



Agenda  
Committee of Adjustment  
The Corporation of the City of Brampton

**Date:** Tuesday, November 10, 2020  
**Time:** 9:00 a.m.  
**Location:** Council Chambers - 4th Floor, City Hall - Webex Electronic Meeting  
**Members:** Ron Chatha (Chair)  
Desiree Doerfler (Vice-Chair)  
Ana Cristina Marques  
David Colp  
Rod Power

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

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

6.1. A18-057

ANDRZEJ BEBNOWSKI

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

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

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



**6.2. A-2020-0106**

**BALWINDER SRAN AND AMARJIT SRAN**

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

The applicants are requesting the following variances(s):

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below grade in the required interior side yard;
2. To permit an interior side yard setback of 0.79m (2.60 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
3. To permit an existing driveway width of 7.34m (24.08 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

**6.3. A-2020-0107**

**PEEL HOLDING INC.**

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

The applicant is requesting the following variances(s):

1. To permit a Motor Vehicle Sales Establishment with outdoor display of three (3) vehicles for sale whereas the by-law does not permit the proposed use.

**6.4. A-2020-0108**

**ANNA CICIONE**

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

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

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

**6.5. A-2020-109**

**SHIBA BASNET AND SEEMA BASNET**

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

The applicants are requesting the following variances(s):

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

**6.6. A-2020-0110**

**AAMIR FIDA AND QURAT UL AIN**

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

The applicants are requesting the following variances(s):

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

**6.7. A-2020-0111**

**MANJIT KAUR GREWAL**

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

The applicant is requesting the following variances(s):

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

**6.8. A-2020-0112**

**DIPEN PAREKH AND SONAL SHAH**

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

The applicants are requesting the following variances(s):

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

**6.9. A-2020-0113**

**RAJANMOL DHINDSA AND PREET BOPARAI DHINDSA**

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

The applicants are requesting the following variances(s):

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

6.10. A-2020-0114

**SHOKIN SINGH AND MANJIT KAUR KULAR**

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

The applicants are requesting the following variances(s):

1. To permit an accessory structure (shed) on a lot within the Rural Estate Zone having a gross floor area of 128.58 sq. m (1384.02 sq. ft.) whereas the by-law permits an individual accessory structure to a maximum size of 23 sq. m (247.57 sq. ft.);
2. To permit an existing fence in the front yard having a maximum height of 1.8m (5.90 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 ft.);
3. To permit 58.71% of the front yard to be landscaped open space (as existing) whereas the by-law requires a minimum 70% of the front yard to be landscaped open space.

6.11. A-2020-0115

**DANIELS CHOICE MOUNT PLEASANT CORPORATION**

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

The applicants are requesting the following variances(s):

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

6.12. A-2020-0117

**MOHAMMAD ASEFI AND LAYMA AKBARI**

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

The applicants are requesting the following variances(s):

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

**6.13. A-2020-0118**

**UMBRIA DEVELOPERS INC.**

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

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

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

**7. DEFERRED MINOR VARIANCE APPLICATIONS**

**7.1. A-2020-0022**

**KERRY'S PLACE RESIDENTIAL SERVICES**

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

The applicant is requesting the following:

1. To permit a Supportive Housing Facility (Group Home Type 1) whereas Interim Control By-law 286-2019 does not permit the proposed use;
2. To permit an interior side yard setback of 0.2m (0.65 ft.) to an existing accessory structure (shed) in the rear yard whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure from any lot line.

**7.2. A-2020-0052**

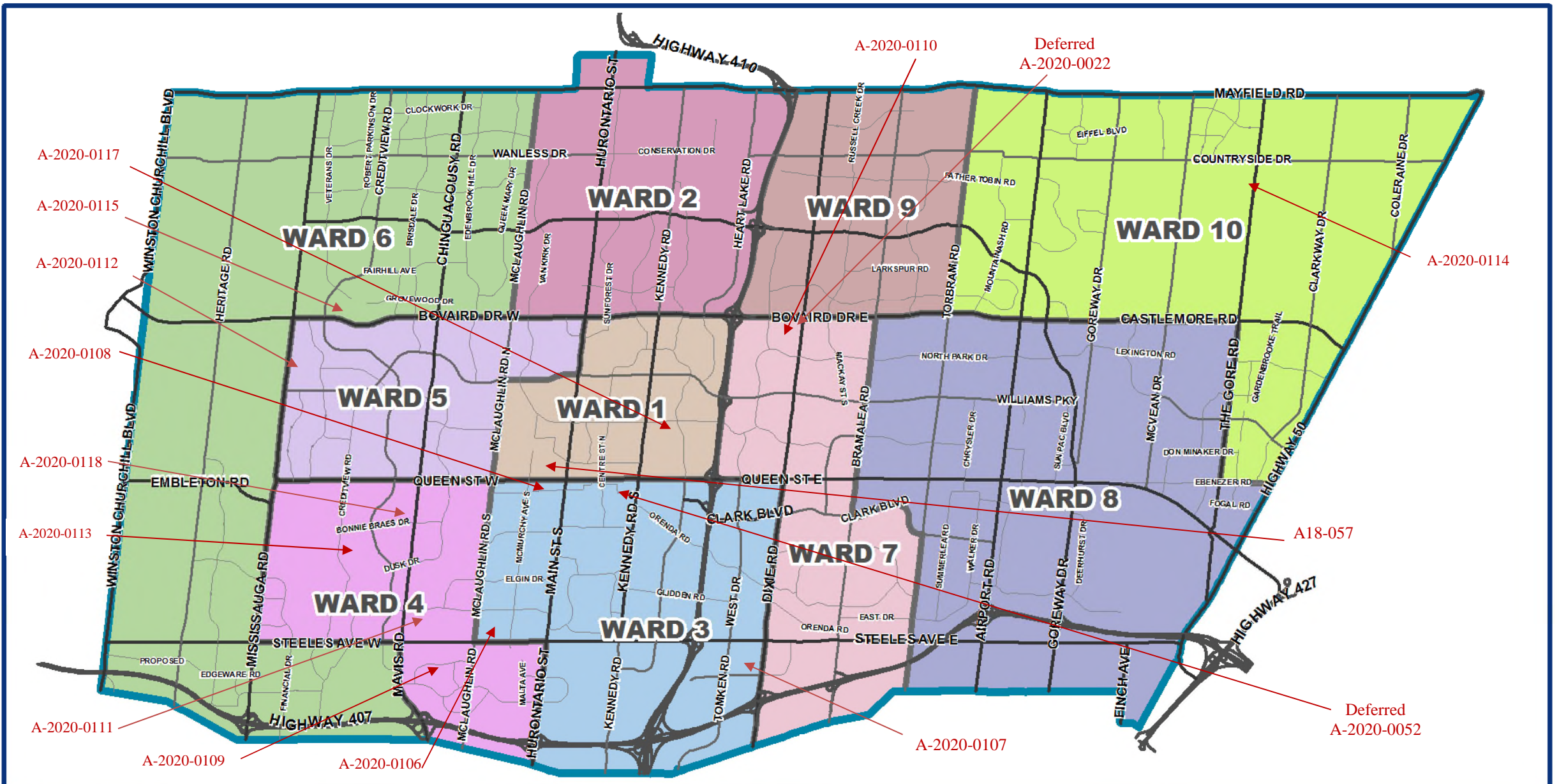
**SONEIL KIPLING INC.**

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

The applicant is requesting the following variance(s):

1. To permit the temporary outside storage/parking of oversized motor vehicles (dump trucks) for a period of five (5) years whereas the by-law does not permit the use.

**8. Adjournment**



**OCTOBER 20, 2020**  
**9:00 A.M.**  
**COUNCIL CHAMBERS**  
**4<sup>TH</sup> FLOOR - CITY HALL**

**MEMBERS:**

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

**STAFF:**

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

**ADOPTION OF MINUTES:**

Moved by: R. Power

Seconded by: D. Colp

THAT the minutes of the Committee of Adjustment hearing held September 29, 2020 be approved, as printed and circulated.

CARRIED

**DECLARATIONS OF INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT:**

Member Desiree Doerfler declared a conflict of interest on Applications A-2020-0098 to A-2020-0105 stating previous business relations with Umbria Developers.

Member Ron Chatha declared a conflict of interest on Application B-2020-0019 due to family members' employment history.

**WITHDRAWALS/DEFERRALS:**

None



## **NEW CONSENT APPLICATIONS**

(1)

**B-2020-0018**

**DANIELS CHOICE MOUNT PLEASANT  
CORPORATION**

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

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 8313 square metres (2.05 acres). The effect of the application is to create a new lot having frontage of approximately 65.4 metres (214.57 feet) and an area of approximately 4478 square metres (1.11 acres), together with reciprocal easements including access, servicing, maintenance, parking and any associated easements for both the proposed severed and retained lands. A 25 storey rental apartment building is proposed for the “retained” land and one 6 storey midrise condominium plus two 3 storey blocks of back- to-back townhouses are proposed for the “severed” land.

Mr. Daniel Grandilli, authorized agent for the applicant, presented application B-2020-0018 explaining the nature of the application. He advised that the site is currently under Site Plan file SP18-002.000, for the purpose of creating 142 condominium units, a 25 storey high rise rental tower, a six storey mid rise and blocks of back-to-back three storey townhouse units. Mr. Grandhill made reference to the plans submitted with the application which depicts the location of the proposed structures.

Mr. Grandhiil explained that the entire development will be located on top of a 2.5 level underground garage which will be split by ownership between the condominium and the rental components. He advised that there will be two outdoor amenity spaces which will have a reciprocal operating agreement between the condo and the rental. He explained there will be exceptions throughout the underground garage for mechanical rooms, waste rooms, elevators, storage areas and bicycle parking.

Mr. Grandhiil informed Committee that construction of the site commenced under conditional building permits which were issued in August, 2020 by the Building Division.

Mr. Grandhiil spoke to the comments from the Region of Peel regarding servicing noting that they are allowing for servicing across the entire site. He advised that the necessary easements will be put in place in order to have sufficient servicing for the rental component of the site. He added that any cost sharing will be split between the two components of the site.

Committee was informed that City of Brampton planning staff had no objection to the approval of application B-2020-0018 from a planning land use perspective subject to conditions. Staff requested an amendment to the conditions to include an additional condition requested by the Region of Peel.

Following discussion, Mr. Grandilli indicated that the proposed conditions, as amended, were acceptable.



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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: A. C. Marques

THAT application B-2020-0018 to create a new lot having frontage of approximately 65.4 metres (214.57 feet) and an area of approximately 4478 square metres (1.11 acres), together with reciprocal easements including access, servicing, maintenance, parking and any associated easements for both the proposed severed and retained lands 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; and
  - 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; and
2. That the owner finalize site plan approval under City File SP18-002.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services.
3. 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 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 R. CHATHA DECLARED A CONFLICT OF INTEREST ON APPLICATION B-2020-0019 AND DID NOT PARTICIPATE IN DISCUSSION. MEMBER D. DOERFLER ASSUMED THE CHAIR.**

(2)

**B-2020-0019**

**CANON CANADA INC.**

**PART OF LOT 1, CONC. 5 WHS  
8000 MISSISSAUGA ROAD  
WARD 6**

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

Mr. David Ashbourne, authorized agent for the applicant, addressed Committee explaining the nature of the application. He advised that there is no proposal to develop the lands at this time noting that the land will remain vacant after the consent is finalized and approved.

Committee acknowledged receipt of an e-mail correspondence dated October 12, 2020 from Dinesh Rajendran, resident of 1 Beckonrose Court with suggestions for future development of the vacant lands.

Committee was informed that City of Brampton planning staff recommends deferral of application B-2020-0019 no later than the last meeting of 2020. Staff noted that they are not looking for a long deferral of this request noting that through the review of the application it was identified that there is a need for a mutual access easement for the severed parcel over the retained parcel to allow them to use the signalized access onto Mississauga Road. Staff added that the deferral will allow the applicant to delineate the access and include the easement in their request. Staff noted that there is a concern that outside this application there will not be a mechanism to compel the owner of the retained lands to provide access to the retained lands.

Mr. Ashbourne responded that at this time the request for an easement is unwarranted given that the consent fulfils all the conditions of Section 53 of the Planning Act. He added that the application provides the opportunity for adequate vehicular access as a right-in, right-out off Mississauga Road. He explained that there is no potential purchaser, no development proposed at this time and submitted that if a need arrives for access in the future that it be between the purchaser and the developer.

Committee suggested that the applicant work with staff while Mr. Ashbourne indicated that if the application is deferred he would prefer that it be no longer than a month. Timelines were discussed and following discussion Mr. Ashbourne indicated that the proposed December 1, 2020 hearing date is acceptable. Following discussion Committee reached the following decision:

Moved by: D. Colp

Seconded by: R. Power

THAT application B-2020-0019 be deferred to the hearing scheduled for December 1, 2020.

CARRIED

### **DEFERRED CONSENT APPLICATION**

**APPLICATIONS B-2020-0014, A-2020-0093 AND A-2020-0094 WERE RELATED AND HEARD CONCURRENTLY**

(3)

<b><u>B-2020-0014</u></b>	<b><u>1968611 ONTARIO LIMITED</u></b>	<b><u>BLOCK 11, PLAN 43M-1907</u></b> <b><u>0 ACE DRIVE</u></b> <b><u>WARD 9</u></b>
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The purpose of the application is to request consent to sever approximately 0.97 hectares (2.41 acres) from a parcel of land currently having a total area of approximately 1.95 hectares (4.82 acres). The effect of the application is to provide for a lot addition to the adjacent lands, legally described as Block 10 on Registered Plan 43M-1907. Future development is proposed for an industrial use building.

(4)

<b><u>A-2020-0093</u></b>	<b><u>1968610 ONTARIO LIMITED</u></b>	<b><u>BLOCK 10, PLAN 43M-1907</u></b> <b><u>0 INSPIRE BOULEVARD</u></b> <b><u>WARD 9</u></b>
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The applicant is requesting a variance associated with Consent Application B-2020-0014 to treat all lands zoned Service Commercial –Section 2956 (SC-2956) as separate lots whereas all lands zoned Service Commercial –Section 2956 (SC-2956) shall be considered one lot for the purposes of the by-law.

(5)

<b><u>A-2020-0094</u></b>	<b><u>1968611 ONTARIO LIMITED</u></b>	<b><u>BLOCK 11, PLAN 43M-1907</u></b> <b><u>0 ACE DRIVE</u></b> <b><u>WARD 9</u></b>
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The applicant is requesting a variance associated with Consent Application B-2020-0014 to treat all lands zoned Service Commercial –Section 2956 (SC-2956) as separate lots whereas all lands zoned Service Commercial –Section 2956 (SC-2956) shall be considered one lot for the purposes of the by-law.

Ms. Rosemarie Humphries, Humphries Planning Group, authorized agent for the applicant, presented applications B-2020-0014, A-2020-0093 and A-2020-0094 briefly outlining the nature of

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the applications. She added that there are no exceptions in terms of lot area and frontages explaining that previously there was an application for these lands where Block 10 and 11 were to be developed together noting that at that time through the Zoning By-law amendment process there was a site specific exception provided where the lots were considered to be one in terms of zoning interpretation. Ms. Humphries explained that effectively they are undoing a site specific exception so that the proposed configuration would not contain the site specific restriction that considers the lots as one so that these lots would continue to be considered as one.

Committee recalled the history on this property noting that initially there was an Official Plan Amendment through Council for 2 or 3 dealerships on this land. Committee noted that now there is the 2 and a half acre parcel at the corner of Ace Drive and Inspire Boulevard and one parcel proposing an industrial building.

Ms. Humphries advised that she was not involved in the application previously when the car dealerships were proposed and acknowledged that a site specific Official Plan Amendment and Zoning By-law Amendment was adopted to facilitate that development between the two properties. Ms. Humphries explained that since that time the two owners of the two blocks determined that it was not feasible to move forward with the proposed development. She explained that the lot addition to create the 7 and a half acre parcel would be created and developed for an industrial building. She added that if the application is approved they will have to go through the site plan process noting that they have gone through the pre-consultation meeting process. She explained that they have no intention of submitting an application for Ace Drive at this time for the 2 and a half acre parcel.

Ms. Humphries expressed that they will be submitting a Rezoning Application to include industrial uses back on this site. She explained that Committee will recall that the previous application was for service commercial uses and the site specific Zoning by-law effectively stripped the original industrial provisions making it specific to service commercial uses tailored for car dealerships. Ms. Humphries explained that if approved by the Committee they will submit a Site Plan Application and Re-Zoning Application to put back the original employment and industrial uses that were afforded to this property.

Committee noted that there were a number of individual applications considered by the Committee and that when the time comes to talk about an auto mall the Committee would like more information. Committee noted that over time the Committee has approved a number of dealerships and recalled discussion on this lot with an application that eventually went to LPAT and Council because the applicant had a strong desire to develop dealerships. Committee noted that now today Committee sees a different proposal. Committee referenced another application previously which was supported by the Committee because staff was fully in support noting that the Region now is questioning that. Committee noted that the building will be close to the homes. The Chair requested Regional comments before making a decision.

Staff explained that today the application is not to permit a use but rather to reconfigure the lands and allow them to be treated separately from a parking perspective. Staff expressed that before

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when the applications were before Committee and ultimately came before Council as an Official Plan Amendment and Rezoning Application they were at that time proposing new uses that were not permitted. Staff explained that that is why concerns were raised about traffic and the Regions concerned. Staff expressed that the concerns have not come up because no new use is being proposed.

Committee was informed that City of Brampton planning staff had no objection to the approval of applications B-2020-0014, A-2020-0093 and A-2020-094 from a planning land use perspective and read aloud the conditions for the minor variance applications followed by the proposed conditions for the consent application.

Ms. Humphries 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: A. C. Marques

Seconded by: R. Power

THAT application B-2020-0014 to provide for a lot addition to the adjacent lands, legally described as Block 10 on Registered Plan 43M-1907 for future development for an industrial use building be approved for the following reasons and subject to the following conditions:

1. That related applications A-2020-0093 and A-2020-0094 be approved;
2. 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;
  - c. 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.
  - d. A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being Lot 11 on Plan 43M-935, 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.

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- e. 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.)

### 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: A. C. Marques

Seconded by: R. Power

THAT application A-2020-0093 to treat all lands zoned Service Commercial –Section 2956 (SC-2956) as separate lots be approved for the following reasons and subject to the following conditions:

1. That related consent application B-2020-0014 be approved; and
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

Moved by: A. C. Marques

Seconded by: R. Power

THAT application A-2020-0094 to treat all lands zoned Service Commercial –Section 2956 (SC-2956) as separate lots be approved for the following reasons and subject to the following conditions:

1. That related consent application B-2020-0014 be approved; and
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

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

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

CARRIED

### **NEW MINOR VARIANCE APPLICATIONS**

(4)

**A-2020-0080**

**BHARJ INC.**

**PEEL CONDOMINIUM PLAN 1046,**  
**LEVEL 1, UNITS 6 & 7**  
**7 SUN PAC BOULEVARD,**  
**UNIT 6 & 7**  
**WARD 8**

The applicant is requesting a variance to permit the construction of a 112 square metre mezzanine in Units 6 and 7 while providing 81 parking spaces whereas the by-law requires a minimum of 98 parking spaces.

Mr. Harpreet Bhons, authorized agent for the applicant, presented application A-2020-2080 briefly outlining the variance requested while providing a brief history. Mr. Bhons explained that a building permit was applied for by his client for the main floor and he executed a mezzanine but never used it. He stated that they are now applying for approval of a mezzanine area for an archive section on the second floor addition which is 112 square metres. He added that the parking required as a result of the mezzanine addition triggers more parking spaces which has been justified by a submitted parking justification study based on discussions with staff. Mr. Bhons added that there is currently no stairs leading to the mezzanine and it is not being used.

The Committee recalled that the owner of this unit had submitted a letter on a previous application that had been before the Committee noting that he had intended to do the same thing but was advised that it was something he could not do.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff noted that there have been a number of parking reduction variances for units within the building explaining that there is an illusion of a second floor but not a functional second floor. Staff noted that within those units the owners are creating mezzanines typically for storage area and in this case, with the accompanying study it does justify that the additional floor area will not have a negative impact. Staff read the proposed conditions and explained that the wording under proposed condition 2 ensures that as the floor area and uses change Committee will have to see applicants before them again if the parking need is increased.

