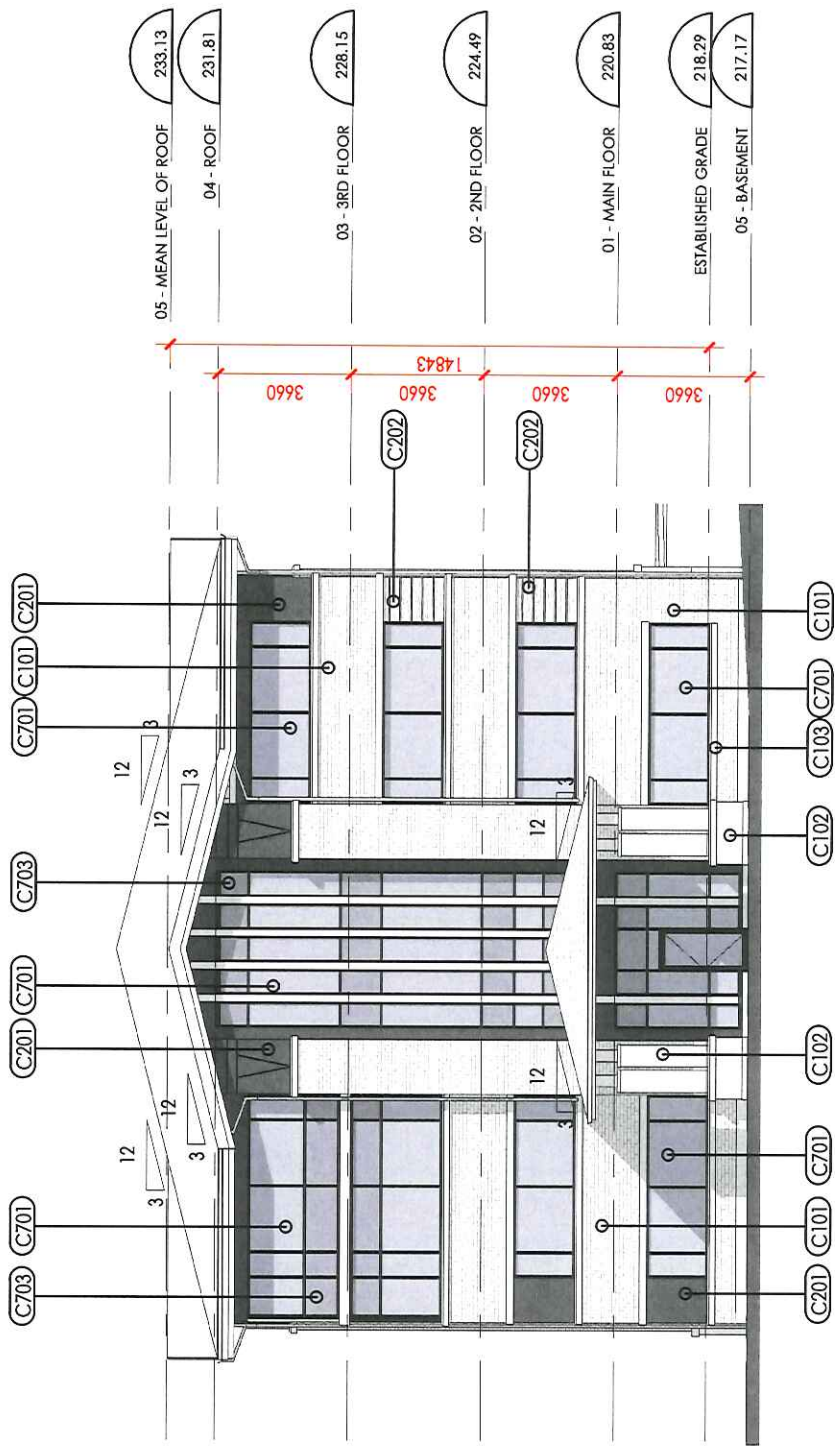


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SITE STATISTICS

A102



MATERIAL SUMMARY	
CODE	DESCRIPTION
C101	BRICK BEIGE - 290X90X90
C102	GROUND SMOOTH CONCRETE - LIGHT GRAY
C103	PRECAST CONCRETE STAINED WHITE
C107	PRECAST CONCRETE ADDRESS BLOCK - TEXTS TO BE SANDBLASTED AND PAINTED BLACK
C201	ALUMINUM PANEL - MEDIUM GRAY - 21'25"-20" DEEP SPACE
C202	TRESPA PURA PREFINISHED SIDING - ROMANTIC WALNUT
C203	ALUMINUM PANEL - WHITE
C301	ROOF SHINGLE - IKO MARATHON 25, DUAL BROWN
C701	WINDOW GLAZING - SOLARBAN 70XL GREY
C702	MULLION/FRAME BLACK ANNOXIDIZED - SATIN
C703	GLASS SPANDREL PANEL - 21'25"-30" GRAY SHOWER

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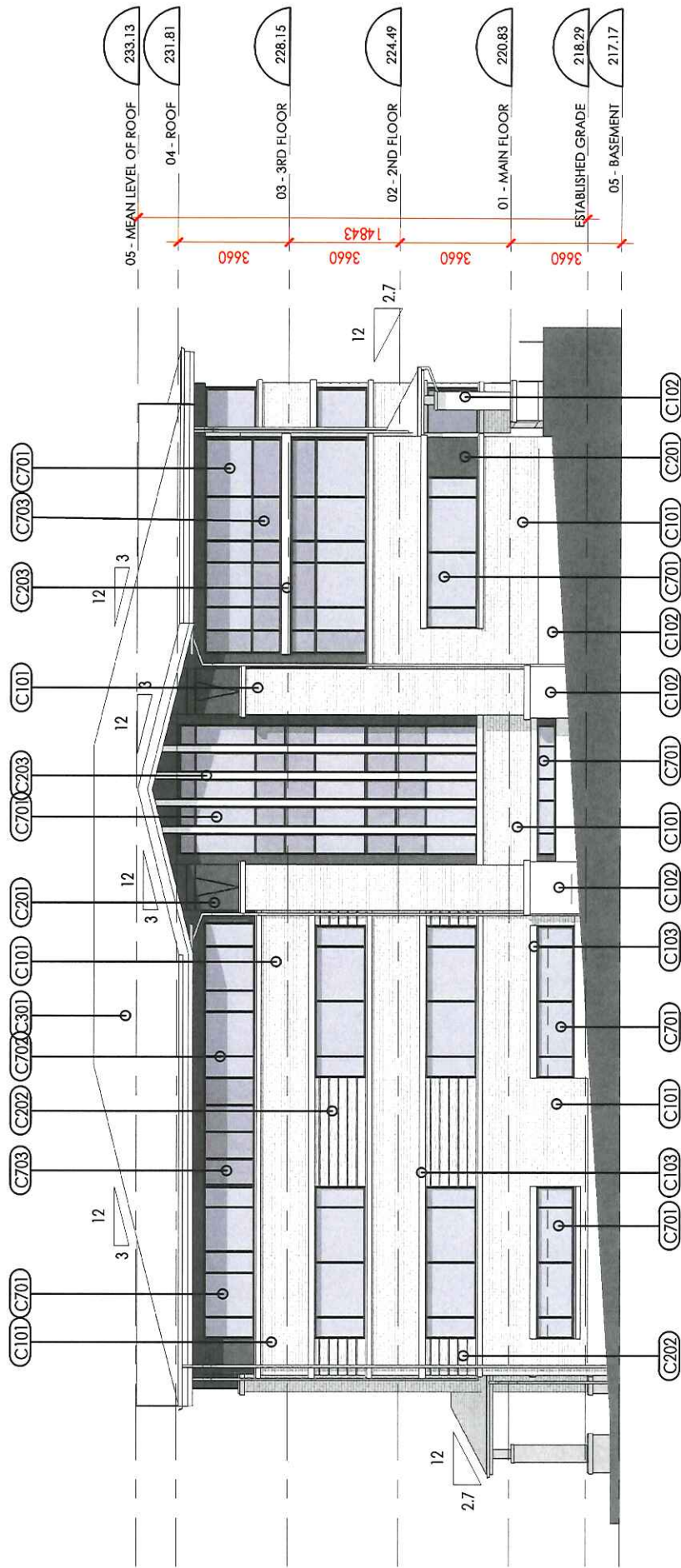
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EAST ELEVATION

A201



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NORTH ELEVATION

ATA ARCHITECT INC.  
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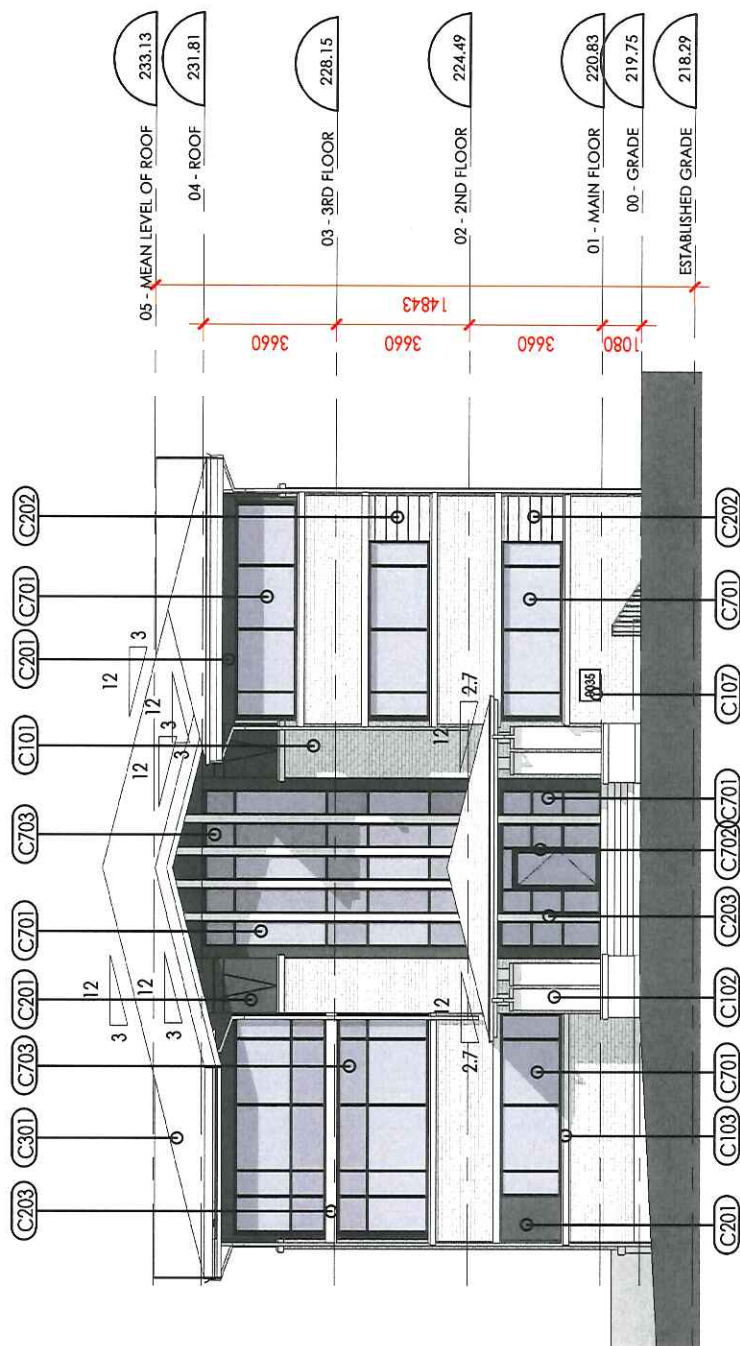
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A202





ATA ARCHITECTS

DRAWING TITLE

ATA ARCHITECT INC.  
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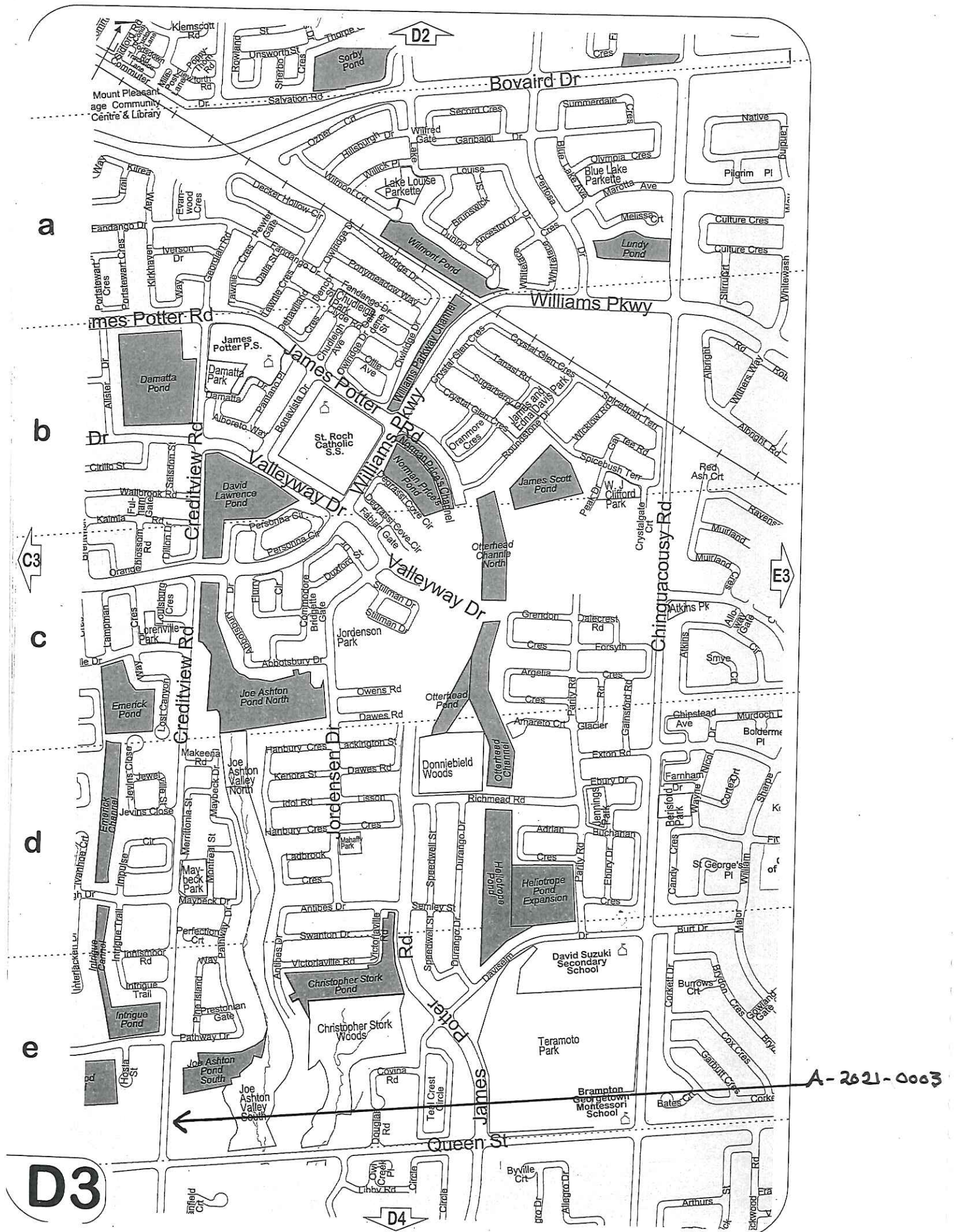
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PAGE NUMBER

WEST ELEVATION

A204



**Filing Date:** January 15, 2021  
**Hearing Date:** February 16, 2021

**File:** A-2021-0003

**Owner/  
Applicant:** HARINDER AND SUMANPREET GAHIR

**Address:** 9035 Creditview Road

**Ward:** 5

**Contact:** Shelby Swinfield, Planner I

---

**Recommendations:**

That application A-2021-0003 be deferred no later than the last meeting of June 2021.

---

**Background:**Existing Zoning:

The property is zoned "Residential Hamlet 1 (RHM1)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a Day Nursery whereas the by-law does not permit a Day Nursery;
2. To permit a front yard setback of 6.2m (20.34 ft.) whereas the by-law requires a minimum front yard setback of 12.0m (39.37 ft.);
3. To permit a building height of 15.0m (49.21 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.).

**Current Situation:**

Through the review of the variance application it has been noted that, due to the future road allowance at the north of the property, additional information is required prior to advancing the application as it relates to other possible deficiencies on the property.

Staff recommend a deferral of the application to allow time for staff to meet with the

applicant and discuss the proposal and road allowance in greater detail.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I

## Myers, Jeanie

---

**From:** Halim Mikhael  
**Sent:** 2021/02/11 3:14 PM  
**To:** City Clerks Office; Myers, Jeanie  
**Subject:** [EXTERNAL]Correspondence, Re: Minor Variance Application A-2021-0003

Dear City Clerk,

I am writing to express concern on behalf of myself, 2483189 Ontario Inc and 2368510 Ontario Inc about the proposed developed and request for variance at 9035 Creditview Road, application #A-2021-0003.

These corporations are the tenant and landlord at 1450 Queen St W. I am the President and CEO of both corporations. Our affiliated companies develop and operate numerous Day Nurseies in Brampton and the surrounding GTA region.

In our opinion, this proposal is:

- Does **NOT** conform with the Intent of the Zoning By-Law
- Is **NOT** desirable for the Appropriate Development of the Land
- is **NOT** minor in Nature.

Comments are as follows:

- To permit a Day Nursery at 9035 Creditview Rd., within walking distance of our existing site, will negatively impact the investments that our company has made in the City of Brampton. This location was decided on in 2013 due to the advantageous zoning. Considerable investment was made knowing that similar zoning would not be available in the immediate area. The significant investment into the large-scale operations at 1450 Queen St W is meant to capture a catchment area that reflects the available zoning surrounding it. This minor variance request will negatively impact the financial investments that have been made. The proximity of the development is illustrated below.
- The existing Residential Hamlet One (RHm1) zoning is an outdated zoning by-law that is no longer used in the City of Brampton. Private schools in the past were limited to single classroom type school houses. It was never the intent of the original zoning bylaw to include such large scale redevelopment. Any deviation should be given the attention needed under the City's re-zoning application process.
- If the applicant is proposing a private school, there is no requirement for a Day Nursery, as defined by municipal by-laws. This zoning classification would only be required in order to apply for a license under the Ontario Child Care and Early Years Act of 2014 with the Ministry of Education. The applicant can carry on business as a private school from the ages of Junior Kindergarten, without a Child Care License from the Ministry of Education. A before and after school program may also carry on without this permitted use.
- The Ministry of Education would only require a license for childcare, or a permitted Day Nursery use as defined by city by-laws, under the Child Care and Early Years Act of 2014 if the applicant was to provide services to children not yet eligible for Junior Kindergarten.
- Without a Zoning By-law Amendment for the proposed development, the committee is denying the public input. This significant development will have impacts on the surrounding areas due to traffic during pick up and drop off. From my own experience, this scale of development with a Day Nursery

has never been done on a two-lane interior road such as Creditview. Our Brampton developments have all had traffic and access restrictions determined through the rezoning process. Our most recent three storey Day Nursery development in Brampton has required a dedicated left and right turn lane and installation of a center median to the transportation infrastructure as a result of the increase in traffic from the development.

- Outdated Residential Hamlet One (RHm1) zones that permit these developments should not allow the applicants to bypass transportation and environment studies. The city is also prohibited from requiring a comprehensive and valuable Planning Justification Report when not utilizing the Rezoning Application Process.
- The Site Plan that was submitted to City Staff in August 2019 has been under review as a Private School only - without a Day Nursery. To apply for a minor variance for a completely unrelated use such as a Day Nursery suggests the applicant was not forthright with their intentions from the onset of the application process with City Planners. This is even more evident that the name of the file from the project architect is labelled "Child Care School", located at the bottom of the site plan, included in the notice that was sent out.
- By looking at the provided site plan, there is clearly a parking deficiency. Our two storey Day Nursery site at 1450 Queen St W requires a parking supply of 56 spaces. This proposal is for three stories which suggests a higher parking supply is required.
- A Kiss and Ride lane for a permitted Day Nursery does not provide any value to the proposal. You cannot drop off your 2-year-old and ask them to get out of the car and walk in on their own! Parents must park in a parking spot and walk their young child into the building.
- The applicant has not shown any outside storage structures on the site plan as required for license under the Child Care and Early Years Act of 2014.
- A standalone private school without the proposed Day Nursery use would be a complimenting service to the surrounding community.

Please also accept this email as a request to speak on the matter during the hearing on February 16, 2021.

Please also accept this email as a request to be notified of the decision of the committee.

Sincerely,

Halim Mikhael, CPA, CMA

President and Chief Executive Officer

Lullaboo Nursery and Childcare Center



**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **FRANK GASPER AND KARLENE GASPER**, 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 6, Concession 3 WHS, municipally known as **17 JEROME CRESCENT**, Brampton;

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

1. To permit an interior side yard setback of 1.42m (4.66 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.) to the second storey;
2. To permit an interior side yard setback of 1.42m (4.66 ft.) to a proposed deck off the second storey whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.);
3. To permit a building height of 8.99m (29.50 ft.) whereas the by-law permits a maximum building height of 7.6m (24.94 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, February 16, 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.