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Committee posed a question inquiring if another application comes forward in the future is there a mechanism in place for those applications before the Committee. Staff responded that every time a use comes forward and more parking is required another parking study would be required to demonstrate that a use can operate with the limited parking. Staff advised that if staff review the studies and are not satisfied with the information, staff may not be able to support a variance that does not have a supporting parking study.

Mr. Amaninder Bharj addressed Committee advising that he was the very first person to occupy the plaza. He advised that when he approached the Planning Department to advise that he needed a mezzanine he was informed that it was not possible. He advised that he assumed that if he was told no then it would be the same for everyone. He expressed that other applications came in and were approved and he felt that it should be on a first come first served basis.

Ms. Maggie Medeiros, 7 Sun Pac Boulevard, Unit 1 addressed Committee explaining that the applicant has built the mezzanine confirming that Mr. Bharj was the first one in the units. She noted that it has come to their attention that in accordance with the Condominium Corporation declaration document, a mezzanine is not part of the declaration. Ms. Medeiros posed a question inquiring if the mezzanine was built with a permit, noting that it will bring in more parking. She recalled that there was another application previously and the major concern for them is parking availability. She informed Committee that the mezzanine was built before registration. She commented that there is no parking on the street and noted that there are now some retail units that bring more people to the plaza. Ms. Medeiros reiterated that parking is a major concern.

Committee noted that there may be issues with parking at the site and if there isn't now there may very well be in the future. Committee inquired if any of the work was done with permission and in the event other applications come forward is there any mechanism in place once the plaza is fully occupied.

Zoning Staff confirmed that a building permit was obtained for what is now being described as a mezzanine. Staff noted that at the time it was constructed it functioned as a dropped ceiling which is why there was no staircase leading to it. Staff expressed that although it may have been constructed as a mezzanine that for the purpose of building code compliance it may require minor modifications and the applicant will be required to obtain a building permit for the stairway.

Staff noted that anytime a new use goes into the plaza it will be evaluated for parking advising that a parking rate is attributed to all the vacant uses to determine the total parking requirement for the site to function as a whole however it is not attributed at any of the higher parking rates that would be associated with some permitted uses including offices, personal service shops or retail establishments. Staff advised that although the Committee has approved some variances for commercial uses the units could not be occupied without a need for a variance to address the parking deficiency. Staff explained that any new mezzanines that are proposed are required to be evaluated against the parking requirements for floor area.

Committee posed a question inquiring if the tenant or the owner changes would it be appropriate to mention that this mezzanine is strictly for storage. Staff provided wording for an additional



## Committee of Adjustment Minutes

condition for Committee's consideration to include that the additional floor area for the mezzanine shall be used strictly for storage of materials. Mr. Bhons responded that they are O.K with the condition for storage noting that the space will be used for archives and storage

Following discussion, Mr. Bhons 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-2020-0080 to permit the construction of a 112 square metre mezzanine in Units 6 and 7 while providing 81 parking spaces be approved for the following reasons and subject to the following conditions:

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

(5)

**A-2020-0082**

**AGNIESZKA SZPALA**

**LOT 22, CONC. 3 WHS**  
**0 CHURCHVILLE ROAD**  
**WARD 6**

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

## Committee of Adjustment Minutes

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

Mr. Alex Temporale, ATA Architects Inc., authorized agent for the applicant, presented application A-2020-0082 briefly explaining that they have applied to the Heritage Committee and for Custom Home Review and received approval from both. He advised that planning staff had concerns in terms of interpreting the site plan to ensure the setback requirement of 1.2 metres was attainable. He noted that drawings were re-issued which clarified that the dwelling fits within the requested setbacks.

Mr. Temporale added that another issue related to a large silver maple on the property on the southern portion and its proximity to the house. He explained that an arborist went out and examined the tree and recommended removal of the tree because of its' deteriorated condition and limited long term survival. Mr. Temporale explained that they suggested to planning staff that they would seek approval with the added condition that they provide an arborist report and conservation plan for the trees on site. It was his opinion that there was no condition, other than the large tree that would negatively affect the request that they have made for the variance for the side yard setback. He advised that they are seeking support from the Committee.

Committee was informed that City of Brampton planning staff was recommending deferral of this application no later than the last hearing of 2020. Staff noted that a number of trees were identified within the probable construction area based on the reduced setback. Staff advised that they do require an arborist report that addresses all trees on site rather than just the silver maple at the rear. Staff advised that additional time is required to review the arborist information which had just been received.

Mr. Matthew Kania, owner of the property, addressed Committee advising that he was in attendance in the event there were any questions. He noted that this is their future home and respects the deferral but requested that there be no additional deferrals to delay the project. He noted that the subdivision is behind the property and that he has a number of trees and loves nature advising that they will not remove any trees that do not need to be removed and agreed to the arborist report.

Mr. Simratpal Singh, 7838 Churchville Road addressed Committee advising that the information presented addresses his concerns at this time and that anything further can be addressed at the meeting of December 1, 2020.

Following discussion, Committee reached the following decision:

Moved by: D. Colp

Seconded by: R. Power

THAT application A-2020-0082 be deferred to the hearing scheduled for December 1, 2020.

CARRIED

(6)

2020 10 20

Committee of Adjustment Minutes

(6)

**A-2020-0083**

**BASHIR ABDI**

**LOT 84, PLAN M-1268**  
**29 BUNCHBERRY WAY**  
**WARD 9**

The applicant is requesting the following variance(s):

1. To permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line;
2. To permit an existing accessory structure (shed) having a setback of 0.20m (0.66 ft.) to the side lot line whereas the by-law requires a minimum setback of 0.60m (1.97 ft.) for an accessory structure to the side lot line;
3. To permit an existing accessory structure (shed) having a setback of 0.25m (0.82 ft.) to the rear lot line whereas the by-law requires a minimum setback of 0.60m (1.97 ft.) for an accessory structure to the rear lot line;
4. To permit an existing driveway width of 5.8m (19.03 ft.) whereas the by-law permits a maximum driveway width of 5.2m (17.06 ft.);
5. To permit an existing driveway having a separation distance of 3.0m (9.84 ft.) to the projected point of intersection of two streets whereas the by-law requires a minimum separation distance of 6.0 metres between a driveway and the projected point of intersection of two streets.

Mr. Alahasan Robah, YEJ Studio Consulting, authorized agent for the applicant, presented application A-2020-0083 briefly outlining the variances requested..

Committee was informed that City of Brampton planning staff was in support of this application, in part, with conditions noting that staff recommends that variance number 4 be refused.

Committee observed during site inspection that some work had taken place and seemed to be halted noting that the entrance is there and needs to be finished.

Mr. Robah explained that the owner had hired a contractor and the owner was advised that the necessary permits were obtained informing Committee that the applicant stopped the work once it was discovered that this was not the case. Mr. Robah advised that there currently is a permit in place subject to approval from the Committee.

Following discussion, Mr. Robah 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-2020-0083 to permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line; to permit an existing accessory structure (shed) having a setback of 0.20m (0.66 ft.) to the side lot line; to permit an existing accessory structure (shed) having a setback of 0.25m (0.82 ft.) to the rear lot line; to permit an existing driveway width of 5.8m (19.03 ft. and to permit an existing driveway having a separation distance of 3.0m (9.84 ft.) to the projected point of intersection of two streets be approved for the following reasons and subject to the following conditions:

1. That Variance 4 be refused and the driveway be reinstated to the maximum permitted width of 5.2 metres;
2. That the extent of Variances 1, 2, 3, and 5 be limited to that shown on the sketch attached to the Public Notice;
3. That the curb cut shall not be extended toward the flankage lot line;
4. That drainage from the accessory structure shall flow onto the applicant's property and drainage on adjacent properties shall not be adversely affected;
5. That a building permit be obtained 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;
6. That the below grade entrance not be used to access an unregistered second unit;
7. That the fence remain in the existing location and height and not be removed or lowered;
8. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

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

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

CARRIED

(7)

**A-2020-0084**

**AMIT BAGRI AND DEVIKA BAGRI**

**LOT 58, PLAN M-486**  
**57 ROSEBUD AVENUE**  
**WARD 4**

The applicants are requesting the following variance(s):

## Committee of Adjustment Minutes

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit a 0.54m (1.77 ft.) interior side yard setback to the exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
3. To permit lot coverage of 32.41% whereas the by-law permits a maximum lot coverage of 30%;
4. To permit an interior side yard setback of 0.94m (3.08 ft.) to a proposed below grade window in an interior side yard whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
5. To permit an interior side yard setback of 0.94m (3.08 ft.) to as-built additions in the interior side yard whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
6. To permit an accessory structure (shed) having a 0.0m setback to the property line whereas the by-law requires a minimum setback of 0.60m (1.97 ft.) for an accessory structure to all property lines;
7. To permit an existing hot tub having a side yard setback of 0.4m (1.31 ft.) whereas the by-law requires a minimum setback of 1.2m (3.97 ft.).

Mr. Amit Bagri, applicant and owner of the property, presented application A-2020-0084 briefly outlining the variances requested noting that the application was made for a below grade entrance to allow for a second dwelling unit on the property and other variances were identified during site inspection. He explained that he moved to the property in July and has not changed anything at the site noting that some of the existing structures were not in compliance. It was his request for a below grade entrance and a window in order that the basement could be rented.

Committee acknowledged receipt of e-mail correspondence dated October 14, 2020 from Karen Walsh, 54 Rosebud Avenue, detailing concerns with the application.

Committee acknowledged receipt of e-mail correspondence dated October 14, 2020 from Kathy and Kevin Scott, 59 Rosebud Avenue outlining their concerns with application A-2020-0084.

Committee acknowledged receipt of e-mail correspondence dated October 14, 2020 from David Townsend objecting to the application.

Committee acknowledged receipt of e-mail correspondence dated October 15, 2020 from Luanne Crilly, 78 Rosebud Avenue in opposition to application A-2020-0084.

Committee acknowledged receipt of e-mail correspondence dated October 15, 2020 from Laurene Boynto, 60 Rosebud Avenue objecting to the application.

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Committee was informed that City of Brampton planning staff was in support of this application, in part, with conditions. Staff noted that they are now recommending that proposed condition number 4 be removed.

Mr. Bagra expressed concerns with proposed condition number 2 and noted that this is a pre-existing condition and that most homes on the street have the same extensions. He added that he did not make the additions and requested that he be granted relief from recommendation number 2. Mr. Bagra expressed surprise with the number of letters of opposition adding that he had spoken to most of the neighbours about the proposal and provided assurance.

Mr. Bagra explained that a pamphlet was included with his property tax that indicated that he could reach out to the City's Zoning Department which he did. He explained that they provided guidance advising him that in reviewing his survey it was recommended that a below grade entrance would not be permitted from the left side of the property and that a possible option was to request for a below grade entrance which based on the Committee's view might be approved.

Mr. Bagra stated that he is trying to do things that will comply and be in conformity with the neighbourhood.

The Chair expressed that he was not in support of the below grade entrance and sought clarity on the condition regarding the demolition.

Staff explained that the two windowed bump outs on the interior side yard where the below grade entrance is proposed were constructed without building permits. Staff advised that there isn't sufficient room to access the rear yard noting that access to the rear yard would result in trespassing onto the neighbouring properties.

Committee noted that the property is a detached property and the application is not complaint based. Committee requested if staff could assist with conditions that could be imposed to allow the window structures to remain. Committee expressed that if the additions were already there when the house was purchased they would not like to see the applicant incur the costs for something that was there when he purchased the property.

Zoning Staff proposed modifications to the proposed conditions to address the maintenance of the two existing bump outs in the interior side yard. Staff advised that if other houses on the same street and the same model type have those same projections then it may have been a modification made by the builder and a building permit may not be necessary. Staff advised that staff would have the opportunity to review the drawings for the certified models to determine if a building permit would then be necessary.

Zoning Staff provided contact information to assist the applicant in securing documents noting that with the Building Division closed to the public the applicant may have difficulty securing the information.

## Committee of Adjustment Minutes

Mr. Bagra inquired if he had to apply for building permits for the existing extensions. Committee explained that the condition was modified to include additional wording "if necessary". Following discussion, Mr. Bagra 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: A. C. Marques

THAT application A-2020-0084 to permit an exterior stairway leading to a below grade entrance in the required interior side yard; to permit lot coverage of 32.41%; to permit an interior side yard setback of 0.94m (3.08 ft.) to a proposed below grade window in an interior side yard; to permit an interior side yard setback of 0.94m (3.08 ft.) to as-built additions in the interior side yard; to permit an accessory structure (shed) having a 0.0m setback to the property line and to permit an existing hot tub having a side yard setback of 0.4m (1.31 ft.) be approved for the following reasons and subject to the following conditions:

1. That Variances 1 and 2 be **refused** and the below grade entrance shall not be permitted;
2. That the extent of Variances 3, 4, 5, 6 and 7 be limited to that shown on the sketch attached to the Public Notice;
3. That the owner obtain a building permit, if necessary, for the existing additions 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;
4. That drainage from the accessory structure roof shall flow onto the applicant's property;
5. That the accessory structure between the main wall of the dwelling and the interior lot line be removed;
6. That drainage on adjacent properties not be impacted; and
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

Committee of Adjustment Minutes

(8)

**A-2020-0085**

**JUSTIN TRI QUANG LE**

**LOT 104, PLAN 43M-1881**  
**7 BELLCREST ROAD**  
**WARD 4**

The applicant is requesting the following variance(s):

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit an interior side yard setback of 0.18m (0.60 ft.) to the exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 0.6m (1.97 ft.);
3. To permit a combined total of 1.42m (4.66 ft.) of the interior side yards whereas the by-law requires a combined total of the interior side yards on an interior lot of not less than 1.8m (5.90 ft.).
4. To permit an existing driveway width of 7.6m (24.93 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22.0 ft.).
5. 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.

Mr. Justin Le, applicant and owner of the property, presented application A-2020-0085 briefly outlining the variances requested.

Committee acknowledged receipt of e-mail correspondence dated October 16, 2020 from Ken Wearana, 59 George Robinson Drive indicating opposition to application A-2020-0085.

Committee acknowledged receipt of a letter received on October 19, 2020 from Ershad Haque, 11 Bellcrest Road, in opposition to the application.

Committee acknowledged receipt of a letter received on October 19, 2020 from Michelle Brasil, 109 Fruitvale Circle, in opposition to the application.

Committee acknowledged receipt of a letter received on October 19, 2020 from Dimmie and Dennis Pejic, detailing their concerns with the application.

Committee acknowledged receipt of a letter received on October 19, 2020 from Gurpreet Bola, in opposition to application A-2020-0085.

Committee acknowledged receipt of a letter received on October 19, 2020 from Dimmie and Dennis Pejic, detailing their concerns with the application.



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Committee inquired if Mr. Le was still the owner of the property and if the property was sold. Mr. Le responded that there was a closing date at the end of September confirming that the property has not closed. The Chair responded that he was not convinced of his intent and that he was moving away and allowing others to do whatever is required.

Committee was informed that City of Brampton planning staff was in support of this application, in part, with conditions. Staff wished to clarify the variances requested. Zoning Staff clarified that a revised sketch had been provided to the Secretary-Treasurer modifying the side yard setback to the existing stairwell and that there is a minor difference of 4 centimeters between the 0.18 metres reflected in the public notice versus 0.14 metres reflected on the sketch attached to the public notice. Staff also clarified that the 0.0 metre permeable landscaping was amended to 0.48 metres of permeable landscaping.

The Chair noted that during site inspection that if someone wants to access the rear yard they would have to go through the neighbour's property which he would not be supporting however he proposed that consideration could be given to a scenario whereby the configuration of the stairs would be such that steps on either side of the landing would provide access from the front to the rear yard. He noted that he was O.K. with the entrance but not as it is currently constructed.

Staff advised that if Committee wants to defer the application then a short deferral is recommended. The Chair expressed that he wanted to ensure that the application could proceed with assurance that the correct dimensions are reflected noting that with conditions recommended by staff perhaps the application could proceed with modifications to the variances and the proposed conditions.

Zoning Staff suggested that the variances could be modified to capture the variances noting that the driveway is a lesser variance than what was originally proposed and recognizing that the side yard setback to the stairway is only 4 centimeters of a difference and is currently constructed. Staff sought clarification from Planning Staff if any consideration was given to a 0.48 metre permeable landscape strip as opposed to the 0.0 metre permeable landscape strip which is not supported by staff.

Zoning Staff went through the proposed conditions recommended and provided revised wording to the Committee for consideration including wording to capture Committee's recommendation for the stairs and access to the rear yard.

The Chair commented that he shares the pain of the next door neighbour and noted that at the same time, the applicant is now in touch with the municipality trying to bring everything in order. He noted that the next door neighbor has had to go through a lot of hassle which no one wants to go through. He expressed that he does not want to see anyone taking advantage of the generosity of their next door neighbours.

Mr. Le responded that he is not in a position to take advantage of anyone's generosity noting that he assisted his next door neighbours when they moved in and helped trouble shoot. He advised that he did discuss his plans to put this in place noting that they were aware but unfortunately

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when it was constructed it was not what they had imagined. He expressed that this is his first process going through construction and he learned through the process, noting that this was definitely his mistake. He asked for Committee's support to make things right and help him get through this noting that he has not closed on the property as he wants to make things right.

Committee expressed that they make their decision on certain criteria and the information before the Committee. Committee expressed that under these circumstances that they want to move ahead noting that staff has helped to put together the conditions to help bring the property into compliance.

Mr. Le informed Committee that there is a building permit in process. Committee advised that modifications would be required based on the recommended conditions. Staff confirmed that a building permit application has been submitted as well as an application to register a second unit. Staff expressed that the plans and drawings associated with the permit would need to be modified to include the conditional approval recommended today for the stairs.

Mr. Le 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: D. Doerfler

THAT application A-2020-0085 to permit an exterior stairway leading to a below grade entrance in the required interior side yard; to permit an interior side yard setback of 0.18m (0.60 ft.) to the exterior stairway leading to a below grade entrance; to permit a combined total of 1.42m (4.66 ft.) of the interior side yards; to permit an existing driveway width of 7.6m (24.93 ft.) and to permit a 0.0m permeable landscape strip abutting a property line be approved for the following reasons and subject to the following conditions:

1. That Variance 5 be approved in part and that a 0.48m permeable landscape strip shall be maintained between the driveway and the side lot line;
2. That Variance 4 to permit an extended driveway width be approved to a maximum width of 7.12 metres (23.35 feet);
3. That no vehicle, in whole or in part, shall be parked upon the extended portion of the driveway at any time;
4. That Variance 2 be modified to permit an interior side yard setback of 0.14m to the exterior stairway leading to a below grade entrance;
5. That the approval of Variances 1 and 2 (as modified) is conditional on the reconfiguration of the below grade stairwell to include stairs at both the front and rear of the landing to provide pedestrian access from the front yard to the rear yard;

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6. That a building permit be obtained for the below grade entrance, including the required reconfiguration, 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;
7. That the entrance not be used to access an unregistered second unit;
8. That drainage on adjacent properties not be impacted; and
9. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

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

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

CARRIED

(9)

**A-2020-0086**

**AMANDA SALMOND AND MICHAEL  
BENNIE**

**LOT 96, PLAN 646  
42 GREYSTONE CRESCENT  
WARD 3**

The applicants are requesting the following variance(s):

1. To permit an interior side yard setback of 1.489m (4.89 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 a second storey;
2. To permit an existing accessory structure (storage shed) having a side yard setback of 0.15m (0.50 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to all property lines;
3. To permit an existing accessory structure (storage shed) having a rear yard setback of 0.30m (0.98 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to all property lines.

Mr. Patrick Cheeseman, authorized agent for the applicant, presented application A-2020-0086 briefly outlining the variances requested related to a proposed addition and existing accessory structure.

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

Mr. Cheeseman indicated that the proposed conditions were acceptable.

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

Moved by: R. Power

Seconded by: A. C. Marques

THAT application A-2020-0086 to permit an interior side yard setback of 1.489m (4.89 ft.) to a proposed second storey addition; to permit an existing accessory structure (storage shed) having a side yard setback of 0.15m (0.50 ft.) and to permit an existing accessory structure (storage shed) having a rear yard setback of 0.30m (0.98 ft.) be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the public notice; and
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

(10)

**A-2020-0087**

**WINDY HILL PROPERTIES INC.**

**LOT 1, PLAN 43M-2063**  
**2 MIDMORNING ROAD**  
**WARD 6**

The applicant is proposing construction of a single detached dwelling and is requesting a variance to permit an interior side yard setback of 0.71m (2.33 ft.) whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.)

Mr. Ezequiel Sanchez, RN Design Ltd., authorized agent for the applicant, presented application A-2020-0087 briefly outlining the variances requested.

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

Mr. Sanchez indicated that the proposed conditions were acceptable.

## Committee of Adjustment Minutes

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

Moved by: A.C. Marques

Seconded by: R. Power

THAT application A-2020-0086 to permit an interior side yard setback of 0.71m (2.33 ft.) be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That a clause be included within the Agreement of Purchase and Sale for the lot advising of the variances affecting the property. In the event the property has been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser acknowledges and accepts the variances; 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

(11)

**A-2020-0088**

**NAVIN SEODARSAN AND TINA BAKSH**

**LOT 9, PLAN 43M-1975**  
**62 BURLWOOD ROAD**  
**WARD 10**

The applicants are requesting the following variance(s):

1. To permit an accessory structure (cabana) to include habitable space (installation of washroom) whereas the by-law does not permit accessory structures to be used for human habitation.

Mr. Mark Lee, Fausto Cortese Architects, authorized agent for the applicant, presented application A-2020-0088 briefly outlining the variance requested.

Mr. Navin Seodarsan, applicant and owner of the property addressed Committee advising that the extension of the house with a deck was constructed with a permit and that a permit was also obtained for an existing pool. He explained that the request for plumbing within the cabana is for convenience primarily for his young children who are running in and out of the house noting that the

## Committee of Adjustment Minutes

bathroom is located the front of the house where the children are having to run across ceramic flooring which is slippery at times. He noted that a bathroom within the cabana is proposed.

Mr. Gurjeet Thandi, 60 Burlwood Road, addressed Committee expressing that they are opposing the building of the cabana noting that the notice refers to a proposed cabana which has already been constructed without permission. He noted that there are 2 buildings at the left side of their back yard and it feels like his neighbor is trying to construct a fortress around them with no regard to their privacy.

Mr. Thandi expressed that it looks like an eyesore in a prestigious area where neighbours had agreed where they would build their sheds. He stated that they have no freedom in their back yard expressing that perhaps a smaller version could be built. He further added that the surrounding neighbours are not affected by this the way that they are as the adjacent property owners.

Committee displayed the picture that was submitted noting that the Committee's jurisdiction is limited to the variance requested in this application. Committee noted that if the washroom wasn't proposed, the shed would be permitted. Committee observed that with the majority of the backyards the builder has provided balconies to almost every house where a person can come outside and stand on the balcony. Committee advised that this is not within their jurisdiction.

Committee acknowledged receipt of e-mail correspondence dated October 15, 2020 from Jaspal Thandi (Gurjeet Singh) and Gary Thandi, 60 Burlwood Road, detailing their concerns with application A-2020-0088. A separate e-mail included a photograph showing the cabana and an existing shed.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff confirmed that the plans received showed a sink and toilet which is why the conditions speak specifically to that.

Staff confirmed that the structure itself is permitted and if the applicants were not coming for the installation of a washroom today then the structure itself would comply.

Mr. Thandi advised that he has communicated with City Councilors and was told that there is no permit for the balcony and no permit for the pool. He expressed that now that the cabana is already built without a permit it becomes a trust issue. Mr. Thandi advised that he has been putting together a file since 2019 as detailed in the letter he submitted. He advised that the cabana is used as a summer getaway for the applicants but they have to look at it 365 days a year.

Committee explained that the variance is before Committee for habitable space only. Committee sought clarity from staff on the cabana and the pool and any construction in the past.

Zoning Staff confirmed that the cabana in its size and location fully complies with the zoning by-law requirements for size, height and setbacks for an accessory structure. Staff expressed that as Committee had noted, the only variance needed to allow the structure to function as intended is to allow the plumbing which then makes it habitable space. Staff noted that if it did not include plumbing it would not need a variance and the structure is small enough that it would not require a

## Committee of Adjustment Minutes

building permit. Staff clarified that the only requirement for a building permit is because of the plumbing.

Staff confirmed that there is an application for a building permit for the cabana that has not been issued and is contingent on approval of the plumbing inside noting that staff could not issue a permit that doesn't comply with the zoning by-law.

Staff explained that the pool and pool enclosure was installed and being used without the benefit of a building noting that the owner has obtained a pool enclosure permit that was issued in August. In terms of the balcony, staff advised that the balcony construction was started back in 2017 without benefit of a permit however since that time a permit was obtained and issued in 2017 and construction is on-going.

Staff advised that all inspections have not been finalized however the balcony would have been reviewed for compliance for the setback requirements to the zoning by-law which, for a balcony on a second storey, allows a 3 metre encroachment into a 7.5 metre rear yard. Staff advised that the owner would be required to maintain a 4.5 metre setback from the rear lot line which is approximately 14.7 feet. Staff expressed that compliance with the building permit that was issued will be determined through mandatory inspections by the building inspectors. Staff summarized that before Committee for consideration is the plumbing inside a permitted accessory building which does not in any way contravene the Zoning By-law in terms of size, location and height.

The Chair remarked to the property owner that it doesn't make him happy that he started construction on multiple occasions without obtaining permits and that he should have known in 2017 when construction started on the balcony. The Chair advised that the permit for the balcony has not been closed and final inspections will occur before final certification.

Mr. Seodarsan explained that they hired a contractor who did the upper deck and obtained a permit advising that the permit was placed in the front window before excavating. He added that a permit was also submitted in 2017 for the pool but the City rejected the pool permit because the land had not been assumed. He reiterated that they did have the permit prior to the work being started.

Zoning Staff confirmed that an Order to Comply was strictly for the cabana and that the owner did in fact obtain a permit for the balcony prior to construction, as he had indicated.

Following discussion Mr. Seodarsan 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

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THAT application A-2020-0088 to permit permit an accessory structure (cabana) to include habitable space (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 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 a toilet and sink;
3. That a building permit be obtained for the accessory structure within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official; 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

(12)

**A-2020-0089**

**GURJOT TOOR**

**PT. OF LOT 1, CONC. 8 ND**  
**8196 GOREWOOD DRIVE**  
**WARD 8**

The applicant is requesting a variance to permit the temporary outside storage of oversized motor vehicles on the rear portion of the property for a period of 3 years whereas the by-law does not permit the proposed use.

Mr. Terrance Glover, Urban in Mind, authorized agent for the applicant, made a brief presentation for application A-2020-0089 explaining that the site is set up with an existing dwelling that is being utilized while the rear of the property is currently vacant. He spoke of the designation for the property and pointed out that the existing zoning by-law designates the property as residential rural estate. He advised that in the past the zoning saw this site as residential rural estate noting that when redevelopment occurs the zoning will have to comply with the Official Plan which designates the property as industrial lands.

Mr. Glover explained that the overall development for Gorewood Drive is being pursued and a pre-consultation has occurred noting that these properties are all contained within that development.



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He explained that the application before Committee will allow for an interim solution between now and 3 years from now when redevelopment potential on all the properties is expected.

Mr. Glover referenced a previous application for 8188 Gorewood Drive which is very similar for an interim use for up to 3 years which had a condition of approval that they enter into a limited site plan and that official access be created onto Intermodal Drive from 8188 Gorewood Drive. He advised that they are currently going through the process to meet the municipal standards for a proper entrance and exit onto Intermodal Drive noting that this property will also gain access through 8188 Gorewood Drive to Intermodal Drive. He pointed out that they have created a separation by way of a proposed fence between the existing dwelling and the parking at the rear so that there will be no through movement from Gorewood Drive to Intermodal Drive.

Mr. Glover advised that the property is surrounded by industrial uses to the north and west with conservation area to the east of the property. He expressed that there will be no impact on the conservation area as a result of the application. Mr. Glover noted that there are negotiations with other owners to redevelop the entire property in stages noting that instead of the land being vacant they can transition from the rural estate residential to uses more in line with industrial uses.

Mr. Glover made reference to previous applications approved by the Committee for the same use noting that he would like to discuss Conditions 3, 4 and 5 as they relate to condition number 7.

Committee acknowledged receipt of a letter dated October 14, 2020 from Toronto and Region Conservation Authority indicating no objection to the application

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff read aloud the proposed conditions.

Mr. Glover made reference to condition number 3 noting that the reference to an access easement is a permanent feature. He advised that they have no problem merging the properties on title but pointed out that this is a temporary use for 3 years and an access easement for that period of time does not need approval from the Committee of Adjustment because it is for a period less than 21 years and a day. Mr. Glover made reference to the condition requiring site plan approval requesting that the wording be change to a "limited" site plan.

In terms of proposed condition number 5, Mr. Glover explained that the owner has a business related to this property that is at a different location noting that the owner likes to move his trucks associated with a driving school around. He noted that condition 7 states that failure to comply with and maintain the conditions of the Committee will render the approval null and void and wanted to avoid a circumstance where something down the road could inadvertently happen if someone doesn't read the conditions properly.

Committee sought clarity on proposed condition number 3. Staff explained that in order for the subject lands to obtain access via Intermodal Drive, an access easement would be required otherwise trucks passing over would be considered trespassing. Staff noted that if the applicant does merge the properties on title then the issue will go away as they would then be considered

## Committee of Adjustment Minutes

one property. With respect to condition number 4 staff was in agreement to include that the site plan be a limited site plan and explained that condition number 5 is a standard condition that has been included to the other properties for parking without a business operating on site.

Committee sought clarification on access from Intermodal Drive. Staff explained that a previous recommendation for 8188 Gorewood Drive was to close an unapproved access to Intermodal Drive noting that the applicant is working to have that access approved and if approved to municipal standards it would be permitted.

Mr. Glover expressed that with condition number 3 if there is an agreement in place between two party members it should allow a non-trespassing issue and would prefer to remove the condition as it can be accomplished through a private agreement. With respect to condition number 5 Mr. Grover advised that although it is a standard condition they have had some difficulty with it and that in this instance it may not have been thought through in terms of its implications.

Staff proposed alternate wording for proposed condition number 5 to satisfy the applicant's concern. With respect to proposed condition 3 staff are not completely satisfied that an easement is not required to satisfy these concerns noting that staff would need to consult with the City's lawyers to discuss and would result in a recommendation to defer. Staff advised that if the properties could be merged it would be the easiest solution.

Ms. Anumeet Toor, sister of the applicant at 8188 Gorewood Drive, addressed Committee advising that a permission to enter agreement has been set up with Realty and the City's Legal Services to enter into Intermodal Drive because there is a reserve. Staff responded that the agreement referenced refers to access over the City's 0.3 metre reserve onto Intermodal Drive which is not the same as an access easement in favor of one property over another property. Staff added that this is what needs to be established to prevent a trespass from taking place or the properties need to be merged.

Mr. Glover advised that a merger on title should be sufficient and they don't want to go through the consent process. He stated that it is a temporary use which they are now 4 to 6 months into without permission because of having to resolve issues reiterating that a merger on title will be sufficient. Staff confirmed that a merger on title will satisfy the condition.

Mr. Glover 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: A. C. Marques

THAT application A-2020-0089 to permit the temporary outside storage of oversized motor vehicles on the rear portion of the property for a period of 3 years 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 Variance 1 be approved for a temporary period of up to three (3) years;
3. That the owner shall merge the subject property with the property at the 8188 Gorewood Drive OR obtain an access easement over the property at 8188 Gorewood Drive in favour of the subject lands, to the satisfaction of the Director of Development Services;
4. That a limited site plan shall be approved prior to the establishment of the use, to the satisfaction of the Director of Development Services;
5. That parking of vehicles associated with more than one business operating from another site shall not be permitted;
6. That the outdoor storage permitted shall be limited to dump trucks, truck trailers, trailer chassis and construction material, and shall not include dumpsters or construction waste, or any waste deemed to be hazardous;
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

### **COMMITTEE RECESSED AT 12:19 P.M AND RECONVENED AT 12:25 P.M.**

(13)

**A-2020-0090**

**KISHORE GILLELLAMUDI AND  
LAKSHMI GILLELLAMUDI**

**LOT 80, PLAN 43M-1713  
22 VINTONRIDGE DRIVE  
WARD 8**

The applicants are requesting the following variance(s):

1. To permit a chimney encroachment within the minimum 1.2 metre path of travel from the front wall of the dwelling to a door in the rear yard used to access a second unit, resulting in a reduced path of travel of 0.991m (3.25 ft.) at the chimney location whereas the by-law

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does not permit encroachments into the minimum 1.2 metre path of travel to the access for a second unit;

2. To permit a 0.40m (1.31 ft.) permeable landscape strip abutting the side lot line whereas the by-law requires a minimum 0.60m (1.97 ft.) permeable landscape strip abutting both side lot lines in the front yard.

Mr. Kishore Gill, applicant and owner of the property addressed Committee presenting application A-2020-0090 briefly outlining the variances requested. He spoke of a chimney structure which reduces the path of travel to the access to the second unit and stated that there is a 0.40 metre landscape strip as opposed to the required 0.6 metre.

Mr. Rohit Kumar, authorized agent for the applicant, was also present in the event Committee had any questions.

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

The Chair expressed that the dwelling is a detached dwelling and was of the opinion that the 0.991m (3.25 ft.) is minor resulting primarily from the location of the chimney. Committee noted that there is access on both sides of the dwelling with less on one side and more on the other.

A member of the Committee requested clarification from staff on the request for the access to a second unit. Staff explained that the variance is to the implementing Zoning by-law for the two unit provisions, section 10.16 of the by-law that requires a clear and free 1.2 metre path of travel.

Staff expressed that the reduction would significantly inhibit the access to the rear yard for those everyday purposes such as moving a lawnmower or for emergency purposes such as navigating a stretcher in the event of an emergency into the rear yard of the property.

Committee expressed that they were fine with the reduction and requested if staff could assist in amending the proposed conditions. Staff revisited the proposed conditions based on the discussion and proposed amended conditions for Committee's consideration.

Mr. Kumar 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: A. C. Marques

THAT application A-2020-0090 to permit a chimney encroachment within the minimum 1.2 metre path of travel from the front wall of the dwelling to a door in the rear yard used to access a second unit, resulting in a reduced path of travel of 0.991m (3.25 ft.) at the chimney location and to permit a 0.40m (1.31 ft.) permeable landscape strip abutting the side lot line be approved for the following reasons and subject to the following conditions:

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

(14)

**A-2020-0091**

**ARIFF JAILALL AND SAVITRI**  
**LOOKNAUTH**

**LOT 315, PLAN 43M-2058**  
**3 FRUITVALE CIRCLE**  
**WARD 6**

The applicants are requesting a variance to permit a parking space depth of 4.34m (14.24 ft.) whereas the by-law requires a minimum parking space depth of 5.4m (17.72 ft.).

Mr. Ariff Jailall, applicant and owner of the property, presented application A-2020-0091 briefly outlining the variance requested advising that he wishes to widen a single car driveway and needs permission for a parking space depth.

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

Mr. Jailall 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-2020-0091 to permit a parking space depth of 4.34m (14.24 ft.) be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void;

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

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

CARRIED

(15)

**A-2020-0092**

**VISHAVPREET TATLA AND  
SIMRANJIT TATLA**

**LOT 66, PLAN 43M-1613  
38 SHOWBOAT CRESCENT  
WARD 1**

The applicants are requesting a variance to permit a proposed below-grade exterior stairway to be located between the main wall of the dwelling and the front lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and the front lot line.

Mr. Salman Ellahi, authorized agent for the applicant, presented application A-2020-0092 briefly outlining the variances requested commenting that the stairway does not hinder the side yard or the front yard.

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

Mr. Ellahi 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-2020-0092 permit a proposed below-grade exterior stairway to be located between the main wall of the dwelling and the front 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 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:

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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

(16)

**A-2020-0095**

**11952056 CANADA INC.**

**LOT 131, PLAN 43M-763**  
**13 EBBY AVENUE**  
**WARD 2**

The applicant is requesting the following variance(s):

1. To permit a 1.19m (3.90 ft.) path of travel to a door to be used as a primary access to a second unit whereas the by-law requires an unobstructed 1.2m (3.94 ft.) path of travel to a primary access to a second unit;
2. To permit an existing driveway width of 7.1 (23.30 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22.0 ft.).
3. To permit a 0.30m (0.98 ft.) permeable landscape strip abutting a property line whereas the by-law requires a minimum 0.60m (1.97 ft.) permeable landscape strip abutting both property lines.

Mr. Philopose Varkey, authorized agent for the applicant, presented application A-2020-0095 briefly outlining the variances requested explaining that the below grade entrance was constructed by the previous owner with a City permit in 2017.

Committee acknowledged e-mail correspondence dated October 20, 2020 from Jackie Bishum, 11 Ebby Avenue, in opposition to the application.

Committee was informed that City of Brampton planning staff was not in support of this application. Staff explained that this is a case where staff are looking at a proposed reduction to the implementing by-law to a second unit. Staff added that the driveway variances were not spoken to in the staff report explaining that this driveway relief request was addressed through a minor variance application in 2016 and refused by the Committee and subsequently appealed to the Ontario Municipal Board. Staff explained that the OMB upheld the decision of the Committee and the driveway variances were refused. Staff expressed that since that time the owner has not removed the non-compliant portions of the driveway in accordance with the decision of the Board and staff are maintaining the position of the Board and recommending refusal.

Committee expressed that the agent should have been aware of the work that was not completed. Mr. Varkey responded that they will comply with the requirements for the driveway variances noting that his client was unaware of the deficiencies when he purchased the property and would like

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approval for the variance for the setback requested for variance number 1. Mr. Varkey commented that the building permit was issued in 2017 and questioned why there is a problem now.

Zoning Staff clarified that the 2016 variance that was requested for the side entrance that is currently constructed with a permit was issued on the basis of the Ontario Municipal Board's ultimate approval of the location of the side entrance.

Zoning Staff explained that the matter before the Committee today is slightly different advising that the new owner is asking to use that permitted door as the principal entrance to a second unit explaining that the path of travel to the door is slightly deficient. Staff explained that at this time the door cannot be used as an entrance to a second unit because the path of travel does not comply. In terms of the driveway matter staff confirmed that there are no orders outstanding noting that the Ontario Municipal Board refused the widened driveway.

Staff confirmed that the variance is for a reduction of 1 centremetre on the path of travel noting that the entrance is fully constructed in compliance with the permit that was previously issued.

Following discussion, Mr. Varkey 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-2020-0095 to permit a 1.19m (3.90 ft.) path of travel to a door to be used as a primary access to a second unit; to permit an existing driveway width of 7.1 (23.30 ft.) and to permit a 0.30m (0.98 ft.) permeable landscape strip abutting a property line be approved for the following reasons and subject to the following conditions:

1. That Variance 1 be approved only to the extent identified in the Public Notice;
2. That Variances 2 and 3 be **refused**;
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



(17)

**A-2020-0096**

**ROBERTO LOPEZ AND ELECTRA  
LOPEZ**

**PT. BLOCK 275, PLAN 43M-1886  
PART 21, PLAN 43R-35625  
1 ALAMOSA COURT  
WARD 4**

The applicants are requesting a variance 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.

Mr. Tanvir Rai, Noble Elite Solutions Inc., authorized agent for the applicant, presented application A-2020-0096 briefly outlining the variance requested.