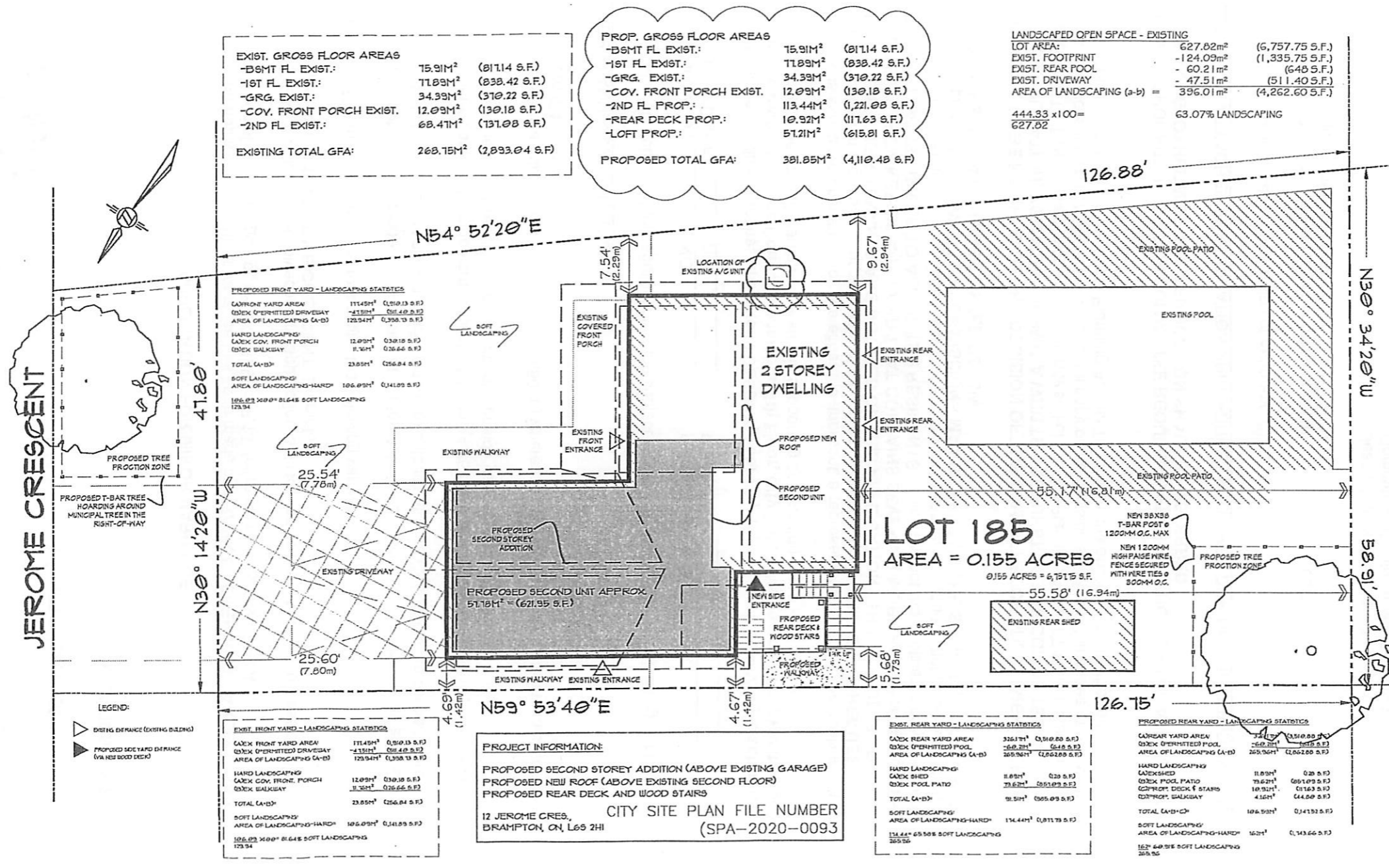
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 4th day of February, 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](mailto:jeanie.myers@brampton.ca)



**GENERAL NOTES**

- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AT THE SITE AND REPORT ANY DISCREPANCIES TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK. DO NOT SCALE DRAWINGS.
- ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE CONSULTANT AND MUST BE RETURNED AT THE COMPLETION OF THE WORK.
- THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE CONSULTANT AND MARKED "ISSUED FOR CONSTRUCTION".
- ALL WORK IS TO COMPLY WITH APPROPRIATE REGULATIONS AND BYLAWS SET FORTH BY APPROPRIATE AUTHORITIES WITH JURISDICTIONS.
- THE CONTRACTOR AND/OR THE OWNER SHALL BE RESPONSIBLE FOR THE ARRANGEMENT OF ALL NECESSARY INSPECTIONS AND FOLLOW INSPECTION SCHEDULES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ALL EXISTING BASE BUILDING SYSTEM, EQUIPMENT AND PERSONNEL DURING CONSTRUCTION.
- ALL DIMENSIONS ARE FROM FACES OF FINISHED PARTITION, UNLESS OTHERWISE INDICATED.
- PLANT SPECIES, RATING AND DANCE COVERED CLASSIFICATION FOR ALL MATERIALS NOT TO EXCEED THE MAXIMUM SPECIFIED IN THE ONTARIO BUILDING CODE.
- READ THIS DRAWING IN CONJUNCTION WITH OTHER DRAWINGS: ARCH, STRUCTURAL, MECHANICAL, ELECTRICAL AND OTHER RELEVANT DRAWINGS AND SPECIFICATIONS.

**CITY OF BRAMPTON**  
**LANDSCAPE PLAN**  
 APPROVED  
 subject to an agreement ☐  
 On This \_\_\_ Day of \_\_\_\_\_  
 Allan Parsons  
 Director, Development Services

NO.	REVISION NOTED	DATE

**PROJECT:**  
 12 JEROME CRES  
 BRAMPTON, ON  
 SCOPE: SECOND STOREY  
 ADDITION / RENOVATION  
 DRAWING TITLE:  
 SITE PLAN  
 PREPARED

**CITY SITE PLAN FILE NUMBER**  
 (SPA-2020-0093)

**DRAWN BY:** K.S. **PAGE:** 1  
**DATE:** 2020/02/20 **AOI**  
**SCALE:** 3/32" = 1'-0"

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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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)** Frank Gasper and Karlene Gasper  
**Address** 17 Jerome Cres. Brampton Ontario. L6S 2G9

**Phone #** 905-792-8112 (res) 647 226 8921 (Mob) **Fax #** 905 793 8599  
**Email** frank@csrwealth.ca

2. **Name of Agent** \_\_\_\_\_  
**Address** \_\_\_\_\_

**Phone #** \_\_\_\_\_ **Fax #** \_\_\_\_\_  
**Email** \_\_\_\_\_

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

Designated mature neighbourhood - guideline is second storey wall must be 1.8M from the property line.

\*Request variance of 1.429m sideyard setback to construct 2nd storey addition and rear yard deck instead of 1.8M. The existing setback is 1.429m on ground floor.

\*Proposed deck interior yard setback of 1.429m

\*Roof height for zoning is 7.6m. Proposed roof height is 8.992m to peak. Requesting variance to peak height of 8.992m

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

The structure will be more appealing to the neighbourhood if the offset is not there. The 2nd storey will be a loft addition which will include dormers and will not shadow the neighbouring home as a normal 2 storey with additional roof structure would. Similarly with the loft structure on the 3rd floor of the main house. The roof height includes no attic, we may have latitude to lower ceilings in loft, minimally reducing roof height.

5. **Legal Description of the subject land:**

**Lot Number** LOT 185  
**Plan Number/Concession Number** PLAN 862  
**Municipal Address** 17 Jerome Crescent, Brampton

6. **Dimension of subject land (in metric units)**

**Frontage** 14.56m  
**Depth** 38.63m  
**Area** 6,058.65 Sq Ft

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 - footprint = 124.09m<sup>2</sup> - existing height = 6.93m  
(basement floor area=75.91m<sup>2</sup> - first floor area=77.89m<sup>2</sup> - second floor area=68.47m<sup>2</sup>)  
- existing rear shed = 11.89m<sup>2</sup>

**PROPOSED BUILDINGS/STRUCTURES on the subject land:**

- new rear (side yard) deck and wood stairs = 10.92m<sup>2</sup>

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	7.785m
Rear yard setback	16.789m
Side yard setback	1.429m
Side yard setback	2.298

**PROPOSED**

Front yard setback	7.785m	(no change)
Rear yard setback	16.789m	(no change)
Side yard setback	1.429m	(no change)
Side yard setback	2.298	(no change)

10. Date of Acquisition of subject land: Dec. 15th 2013

11. Existing uses of subject property: Single Family residential

12. Proposed uses of subject property: Residential (with Nanny suite - 2nd unit)

13. Existing uses of abutting properties: Residential

14. Date of construction of all buildings & structures on subject land: 1974, 1975 (pool), 2015 (shed)

15. Length of time the existing uses of the subject property have been continued: 47 yrs

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 _____

Frank Gasper  
Signature of Applicant(s) or Authorized Agent

DATED AT THE City \_\_\_\_\_ OF Brampton

THIS 15 DAY OF January, 2021. EBF

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, Frank Gasper, 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 15<sup>th</sup> DAY OF

January, 2021.

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 J.M.

Frank Gasper  
Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: \_\_\_\_\_

R1B(1), 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.

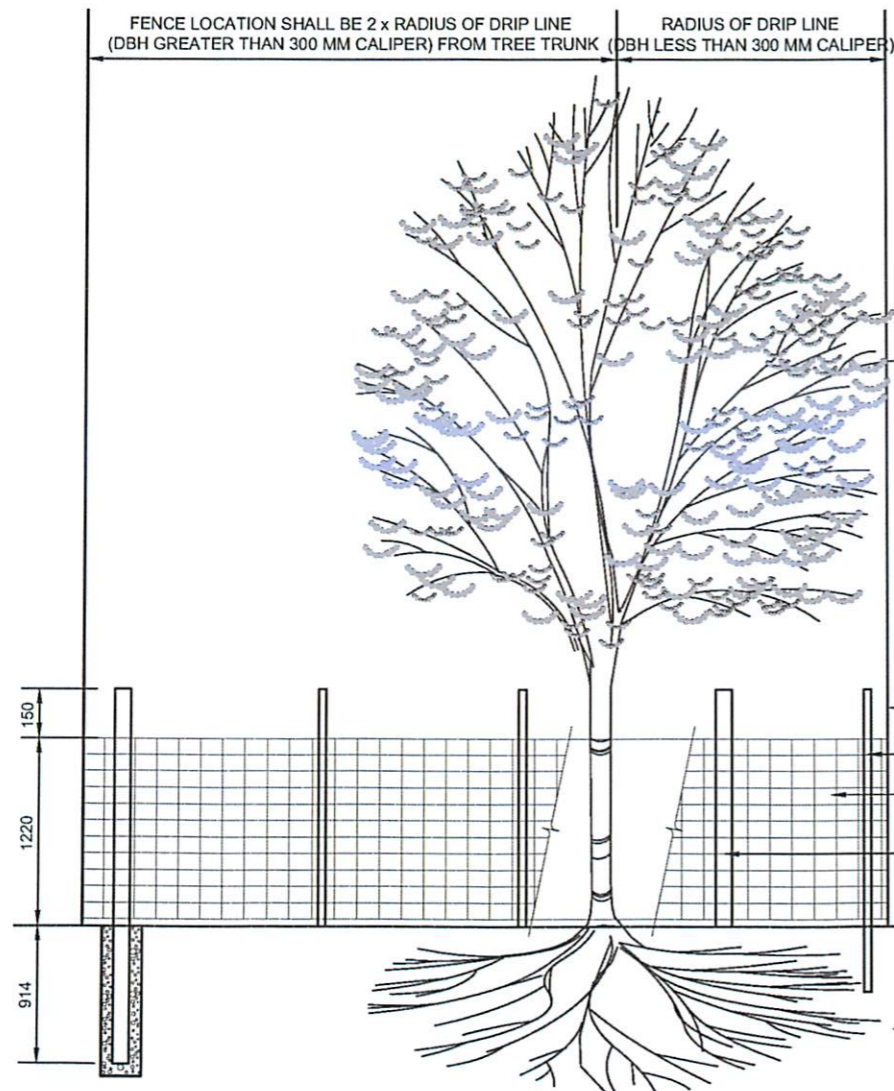
J. Chau  
Zoning Officer

January 15, 2021  
Date

DATE RECEIVED January 15, 2021.

Date Application Deemed Complete by the Municipality January 15, 2021

Revised 2020/01/07



#### NOTES:

1. EXISTING TREES SHALL BE PROPERLY PROTECTED WITH TEMPORARY FENCING AS PER THE APPROVED LANDSCAPE PLAN UNTIL PRELIMINARY ACCEPTANCE.
2. MAINTAIN EXISTING GRADE WITHIN FENCING LINE OF ALL TREES TO BE PRESERVED.
3. THE AREA WITHIN THE PROTECTED FENCING SHALL REMAIN UNDISTURBED AND FREE OF DEBRIS, BUILDING MATERIALS AND EQUIPMENT.
4. PRUNE DEAD WOOD ONLY UNLESS DIRECTED OTHERWISE BY THE CITY. DO NOT PRUNE LEADERS. WATERING AND FERTILIZING PROGRAM SHALL BE MAINTAINED TO THE SATISFACTION OF THE CITY.
5. THE COST OF REPLACING DEAD AND SEVERELY DAMAGED TREES, AS DETERMINED BY THE CITY, SHALL BE BORNE BY THE DEVELOPER AND/OR GENERAL CONTRACTOR. THE SPECIES AND SIZE(S) MUST BE APPROVED BY THE CITY.
6. ALL MEASUREMENTS ARE IN MILLIMETRES UNLESS STATED OTHERWISE.
7. OTHERWISE.

DRIP LINE OF EXISTING TREE AS DETERMINED BY THE CITY

38 x 38 T-BAR POST AT 1200 O.C. MAX.

1200 MM HIGH PAIGE WIRE FENCE SECURED WITH WIRE TIES, 300 MM O.C.

100x100 MM SQUARE OR 76 MM DIA. ROUND WOOD POST EVERY THIRD POST, WOOD TO BE PRESSURE TREATED JACK PINE OR CEDAR

UNDISTURBED SOIL

### TEMPORARY TREE PROTECTION FENCING

L110

N.T.S

SEPTEMBER 2014

SITE PREPARATION - SERIES 100

#### GENERAL NOTES

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-FLAME SPREAD RATING AND SMOKE DEVELOPED CLASSIFICATION FOR ALL MATERIALS NOT TO EXCEED THE MAXIMUM SPECIFIED IN THE ONTARIO BUILDING CODE.

-READ THIS DRAWING IN CONJUNCTION WITH OTHER DRAWINGS: ARCH, STRUCTURAL, MECHANICAL, ELECTRICAL AND OTHER RELEVANT DRAWINGS AND SPECIFICATIONS.

#### CITY OF BRAMPTON LANDSCAPE PLAN APPROVED

subject to an agreement ☐ On This \_\_\_\_\_ Day of \_\_\_\_\_

Alan Parsons  
Director, Development Services

NO	REVISION NOTES	DATE

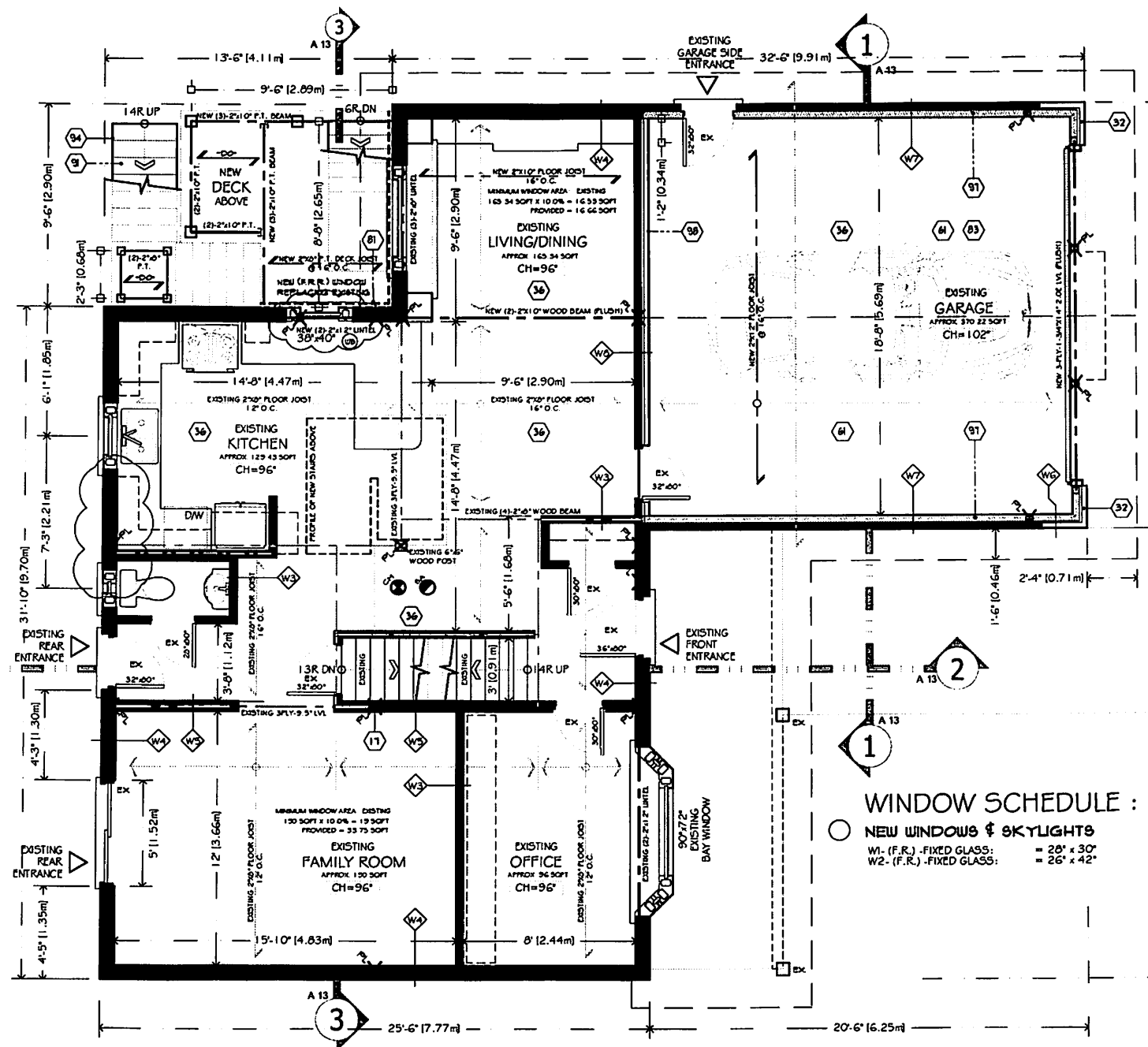
PROJECT:  
12 JEROME CRESCENT  
BRAMPTON, ON  
SCOPE: SECOND STOREY  
ADDITION / RENOVATION  
DRAWING TITLE:  
TREE PROTECTION DETAILS  
PROPOSED

CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

DRAWN BY: K.S.  
DATE: 29/02/2020  
SCALE: 3/32" = 1'-0"  
PAGE: A00







## PROP. 1ST FLOOR PLAN

SCALE: 3/16" = 1'-0"



### SYMBOL LEGEND

W3	EXISTING 7'x11' PARTITION WALL
W4	EXISTING EXTERIOR WALL WITH EXISTING VINYL SIDING
W5	EXISTING 7'x11' LOAD BEARING WALL
W6	EXISTING EXTERIOR FLAME RATED WALL WITH NEW R15 BATT INSUL. AND NEW VINYL SIDING
W7	EXISTING EXTERIOR FLAME RATED WALL WITH NEW R15 BATT INSULATION
W8	EXISTING INTERIOR GARAGE WALL WITH NEW GAS PROOFING (SEE REFERENCE 323)

## WINDOW SCHEDULE:

### NEW WINDOWS & SKYLIGHTS

W1 - (WHITE) - AWNING:	= 56" x 40"
W2 - (WHITE) - AWNING:	= 76" x 40"
W3 - (WHITE) - AWNING:	= 56" x 40"
W4 - (WHITE) - AWNING:	= 60" x 40"
W5 - (F.R.) - FIXED GLASS:	= 38" x 40"
S1 - (WHITE) - VELUX SKYLIGHT:	= 48" x 24"