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

Mr. Rai 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-2020-0096 to permit a below grade entrance to be located between the main wall of a dwelling and the 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 fence shall remain constructed in its current location and height;
3. That the below grade entrance shall not be used to access an unregistered second unit; 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

(18)

**A-2020-0097**

**GENE AND JOY COSTALES**

**LOT 127, PLAN 43M-1821**  
**31 RAINBROOK CLOSE**  
**WARD 10**

The applicants are requesting a variance to permit a proposed building addition to be located 8.72 metres from a Floodplain Zone (F) whereas the by-law requires a minimum setback of 10 metres from a Floodplain Zone (F).

Mr. Matthew Jacewicz, authorized agent for the applicant, presented application A-2020-0097 briefly outlining the variance requested.

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

Committee acknowledged receipt of a letter dated October 14, 2020 from Toronto and Region Conservation Authority indicating conditional approval subject to a condition requiring the applicant to acquire a TRCA permit pursuant to Ontario Regulation 166/06.

Mr. Jacewicz 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-2020-0097 to permit a proposed building addition to be located 8.72 metres from a Floodplain Zone (F) 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 shall obtain any required approvals or permits from the Toronto and Region Conservation Authority, to the satisfaction of said Authority;
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

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

CARRIED

**MEMBER D. DOERFLER DECLARED A CONFLICT OF INTEREST ON APPLICATIONS A-2020-0098 TO A-2020-0105 AND DID NOT PARTICIPATE IN DISCUSSION ON THE APPLICATIONS**

**APPLICATIONS A-2020-0098 TO A-2020-0105 WERE RELATED AND HEARD CONCURRENTLY**

(19)

**A-2020-0098**

**UMBRIA DEVELOPERS INC.**

**LOT 25, PLAN 43M-2086**  
**40-42 HASHMI PLACE**  
**WARD 4**

The applicant is proposing construction of semi-detached dwellings and is requesting the following variances:

1. To permit a rear yard depth of 6.0m (19.68 ft.) whereas the by-law requires a minimum rear yard depth of 7.5m (24.60 ft.);
2. To permit a lot depth of 20.3m (66.60 ft.) whereas the by-law requires a minimum lot depth of 25m (82.02 ft.);
3. To permit a lot area of 20 times the minimum lot width whereas the by-law requires a lot area equal to 25 times the minimum lot width;
4. To permit a building height of 11.5m (37.73 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.).

(20)

**A-2020-0099**

**UMBRIA DEVELOPERS INC.**

**LOT 26, PLAN 43M-2086**  
**44-46 HASHMI PLACE**  
**WARD 4**

The applicant is proposing construction of semi-detached dwellings and is requesting the following variances:

1. To permit a rear yard depth of 6.0m (19.68 ft.) whereas the by-law requires a minimum rear yard depth of 7.5m (24.60 ft.);
2. To permit a lot depth of 20.2m (66.27 ft.) whereas the by-law requires a minimum lot depth of 25m (82.02 ft.);
3. To permit a lot area of 20 times the minimum lot width whereas the by-law requires a lot area equal to 25 times the minimum lot width;

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4. To permit a building height of 11.5m (37.73 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.).

(21)

**A-2020-0100**

**UMBRIA DEVELOPERS INC.**

**LOT 27, PLAN 43M-2086**  
**48-50 HASHMI PLACE**  
**WARD 4**

The applicant is proposing construction of semi-detached dwellings and is requesting the following variances:

1. To permit a rear yard depth of 6.0m (19.68 ft.) whereas the by-law requires a minimum rear yard depth of 7.5m (24.60 ft.);
2. To permit a lot depth of 20.2m (66.27 ft.) whereas the by-law requires a minimum lot depth of 25m (82.02 ft.);
3. To permit a lot area of 20 times the minimum lot width whereas the by-law requires a lot area equal to 25 times the minimum lot width;
4. To permit a building height of 11.5m (37.73 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.).

(22)

**A-2020-0101**

**UMBRIA DEVELOPERS INC.**

**LOT 28, PLAN 43M-2086**  
**52-54 HASHMI PLACE**  
**WARD 4**

The applicant is proposing construction of semi-detached dwellings and is requesting the following variances:

1. To permit a rear yard depth of 6.0m (19.68 ft.) whereas the by-law requires a minimum rear yard depth of 7.5m (24.60 ft.);
2. To permit a lot depth of 20.2m (66.27 ft.) whereas the by-law requires a minimum lot depth of 25m (82.02 ft.);
3. To permit a lot area of 20 times the minimum lot width whereas the by-law requires a lot area equal to 25 times the minimum lot width;
4. To permit a building height of 11.5m (37.73 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.).

(23)

**A-2020-0102**

**UMBRIA DEVELOPERS INC.**

**LOT 29, PLAN 43M-2086**  
**19-21 ALLEGRO DRIVE**  
**WARD 4**

The applicant is proposing construction of semi-detached dwellings and is requesting the following variances:

1. To permit a rear yard depth of 6.0m (19.68 ft.) whereas the by-law requires a minimum rear yard depth of 7.5m (24.60 ft.);
2. To permit a lot depth of 20.3m (66.60 ft.) whereas the by-law requires a minimum lot depth of 25m (82.02 ft.);
3. To permit a lot area of 20 times the minimum lot width whereas the by-law requires a lot area equal to 25 times the minimum lot width;
4. To permit a building height of 11.5m (37.73 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.).

(24)

**A-2020-0103**

**UMBRIA DEVELOPERS INC.**

**LOT 30, PLAN 43M-2086**  
**23-25 ALLEGRO DRIVE**  
**WARD 4**

The applicant is proposing construction of semi-detached dwellings and is requesting the following variances:

1. To permit a rear yard depth of 6.0m (19.68 ft.) whereas the by-law requires a minimum rear yard depth of 7.5m (24.60 ft.);
2. To permit a lot depth of 20.2m (66.27 ft.) whereas the by-law requires a minimum lot depth of 25m (82.02 ft.);
3. To permit a lot area of 20 times the minimum lot width whereas the by-law requires a lot area equal to 25 times the minimum lot width;
4. To permit a building height of 11.5m (37.73 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.).

(25)

**A-2020-0104**

**UMBRIA DEVELOPERS INC.**

**LOT 31, PLAN 43M-2086**  
**27-29 ALLEGRO DRIVE**  
**WARD 4**

## Committee of Adjustment Minutes

The applicant is proposing construction of semi-detached dwellings and is requesting the following variances:

1. To permit a rear yard depth of 6.0m (19.68 ft.) whereas the by-law requires a minimum rear yard depth of 7.5m (24.60 ft.);
2. To permit a lot depth of 20.2m (66.27 ft.) whereas the by-law requires a minimum lot depth of 25m (82.02 ft.);
3. To permit a lot area of 20 times the minimum lot width whereas the by-law requires a lot area equal to 25 times the minimum lot width;
4. To permit a building height of 11.5m (37.73 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.).

(26)

**A-2020-0105**

**UMBRIA DEVELOPERS INC.**

**LOT 32, PLAN 43M-2086**  
**31-33 ALLEGRO DRIVE**  
**WARD 4**

The applicant is proposing construction of semi-detached dwellings and is requesting the following variances:

1. To permit a rear yard depth of 6.0m (19.68 ft.) whereas the by-law requires a minimum rear yard depth of 7.5m (24.60 ft.);
2. To permit a lot depth of 18.8m (61.68 ft.) whereas the by-law requires a minimum lot depth of 25m (82.02 ft.);
3. To permit a lot area of 18 times the minimum lot width whereas the by-law requires a lot area equal to 25 times the minimum lot width;
4. To permit a building height of 11.5m (37.73 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.).

Mr. Jason Afonso, Glen Schnarr & Associates Inc., authorized agent for the applicant, addressed Committee on applications A-2020-0098 to A-2020-0105. He noted that with respect to application A-2020-0100 the application requests a building height of **11.55** metres noting that the public notice reflects **11.5** metres. In addition he noted that application A-2020-0102 requests a rear yard depth of **5.9** metres while the public notice reflects **6.0** metres.

Committee acknowledged receipt of e-mail correspondence of the same content dated October 15, 2020 and October 16, 2020 in opposition to applications A-2020-0098 to A-2020-0105 from the following residents:

## Committee of Adjustment Minutes

Umesh Patel, 14 Ashfield Place; Vijay Kumar, 10 Allegro Place; Sunita and Ramachandraish Rudra, 44 Allegro Place; Ashok Pataudi, 20 Allegro Drive; Dharmesh Patel, Manjit Grewal, 18 Allegro Drive; Anbalagan Perumal, 138 Allegro Drive; Chiragkumar Lapsiwala and 2 Byville Court.

Committee was informed that City of Brampton planning staff was in support of these applications with conditions.

In response to the issues raised by Mr. Afonso, the Secretary-Treasurer expressed that the changes were so minimal that in her opinion re-circulation of public notices would not be required and that any revised wording would be reflected in the Notice of Decisions. Committee was in agreement.

Mr. Afonso indicated that the proposed conditions were acceptable.

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

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0098 to permit a rear yard depth of 6.0m (19.68 ft.); to permit a lot depth of 20.3m (66.60 ft.); to permit a lot area of 20 times the minimum lot width and to permit a building height of 11.5m (37.73 ft.) be approved for the following reasons and subject to the following conditions:

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

Moved by: R. Power

Seconded by: D. Colp

## Committee of Adjustment Minutes

THAT application A-2020-0099 to permit a rear yard depth of 6.0m (19.68 ft.); to permit a lot depth of 20.2m (66.27 ft.); to permit a lot area of 20 times the minimum lot width; and to permit a building height of 11.5m (37.73 ft.) be approved for the following reasons and subject to the following conditions:

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

1. That a clause be included within the Agreement of Purchase and Sale for the subject lot advising of the variances affecting the property. In the event the property has been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser acknowledges and accepts the variances; and
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

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0100 to permit a rear yard depth of 6.0m (19.68 ft.); to permit a lot depth of 20.2m (66.27 ft.); to permit a lot area of 20 times the minimum lot width and to permit a building height of 11.55m (37.89 ft.) be approved for the following reasons and subject to the following conditions:

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



## Committee of Adjustment Minutes

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

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0101 to permit a rear yard depth of 6.0m (19.68 ft.); to permit a lot depth of 20.2m (66.27 ft.); to permit a lot area of 20 times the minimum lot width; and to permit a building height of 11.5m (37.73 ft.) be approved for the following reasons and subject to the following conditions:

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

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0102 to permit a rear yard depth of 5.9m (19.36 ft.); to permit a lot depth of 20.3m (66.60 ft.); to permit a lot area of 20 times the minimum lot width; and to permit a building height of 11.5m (37.73 ft.) be approved for the following reasons and subject to the following conditions:

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

## Committee of Adjustment Minutes

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

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0103 to permit a rear yard depth of 6.0m (19.68 ft.); to permit a lot depth of 20.2m (66.27 ft.); to permit a lot area of 20 times the minimum lot width; and to permit a building height of 11.5m (37.73 ft.) be approved for the following reasons and subject to the following conditions:

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

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0104 to permit a rear yard depth of 6.0m (19.68 ft.); to permit a lot depth of 20.2m (66.27 ft.); to permit a lot area of 20 times the minimum lot width; to permit a building height of 11.5m (37.73 ft.) be approved for the following reasons and subject to the following conditions:

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

## Committee of Adjustment Minutes

2. That a clause be included within the Agreement of Purchase and Sale for the subject lot advising of the variances affecting the property. In the event the property has been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser acknowledges and accepts the variances; 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

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0105 to permit a rear yard depth of 6.0m (19.68 ft.); to permit a lot depth of 18.8m (61.68 ft.); to permit a lot area of 18 times the minimum lot width; and to permit a building height of 11.5m (37.73 ft.) be approved for the following reasons and subject to the following conditions:

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

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

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

CARRIED

## **DEFERRED MINOR VARIANCE APPLICATION**

(27)

**A19-099**

**2258403 ONTARIO LIMITED**

**LOT 7, PLAN 43M-863**  
**62 PROGRESS COURT**  
**WARD 8**

The applicant is requesting the following variances:

1. To permit a rear yard setback of 2.95m (9.68 ft.) whereas the by-law requires a minimum rear yard setback of 8.0m (26.25 ft.);
2. To permit a parking aisle width of 6.01m (19.72 ft.) whereas the by-law requires a minimum parking aisle width of 6.6m (21.65 ft.);
3. To provide 44 parking spaces on site whereas the by-law requires a minimum of 89 parking spaces;
4. To provide 25.3% landscaped open-space area in the front yard, 28.0% landscaped open space area in the north interior side yard and 2.3% landscaped open space area in the south interior side yard whereas the by-law requires a minimum 50% landscaped open space area in the front and interior side yards.

Mr. Maurizio Rogato, Blackthorn Development Corp, authorized agent for the applicant, presented application A19-099 advising that the Committee has granted historical deferrals and that since the last deferral of July 28, 2020 they have made best use of time resulting in a potential solution to the application.

Mr. Rogato explained that he supports staff's report and conditions which will enable a site plan process which will address details involving landscaping, code compliance and bringing into rectification the non-compliant issues associated with the structure.

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

Mr. Rogato indicated that the proposed conditions were acceptable.

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

Moved by: D. Colp

Seconded by: A. C. Marques

THAT application A-19-099 to permit a rear yard setback of 2.95m (9.68 ft.); to permit a parking aisle width of 6.01m (19.72 ft.); to provide 44 parking spaces on site; and to provide 25.3% landscaped open-space area in the front yard, 28.0% landscaped open space area in the north  
2020 10 20

## Committee of Adjustment Minutes

interior side yard and 2.3% landscaped open space area in the south interior side yard be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That drainage on adjacent properties shall not be adversely affected;
3. That the owner finalize site plan approval under City File SP17-007.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services within 150 days of the date of the Committee's decision or as extended at the discretion of the Director of Development Services;
4. That the owner shall obtain a building permit within 150 days of the date of the Committee's decision or as extended at the discretion of the Director of Development Services; and,
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

### **ADJOURNMENT:**

Moved by: D. Doerfler

Seconded by: D. Colp

That the Committee of Adjustment hearing be adjourned at 1:22 p.m. to meet again on Tuesday, November 10, 2020.

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COMMITTEE CHAIR

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SECRETARY-TREASURER

November 2, 2020

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

## Public Works

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

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

**Re: Peel Region Consolidated Comments  
City of Brampton Committee of Adjustment Hearing November 10<sup>th</sup>, 2020**

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Dear Ms. Myers,

Regional Planning staff have reviewed the minor variance and consent applications listed on the November 10<sup>th</sup>, 2020 Committee of Adjustment Agenda. We have no objections or comments on the following applications: A-18-057B, A-20-106B, A-20-108B, A-20-109B, A-20-110B, A-20-111B, A-20-112B, A-20-113B, A-20-114B, A-20-116B, A-20-117B, A-20-118B. We have no objections or comments on the following deferred application: DEF-A-052B.

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

**Regarding Minor Variance Application A-20-107B, 222 Advance Boulevard, Unit 2  
Planning – Abiral Homagain (905) 791-7800, extension 8730**

**Comment:**

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

**Regarding Minor Variance Application A-20-115B, 10, 20, 30 & 40 Lagerfeld Drive  
Servicing – Camila Marczuk (905) 791-7800, extension 8230**

**Comment:**

- Due to the proposed increase in height, proposal may require a secondary fire line in compliance with the Ontario Building Code, which is administered by the Local Municipality.
- Confirmation of secondary fire line shall be provided to Connections Group (Region of Peel) (File # C600769) before connection approvals are given. Revised Servicing Drawings maybe required.

**Regarding Consent Applications B-20-020B, B-20-021B, B-20-022B, 14 Hillcrest Avenue  
Servicing – Camila Marczuk (905) 791-7800, extension 8230**

**Comment:**

- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The 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. An

upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at

[siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

- Arrangements satisfactory to the Region of Peel, Public Works Department shall be made with respect to Storm Water Management and adhere to the Region of Peel Stormwater Design Criteria

## 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

## Myers, Jeanie

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**From:** Marc Kemerer  
**Sent:** 2020/10/27 11:17 AM  
**To:** Myers, Jeanie  
**Cc:** Jacquie Ferguson; Michael Morris  
**Subject:** [EXTERNAL]Minor Variance Application A-2020-002

Dear Ms. Myers

A-2020-0022

Thank you for your call of yesterday.

By way of this email I am advising that KPRS is:

1. proceeding on the basis of the full application; and
2. requesting that the C of A **defer** the application sine die to ensure that it is not caught by a re-enactment of the Interim Control By-law. We feel that, after subjecting KPRS to two adjournments, it would be appropriate for the Committee to grant this deferral.

If you have any questions regarding the above please do not hesitate to contact me.

Thank you,

Marc Kemerer

Marc P. Kemerer  
Partner

**Devry Smith Frank LLP**  
Lawyers & Mediators  
Toronto | Barrie | Whitby





**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **ANDREZEJ BEBNOWSKI** 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 20, Plan BR-4 municipally known as **20 WEST STREET**, Brampton;

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

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

**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, November 10, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

**IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT.** This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

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

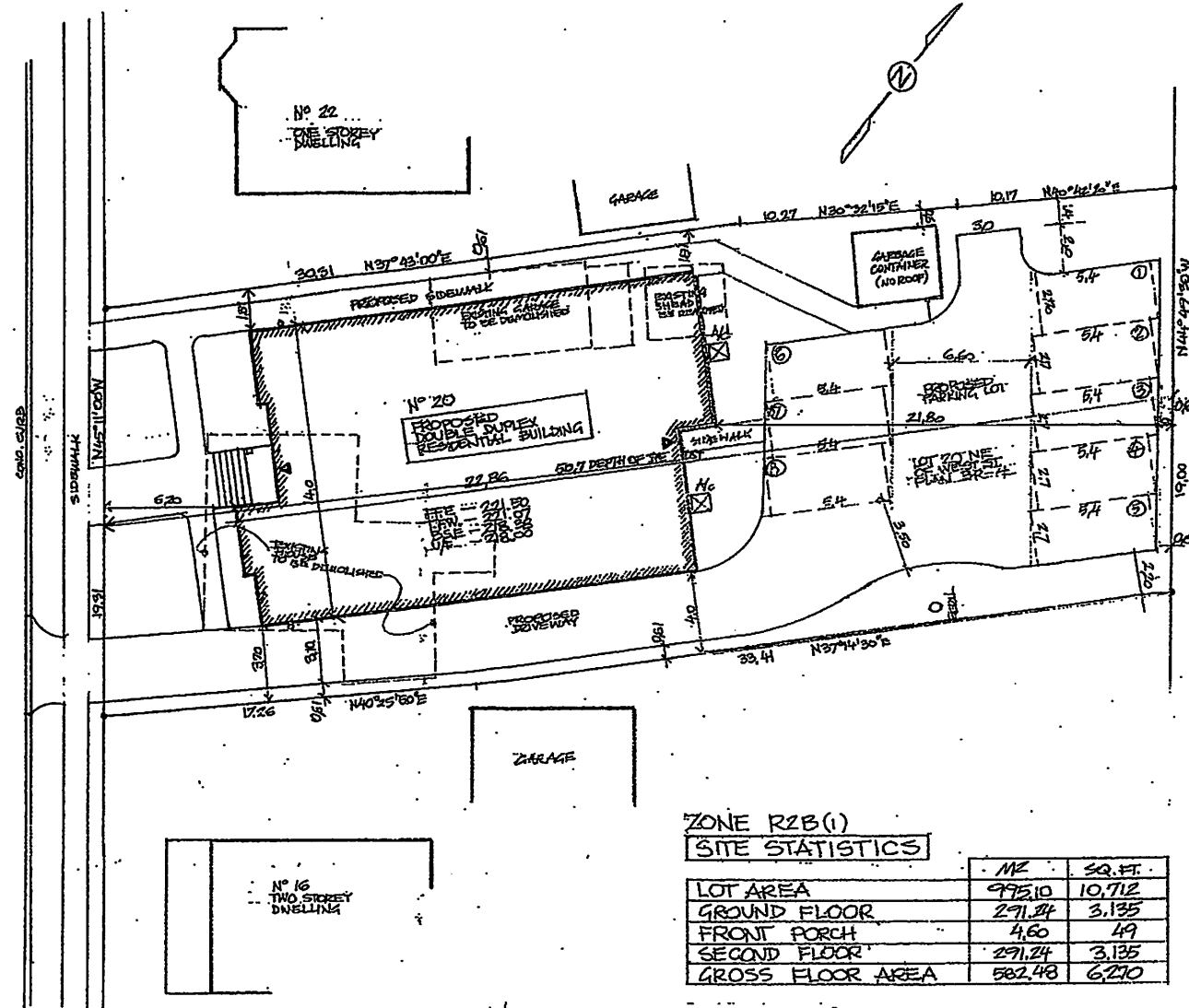
**PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC**

DATED at Brampton Ontario, this 29th day of October, 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)

WEST STREET



ZONE R2B(1)  
SITE STATISTICS

	M2	SQ. FT.
LOT AREA	995.10	10,712
GROUND FLOOR	271.24	3,135
FRONT PORCH	4.60	49
SECOND FLOOR	271.24	3,135
GROSS FLOOR AREA	582.48	6,270

SITE PLAN  
1/150  
METRIC

FOR MORE INFORMATION  
SEE THE SITE AND GRADING  
PLAN BY J. J. & ASSOCIATES  
DRAWING NO. 217-808

REVISION 2  
SP18-041.000

	FEB 18 2020	SEP 3 2020	
REVISIONS	APR 26 2018	MAY 21 2018	NOV 16 2018
DOUBLE DUPLEX			
SCALE: 1/150	SP18-041.000		DRAWN BY
DATE: MAR 2018			REVISED
20 WEST ST BRAMPTON			
SITE PLAN			DRAWING NUMBER 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 Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

**How to Participate in the Hearing:**

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, November 5, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm, Friday, November 6, 2020**.
  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **November 6, 2020**. City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at:  
<https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or  
<http://video.isilive.ca/brampton/live.html>.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to [cityclerksoffice@brampton.ca](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

OCT. 5, 2020

RE: **A18-057**  
20 WEST ST BRAMPTON  
DOUBLE DUPLEX

REQUEST FOR APPROVAL OF THE FOLLOWING  
VARIANCES:

1/ LOT WIDTH 19.31 m - REQUIRES 20.00 m.