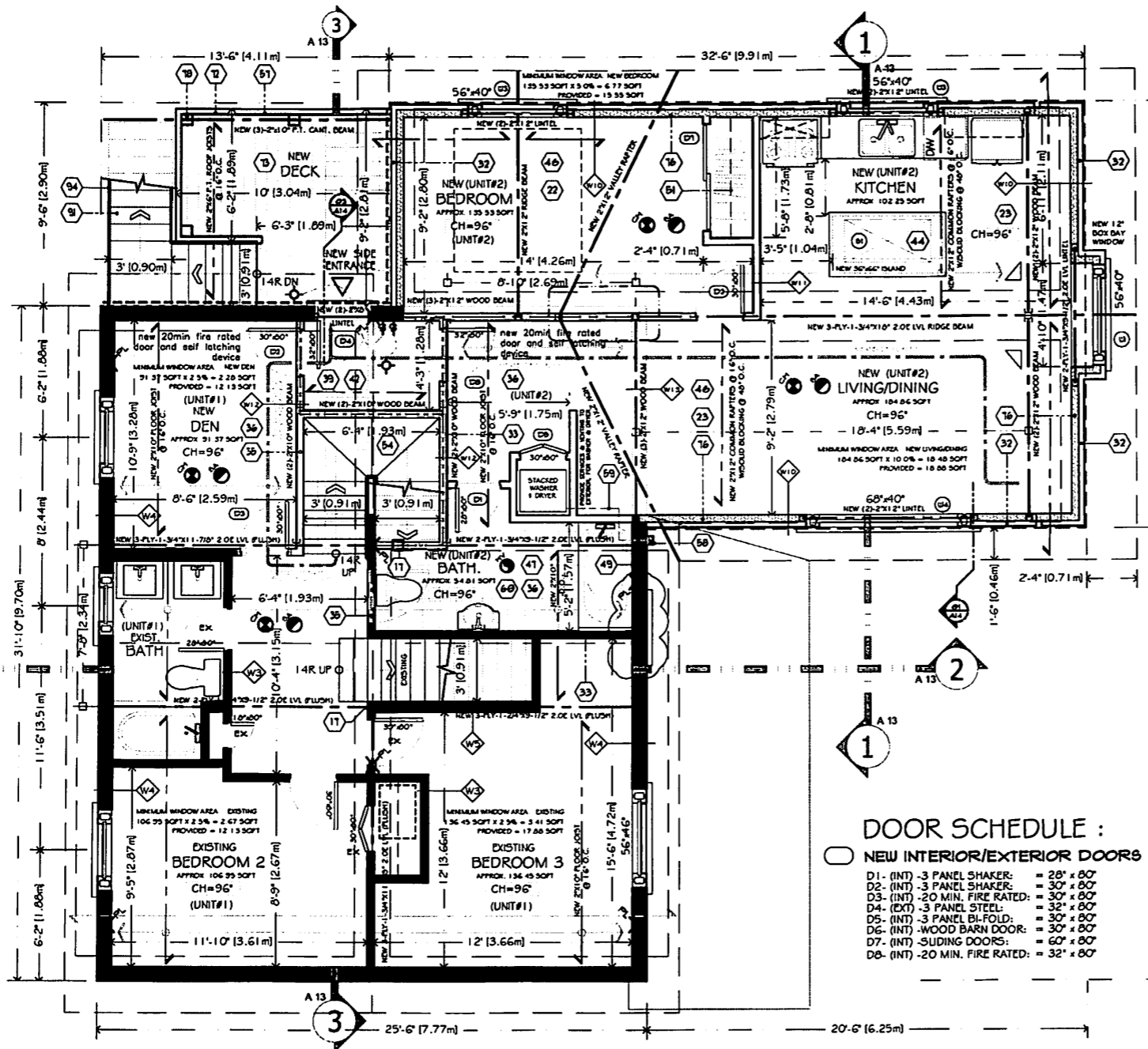
## DOOR SCHEDULE:

### NEW INTERIOR/EXTERIOR DOORS

D1 - (INT) - 3 PANEL SHAKER:	= 28" x 80"
D2 - (INT) - 3 PANEL SHAKER:	= 30" x 80"
D3 - (INT) - 20 MIN. FIRE RATED:	= 30" x 80"
D4 - (EXT) - 3 PANEL STEEL:	= 32" x 80"
D5 - (INT) - 3 PANEL BL FOLD:	= 30" x 80"
D6 - (INT) - WOOD BARN DOOR:	= 30" x 80"
D7 - (INT) - SLIDING DOORS:	= 60" x 80"
D8 - (INT) - 20 MIN. FIRE RATED:	= 32" x 80"

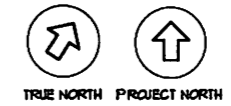
### SYMBOL LEGEND

CARBON MONOXIDE DETECTOR
SMOKE ALARM
MECHANICAL VENT
FLOOR DRAIN
POINT LOAD FROM ABOVE



# PROP. 2ND FLOOR PLAN

SCALE: 3/16" = 1'-0"



## WALL LEGEND:

- W-3: EXISTING 2x4 PARTITION WALL
- W-4: EXISTING EXTERIOR FRAME WALL
- W-5: EXISTING 2x6 LOAD BEARING WALL
- W-6: EXISTING EXTERIOR FRAME WALL WITH NEW VINYL SIDING
- W-7: PROPOSED 2x6 EXTERIOR WALL WITH R-5 BATT INSULATION AND NEW VINYL SIDING
- W-8: PROPOSED 2x4 PARTITION WALL OF 1/2" DRYWALL ON BOTH SIDES
- W-9: PROPOSED 2x4 PARTITION WALL OF 1/2" DRYWALL ON BOTH SIDES
- W-10: EXISTING WALL TO BE REMOVED

## WINDOW SCHEDULE :

- NEW WINDOWS & SKYLIGHTS
- W1 - (WHITE) - AWNING: 56" x 40"
- W2 - (WHITE) - AWNING: 75" x 40"
- W3 - (WHITE) - AWNING: 56" x 40"
- W4 - (WHITE) - AWNING: 60" x 40"
- W5 - (F.R.) - FIXED GLASS: 38" x 40"
- S1 - (WHITE) - VELUX SKYLIGHT: 48" x 24"

## DOOR SCHEDULE :

- NEW INTERIOR/EXTERIOR DOORS
- D1 - (INT) - 3 PANEL SHAKER: 28" x 80"
- D2 - (INT) - 3 PANEL SHAKER: 30" x 80"
- D3 - (INT) - 20 MIN. FIRE RATED: 30" x 80"
- D4 - (EXT) - 3 PANEL STEEL: 32" x 80"
- D5 - (INT) - 3 PANEL BI-FOLD: 30" x 80"
- D6 - (INT) - WOOD BARN DOOR: 30" x 80"
- D7 - (INT) - SLIDING DOORS: 60" x 80"
- D8 - (INT) - 20 MIN. FIRE RATED: 32" x 80"

## SYMBOL LEGEND:

- Carbon Monoxide Detector
- Smoke Alarm
- Mechanical Vent
- Floor Drain
- Point Load From Above

## ELECTRICAL LEGEND:

- Switch
- 3-Way Switch
- Light Fixture
- Receptacle
- GFI Receptacle

## GENERAL NOTES

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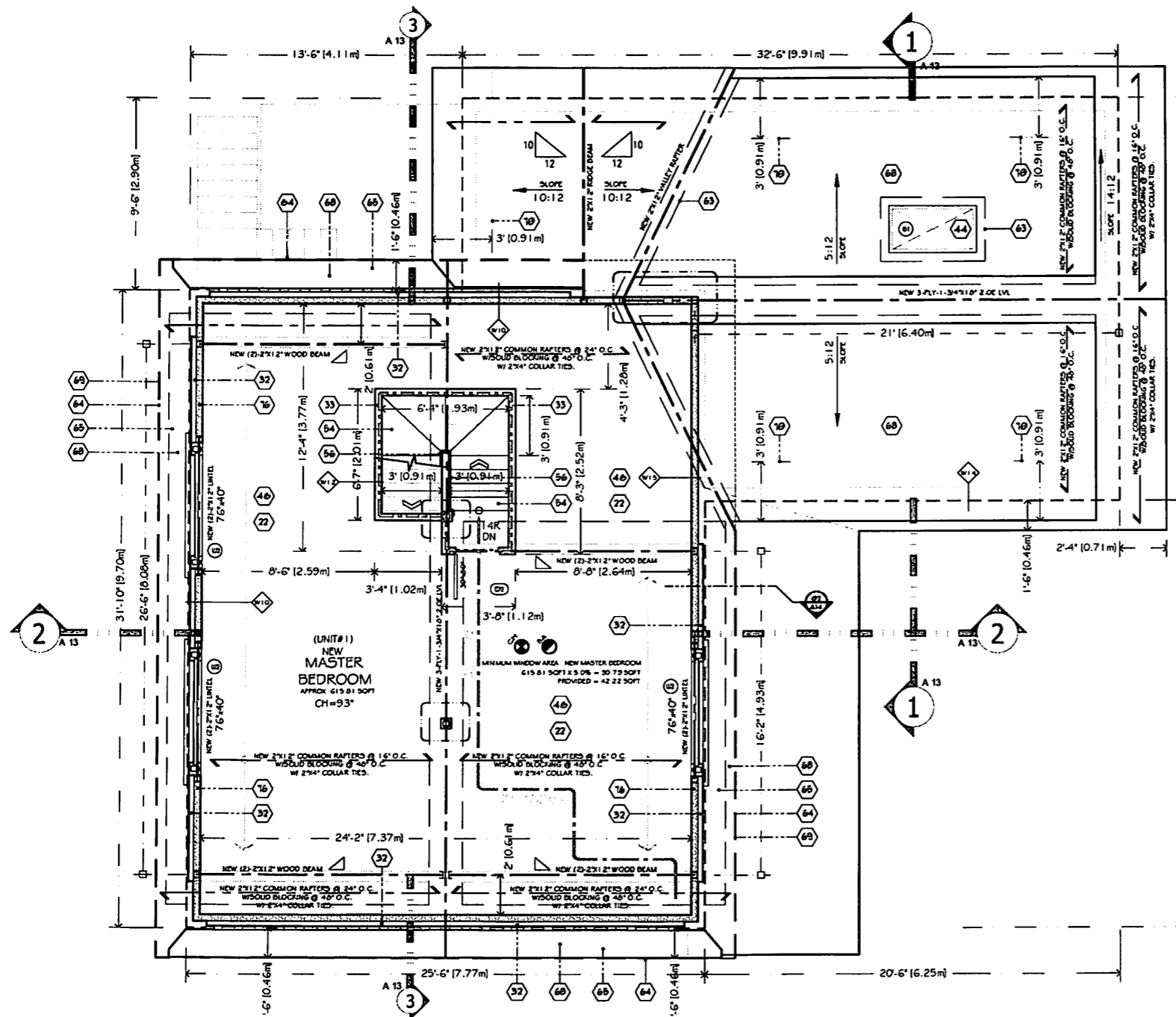
**CITY OF BRAMPTON**  
**LANDSCAPE PLAN**  
**APPROVED**  
subject to an agreement ☐  
On This \_\_\_ Day of \_\_\_\_\_  
Alan Parsons  
Director, Development Services

NO	REVISION NOTES	DATE

**PROJECT:**  
**12 JEROME CRESCENT**  
BRAMPTON, ON  
SCOPE: SECOND STOREY  
ADDITION / RENOVATION  
**DRAWING TITLED**  
**2ND FLOOR PLAN**  
PROPOSED

**CITY SITE PLAN FILE NUMBER**  
(SPA-2020-0093)

**DRAWN BY:** K.S.  
**DATE:** 2002/02/20  
**SCALE:** 3/16" = 1'-0"  
**PAGE:** A04



## PROP. 3RD FLOOR PLAN

SCALE: 3/16" = 1'-0"



TRUE NORTH PROJECT NORTH

### WALL LEGEND:

W10	PROPOSED 1 1/2" EXTERIOR WALL WITH R34 SPRAY FOAM INSULATION NEW VINYL SIDING
W11	PROPOSED 1 1/2" PARTITION WALL WITH DRYWALL BOTH SIDES
W12	PROPOSED 1 1/2" 15 MINUTE FIRE RATED PARTITION OF 15' O.C. TYPE X DRYWALL ON BOTH SIDES
W13	EXTERIOR FRAME WALL @ DEATH VEES
W14	PROPOSED 1 1/2" ROOF DALL WITH R34 SPRAY FOAM INSULATION

## WINDOW SCHEDULE :

### NEW WINDOWS & SKYLIGHTS

W1. (WHITE) - AWNING:	= 56" x 40"
W2. (WHITE) - AWNING:	= 76" x 40"
W3. (WHITE) - AWNING:	= 56" x 40"
W4. (WHITE) - AWNING:	= 68" x 40"
W5. (F.R.) - FIXED GLASS:	= 38" x 40"
S1. (WHITE) - VELUX SKYLIGHT:	= 48" x 24"

## DOOR SCHEDULE :

### NEW INTERIOR/EXTERIOR DOORS

D1. (INT) - 3 PANEL SHAKER:	= 28" x 80"
D2. (INT) - 3 PANEL SHAKER:	= 30" x 80"
D3. (INT) - 20 MIN. FIRE RATED:	= 30" x 80"
D4. (EXT) - 3 PANEL STEEL:	= 32" x 80"
D5. (INT) - 3 PANEL BL-FOLD:	= 30" x 80"
D6. (INT) - WOOD BARN DOOR:	= 30" x 80"
D7. (INT) - SLIDING DOORS:	= 60" x 80"
D8. (INT) - 20 MIN. FIRE RATED:	= 32" x 80"

### SYMBOL LEGEND:

	CARBON MONOXIDE DETECTOR
	SMOKE ALARM
	MECHANICAL VENT
	FLOOR DRAIN
	POINT LOAD FROM ABOVE

### ELECTRICAL LEGEND:

	SWITCH
	3-WAY SWITCH
	LIGHT FIXTURE
	RECEPTACLE
	GFI RECEPTACLE

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### CITY OF BRAMPTON LANDSCAPE PLAN APPROVED

subject to an agreement ☐

On This \_\_\_ Day of \_\_\_\_\_

Alan Parsons  
Director, Development Services

NO	REVISION NOTES	DATE

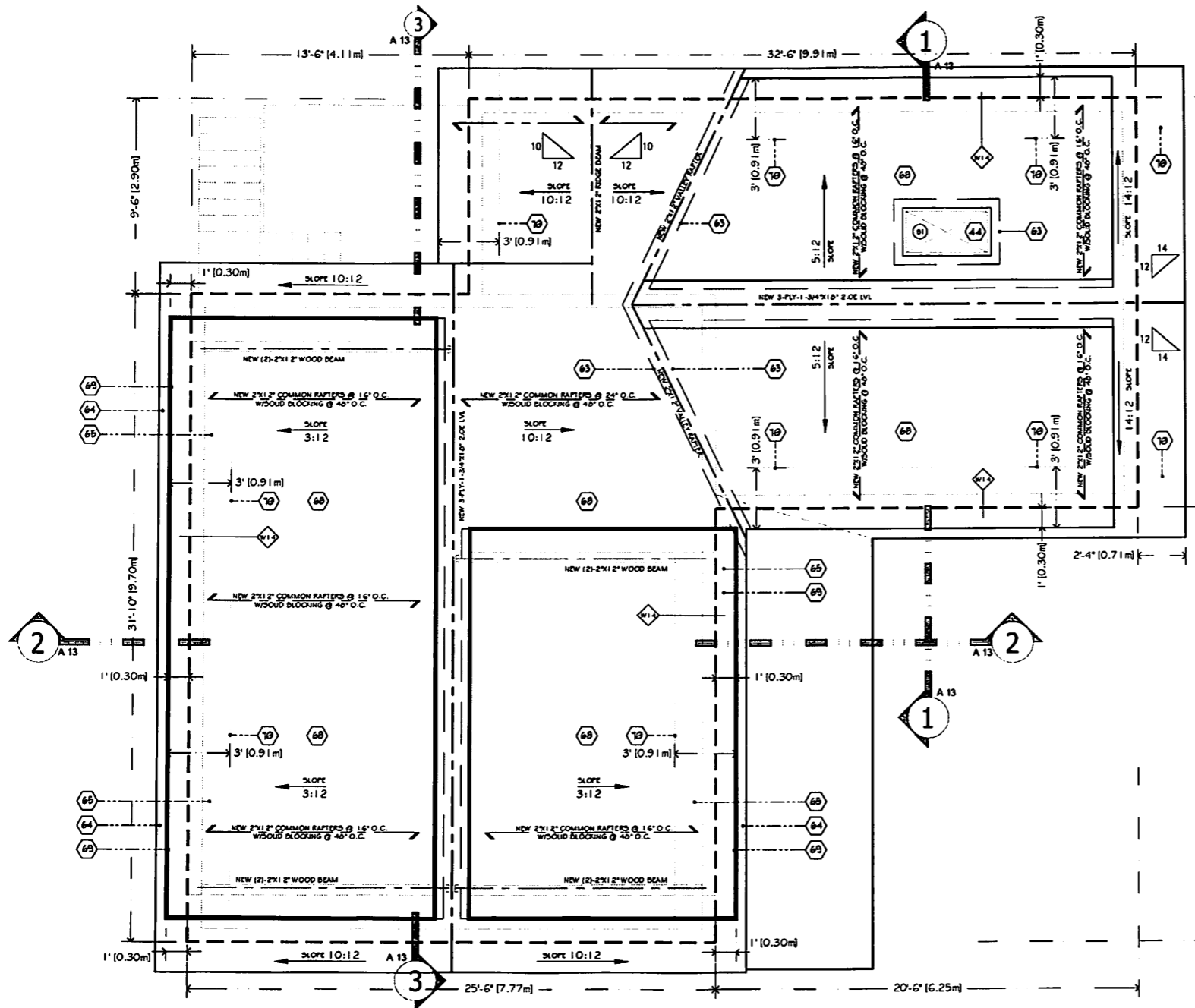
### PROJECT: 12 JEROME CRESCENT BRAMPTON, ON

SCOPE: SECOND STOREY  
ADDITION / RENOVATION

DRAWING TITLE:  
LOFT PLAN  
PROPOSED

CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

DRAWN BY: K.S.	PAGE A05
DATE 2002/2020	
SCALE 3/16" = 1'-0"	



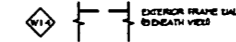
## PROPOSED ROOF PLAN

SCALE: 3/16" = 1'-0"



TRUE NORTH PROJECT NORTH

### SMALL LEGEND



## WINDOW SCHEDULE :

### NEW WINDOWS & SKYLIGHTS

W1 - (WHITE) -AWNING:	= 56" x 40"
W2 - (WHITE) -AWNING:	= 76" x 40"
W3 - (WHITE) -AWNING:	= 56" x 40"
W4 - (WHITE) -AWNING:	= 68" x 40"
W5 - (F.R.) -FIXED GLASS:	= 38" x 40"
S1 - (WHITE) -velux SKYLIGHT:	= 48" x 24"

## DOOR SCHEDULE :

### NEW INTERIOR/EXTERIOR DOORS

D1 - (INT) -3 PANEL SHAKER:	= 28" x 80"
D2 - (INT) -3 PANEL SHAKER:	= 30" x 80"
D3 - (INT) -20 MIN. FIRE RATED:	= 30" x 80"
D4 - (EXT) -3 PANEL STEEL:	= 32" x 80"
D5 - (INT) -3 PANEL BI-FOLD:	= 30" x 80"
D6 - (INT) -WOOD BARN DOOR:	= 30" x 80"
D7 - (INT) -SLIDING DOORS:	= 60" x 80"
D8 - (INT) -20 MIN. FIRE RATED:	= 32" x 80"

\* THE STRUCTURAL TIMBER & LUMBER SHALL BE NO 1 OR 2 GRADE SPECIES 6PF OR BETTER UNLESS NOTED OTHERWISE. USE CORROSION RESISTANT SPIRAL NAILS OR SCREWS.

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On This \_\_\_ Day of \_\_\_\_\_

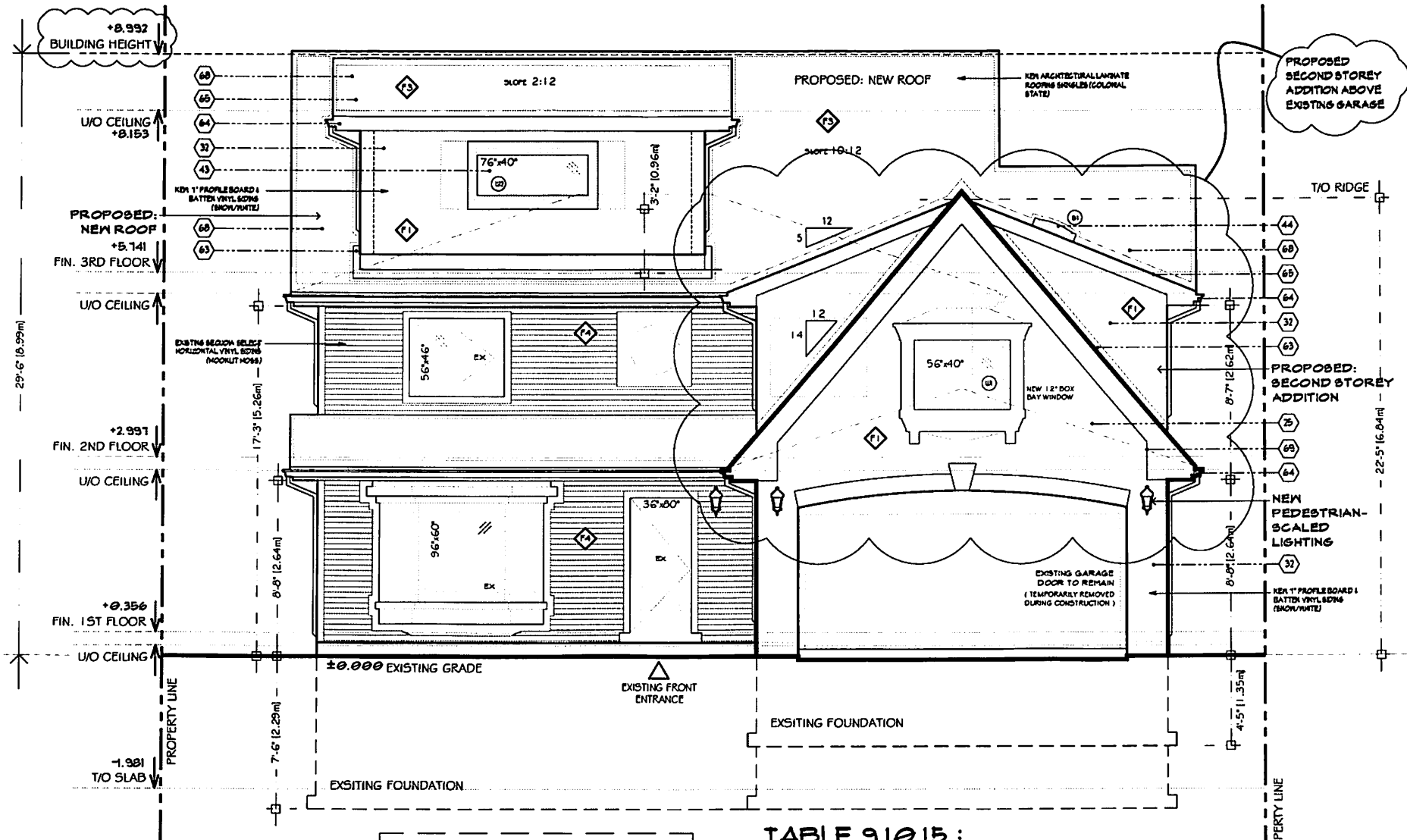
Alan Parsons  
Director, Development Services

NO	REVISION NOTES	DATE

PROJECT:  
12 JEROME CRESCENT  
BRAMPTON, ON  
SCOPE: SECOND STOREY  
ADDITION / RENOVATION  
DRAWING TITLE:  
ROOF PLAN  
PROPOSED

CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

DRAWN BY: K.S.	PAGE A06
DATE 2002/2020	
SCALE 3/16" = 1'-0"	



PROPOSED EAST ELEVATION  
SCALE: 3/16" = 1'-0"

EXTERIOR FINISHING MATERIAL SCHEDULE			
CODE	MATERIAL	COLOR	MANUFACTURER
1	NEW 1" PROFILE BOARD AND BATTEN VINYL SIDING	SHOWWHITE	GENEX BUILDING PRODUCTS
2	NEW SIDING SELECT HORIZONTAL VINYL SIDING	MOONLIT MOSS	GENEX BUILDING PRODUCTS
3	NEW ARCHITECTURAL LAMINATE ROOFING SHINGLE	COLONIAL STATE	CERTAINTEED
4	EXISTING SIDING SELECT HORIZONTAL VINYL SIDING	MOONLIT MOSS	GENEX BUILDING PRODUCTS

TABLE 9.10.15 : 8 AREA OF UNPROTECTED OPENINGS	
- LIMITING DISTANCE :	= 25'-1" [7.68m]
- AREA OF EXPOSING BUILDING FACE	= 341.69 SQ.FT [31.68m²] = [30m²]
- MAX AREA OF UNPROTECTED OPENING (%)	= 88% = 300.16 SQ.FT
W [28.5 SQ.FT] x	28.5 SQ.FT
	28.5 SQ.FT *CONFORMS

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**CITY OF BRAMPTON  
LANDSCAPE PLAN  
APPROVED**

subject to an agreement ☐

On This \_\_\_ Day of \_\_\_\_\_

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Director, Development Services

NO	REVISION NOTES	DATE

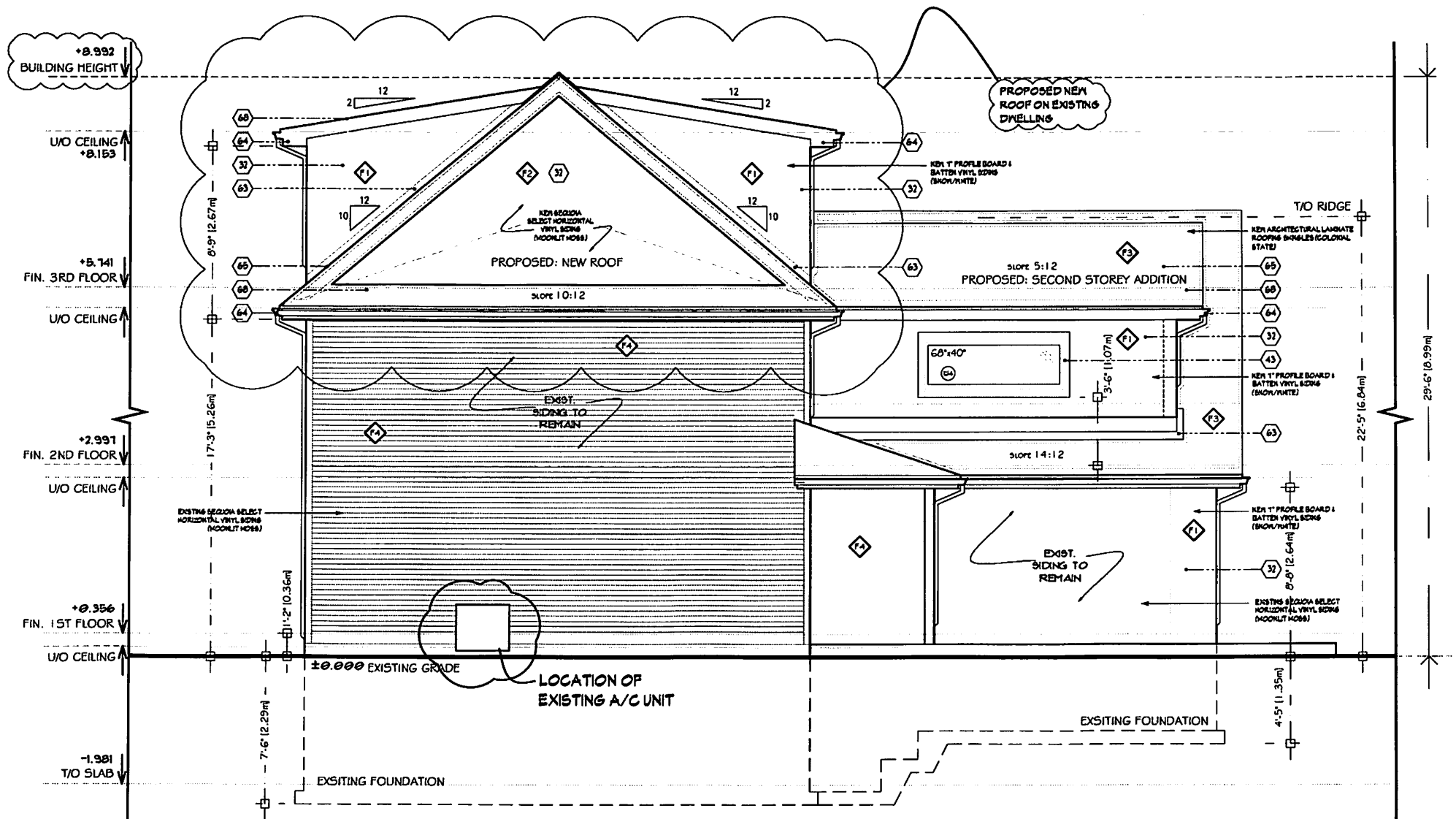
**PROJECT:**  
12 JEROME CRESCENT  
BRAMPTON, ON

**SCOPE:** SECOND STOREY ADDITION / RENOVATION

**DRAWING TITLE:**  
EAST ELEVATION  
PROPOSED

**CITY SITE PLAN FILE NUMBER**  
(SPA-2020-0093)

DRAWN BY	PAGE
K.S.	A07
DATE 2002/2020	
SCALE 3/16" = 1'-0"	



PROPOSED SOUTH ELEVATION  
SCALE: 3/16" = 1'-0"

EXTERIOR FINISHING MATERIAL SCHEDULE			
CODE	MATERIAL	COLOR	MANUFACTURER
F1	NEW 1" PROFILE BOARDS AND BATTEN VINYL SIDING	SHOWWHITE	GENEX BUILDING PRODUCTS
F2	NEW SEQUOIA SELECT HORIZONTAL VINYL SIDING	MOONLIT MOSS	GENEX BUILDING PRODUCTS
F3	NEW ARCHITECTURAL LAMINATE ROOFING SHINGLE	COLORAL STATE	CERTAINTEED
F4	EXISTING SEQUOIA SELECT HORIZONTAL VINYL SIDING	MOONLIT MOSS	GENEX BUILDING PRODUCTS

**TABLE 9.10.15 : AREA OF UNPROTECTED OPENINGS**

- LIMITING DISTANCE :	= 28'-10" [8.80m]
- AREA OF EXPOSING BUILDING FACB	= 354.95 SQ.FT [32.90M <sup>2</sup> ] = [30M <sup>2</sup> ]
- MAXI AREA OF UNPROTECTED OPENING (%)	= 100% = 354.95 SQ.FT

UB[25.6 SQ.FT]X1      = 25.6 SQ.FT  
= 25.6 SQ.FT \*CONFORMS

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NO	REVISION NOTES	DATE

**PROJECT:**  
12 JEROME CRESCENT  
DRAUGHT, ON

**SCOPE:** SECOND STOREY ADDITION / RENOVATION

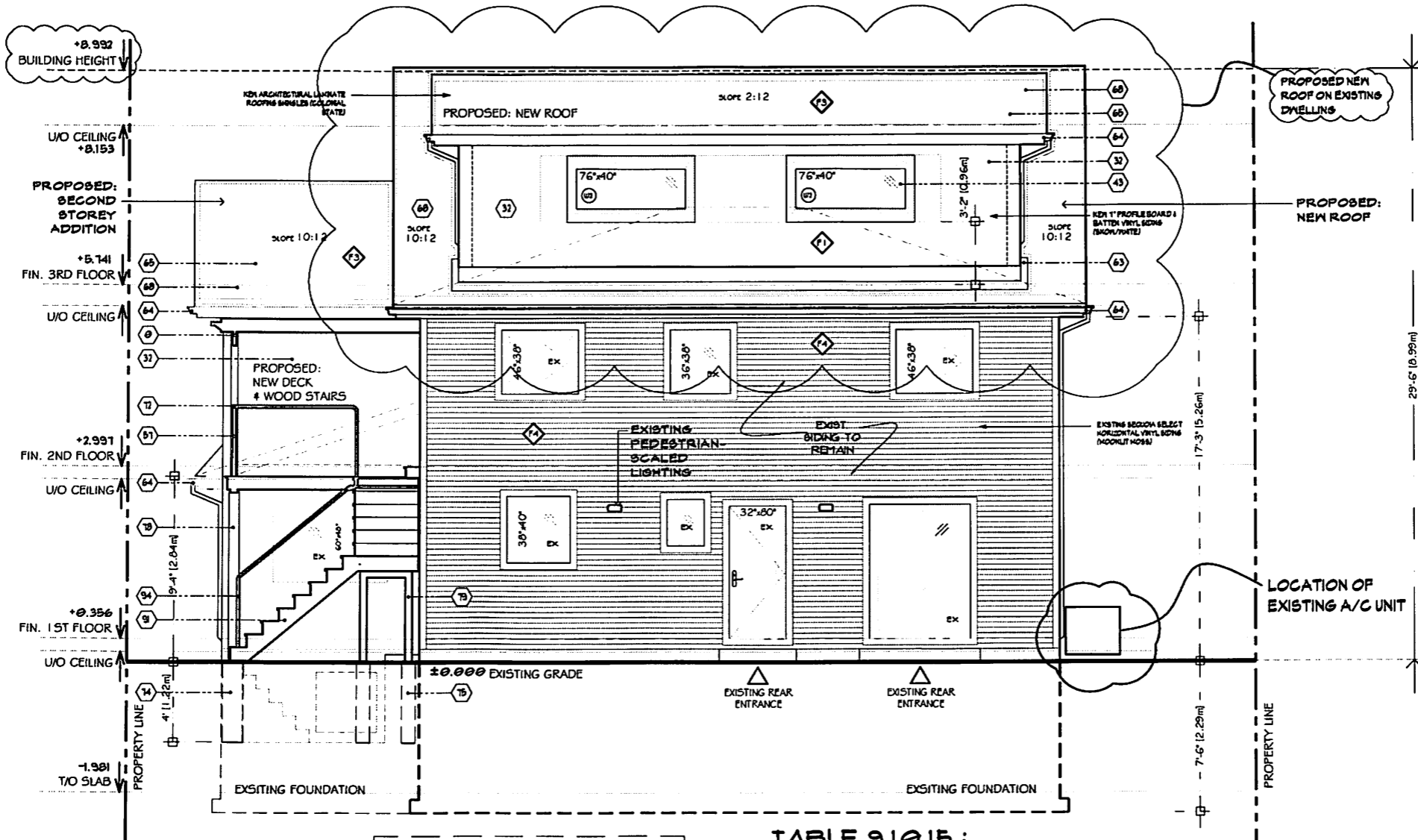
**DRAWING TITLE:**  
SOUTH ELEVATION  
PROPOSED

**DRAWN BY:** K.S.

**DATE:** 2002/2020

**SCALE:** 3/16" = 1'-0"

**PAGE:** A08



PROPOSED WEST ELEVATION  
SCALE: 3/16" = 1'-0"

EXTERIOR FINISHING MATERIAL SCHEDULE			
CODE	MATERIAL	COLOR	MANUFACTURER
1	NEW 1" PROFILE BOARD AND BATTEN VINYL SIDING	SHOWWHITE	GENIER BUILDING PRODUCTS
2	NEW SEQUON SELECT HORIZONTAL VINYL SIDING	MOONLIT MOSS	GENIER BUILDING PRODUCTS
3	NEW ARCHITECTURAL LAMINATE ROOFING SHINGLE	COLONIAL STATE	CERTAINTEED
4	EXISTING SEQUON SELECT HORIZONTAL VINYL SIDING	MOONLIT MOSS	GENIER BUILDING PRODUCTS

TABLE 9.10.15 :	
8 AREA OF UNPROTECTED OPENINGS	
- LIMITING DISTANCE :	= 55'-0" [16.77m]
- AREA OF EXPOSING BUILDING FACE	= 665.36 SQ. FT [61.81m <sup>2</sup> ] = [100m <sup>2</sup> ]
- MAX/ AREA OF UNPROTECTED OPENING (S)	= 100% = 665.36 SQ. FT
W [20.9 SQ. FT] X 2	= 41.8 SQ. FT
EX. OPENINGS	= 73.28 SQ. FT
	= 121.08 SQ. FT = CONFORMS

GENERAL NOTES

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-THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY CONSULTANTS AND MARKED "ISSUED FOR CONSTRUCTION"

ALL WORK IS TO COMPLY WITH APPROPRIATE REGULATIONS AND BY LAWS SET FORTH BY APPROPRIATE AUTHORITIES WITH JURISDICTIONS.

-THE CONTRACTOR AND/OR THE OWNER SHALL BE RESPONSIBLE FOR THE ARRANGEMENT OF ALL NECESSARY INSPECTIONS AND FOLLOW INSPECTION SCHEDULES.

-THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ALL EXISTING BASE BUILDING SYSTEM, EQUIPMENT AND PERSONNEL DURING CONSTRUCTION.

ALL DIMENSIONS ARE FROM FACES OF FINISHED PARTITION, UNLESS OTHERWISE INDICATED.

-FRAME SPREAD RATING AND SMOKE DEVELOPED CLASSIFICATION FOR ALL MATERIALS NOT TO EXCEED THE MAXIMUM SPECIFIED IN THE ONTARIO BUILDING CODE.

READ THIS DRAWING IN CONJUNCTION WITH OTHER DRAWINGS: ARCH, STRUCTURAL, MECHANICAL, ELECTRICAL AND OTHER RELEVANT DRAWINGS AND SPECIFICATIONS

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

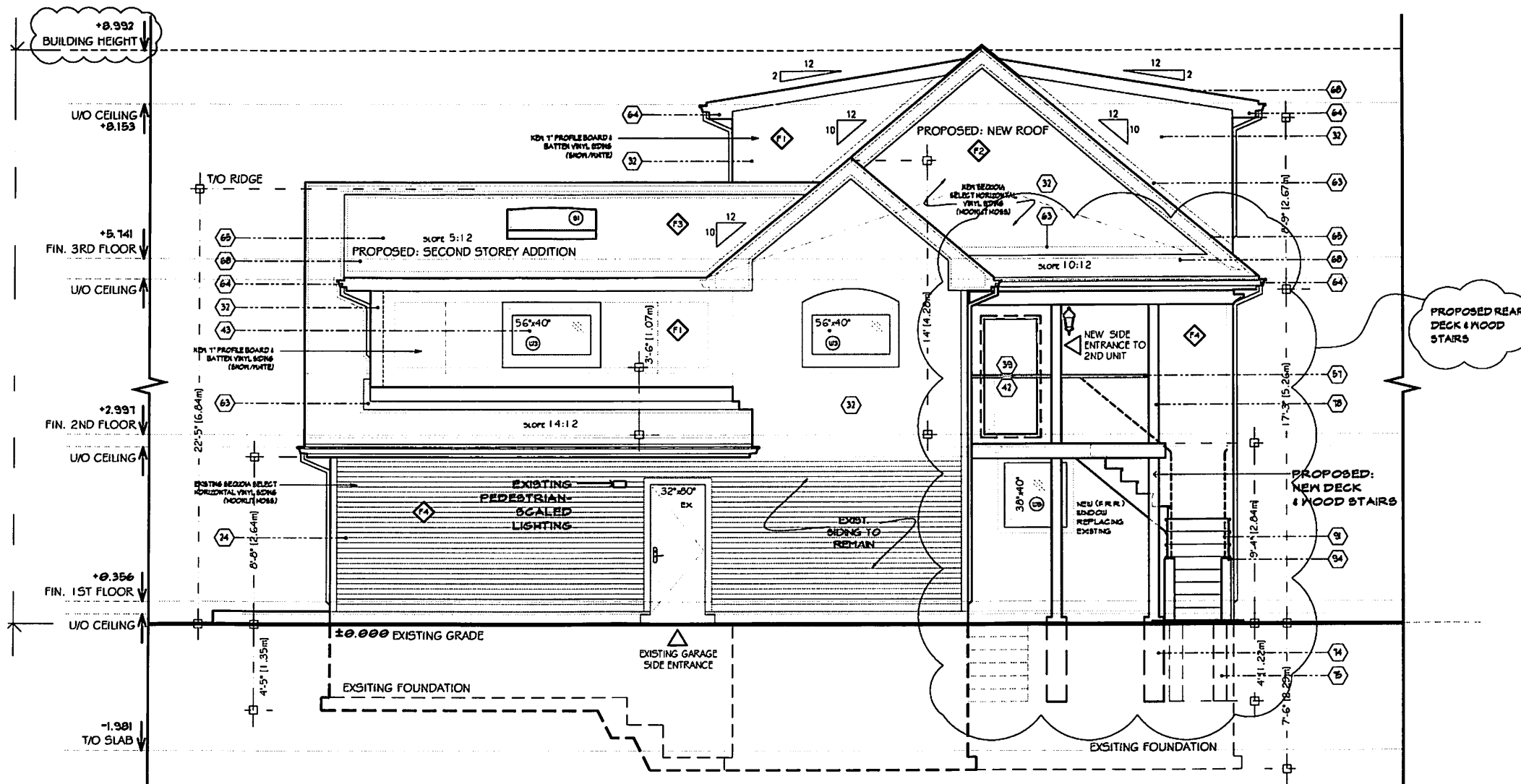
Alan Parsons  
Director, Development Services

NO	REVISION NOTES	DATE

PROJECT:  
12 JEROME CRESCENT  
BRAMPTON, ON  
SCOPE: SECOND STOREY  
ADDITION / RENOVATION  
DRAWING TITLE:  
WEST ELEVATION  
PROPOSED

CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

DRAWN BY:	K.S.	PAGE
DATE:	2002/2020	A09
SCALE:	3/16" = 1'-0"	



PROPOSED NORTH ELEVATION  
SCALE: 3/16" = 1'-0"

CODE	MATERIAL	COLOR	MANUFACTURER
1	NEW 1" PROFILE BOARD AND BATTEN VINYL SIDING	SNOWWHITE	GENEX BUILDING PRODUCTS
2	NEW SODOLIA SELECT HORIZONTAL VINYL SIDING	MOONLIT MOSS	GENEX BUILDING PRODUCTS
3	NEW ARCHITECTURAL LAMINATE ROOFING SHINGLE	COLONIAL STATE	CERTANTEED
4	EXISTING SODOLIA SELECT HORIZONTAL VINYL SIDING	MOONLIT MOSS	GENEX BUILDING PRODUCTS