2/ EIGHT PARKING SPACES PROPOSED  
IN THE REAR YARD.

3/ DRIVEWAY WIDTH 3.1m REQUIRES 6.0m

SEE EXAMINER NOTES BELOW:

### Zoning Review

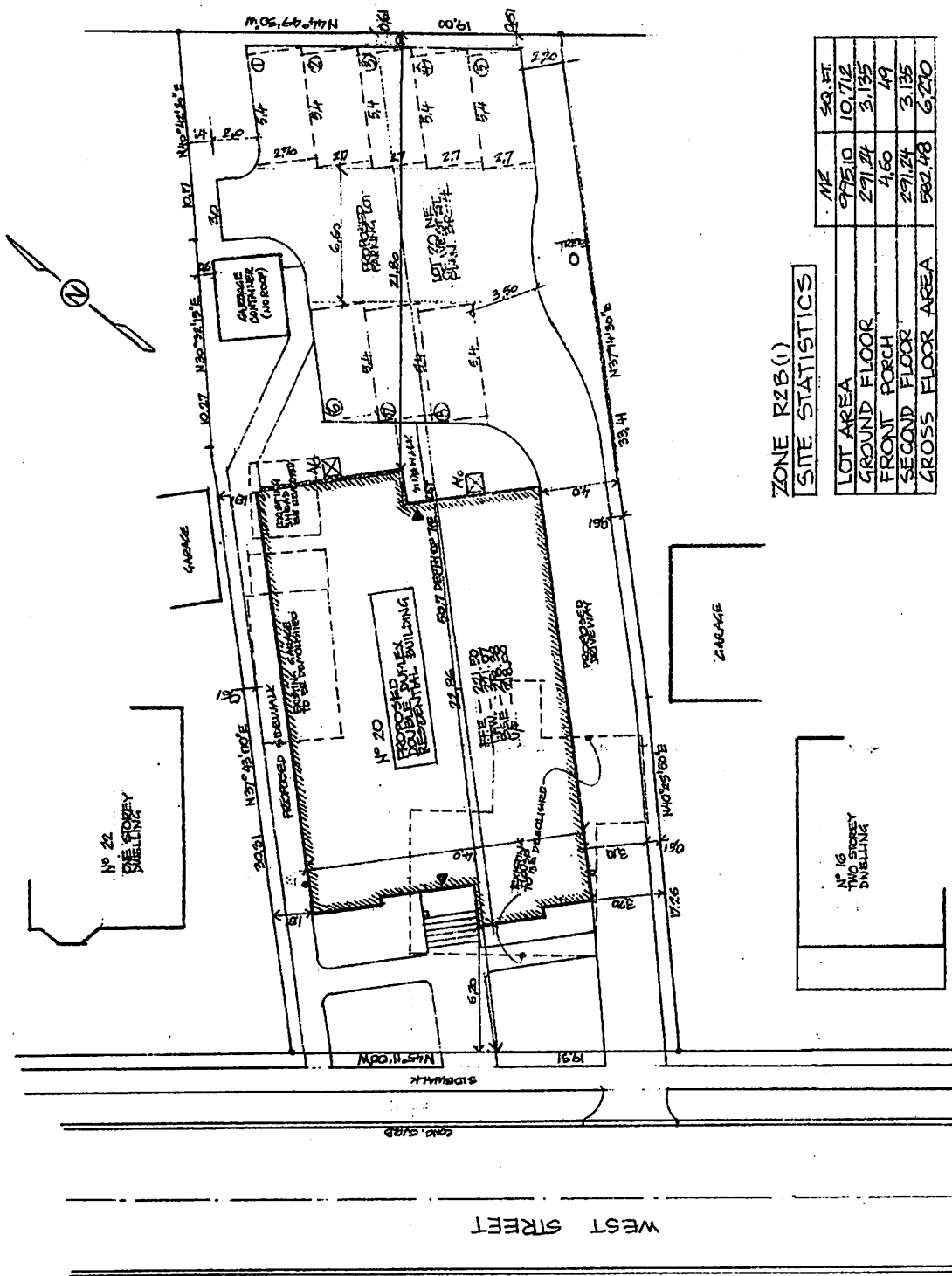
Todd Payne - todd.payne@brampton.ca

Not Cleared

### Final Comments

- Lot width is insufficient to support a double duplex dwelling. Minimum required lot width is 20m whereas less than 20m has been provided. A minor variance application is required for consideration by the Committee of Adjustment.
- Eight parking spaces with associated parking and drive aisles are proposed in the rear yard whereas the by-law prohibits parking in the rear yard. A minor variance application is required for consideration by the Committee of Adjustment.
- Please provide dimensions for the proposed parking spaces. Note: minimum parking spaces dimensions of 2.7m x 5.4m required.
- Please dimension the width of the parking aisle adjacent to the parking spaces. Note: minimum parking aisle width of 6.6m is required. It appears that space #8 has an insufficient aisle width.
- Insufficient driveway width of 3.1m is proposed whereas 6m is required for two-way traffic. A minor variance application is required for consideration by the Committee of Adjustment.

APPLICANT: WALTER BORZECKI  
(416) 418-6081  
DOMEXCONSTRUCTION@GMAIL.COM



ZONE R2B(1)  
SITE STATISTICS

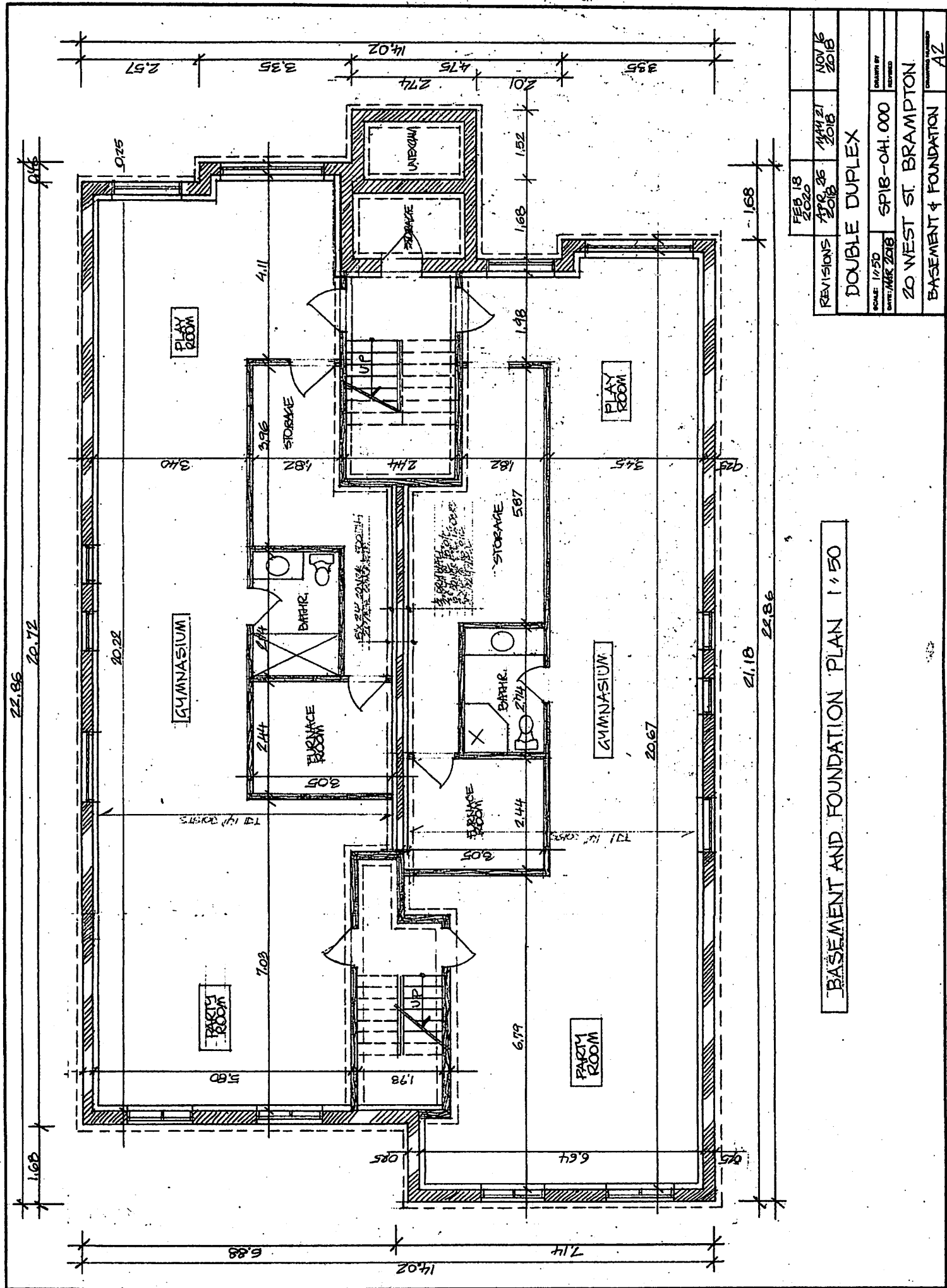
ME	SQ. FT.
LOT AREA	97510
GROUND FLOOR	27124
FRONT PORCH	450
SECOND FLOOR	27124
GROSS FLOOR AREA	58248
	6220

REVISION 2  
SP18-041.000

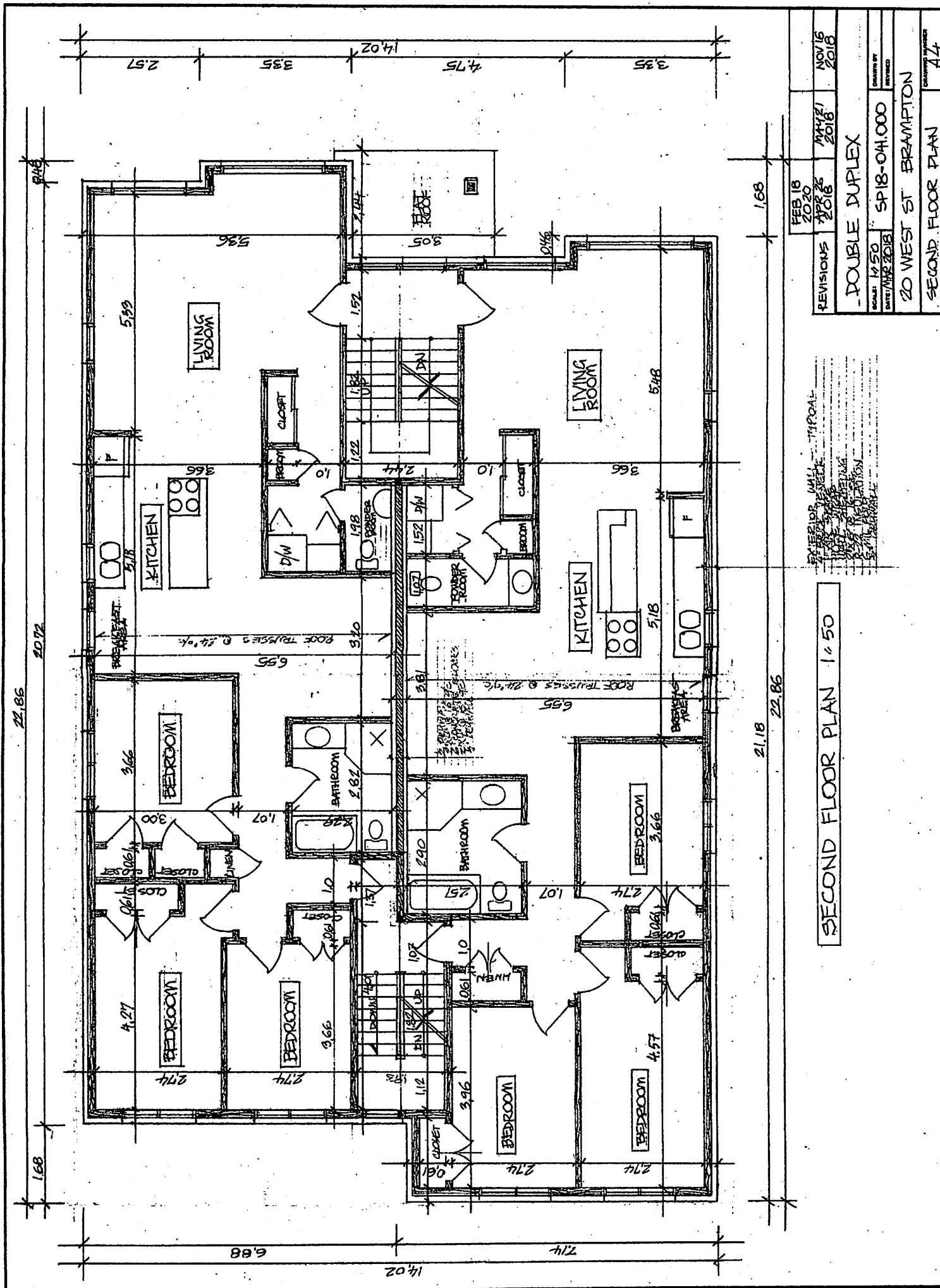
REVISIONS	DATE	BY	DATE	BY
FEB 18 2020	SEP 3 2020	NOV 16 2018		
MAY 21 2018				
DOUBLE DUPLEX				
SCALE: 1/4"=1'-0"	DATE: MAR 2018	SP18-041.000	DATE: MAR 2018	NOV 16 2018
20 WEST ST BRAMPTON				
SITE PLAN				
A1				

SITE PLAN  
1/4"=1'-0"  
METRIC

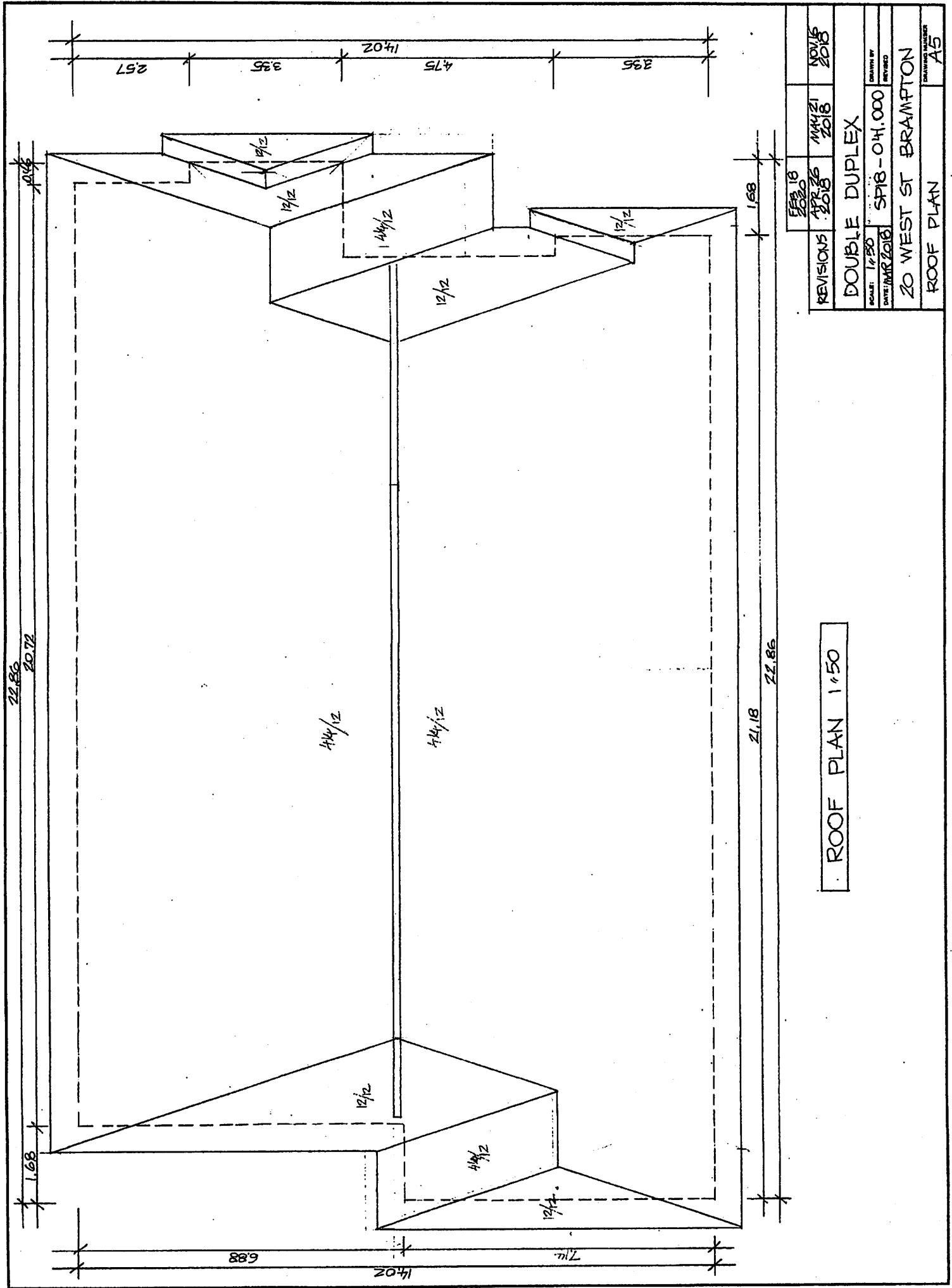
FOR MORE INFORMATION  
SEE THE EXISTING  
PLAN BY 2018-041-000  
DRAWING NO. 214-008