TABLE 9.10.15 :	
8 AREA OF UNPROTECTED OPENINGS	
- LIMITING DISTANCE :	= 4'-8" [1.43m]
- AREA OF EXPOSING BUILDING FACE	= 541.89 SQ.FT [50.98m <sup>2</sup> ] = [50m <sup>2</sup> ]
- MAX. AREA OF UNPROTECTED OPENING (S)	= 18*38.35 SQ.FT
UB[15.5 SQ.FT]X2	= 31 SQ.FT
	= 31 SQ.FT "CONFORMS"

#### GENERAL NOTES

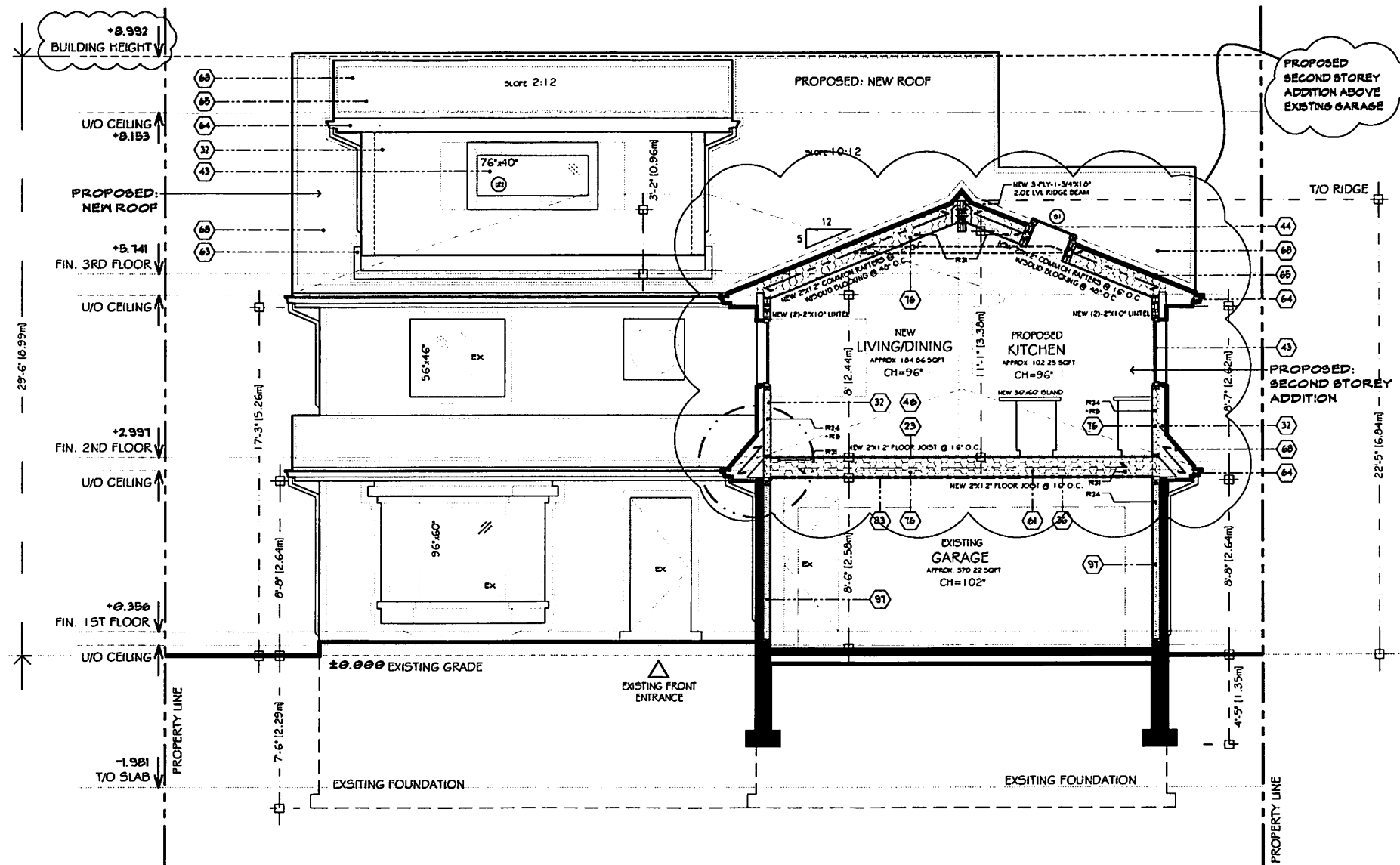
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CITY OF BRAMPTON  
LANDSCAPE PLAN  
APPROVED  
subject to an agreement ☐  
On This Day of \_\_\_\_\_  
Alan Persson  
Director, Development Services

PROJECT:  
12 JEROME CRESCENT  
BRAMPTON, ON  
SCOPE: SECOND STOREY  
ADDITION / RENOVATION  
DRAWING TITLE  
NORTH ELEVATION  
PROPOSED

CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

DRAWN BY:	K.S.	PAGE
DATE:	2002/2020	A10
SCALE:	3/16" = 1'-0"	



PROPOSED SECTION I  
SCALE: 3/16" = 1'-0"

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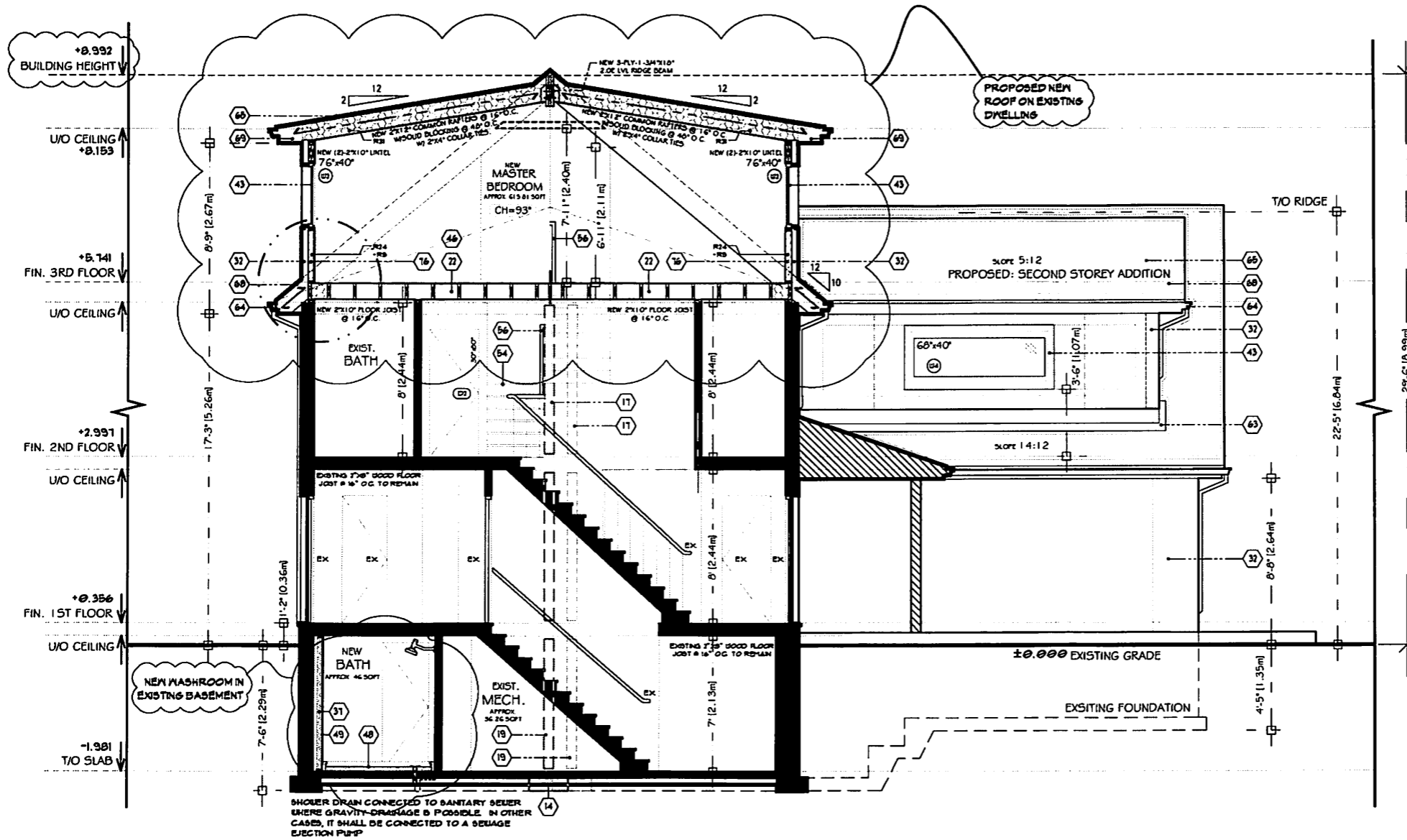
CITY OF BRAMPTON  
LANDSCAPE PLAN  
APPROVED  
subject to an agreement ☐  
On This \_\_\_\_\_ Day of \_\_\_\_\_  
Attest:  
Allan Parsons  
Director, Development Services

NO	REVISION NOTES	DATE

PROJECT:  
12 JEROME CRESCENT  
BRAMPTON, ON  
SCOPE: SECOND STOREY  
ADDITION / RENOVATION  
DRAWING TITLE  
SECTION I  
PROPOSED

CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

DRAWN BY: K.S. PABD  
DATE: 2/02/2020  
SCALE: 3/16" = 1'-0"  
A11



PROPOSED SECTION 2  
SCALE: 3/16" = 1'-0"

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- PLANE SPREAD RATING AND SMOKE DEVELOPED CLASSIFICATION FOR ALL MATERIALS NOT TO EXCEED THE MAXIMUM SPECIFIED IN THE ONTARIO BUILDING CODE.
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CITY OF BRAMPTON  
LANDSCAPE PLAN  
APPROVED

subject to an agreement ☐

On This \_\_\_\_\_ Day of \_\_\_\_\_

Allen Parsons  
Director, Development Services

NO	REVISION NOTED	DATE

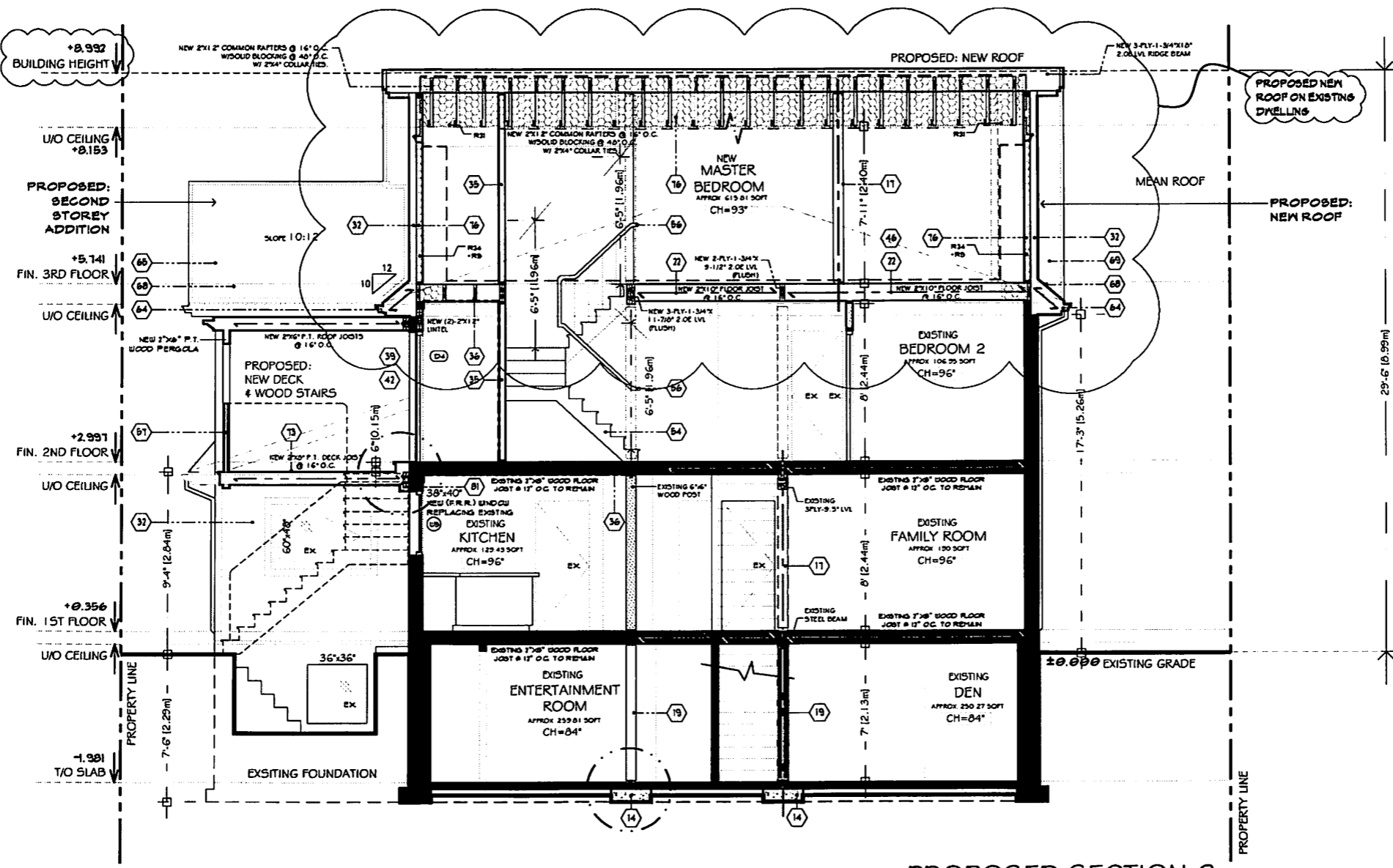
PROJECT:  
12 JEROME CRESCENT  
BRAMPTON, ON

SCOPE: SECOND STOREY  
ADDITION / RENOVATION

DRAWING TITLE:  
SECTION 2  
PROPOSED

CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

DRAWN BY: K.S.	PAGE: A12
DATE: 2002/2020	
SCALE: 3/16" = 1'-0"	



PROPOSED SECTION 3  
SCALE: 3/16" = 1'-0"

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- PLUMB, SLOPE, RATING AND SMOKE DEVELOPED CLASSIFICATION FOR ALL MATERIALS NOT TO EXCEED THE MAXIMUM SPECIFIED IN THE ONTARIO BUILDING CODE.
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CITY OF BRAMPTON  
LANDSCAPE PLAN  
APPROVED

subject to an agreement ☐

On This \_\_\_\_\_ Day of \_\_\_\_\_

Alan Parsons  
Director, Development Services

NO	REVISION NOTED	DATE

PROJECT:  
12 JEROME CRESCENT  
BRAMPTON, ON

SCOPE: SECOND STOREY  
ADDITION / RENOVATION

DRAWING TITLE:  
SECTION 3  
PROPOSED

CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

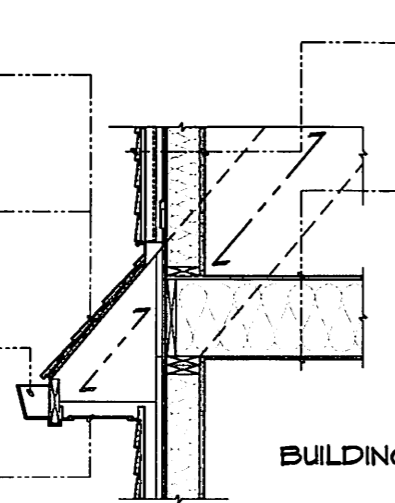
DRAWN BY:	K.S.	PAGE
DATE:	2002/2020	A13
SCALE:	3/16" = 1'-0"	

SLOPED ROOF CONSTRUCTION  
NO. 710 00 10 KARD) ASPHALT  
SHINGLES (OR APPROVED  
ALTERNATIVE), MIN 1/2" EXTERIOR  
GRADE PLYWOOD SHEATHING.  
INSTALL SELF-ADHERING ICE AND  
WATER SHIELD TO ALL VALLEYS  
INSTALL 18 LB FELT UNDERLAY  
OVER THE ICE AND WATER  
SHIELD COPPER VALLEY TO A  
MINIMUM 1'-0" UP. INSTALL 16 OZ  
EACH SIDE OF THE VALLEY.

APPROVED EAVES PROTECTION  
TO EXTEND MIN 3'-0" FROM EDGE  
OF ROOF & MIN 12" BEYOND INNER  
FACE OF EXTERIOR WALL & SHALL  
CONSIST OF ICE & WATER SHIELD  
LAD OF MIN 4" HEAD & END LAPS  
CEMENTED TOGETHER.

SAFETY TROUGH / DOWNGUTTER:  
8" WIDE ALUMINUM / PREFINISHED  
ALUMINUM SAFETY TROUGH  
(COLOUR TO BE DETERMINED)  
3"x4" COPPER / PREFINISHED  
ALUMINUM DOWNGUTTER (COLOUR  
TO BE DETERMINED) C/U  
CONCRETE SPILL PAD (SLOPE  
AWAY FROM BUILDING). NOTE  
DOWNGUTTER ROUTING TO BE  
DISCUSSED BY DESIGNER PRIOR  
TO INSTALLATION.

SOFFIT:  
1/2" "DURALUM" OR "CREZON"  
(PAINTFINISHED ONE SIDE WITH  
CONTINUOUS PREFINISHED  
ALUMINUM TO MATCH ROOF  
VENT STRIP WITH ROOF  
SCREENING. SEE PLANS FOR  
OVERHANG DIMENSION.



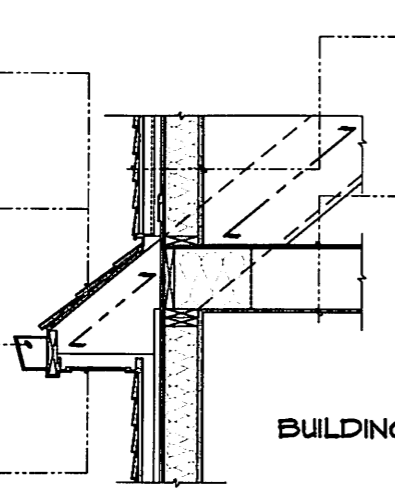
**BUILDING DETAIL 01**  
FLOOR JOIST @  
EXTERIOR WALL

SLOPED ROOF CONSTRUCTION  
NO. 710 00 10 KARD) ASPHALT  
SHINGLES (OR APPROVED  
ALTERNATIVE), MIN 1/2" EXTERIOR  
GRADE PLYWOOD SHEATHING.  
INSTALL SELF-ADHERING ICE AND  
WATER SHIELD TO ALL VALLEYS  
INSTALL 18 LB FELT UNDERLAY  
OVER THE ICE AND WATER  
SHIELD COPPER VALLEY TO A  
MINIMUM 1'-0" UP. INSTALL 16 OZ  
EACH SIDE OF THE VALLEY.

APPROVED EAVES PROTECTION  
TO EXTEND MIN 3'-0" FROM EDGE  
OF ROOF & MIN 12" BEYOND INNER  
FACE OF EXTERIOR WALL & SHALL  
CONSIST OF ICE & WATER SHIELD  
LAD OF MIN 4" HEAD & END LAPS  
CEMENTED TOGETHER.

SAFETY TROUGH / DOWNGUTTER:  
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DOWNGUTTER ROUTING TO BE  
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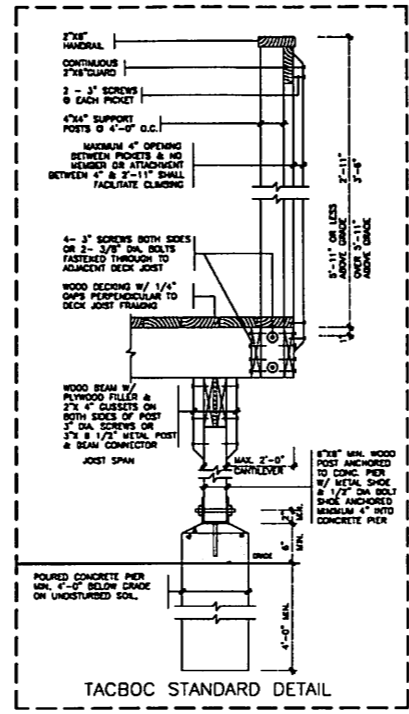
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ALUMINUM TO MATCH ROOF  
VENT STRIP WITH ROOF  
SCREENING. SEE PLANS FOR  
OVERHANG DIMENSION.



**BUILDING DETAIL 02**  
FLOOR JOIST @  
EXTERIOR WALL

EXTERIOR WALL CONST. - 8000 -  
APPROVED 8000 - 8000 AS PER  
ELEVATION QUALITY, APPROVED  
RAIN SCREEN SYSTEM, APPROVED  
SHEATHING PAPER, 8000 (17) RS ROAD  
INSULATION ON 1500 (17) EXT. TYPE  
SHEATHING, 30x40 (17x17) STUDS @  
4000 (16) O.C., RS 334 (16) O.C.  
INSULATION AND APPROVED VAPOUR  
BARRIER, 1500 (17) INT. DRYGALL  
FINISH.

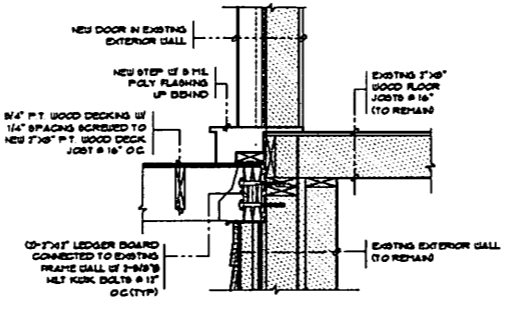
FLOOR FINISH 3/4" T&G  
PLYWOOD OR APPROVED  
EQUAL ON 2"x12" WOOD  
FLOOR JOISTS @ 16" O.C. W/  
BLOCKING AS PER FLOOR  
PLANS, 1/2" GYPSUM BOARD  
CEILING FINISH.



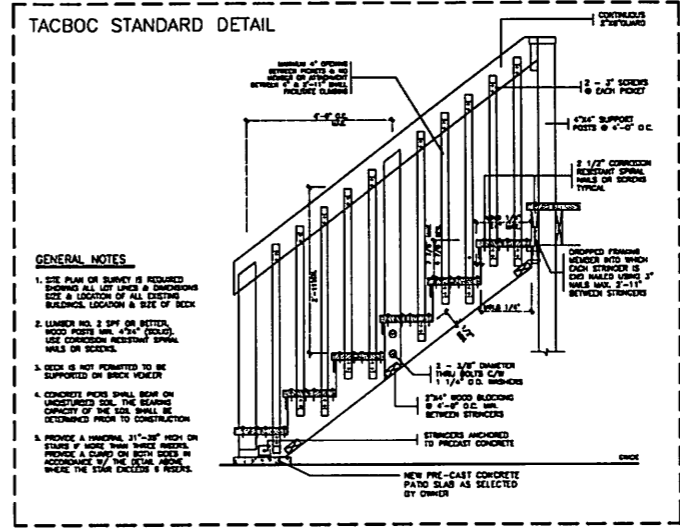
**TACBOC STANDARD DETAIL**

EXTERIOR WALL CONST. - 8000 -  
APPROVED 8000 - 8000 AS PER  
ELEVATION QUALITY, APPROVED  
RAIN SCREEN SYSTEM, APPROVED  
SHEATHING PAPER, 8000 (17) RS ROAD  
INSULATION ON 1500 (17) EXT. TYPE  
SHEATHING, 30x40 (17x17) STUDS @  
4000 (16) O.C., RS 334 (16) O.C.  
INSULATION AND APPROVED VAPOUR  
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PLANS, 1/2" GYPSUM BOARD  
CEILING FINISH.

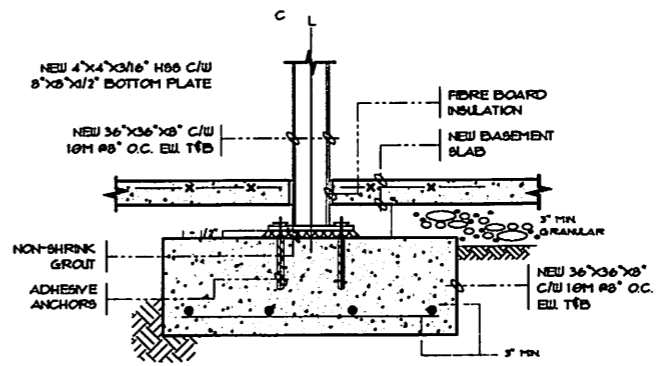


**BUILDING DETAIL 03**  
LEDGER & EXISTING  
FRAME WALL



**GENERAL NOTES**

1. SITE PLAN OR SURVEY IS REQUIRED  
SHOWING ALL LOT LINES & DIMENSIONS  
SIZE & LOCATION OF ALL EXISTING  
BUILDINGS, LOCATIONS & SIZE OF ROCK.
2. LUMBER JOIST 2" SPY OR BETTER  
WOOD JOISTS MIN. 4"x12" (SOLID).  
USE CONCRETE REINFORCING SPALL  
WALLS ON ROCKS.
3. ROCK IS NOT PERMITTED TO BE  
SUPPORTED ON ROCK VERTICAL.
4. CONCRETE PIER SHALL BEAR ON  
UNDISTURBED SOIL. THE BEARING  
CAPACITY OF THE SOIL SHALL BE  
DETERMINED PRIOR TO CONSTRUCTION.
5. PROVIDE A MINIMUM 31"-38" HIGH ON  
STAIRS IF MORE THAN THREE STEPS.  
PROVIDE A CURB ON BOTH SIDES IN  
ACCORDANCE W/ THE LOCAL CODE  
WHERE THE STAIR EXCEEDS 6 STEPS.



**COLUMN @ FOOTING  
TYP.**

**GENERAL NOTES**

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INDICATED.
- FLAME SPREAD RATING AND SMOKE  
DEVELOPED CLASSIFICATION FOR ALL  
MATERIALS NOT TO EXCEED THE MAXIMUM  
SPECIFIED IN THE ONTARIO BUILDING CODE.
- READ THIS DRAWING IN CONJUNCTION WITH  
OTHER DRAWINGS: ARCH., STRUCTURAL,  
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**CITY OF BRAMPTON  
LANDSCAPE PLAN  
APPROVED**  
subject to an agreement ☐  
On This \_\_\_\_\_ Day of \_\_\_\_\_  
Alan Parsons  
Director, Development Services

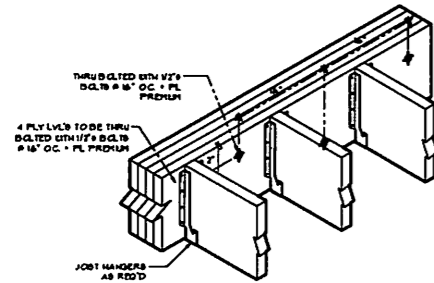
NO.	REVISION NOTES	DATE

PROJECT:  
**12 JEROME CRESCENT**  
BRAMPTON, ON  
SCOPE: SECOND STORY  
ADDITION / RENOVATION  
DRAWING TITLE  
DETAILS  
PROPOSED

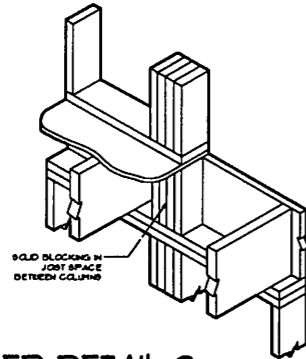
CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

DRAWN BY: K.S. PAGE:  
DATE: 2002/2/20 A14  
SCALE: 3/16" = 1'-0"

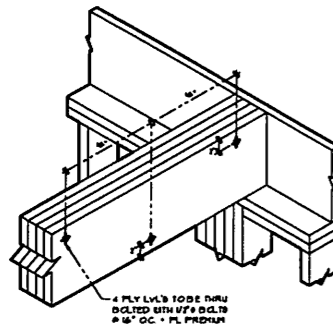
## CONSTRUCTION NOTES :



**TIMBER DETAIL A**  
FLOOR JOIST @ LVL



**TIMBER DETAIL C**  
POST @ BLOCKING



**TIMBER DETAIL B**  
LVL @ BEARING

- 14 NEW 24"x24"x8" POURED CONCRETE FOOTING C/W 16M #8" Q.C. BIL T&B
- 17 NEW 6X6 WOOD POST W/ BOLD BLOCKING IN JOIST SPACE BETWEEN COLUMNS
- 19 STEEL COLUMN: 4"x4"x16" H.B.S. C/W 8"x8"x1/2" BOTTOM PLATE & 6"x6"x3/4" TOP PLATE
- 22 FLOOR ASSEMBLY: FINISHED FLOORING OVER 3/4" T&B FLY SHEATHING GLUED AND SCREWED TO JOISTS WITH STAGGERED JOINTS. FLOOR JOISTS AND CROSS BRIDGING IF APPLICABLE AS NOTED ON DRAWINGS.
- 23 INSULATED FLOOR ASSEMBLY: FINISHED FLOORING OVER 3/4" FLY SHEATHING GLUED AND SCREWED TO JOISTS WITH STAGGERED JOINTS. WITH ALL JOINTS 6 ML VAPOUR / AIR BARRIER SEALED W/ ACOUSTIC TYPE SEALANT. JOISTS (AND CROSS BRIDGING IF APPLICABLE) AS NOTED ON PLANS. (R-30) POLYURETHANE OR POLYURETHANE SPRAY FOAM INSULATION IS RECOMMENDED FOR INSULATED FLOORS ABOVE GARAGE
- 32 EXTERIOR WALL CONST.: SIDING - APPROVED SIDING - SIDING AS PER ELEVATION WALL TYPES, APPROVED RAIN SCREEN SYSTEM, APPROVED SHEATHING PAPER, 60MM (2") RIGID INSULATION ON 13MM (1/2") EXT. TYPE SHEATHING, 38X48 (2"x6") STUDS @ 400MM (16") O.C., R24 (R24) INSULATION AND APPROVED VAPOUR BARRIER AND APPROVED CONT. AIRBARRIER, 13MM (1/2") INT. DRYWALL FINISH
- 33 45 MINUTE FIRE RATED PARTITION: 1 LAYER OF 5/8" TYPE X G.W.B. BOTH SIDES OF PARTITION
- 35 INTERIOR PARTITION: 2"x4" STUDS @ 16" O.C. PROVIDE 2"x4" BOTTOM PLATE & 2"x4" TOP PLATE. 1/2" INTERIOR GYPSUM BOARD BOTH SIDES OF STUD (TYP.)
- 36 30 MINUTE FIRE RATED AND SOUND RESISTANT CEILING: ABSORPTIVE MATERIAL IN EXISTING JOIST CAVITY. 1 LAYER OF 5/8" (18.3MM) TYPE X G.W.B. TO UNDERSIDE OF JOIST
- 37 BASEMENT INSULATION RIGID INSULATION CONTINUOUS ALONG FOUNDATION WALL, TAPE/SEAL ALL JOINTS. 2"x4" STUDS @ 16" O.C. W/ R22 BATT INSULATION. APPROVED VAPOUR BARRIER 1/2" GYPSUM BOARD FINISH
- 39 NEW INSULATED EXTERIOR DOOR: C/W WEATHER STRIPPING (TO BE SELECTED BY OWNER)
- 42 FORCED ENTRY PROTECTION: PROVIDE FORCED ENTRY PROTECTION AS PER Q.B.C. 9.1 REQUIREMENTS.
- 43 WINDOWS: (TO COMPLY WITH Q.B.C. 9.1) ALL WINDOWS ARE TO BE WOOD FRAMED CASHEMENTS SEALED CLEAR WOOD INTERIOR AND (FLUOROCARBON) FACTORY PREFINISHED EXTERIOR SURFACES. ALL GLAZING TO BE CLEAR LOW 'E' SEALED THERMOPLANE UNITS, ARGON GAS FILLED, 1/8" OVERALL THICKNESS. CONTRACTOR TO SUBMIT NAME AND TYPICAL DETAILS OF PROPOSED MANUFACTURER TO THE OWNER FOR APPROVAL.

- 44 SKYLIGHT (SLOPED ROOF): SKYLIGHT BY "VELUX" OR EQUIVALENT W/ TEMPERED DOUBLE GLAZED SEALED UNIT LOW-E AND ARGON FILLED. INSTALL C/W FLASHING KIT (ACCORDING TO TYPE OF ROOFING) AND AS PER MANUFACTURER SPECIFICATIONS. NOTE DOUBLE FRAME ALL SURROUNDING LUMBER AT SKYLIGHT ADJACENT FINISHED ROOF.
- 46 HARDWOOD FLOORING: 3/4" x 2 1/4" SELECT RED OAK T&G STRIP FLOORING
- 47 FLOOR TILING: (AS PER Q.B.C. 9.39.6) LAY ASPHALT SHEATHING PAPER, FELT OR POLYETHYLENE FILM, GALVANIZED WIRE MESH (20X20), SCRATCH CEMENT COAT @ 1/4" MIN. THICK. TILING/ROUTING (COLOUR TO BE DETERMINED) NOTE APPLY 2 COATS OF SEALER FOR STONE FLOORING (AS PER SUPPLIER'S/ MANUFACTURER'S SPECIFICATIONS).
- 48 SHOWER FLOOR PLAN: SHOWER LINER BY "AQUAPROOF AQ 830" (OR EQUAL) RETURN UP PAN CURB AND ALL SURROUNDING WALLS ADHERE LINER TO DRAIN SLOPE CEMENT BASE TO DRAIN
- 49 BATHTUB AND SHOWER WALL: USE TILE-BACKER WATER-RESISTANT "DUROCK WUNDERBOARD" AT ALL SURROUNDING WALLS. TAPE WITH SELF ADHESIVE FIBREGLASS MESH TAPE AND SPACKLE. USE BLUEBOARD AT REMAINING BATHROOM WALLS.
- 50 SHELVEING: PROVIDE (6) 1'-6" DEEP ADJUSTABLE SHELVEING.
- 51 HANG ROD & SHELF: 1 1/4" DIA. HANG ROD W/ BRACKETS - ALL CHROME FINISH. INSTALL @ 8'-0" O.C. A.F.F. 3/4" MELAMINE BOARD (WHITE), FINISHED EDGES, 1'-3" DEPTH, ON LEDGER BOARDS @ 2" OVER HANG ROD.
- 54 NEW STAIRS AS PER Q.B.C. DIV. B-9.8, 9 1/4" MIN TREADS @ 1 1/8" MAX. RISE W/ HEADROOM OF 6'-8"
- 56 36" HIGH GUARDS PER Q.B.C. 9.8.8 MAX 4" OPENINGS AND SHALL NOT FACILITATE CLIMBING
- 57 42" HIGH GUARDS PER Q.B.C. 9.8.8 MAX 4" OPENINGS AND SHALL NOT FACILITATE CLIMBING. INSTALLED IN ACCORDANCE WITH Q.B.C. OR APPROVED ALTERNATIVE
- 58 EXHAUST GRILLE: METAL GRILLE WITH INSECT SCREEN. DIMENSION TO SUIT EXHAUST REQUIREMENTS. NOTE CONTRACTOR TO COORDINATE DUCT RUN WITH OTHER MECHANICAL RUNS, PLUMBING RUNS AND STRUCTURE TO ELIMINATE NEED FOR BULKHEADS.
- 59 EXHAUST DUCT: 4" RIGID METAL DRYER EXHAUST DUCT PLASTIC EXHAUST GRILLE COMPLETE WITH INSECT SCREEN SECURELY FASTENED TO EXTERIOR WALL FACE AND CAULKED.
- 60 MECHANICAL VENTILATION: PROVIDE MECHANICAL VENTILATION IN ALL BATHROOM AREAS HAVING NO NATURAL VENTILATION AS PER Q.B.C. 6.2.3.8. REQUIREMENTS.
- 61 GAS AND EXHAUST FUMES PROTECTION: PROVIDE HIGH DENSITY POLYETHYLENE LAP, TAPE AND SEAL ALL JOINTS TO INTERIOR WALLS AND CEILING. 5/8" TYPE 'X' DRYWALL FOR FUME PROTECTION TAPE AND SPACKLED.
- 63 FLASHING: PROVIDE PREFINISHED ALUMINUM FLASHING IN THE FOLLOWING LOCATIONS: BENEATH JOINTED MASONRY BELLS OVER HEADS OF WINDOWS AND DOORS SET FURTHER THAN 1/4" THE EAVED OVERHANG. BELOW THE ROOF AROUND CHIMNEY, OR ANY ELEMENTS CROSSING ROOF SURFACES THAT ARE NOT SUPPLIED WITH MANUFACTURER'S FLASHING AT INTERSECTION OF ROOF SURFACES WITH EXTERIOR DORMER WALLS.
- 64 EAVESTROUGH / DOWNPipes: 8" WIDE ALUMINUM / PREFINISHED ALUMINUM EAVESTROUGH (COLOUR TO BE DETERMINED) 5"x4" COPPER / PREFINISHED ALUMINUM DOWNPipes (COLOUR TO BE DETERMINED) C/W CONCRETE 6" PAD (SLOPE AWAY FROM BUILDING) NOTE DOWNPipes ROUTING TO BE DISCUSSED W/ ORCA PRIOR TO INSTALLATION.
- 65 SLOPED ROOF CONSTRUCTION: NQ 210 (0.25 KG/M2) STANDING BEAM METAL ROOF (OR APPROVED ALTERNATIVE), MIN 1/2" EXTERIOR GRADE PLYWOOD SHEATHING. INSTALL SELF ADHERING ICE AND WATER SHIELD TO ALL VALLEYS. INSTALL 15 LB. FELT UNDERLAY OVER THE ICE AND WATER SHIELD. COPPER VALLEY TO A MINIMUM 1'-0" UP. INSTALL 16 OZ EACH SIDE OF THE VALLEY.
- 68 ASPHALT SHINGLES: INSTALL SELF ADHERING ICE AND WATER SHIELD TO ALL VALLEYS. INSTALL 15 LB. FELT UNDERLAY OVER THE ICE AND WATER SHIELD. INSTALL 16 OZ COPPER VALLEY TO A MINIMUM 1'-0" UP EACH SIDE OF THE VALLEY. FOR ROOF-18" LONG "BLUE LABEL" TAPERED SHINGLES. WESTERN RED CEDAR SHINGLES WITH 1 1/2" EXPOSURE USING 5/8" BUTT EDGE, OR 5 1/2" EXPOSURE WITH 3/8" BUTT EDGE.
- 69 SOFFIT: 1/2" "DURAPLY" OR "CREZON" (PAINT-FINISHED ONE SIDE WITH CONTINUOUS PREFINISHED ALUMINUM (TO MATCH ROOF) VENT STRIP WITH INSECT SCREENING. SEE PLANS FOR OVERHANG DIMENSION.
- 70 APPROVED EAVES PROTECTION: TO EXTEND MIN 3'-0" FROM EDGE OF ROOF & MIN 12" BEYOND INNER FACE OF EXTERIOR WALL & SHALL CONSIST OF ICE & WATER SHIELD Laid W/ MIN 4" HEAD & END LAPS CEMENTED TOGETHER.
- 72 METAL RAILING: DESIGNED TO Q.B.C. 9.8.8 & 4.11.0.1 AS PREVIOUS EDITIONS. POSTS AND HORIZONTAL RAILS 1 1/2" DIA. 3/16" WALL PICKETS 1/2"x1/2" SPACED 4" APART MAX. POSTS C/W 5"x5"x16" BASE PLATES C/W 3/8"x4" LONG LAG BOLTS BOLTED AT CORNERS THROUGH WALL SHEATHING AND INTO BLOCKING BENEATH.
- 73 5/4" P.T. WOOD DECKING W/ 1/4" SPACING SCREWED TO P.T. WOOD JOISTS
- 74 12" POURED CONC. PER MIN. 4" BELOW GRADE SET ON UNDIST. SOL W/ 6X6 P.T. WOOD POST SET ON METAL SADDLE, ANCH. TO PIER, MIN. 8" DEEP. (TYP.)