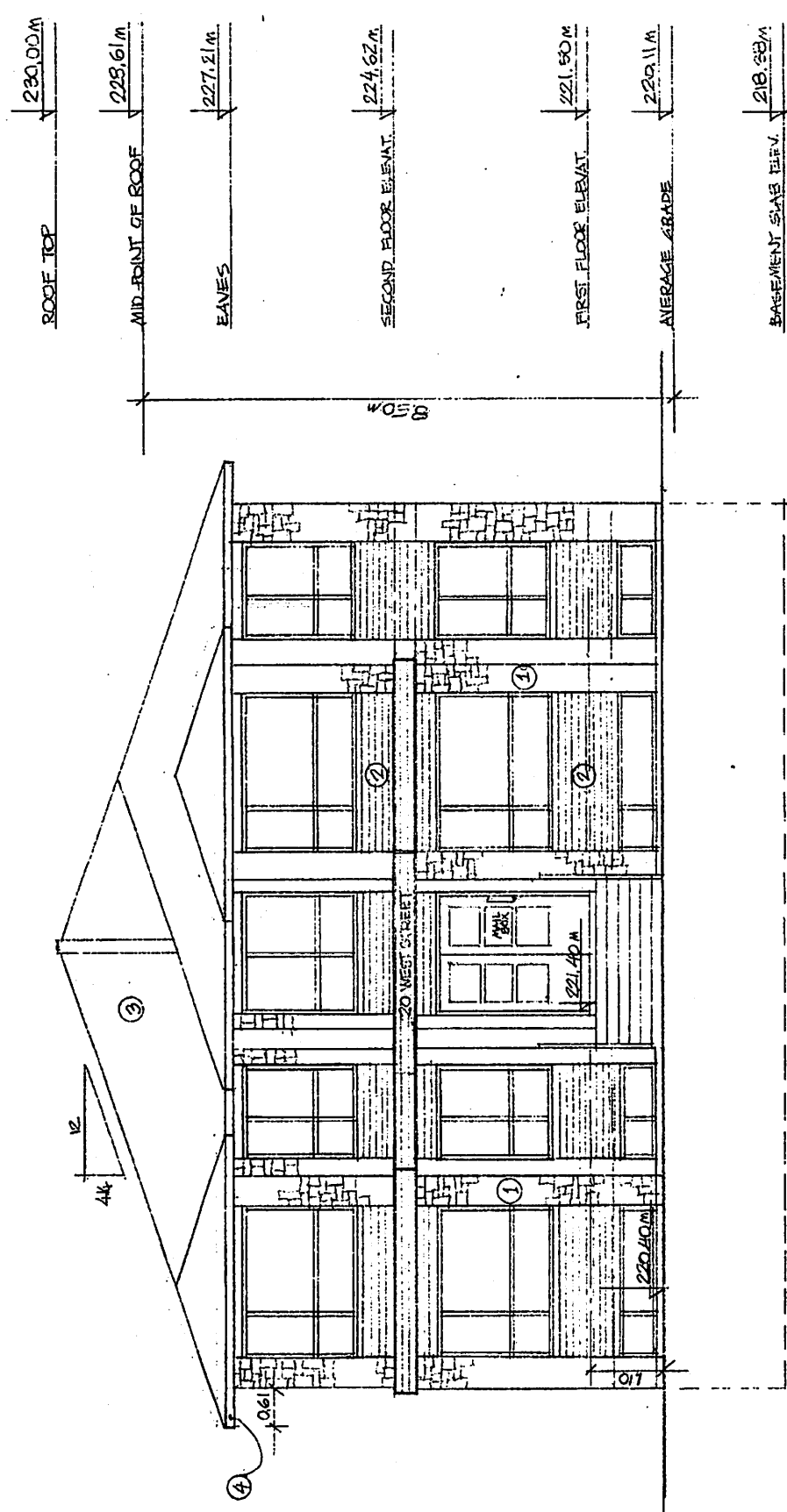






REVISIONS	17/2/2018	11/21/2018	10/15/2018
DOUBLE DUPLEX			
SCALE: 1" = 20'			
DATE: MAR 2018			
20 WEST ST BRAMPTON			
ROOF PLAN			
DRAWING NUMBER			A5

ROOF PLAN 1:50

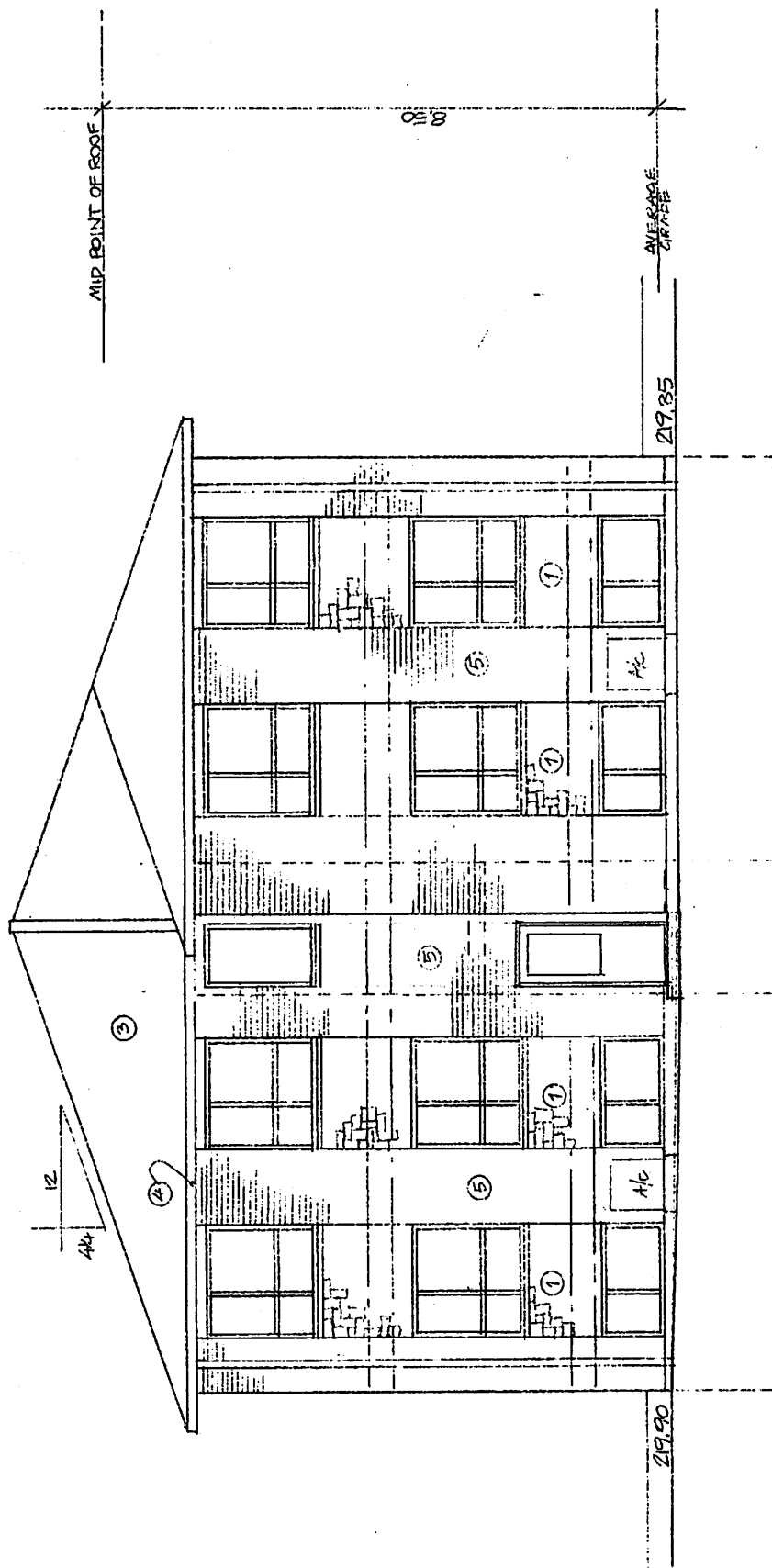


FRONT ELEVATION 1'50'

[FINISHING MATERIALS AND COLOURS]

- ① STONE - LIGHT GREY
- ② ENGINEERING WOOD SIDING -- GOLDEN CURRY
- ③ BLACK ROOFING
- ④ BLACK FASCIA, SOFFIT, GUTTERS

FEB. 18 2020			
APR. 26 2018		MAY 21 2018	MAY 16 2013
REVISIONS			
DOUBLE DUPLEX			
SCALE:		SP18-041.000	
DATE/MAR 2018			
20 WEST ST. BRAMPTON			
FRONT ELEVATION			DRAWING NUMBER A

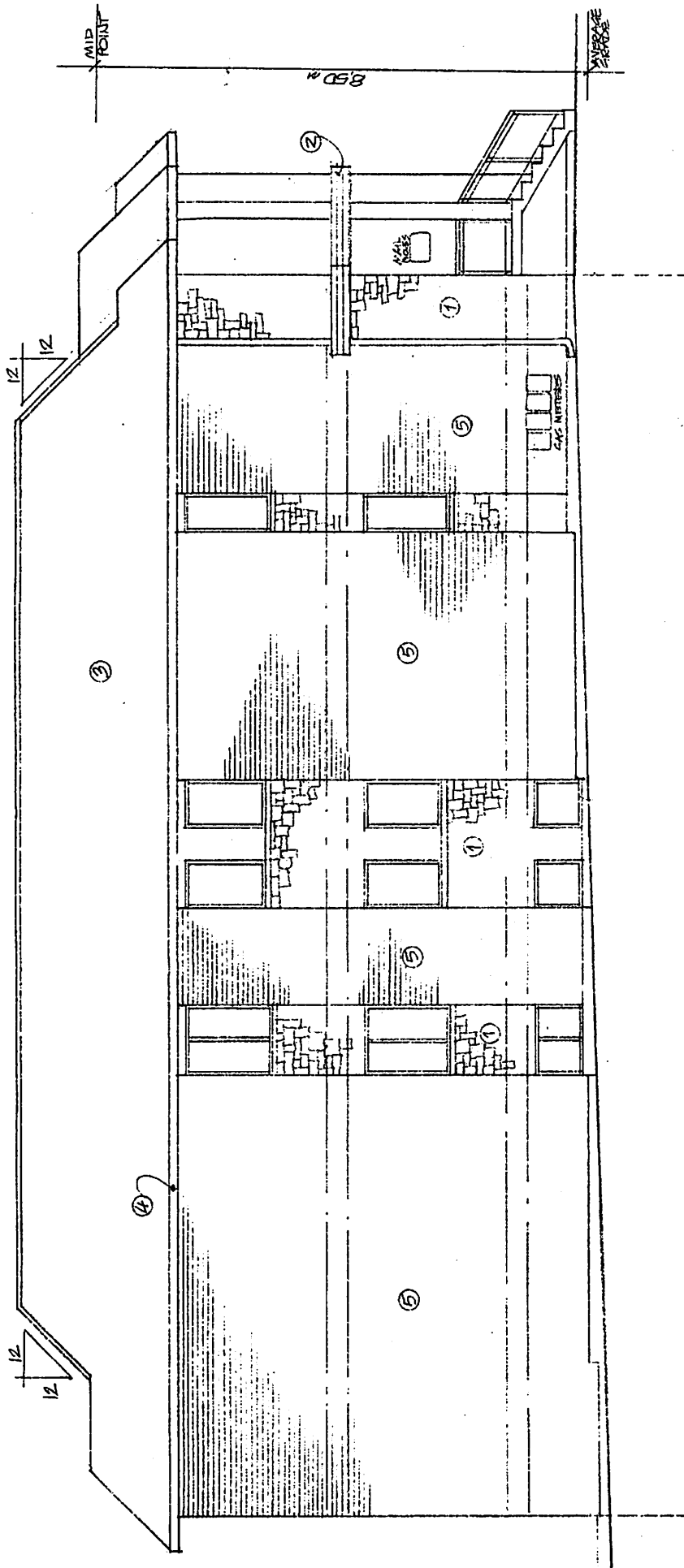


# REAR ELEVATION 1/50

## FINISHING MATERIALS AND COLOURS

- ① STONE - LIGHT GREY
- ② BLACK ROOFING
- ③ BLACK FLASH, SOFFIT, GUTTERS
- ④ BRICK - DARK GREY
- ⑤

REVISIONS	FEB 18 2020	MAY 21 2018	NOV 16 2018
DOUBL DUPLEX	APR 26 2018		
SCALE: DATE: MAR 2018	SP18-041.000		
20 WEST ST. BRAMPTON	DRAWN BY		
REAR ELEVATION	REVISED		
	DRAWING NUMBER		
	A8		

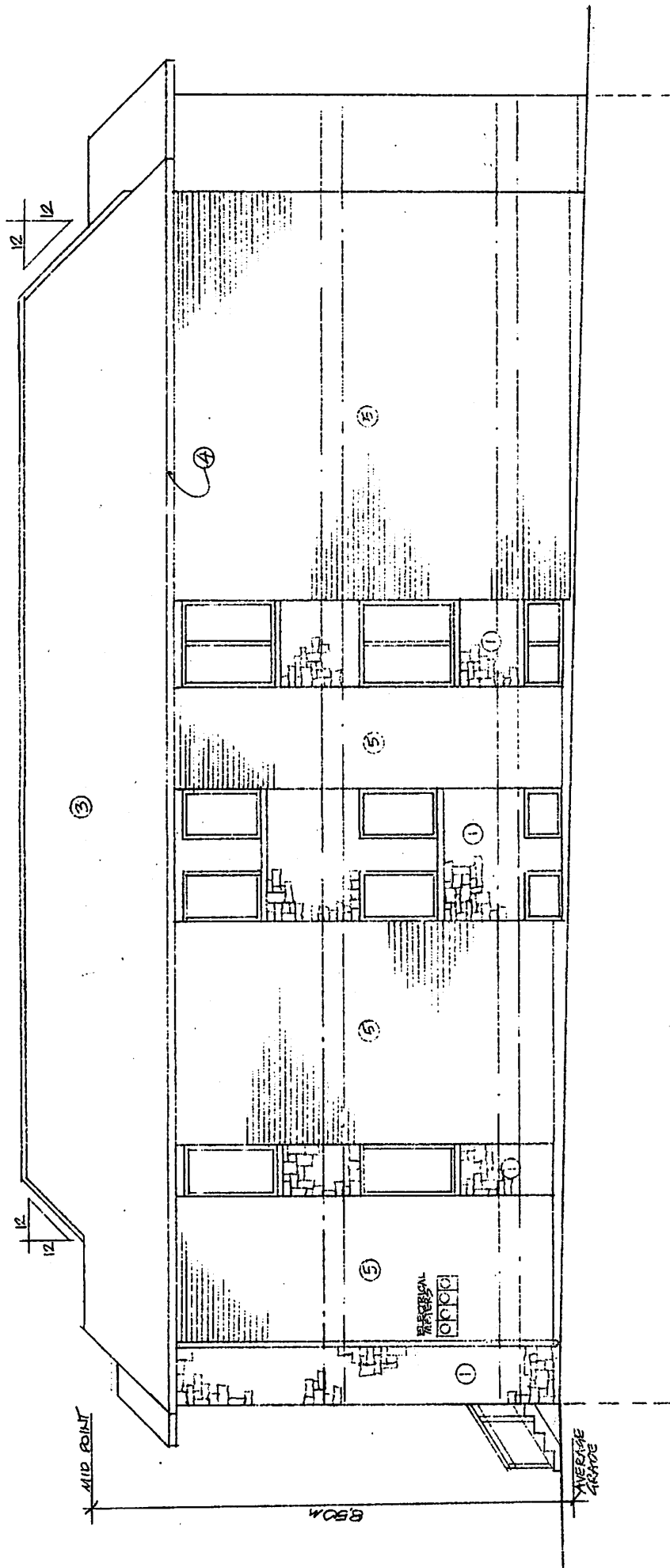


# WEST SIDE ELEVATION 1/50

## FINISHING MATERIALS AND COLOURS

- ① STONE -- LIGHT GREY
- ② ENGINEERING WOOD SIDING -- GOLDEN CURRY
- ③ BLACK ROOFING
- ④ BLACK FASCIA, SOFFIT, GUTTERS
- ⑤ BRICK -- DARK GREY

FEB 18 2020		MAY 21 2018		NOV. 16 2018	
REVISIONS		APR. 26 2018			
DOUBLE DUPLEX					
SCALE:		1" = SPI8-04.000			
DATE: MAR. 2018					
DRAWN BY					
REVISED					
20 WEST ST. BRAMPTON					
WEST SIDE ELEVATION					
DRAWING NUMBER					
A9					



EAST SIDE ELEVATION 1450

FINISHING MATERIALS AND COLOURS

- ① STONE - LIGHT GREY
- ② BLACK ROOFING
- ③ BLACK FASCIA, SOFFIT, GUTTERS
- ④ BRICK - DARK GREY

REVISIONS	FEB 18 2020	14M 21 2018	NOV 16 2018
DOUBLE DUPLEX	APR 26 2015		
SCALE:			
DRAWN BY	SP18-041.000		
CHECKED BY			
20 WEST ST, BRAMPTON			
EAST SIDE ELEVATION			
DRAWING NUMBER			A10

Flower City



brampton.ca

FILE NUMBER: A18-057

The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, City of Brampton.

**APPLICATION**

**Minor Variance or Special Permission**

(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law 270-2004.

1. Name of Owner(s) ANDRZEJ BEBNOWSKI  
Address 52 CHIFFSIDE DR. BRAMPTON ON L6Y 0H1  
  
Phone # (416) 456-8345 Fax # \_\_\_\_\_  
Email INFO@HERBST.CA
2. Name of Agent WALTER BORZECKI  
Address 10 ALLAN HURST DR. UN 903  
TORONTO ON M9A 4J6  
  
Phone # (416) 418-6081 Fax # \_\_\_\_\_  
Email DOMEXCONSTRUCTION@GMAIL.COM
3. Nature and extent of relief applied for (variances requested):  
1/ WIDTH OF EXISTING LOT  
2/ WIDTH OF DRIVEWAY WITH PARKING SPOTS  
width  
TO PERMIT A LOT OF 19.31m  
TO PERMIT A DRIVEWAY MAX. DRIVEWAY  
width OF 11.35 m.
4. Why is it not possible to comply with the provisions of the by-law?  
width OF EXISTING LOT IS 0.69m TO SHORT  
TO BUILD DOUBLE DUPLEX HOUSE.
5. Legal Description of the subject land:  
Lot Number 20, NE OF WEST STREET  
Plan Number/Concession Number BLOCK 5 BR-4  
Municipal Address 20 WEST ST. BRAMPTON
6. Dimension of subject land (in metric units)  
Frontage 19.31m  
Depth 50.75m  
Area 995.1m<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:

EXISTING 1 STOREY HOUSE 91.8 m<sup>2</sup> HEIGHT 5.10 m (TO BE DEMOLISHED)  
 EXISTING FRAME GARAGE 28.0 m<sup>2</sup> (TO BE DEMOLISHED)  
 EXISTING SHED 15.0 m<sup>2</sup> (TO BE DEMOLISHED)

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

PROPOSED TWO STOREY DOUBLE DUPLEX  
 LOT COVERAGE 297.6 m<sup>2</sup> → 27.9%  
 GROSS FLOOR AREA 584.0 m<sup>2</sup>  
 HEIGHT - 8.5 m

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

**EXISTING**

Front yard setback 4.57 m  
 Rear yard setback 31.90 m  
 Side yard setback 0.42 m  
 Side yard setback 6.40 m

**PROPOSED**

Front yard setback 17.54 m  
 Rear yard setback 12.85 m  
 Side yard setback 1.90 m  
 Side yard setback 1.85 m

10. Date of Acquisition of subject land: NOV. 2017
11. Existing uses of subject property: RESIDENTIAL
12. Proposed uses of subject property: RESIDENTIAL
13. Existing uses of abutting properties: RESIDENTIAL
14. Date of construction of all buildings & structures on subject land: 1950
15. Length of time the existing uses of the subject property have been continued: 68 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 BRAMPTON  
THIS 20 DAY OF MARCH, 2018.

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, WALTER PERZECKI, OF THE CITY OF TORONTO  
IN THE PROV. OF ONTARIO SOLEMNLY DECLARE THAT:

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

DECLARED BEFORE ME AT THE

City OF Brampton

IN THE Region OF  Peel  THIS 20<sup>th</sup> DAY OF

March, 2018

\_\_\_\_\_  
A Commissioner etc.

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

Joanne Cecilia Myers,  
a Commissioner, etc.,  
Province of Ontario, for the  
Corporation of the City of Brampton  
Expires April 8, 2018.