- 75 8" POURED CONC. PIER MIN. 4" BELOW GRADE SET ON UNDIST. SOL W/ 4X4 P.T. WOOD POST SET ON METAL SADDLE, ANCH. TO PIER, MIN. 8" DEEP. (TYP.)
- 76 SPRAY FOAM INSULATION: ROOF INSULATION TO CONFORM TO CAN/ULC-9109.1, THERMAL INSULATION APPLIED RIGID POLYURETHANE FOAM, MEDIUM DENSITY MATERIAL SPECIFICATIONS, INSULATION INSTALLERS ARE TO BE CERTIFIED BY THE MANUFACTURER. INSULATION IS TO BE INSTALLED IN ACCORDANCE WITH CAN/ULC-9109.2-08. THERMAL INSULATION -SPRAY APPLIED RIGID POLYURETHANE FOAM, MEDIUM DENSITY. UPON COMPLETION OF THE SPRAY FOAM INSULATION INSTALLATION, THE CERTIFIED INSTALLER OR A PROFESSIONAL ENGINEER SUBMIT THE INSPECTOR, VERIFICATION THAT THE INSTALLATION OF THE SYSTEM HAS BEEN COMPLETED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND STANDARDS. CONTINUOUS 6 ML POLY VAPOUR BARRIER IS TO BE INSTALLED ON THE WARM SIDE OF THE CEILING. POT LIGHTS ARE ACCEPTABLE IF THEY ARE SEALED UNITS LISTED BY ULC AND THE VAPOUR BARRIER IS INSTALLED ROUND THE LIGHT.
- 78 NEW 8"x6" P.T. WOOD POST
- 79 NEW 4"x4" P.T. WOOD POST
- 83 GASPROOFING NOTES: ATTACHED GARAGES MUST BE COMPLETELY SEALED TO PREVENT THE INFILTRATION OF CARBON MONOXIDE & GASOLINE FUMES INTO THE DWELLING.
1. PROVIDE 1/2" DRYWALL W/ MIN. 2 COATS OF JOINT COMPOUND AT ALL WALLS ADJACENT TO DWELLING.
  2. CAULK BETWEEN GYPSUM BOARD AND OTHER SURFACES W/ ACOUSTIC SEALANT.
  3. CAULK ALL PENETRATIONS SUCH AS HOSE BIBS W/ ACOUSTIC SEALANT.
  4. DOORS BETWEEN GARAGE & DWELLING SHALL BE TIGHT FITTING & WEATHERSTRIPPED & PROVIDED W/ A SELF CLOSING DEVICE. DOOR MUST NOT OPEN DIRECTLY INTO A ROOM INTENDED FOR SLEEPING.
  5. UNIT MASONRY WALLS FORMING THE SEPARATION BETWEEN THE DWELLING & ATTACHED GARAGE SHALL BE PROVIDED W/ 2 COATS OF A SEALER OR COVERED W/ PLASTER OR GYPSUM BOARD ON THE GARAGE SIDE.
- 81 NEW WOOD STAIRS, AS PER Q.B.C. DIV. B-9.8, 9 1/4" MIN. TREADS @ 1 1/8" MAX. RISE 2"x12" STRINGERS @ 4'-0" O.C. MAX.
- 84 RAILING / GUARDS - Q.B.C. DIV. B-9.8.8, 9.8.8.8 & 9.8.8.6 HANDRAIL @ 3'-0" HIGH (5'-6" HIGH IF 5'-11" TO GRADE) NAILED 4"x4" SUP. POSTS @ 48" O.C. W/ VERTICALS SPACED @ 4" MAX. IN ACCORDANCE WITH Q.B.C. 98-1.
- 87 EXTERIOR GARAGE WALL: EXISTING 2"x6" STUDS @ 16" O.C. PROVIDE R24 INSUL. & APPROVED VAPOUR BARRIER. W/ APPROVED CONTINUOUS AIR BARRIER 1/2" INTERIOR GYPSUM BOARD ON INNER SIDE OF STUD.
- 88 INTERIOR GARAGE WALL: EXISTING 2"x6" STUDS @ 16" O.C. PROVIDE R24 INSUL. & APPROVED VAPOUR BARRIER. W/ APPROVED CONTINUOUS AIR BARRIER 1/2" INTERIOR GYPSUM BOARD BOTH SIDES OF STUD.

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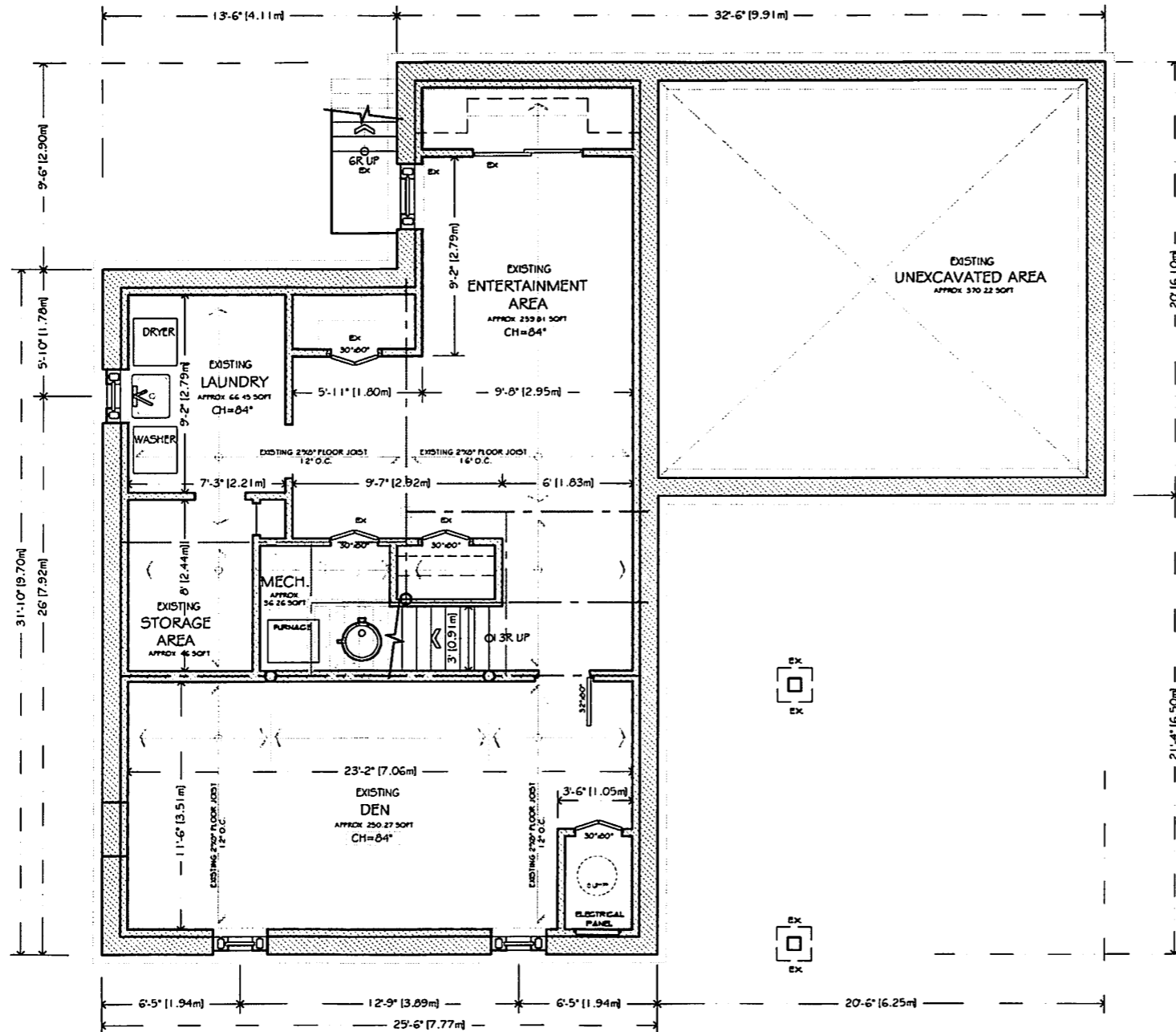
**CITY OF BRAMPTON**  
**LANDSCAPE PLAN**  
**APPROVED**  
subject to an agreement ☐  
On This \_\_\_\_\_ Day of \_\_\_\_\_  
\_\_\_\_\_  
Director, Development Services

NO	REVISION NOTED	DATE

**PROJECT:**  
**12 JEROME CRESCENT**  
BRAMPTON, ON  
SCOPE: SECOND STOREY  
ADDITION/RENOVATION  
**DRAWING TITLE:**  
DETAILS  
PROPOSED

**CITY SITE PLAN FILE NUMBER**  
(SPA-2020-0093)

<b>DRAWN BY:</b> E.S.	<b>PAGE</b> 15
<b>DATE:</b> 2020/02/02	
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**LANDSCAPE PLAN**  
**APPROVED**  
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 On This \_\_\_\_\_ Day of \_\_\_\_\_

Alan Parsons  
 Director, Development Services

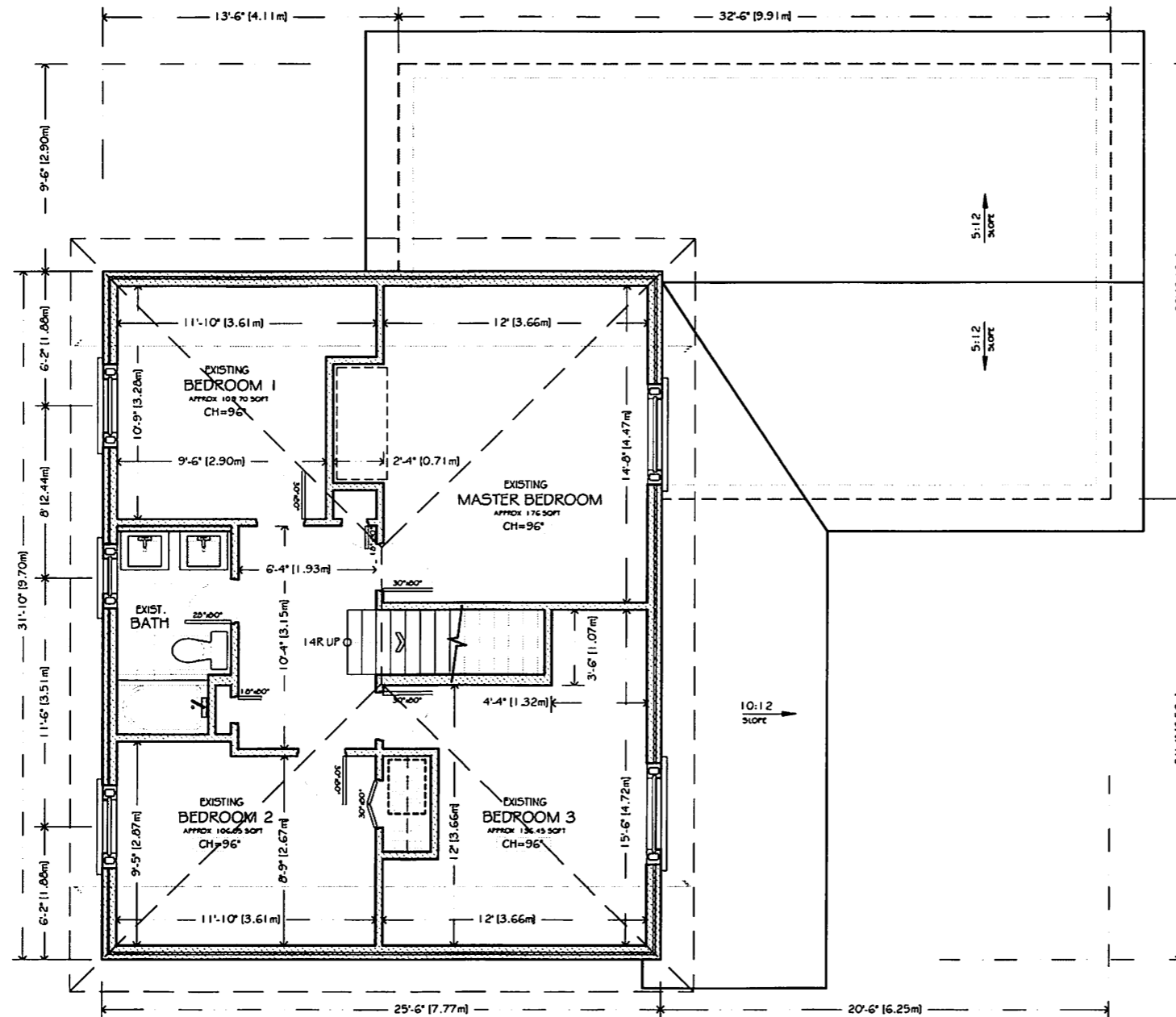
NO	REVISION NOTES	DATE

**PROJECT:**  
**FRANK**  
 BRAMPTON, ON  
 SCOPE: SECOND STOREY  
 ADDITION / RENOVATION  
 DRAWING TITLE:  
 BASEMENT PLAN  
 EXISTING

CITY SITE PLAN FILE NUMBER  
 (SPA-2020-0093)

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CITY OF BRAMPTON  
LANDSCAPE PLAN  
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On This \_\_\_\_\_ Day of \_\_\_\_\_

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Director, Development Services

NO	REVISION NOTES	DATE

PROJECT:

FRANK

BRAMPTON, ON

SOURCE: SECOND STOREY

ADDITION / RENOVATION

DRAWING TITLE:

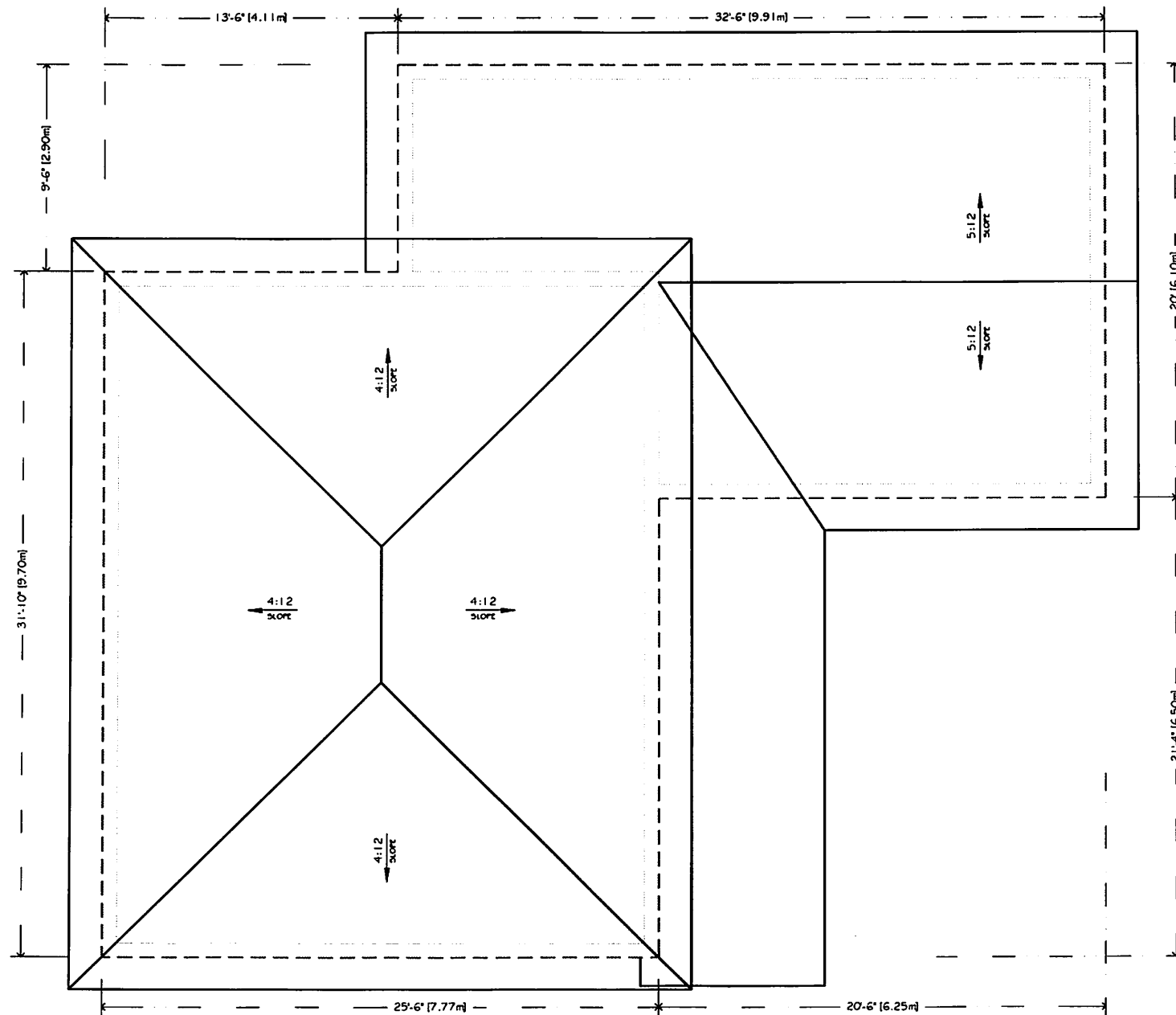
SECOND FLOOR PLAN

EXISTING

CITY SITE PLAN FILE NUMBER

(SPA-2020-0093)

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DATE:	2002/2020		
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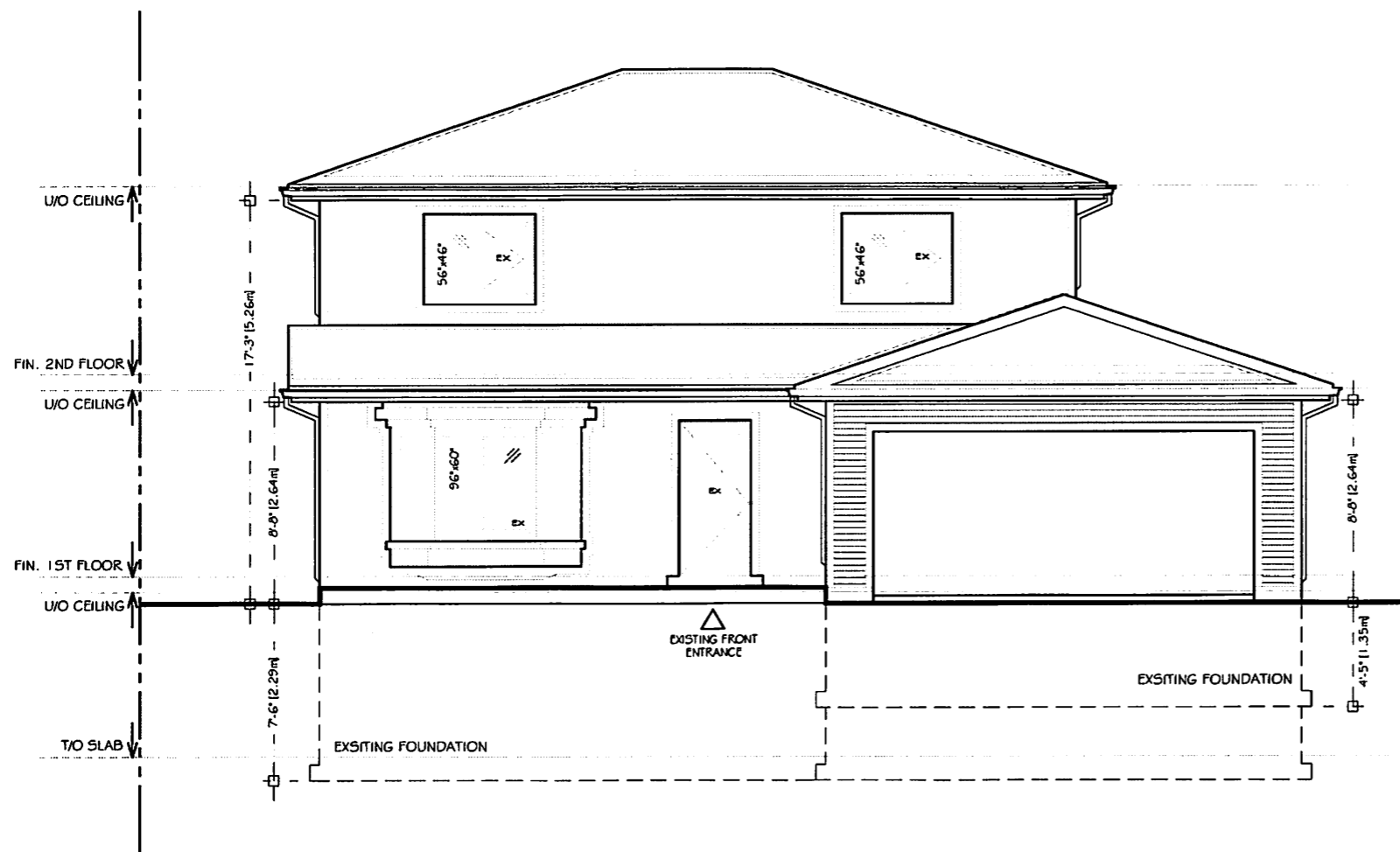
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LANDSCAPE PLAN  
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Allan Parsons  
Director, Development Services

NO.	REVISION NOTES	DATE

PROJECT:  
FRANK  
BRAMPTON, ON  
SCOPE: SECOND STOREY  
ADDITION / RENOVATION  
DRAWING TITLE:  
ROOF PLAN  
EXISTING

CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

DRAWN BY: K.S.	PAGE: A19
DATE: 2/02/2020	
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EXISTING EAST ELEVATION

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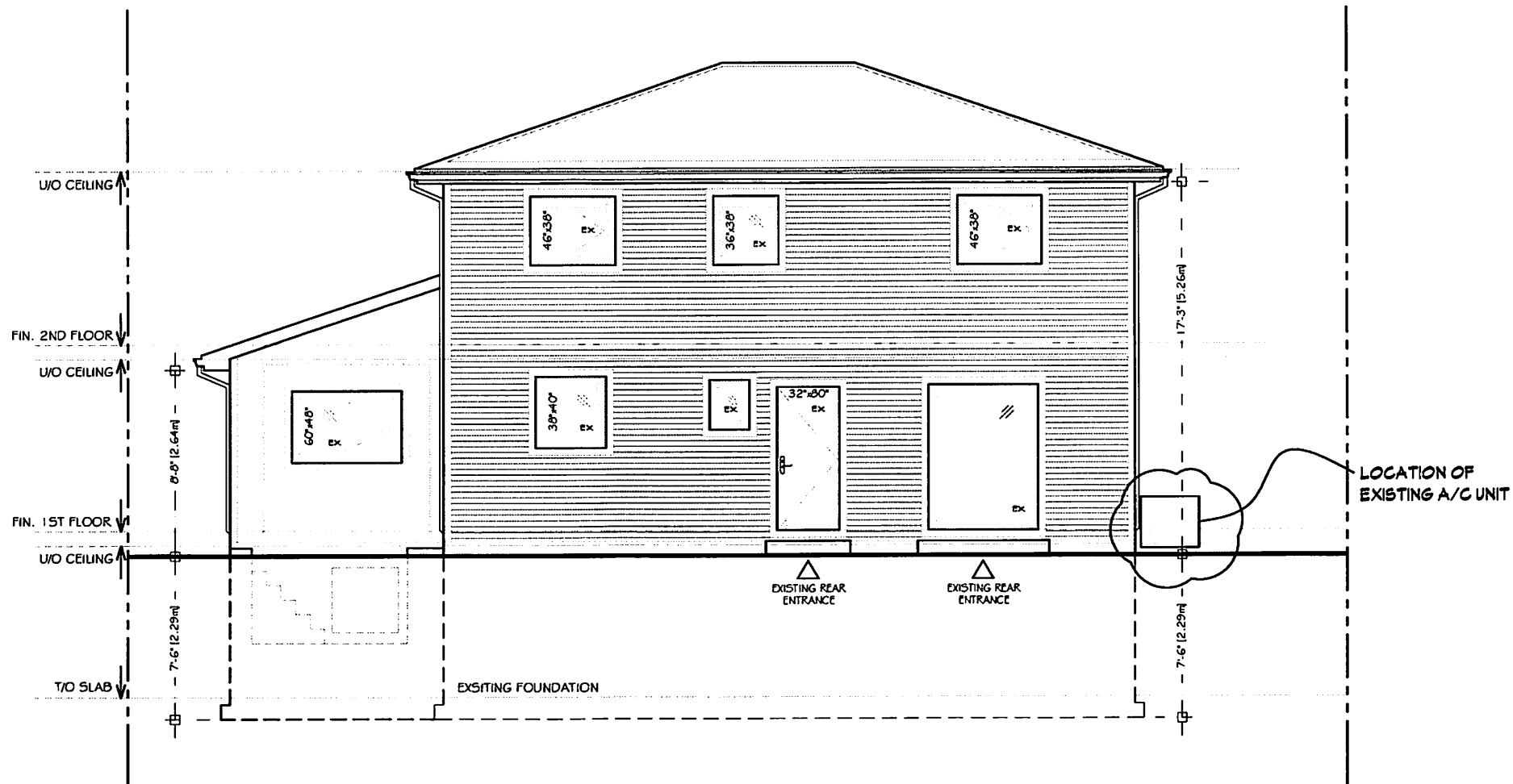
NO	REVISION NOTES	DATE

PROJECT:  
FRANK  
BRAMPTON, ON  
SCOPE: SECOND STOREY  
ADDITION / RENOVATION  
DRAWING TITLE:  
EAST ELEVATION  
EXISTING

CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

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DATE	2002/2020	A20
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EXISTING WEST ELEVATION

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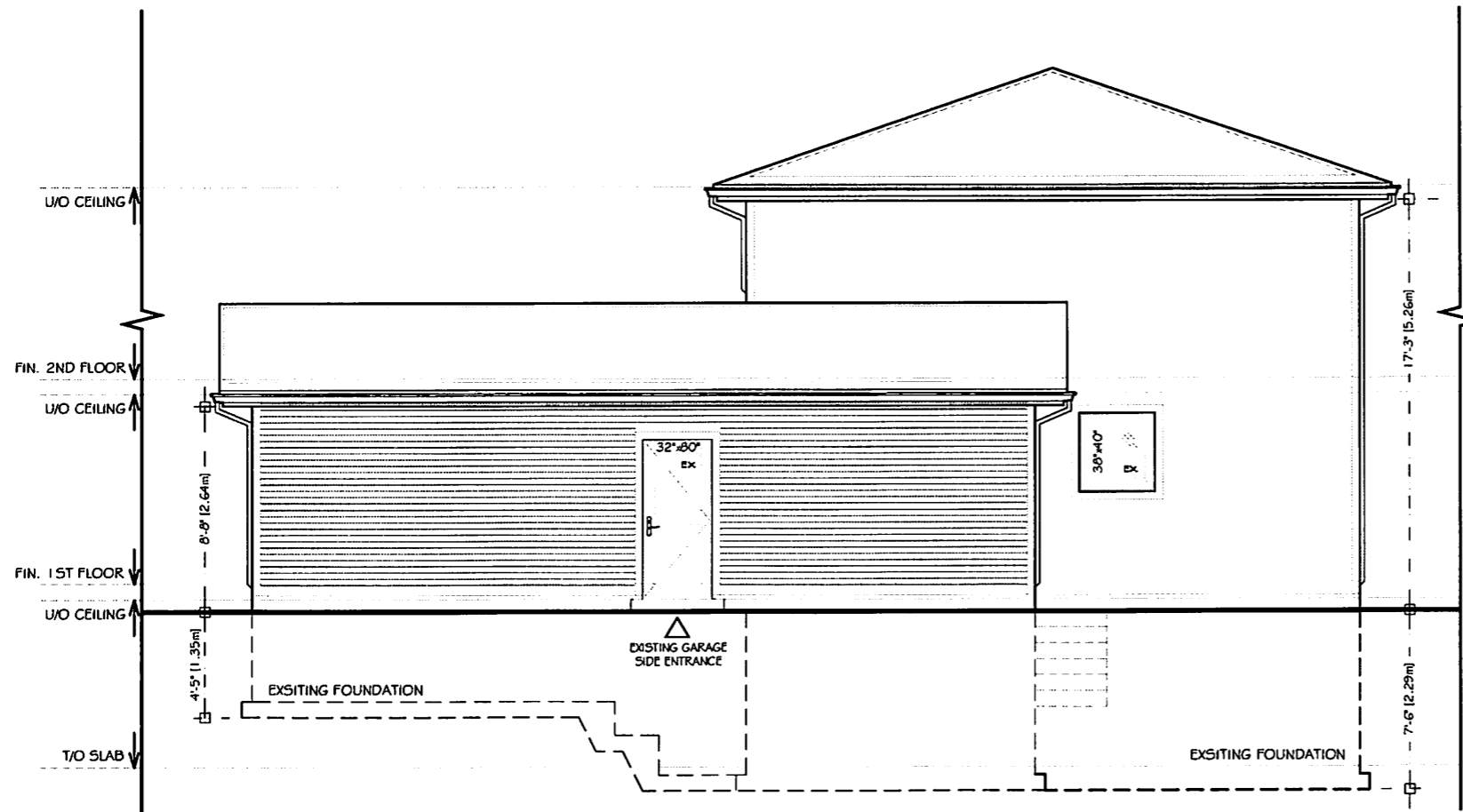
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NO.	REVISION NOTES	DATE

PROJECT:  
12 JEROME CRESCENT  
BRAMPTON, ON  
SCOPE: SECOND STOREY  
ADDITION / RENOVATION  
DRAWING TITLE:  
WEST ELEVATION  
EXISTING

CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

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EXISTING NORTH ELEVATION

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- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ALL EXISTING BASE BUILDING SYSTEM, EQUIPMENT AND PERSONNEL DURING CONSTRUCTION.
- ALL DIMENSIONS ARE FROM FACES OF FINISHED PARTITION, UNLESS OTHERWISE INDICATED.
- FLAME SPREAD RATING AND SMOKE DEVELOPED CLASSIFICATION FOR ALL MATERIALS NOT TO EXCEED THE MAXIMUM SPECIFIED IN THE ONTARIO BUILDING CODE.
- READ THIS DRAWING IN CONJUNCTION WITH OTHER DRAWINGS- ARCH, STRUCTURAL, MECHANICAL, ELECTRICAL AND OTHER RELEVANT DRAWINGS AND SPECIFICATIONS.

CITY OF BRAMPTON  
LANDSCAPE PLAN  
APPROVED  
subject to an agreement ☐  
On This \_\_\_ Day of \_\_\_\_\_  
Allan Parsons  
Director, Development Services

NO	REVISION NOTED	DATE

PROJECT:  
12 JEROME CRESCENT  
BRAMPTON, ON  
SCOPE: SECOND STOREY  
ADDITION / RENOVATION  
DRAWING TITLE:  
NORTH ELEVATION  
EXISTING

CITY SITE PLAN FILE NUMBER  
(SPA-2020-0093)

DRAWN BY	C.S.	PAGE
DATE	2002/2020	A23
SCALE	3/16" = 1'-0"	

A-2021-0004

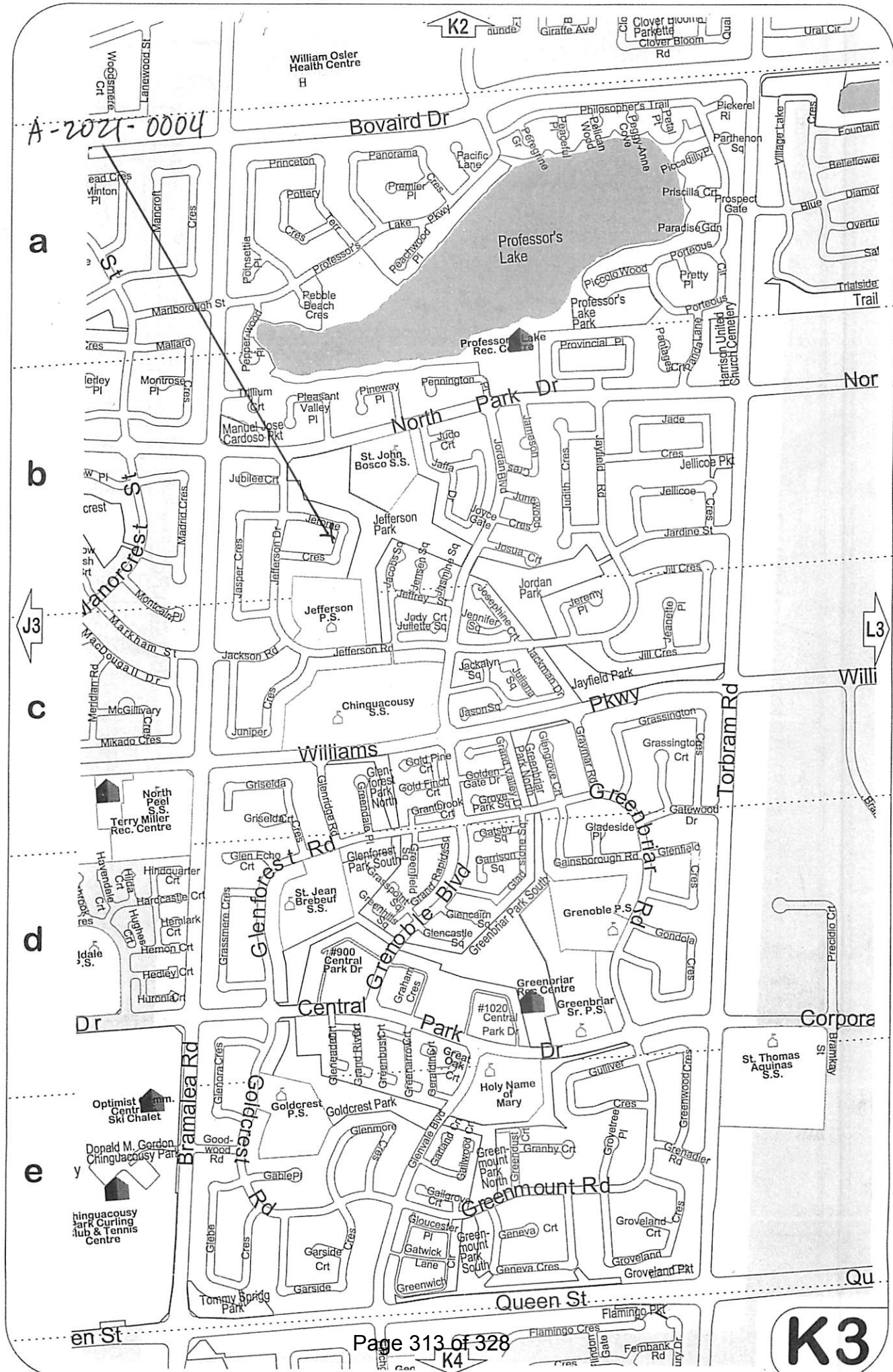
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K3

**Filing Date:** January 18, 2021  
**Hearing Date:** February 16, 2021

**File:** A-2021-0004

**Owner/  
Applicant:** FRANK AND KARLENE GASPER

**Address:** 17 JEROME CRESCENT

**Ward:** 8

**Contact:** Shelby Swinfield, Planner I

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**Recommendations:**

That application A-2021-0004 be deferred no later than the last meeting of June 2021.

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**Background:**

Existing Zoning:

The property is zoned "Residential Single Detached B(1) (R1B(1))" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an interior side yard setback of 1.42m (4.66 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.) to the second storey;
2. To permit an interior side yard setback of 1.42m (4.66 ft.) to a proposed deck off the second storey whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.);
3. To permit a building height of 8.99m (29.50 ft.) whereas the by-law permits a maximum building height of 7.6m (24.94 ft.).

**Current Situation:**

Staff have reviewed the requested variances and have identified some concerns with regard to the proposed height of the dwelling. Staff would like additional time to work with the applicant to address these concerns ahead of proceeding with the variance

application.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I

FEB 10 2021

CITY CLERK'S OFFICE

City of Brampton

Committee of Adjustments

Application #A-2021-0004

My name is Allan Mitchell. I reside at 19 Jerome Crescent, Brampton. I have received notice of the application for a minor variance respecting 17 Jerome Crescent and wish to respond as follows:

As I understand, three variations are sought to permit the erection of an addition, a deck and a height variance for the addition. The first two involve a variance of over one foot and the third involves a variance of just under 5 feet.

The result to my enjoyment of my property should the variances be permitted is that

- A. Directly across from the existing garage at 17 Jerome Crescent, I have a two family room windows as well as two bedroom windows. If the variance should be allowed, I would receive reduced sunlight and I would be looking at his additions and nothing else.
- B. Directly across from the existing house structure at 17 Jerome Crescent, I have a kitchen window and a dining room window. To allow the proposed variances would also obstruct my view and deprive me of any natural light.
- C. The use of my Bell satellite dish would be impacted
- D. As a senior citizen, my use and enjoyment of the property would be severely impacted.

I would respectfully request that the detriment to my use and enjoyment of my own property be considered. The installation of a deck would also result in a loss of privacy.

Sincerely,

ALLAN MITCHELL



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **BALVINDER KAHLON AND JAGDISH KAHLON** 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 50, Plan M-820 municipally known as **18 LONE OAK AVENUE**, Brampton;

AND WHEREAS 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.

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, February 16, 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.

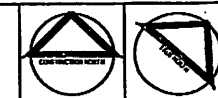
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 4th day of February, 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](mailto:jeanie.myers@brampton.ca)



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

CHECKED BY	DATE CHECKED
CHECKED BY	DATE DURING
SHEET TOTAL	

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, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, February 11, 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 **Thursday, February 11, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://www.brampton.ca). By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

**Filing Date:** December 14, 2020

**Hearing Date:** February 16, 2021

**File:** A-2020-0149

**Owner/**

**Applicant:** BALVINDER AND JAGDISH KAHLON

**Address:** 18 Lone Oak Avenue

**Ward:** 7

**Contact:** Shelby Swinfield, Planner I

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**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.

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**Background:**

The subject application was previously brought forward to the Committee of Adjustment hearing on January 26, 2021 however no agent or owner was present at the hearing to represent the application and the application was deferred.

**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

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**From:** Catherine Camilleri  
**Sent:** 2021/02/10 7:50 PM  
**To:** Myers, Jeanie  
**Subject:** [EXTERNAL]Application # A-2020-0149 Ward #7

Dear Jeanie,

We are Peter and Catherine Camilleri at 36 Lansdowne Drive, Brampton, L6S5V3, original owners. We are a neighbouring house of 18 Lone Oak Cres. Application # A-2020-0149 Ward #7.

When these houses were built, they were built as single family homes with up to 6-8 people depending on size of house. This is not a rural area. These are my concerns.

1 & 2. The accessory structure is already there so now he wants to get a permit. As long as it doesn't get bigger and come outside of the fence it seems fine. If it gets bigger it becomes too much of a eye sore.

3. Again if these are existing structures and they have been there awhile now, I don't see why it's a problem now. Unless the opposite backyard neighbours are complaining. Then it becomes a problem again or if they get bigger.

4. Now this is where it's going to be a problem. If the owner is asking for a permit to put in a below grade entrance, located between the main wall of the dwelling and the flankage lot line whereas the by-law does not permit it, then he shouldn't be given a permit for it. Period. If given the permit to do this is he putting it in for his own use, fine and dandy but if it's to be a private entrance for a basement apartment, which I'm pretty sure that's what it is, then there are more complications as the the sub-division was built for single family dwellings. There will be more cars on the road which causes problems especially being there is a curve in the road, and in the winter the cars will be in the way of snowplows and we already have that problem on Lansdowne Drive. Again this area was built as single family homes not multiple generated families. The sewage pipes were built for homes that have 6-8 people depending on size of house, so what happens if sewage backs up into my home, who's going to pay for the damages, the city of Brampton. There are already a good many homes in this area that have apartment units in basement with separate entrance (not sure if done with permits) and some with more then one kitchen in basement. Also many that have widen their driveways to capacity to hold 3-5 cars, some with their back end on the road and a couple more on the road. Thats when it becomes unsafe, when your driving on the road you actually have to drive around their back end so as not to hit it. Not safe!

5. For this stairs and landing if the by-law requires a minimum setback of 0.9m (2.95 ft) then this is what it should be kept at. That's why there are by-laws.

If you change it for one, then your be changing by-laws forever. Stick to the by-laws, not giving in to make one person happy. Think of the neighbours that have been here from the beginning.

Thank you and I hope you include this in the hearing application. I would also like to be emailed on the results.

Thanks Again

Catherine and Peter Camilleri

Sent from my iPad

## **Refund of Application Fees 83 White Tail Cres**

**ATTENTION: Committee of Adjustment City of Brampton**

**2 Wellington Street West Brampton, Ontario**

**C/O: Ms. Jeanie Myers Legislative Coordinator Secretary-Treasurer Clerk's Office.**

**RE: Minor variance Application No# A-2020-0140**

**Dear Ms. Myers,**

**My wife and I are the original home owners of the stated property Lot No# 494 within the City of Brampton. As of July 22<sup>nd</sup>, 2019 an unknown complaint was made towards our Royal Outdoor Product maintenance shed located in the far southwest corner of our private backyard. The structure was erected approximately 20 years ago having no issues with drainage/grading or surrounding adjacent neighbors that directly view the structure.**

**The City of Brampton property standards office had subsequently issued an order to comply as the structure was not within the restrictions 2 feet from all property lot lines by-law No# 270-2004. Having resided at this location for over 23 years a considerable amount of landscaping and work was completed around the structure being the shed.**

**In hind-sight moving the shed to meet the requirements of the by-law would have been an extremely expensive and costly process as all planted shrubs and landscaping would have to be destroyed. Between July 2019 to present, being served and having to deal with this city order to comply my wife was temporarily laid off due to the current global Covid-19 pandemic and the Province wide lock down restrictions making it impossible to perform any sort of renovation/relocation project.**

***I, myself on a pension, having three young adult children who all attend university move back into the matrimonial home, increasing the economic hardship and financial stressors of daily living made this order to comply an additional expense and burden.***

***The city property standards department continued to enforce this order, in spite of my attempts to respectfully request for an extension as we had been dealing with a terminally ill parent who we lost in November 2019, the current winter weather conditions that year as well as the loss of my wife's uncle in December 2020 due to covid-19.***

***As you are aware, upon being requested to attend the City of Brampton City Hall during the lockdown restrictions, we as dedicated taxpayers and community members who contributed towards past city projects, were directed (23rd November 2020) to pay the \$619.00 minor variance application fee after fulfilling all the necessary requirements, in order to deal with this minor variance/order to comply directive.***

***Moving forward adding to my family's mental stress, we were instructed to again attend City Hall on 9<sup>th</sup> December 2020 during lockdown restrictions to pick up and sign documents to publicly post an official sign at our residence, advising all our neighbors that we have applied for a minor variance (in our backyard) for a shed set back by-law violation.***

***Shortly after posting the request for a minor variance signage, we received a letter on 18<sup>th</sup> December 2020 from Ms. Shelby Swinfield Planner I Development City of Brampton supporting our shed set back minor variance as long as conditions stated were imposed.***

***On January 5<sup>th</sup>, 2021 my wife and I participated in a Committee of Adjustment virtual meeting presenting our shed set back minor variance application, which we were granted the exemption complying to the order with conditions supported by the committee and chair Mr. Ron Chatha moved by Mr. Marques, seconded by Mr. Colp.***

***In submission to this original City of Brampton order to comply by-law 270-2004, my wife and I had to experience and deal with the loss of family members, duress, undue financial hardship mental stress and added economic strain during this period. We therefore, are respectfully requesting of the Committee of Adjustment, that the application fee for the minor variance A-2020-0140 be refunded taking into consideration the totality of the whole process factored in, and what we both experienced as property owners and long- time taxpayers in Brampton.***

**Regards,**

*Phil V. Sequeira Joanne Sequeira*

**Mr. &Ms. Phil & Joanne Sequeira**

**83 White Tail Cres**

**Brampton, Ontario**

**L6Y-5C1**