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R2A(1)-100

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

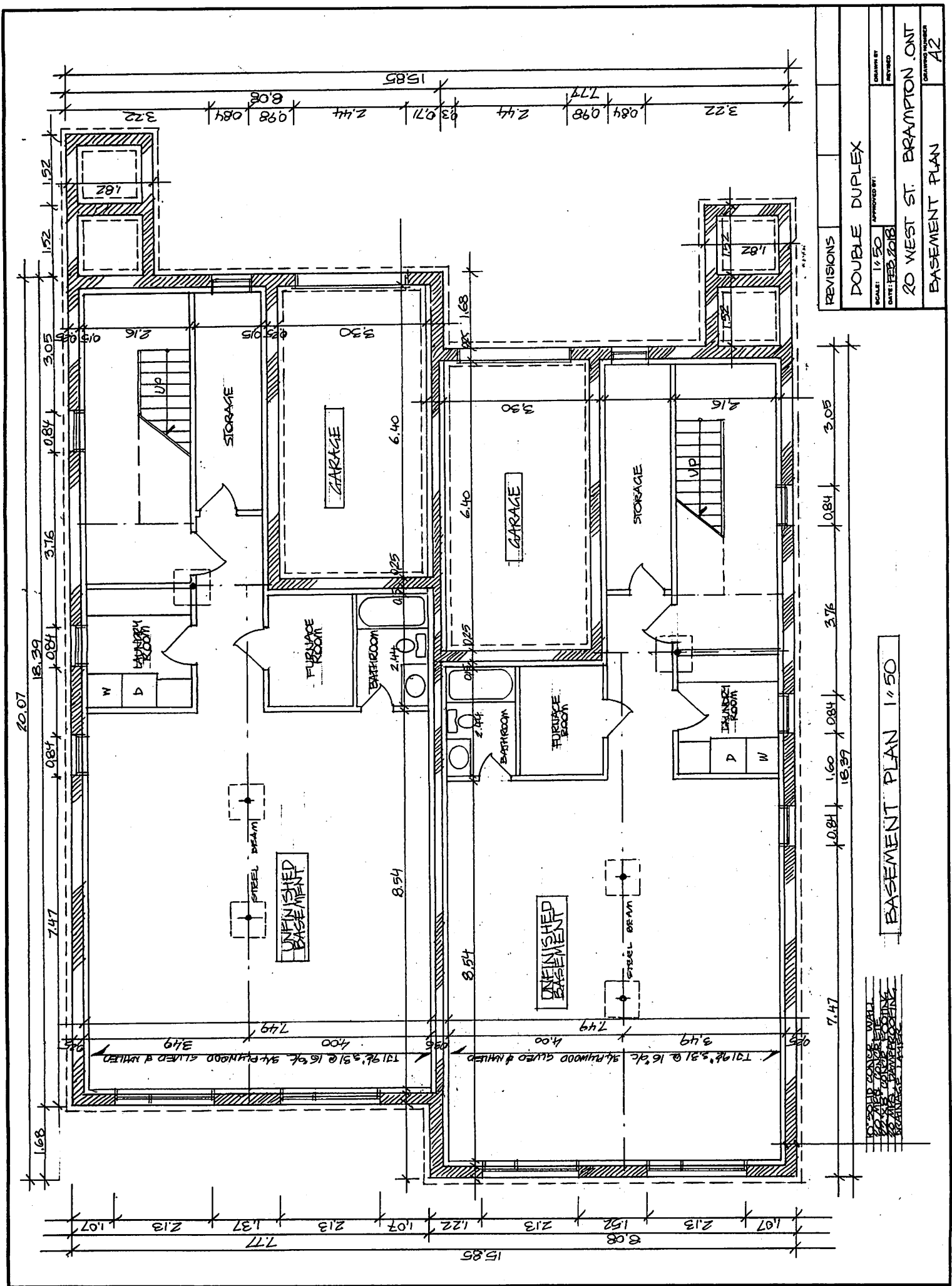
Mar 20/18  
Date

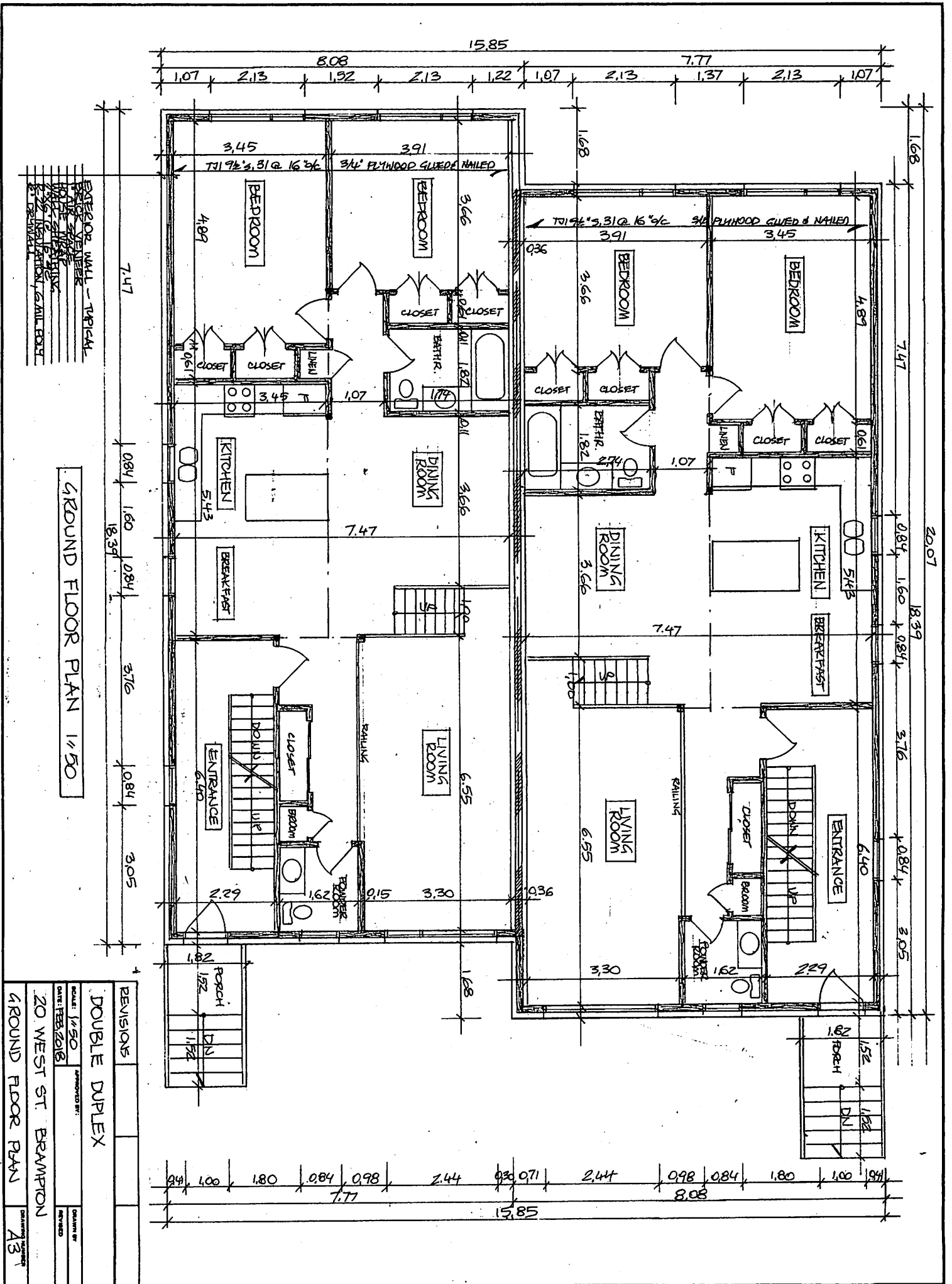
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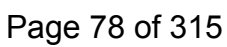
Revised 2017/01/15

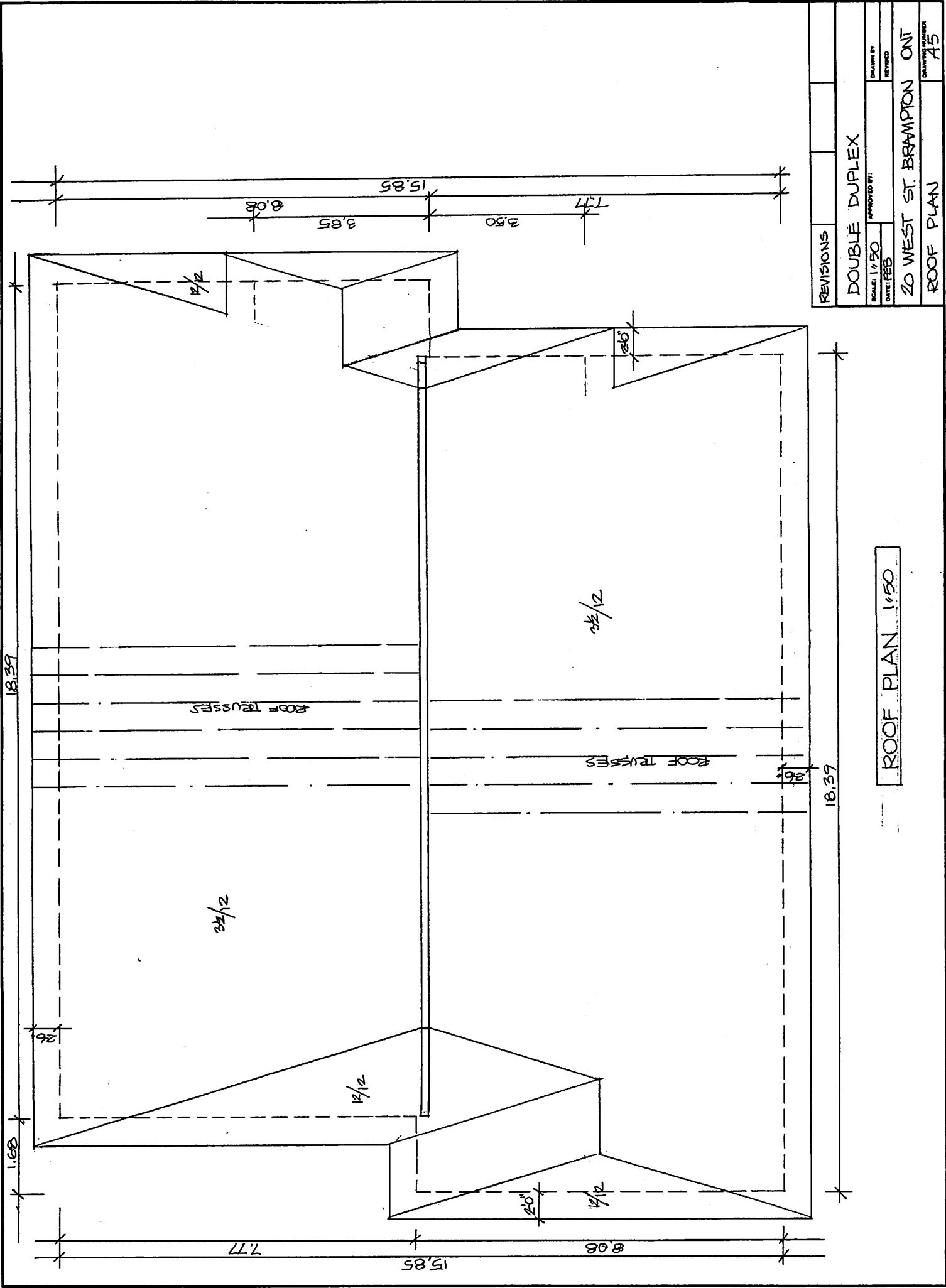


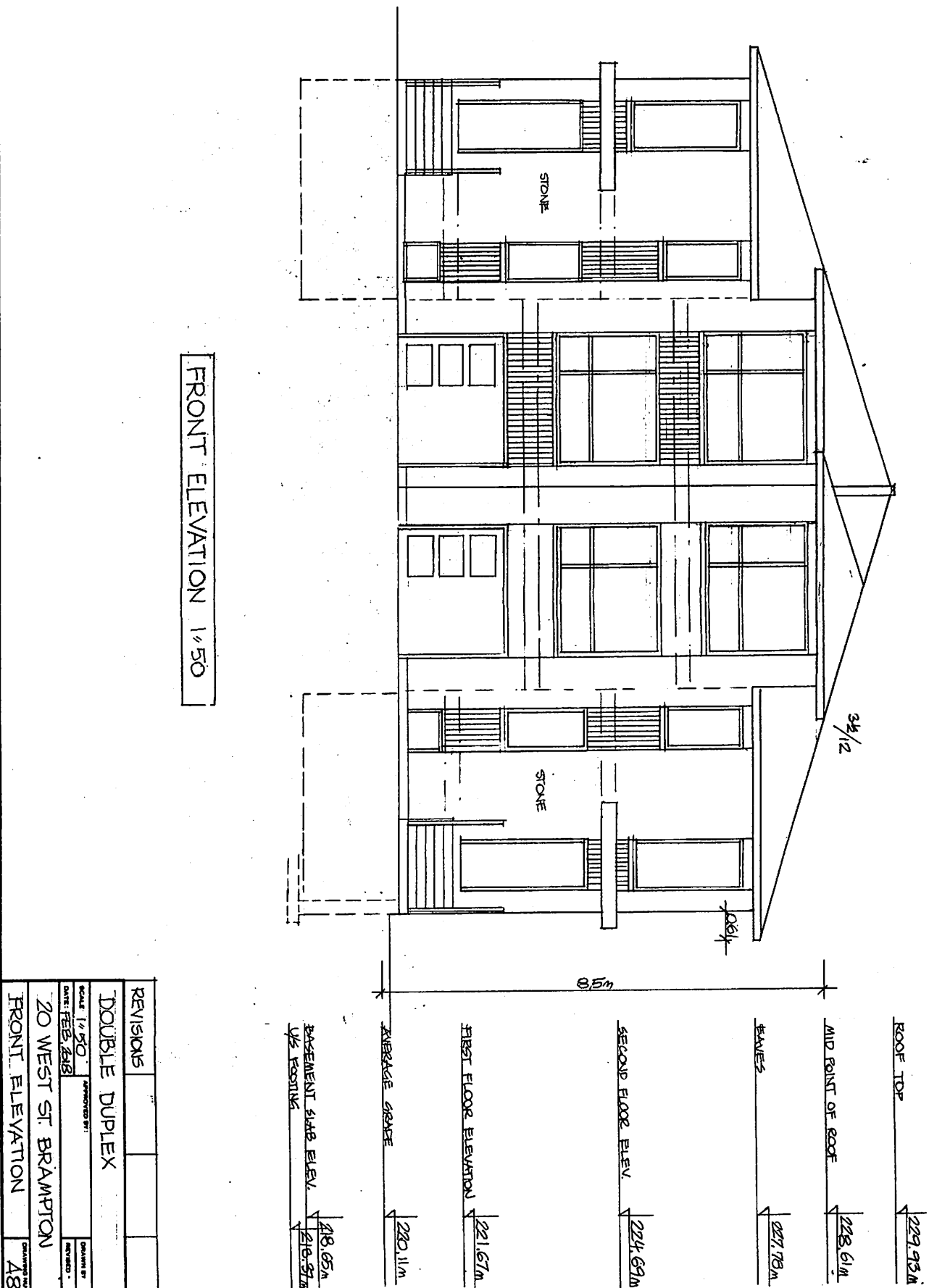


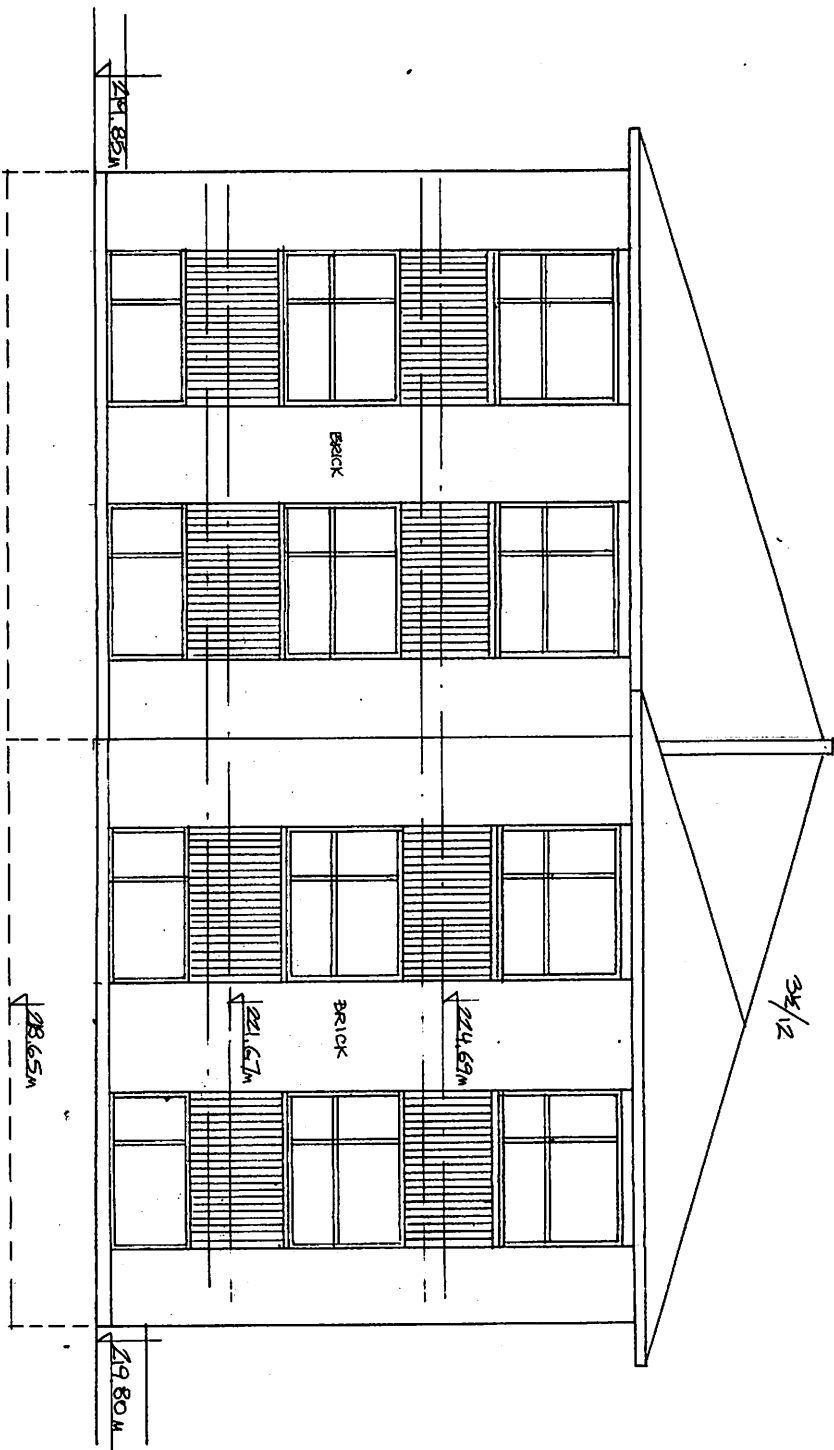








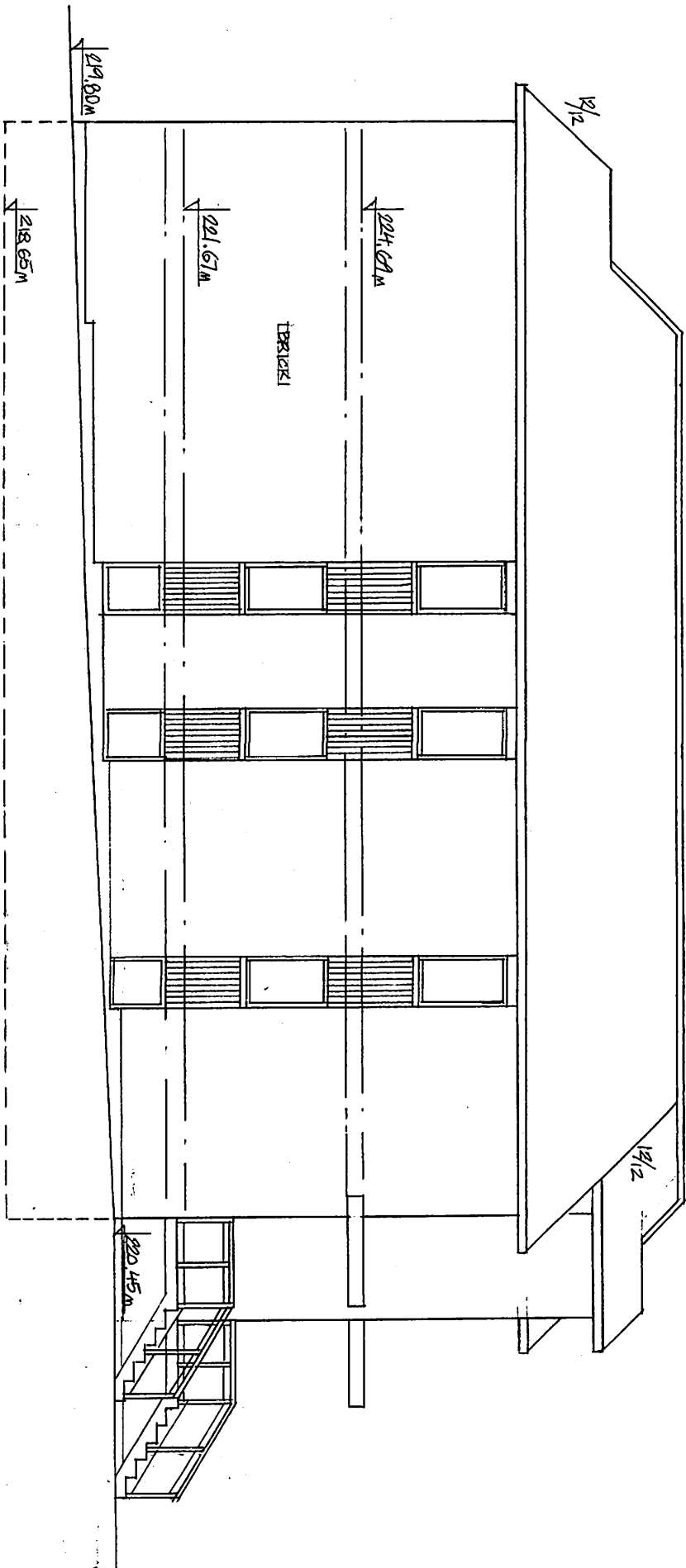




REAR ELEVATION 1"=50

REVISIONS			
DOUBLE DUPLEX			
SCALE: 1" = 50	APPROVED BY:		DRAWN BY:
DATE: FEB 2018			REVISED:
20 WEST ST. BRAMPTON			
REAR ELEVATION			COUNTING NUMBER A9

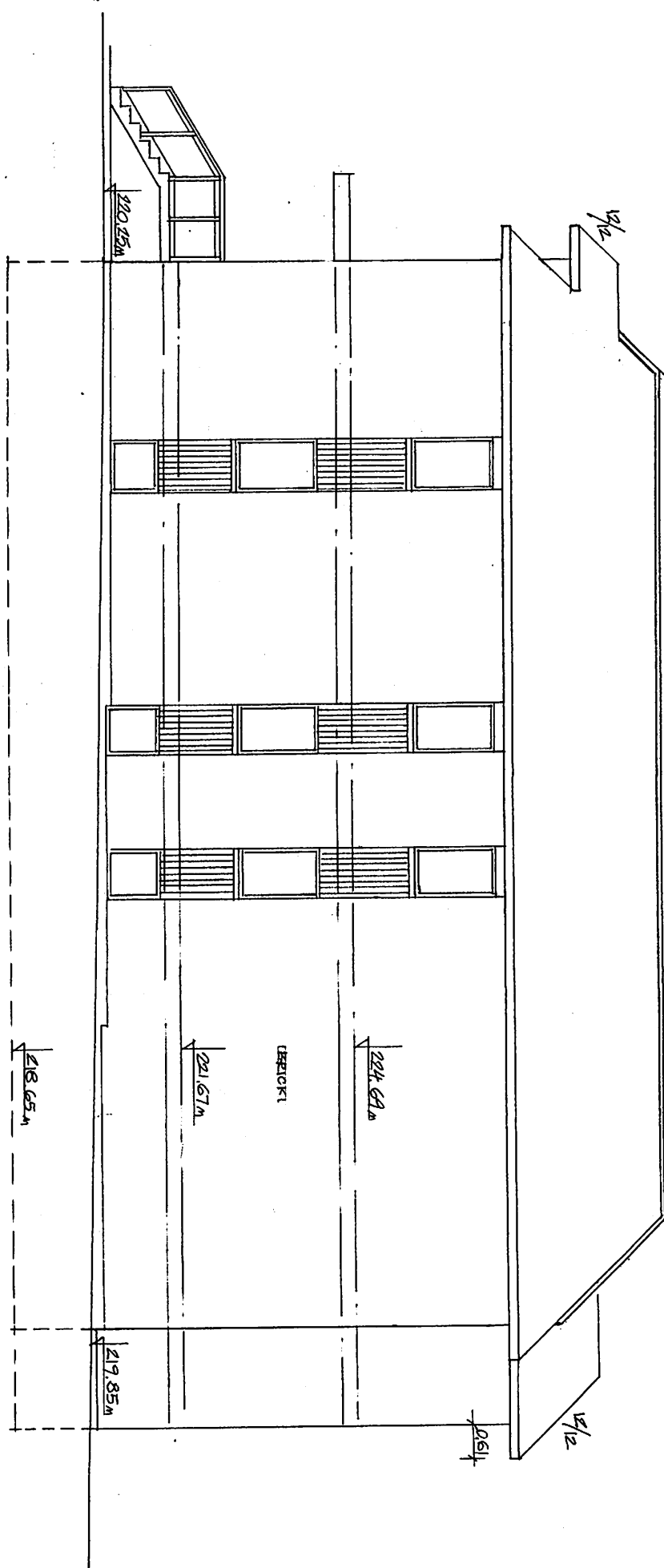




WEST SIDE ELEVATION 1/50

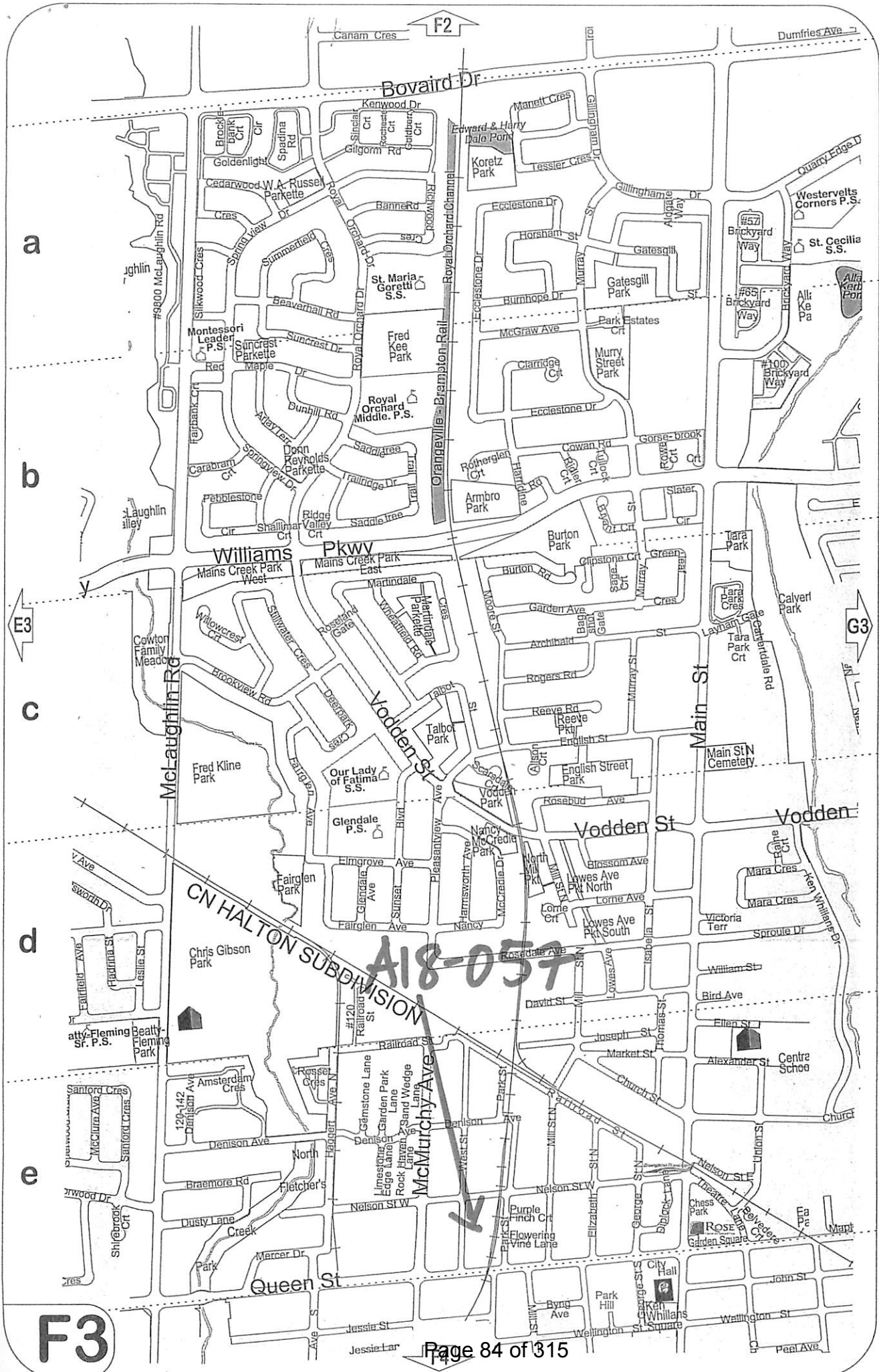
REVISIONS			
DOUBLE DUPLEX			
SCALE: 1/50	APPROVED BY:		
DATE: FEB 2018	DRAWN BY:		
REVIEWED:			
20 WEST ST BRAMPTON			
WEST SIDE ELEVATION			
DRAWING NUMBER			
A10			





EAST SIDE ELEVATION 1/50

REVIEWS			
DOUBLE DUPLEX			
SCALE: 1/250		APPROVED BY:	
DATE: FEB 2018		DRAWN BY:	
		REVISED:	
-20 WEST ST. BRAMPTON			
EAST SIDE ELEVATION		DRAFTER/INCHES	
ALL			



**Filing Date:** March 20, 2018  
**Hearing Date:** November 10, 2020

**File:** A18-057

**Owner/  
Applicant:** ANDRZEJ BEBNOWSKI

**Address:** 20 West Street

**Ward:** 1

**Contact:** Shelby Swinfield, Planner I, Development

---

**Recommendations:**

That application A18-057 is supportable, subject to the following conditions being imposed:

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

---

**Background:**

Existing Zoning:

The property is zoned "Residential Extended One (R2B(1))" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a double duplex dwelling (4 units) on a lot having a width of 19.31m (63.35 ft.) whereas the by-law requires a minimum lot width of 20.0m (65.62 ft.) for a double duplex dwelling;

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

**Current Situation:**

1. Conforms to the Intent of the Official Plan  
Populate

2. Conforms to the Intent of the Zoning By-law  
The property is zoned "Residential Extended One (R2B(1))" according to By-law 270-2004, as amended.

Variance 1 to permit a double duplex dwelling (4 units) on a lot having a width of 19.31m (63.35 ft.) whereas the by-law requires a minimum lot width of 20.0m (65.62 ft.) for a double duplex dwelling. The intent of the by-law in requiring a minimum lot width for a certain dwelling type is to ensure that the lot is of an appropriate size for the dwelling type. The proposed reduction of 0.69m (2.2 ft) is not anticipated to negatively impact the lot's ability to facilitate the double duplex dwelling type. 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 eight (8) parking spaces in the rear yard whereas the by-law does not permit the rear yard to be paved for the purpose of parking, except on a driveway leading to a garage. 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 proposed double-duplex dwelling, amenity space will be provided within the building for the residents of the building. Further, the paved area is designed in a way that preserves some of the mature trees on 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 a drive aisle width of 3.1m (10.17 ft.) for two-way traffic leading to the proposed parking area in the rear yard whereas the by-law requires a minimum drive aisle width of 6.0m (19.68 ft.) for two-way traffic. The intent of the by-law in requiring a minimum aisle width for two way traffic is to ensure that traffic can flow freely on a property where there are a large number of vehicles in motion. In the case of the subject property, the "drive aisle" that is subject to the minor variance request is more consistent with the character of a residential driveway, given the character of the property and proposal. A condition of approval is recommended that the applicant

finalize the existing site plan, through which Transportation Planning staff have provided their clearance of the driveway design. 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 to permit a reduced lot width for a lot containing a double duplex dwelling. The proposed reduction will not negatively impact the function of the property and is reflective of the existing lot size. A condition of approval is recommended that the applicant finalize the current Site Plan Application for the property in order to ensure that the design of the dwelling and overall property is appropriate for the neighbourhood. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variance 2 is permit eight (8) parking spaces in the rear yard whereas the by-law does not permit the rear yard to be paved for the purpose of parking, except on a driveway leading to a garage. The variance is intended to facilitate the provision of parking for the permitted double duplex dwelling which is proposed to be constructed on the property. The paved area is designed in a way that avoids the removal of some mature trees on the property, and amenity space for the property is provided within the building in community spaces. 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 a drive aisle width of 3.1m (10.17 ft.) for two-way traffic leading to the proposed parking area in the rear yard whereas the by-law requires a minimum drive aisle width of 6.0m (19.68 ft.) for two-way traffic. In the case of the subject property, the "drive aisle" functions more similarly to a residential driveway in that it is not intended to facilitate a mass amount of vehicles. Additionally, within the parking area, a 6.6m (21.65 ft) drive aisle is provided where vehicles will be reversing and turning. The width of the drive aisle leading to the parking area is not anticipated to negatively impact the traffic flow of the property. Subject to the recommended conditions of approval, Variance 3 is considered to be desirable for the appropriate development of the land.

### 4. Minor in Nature

Variance 1 proposes a reduction in minimum required lot width of 0.69m (2.2 ft) which will be virtually imperceptible from a visual and functional point of view, and is not anticipated to negatively impact the development of the property. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 to permit eight (8) parking spaces in the rear yard whereas the by-law does not permit the rear yard to be paved for the purpose of parking, except on a driveway leading to a garage. The proposed location of the parking will be screened from the street by the proposed building, and further the extent of the paving will be reviewed through the Site Plan Application that the owner is currently undertaking. In order to ensure that there are no negative impacts on adjacent properties resulting from the paving, a condition of approval is recommended that the owner finalize site plan

approval under City File SP18-041.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services to allow for a fulsome engineering review. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Variance 3 to permit a reduced drive aisle width relates to the proposed driveway for the residential property. Due to the lower traffic nature of the proposed residential building, the width of the functional driveway is not anticipated to negatively impact the overall function of the property. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I, Development

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **BALWINDER SRAN AND AMARJIT SRAN** 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 53, Plan 43M-587 municipally known as **25 HIGGINS CRESCENT**, Brampton;

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

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit an interior side yard setback of 0.79m (2.60 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
3. To permit an existing driveway width of 7.34m (24.08 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

**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, November 10, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

**IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT.** This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

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

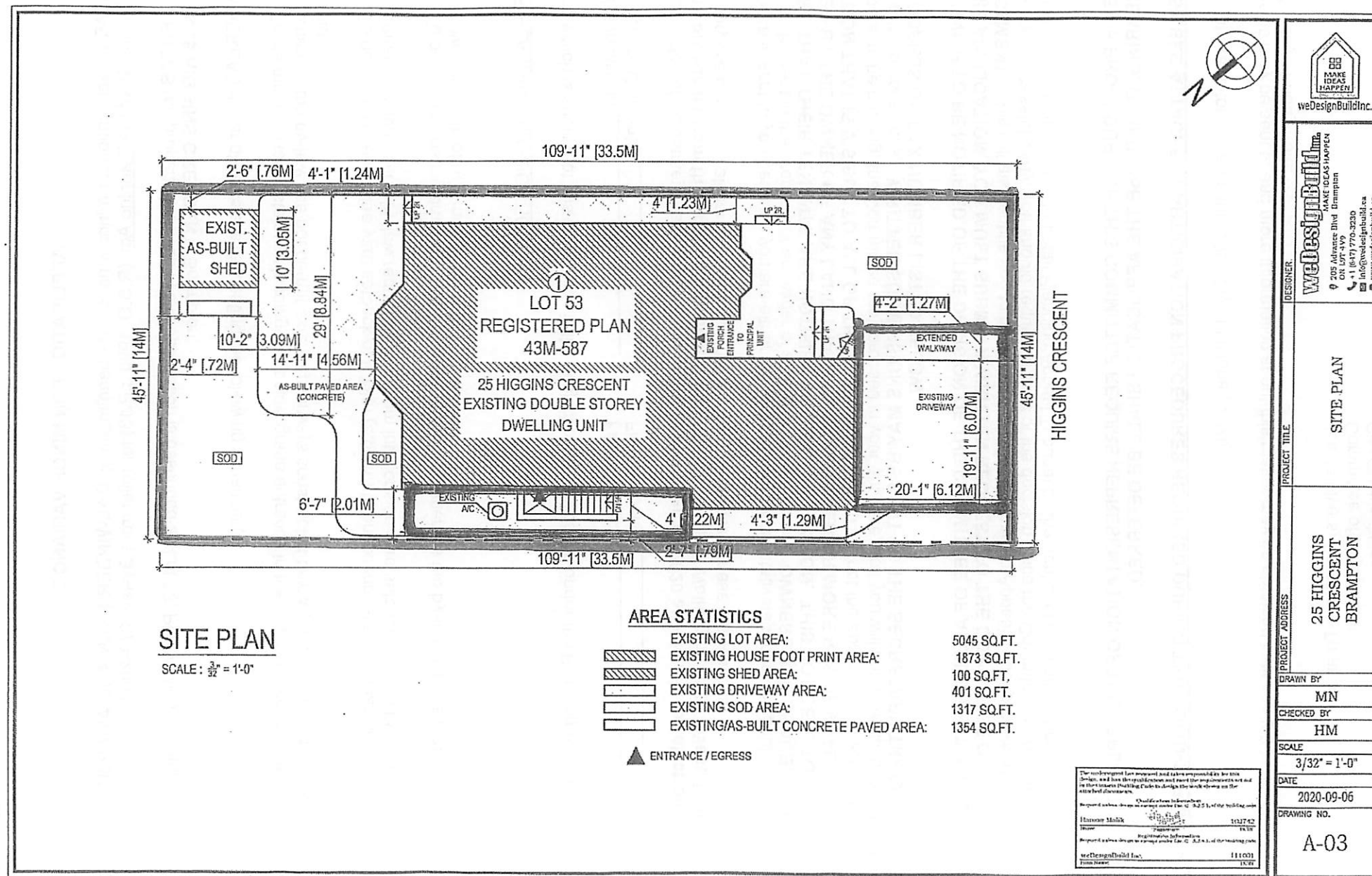
**PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC**

DATED at Brampton Ontario, this 29th day of October, 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)







Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically during the COVID-19 Emergency

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

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

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- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, November 5, 2020.**
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  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **November 6, 2020.** City staff will contact you and provide you with further details.
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**AMENDMENT LETTER**

October 27, 2020


To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE  
BALWINDER SRAN AND AMARJIT SRAN  
LOT 53, PLAN 43M-587  
A-2020-00106 – 25 HIGGINS CRESCENT  
WARD 3**

---

Please **amend** application **A-2020-0106** to reflect the following:

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below grade in the required exterior side yard;
2. To permit an interior side yard setback of 0.79m (2.60 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
3. To permit an existing driveway width of 7.34m (24.08 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

  
\_\_\_\_\_  
Applicant/Authorized Agent  
(Balwinder Singh Sran)







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)** Balwinder Sran and Amarjit Sran  
**Address** 25 Higgins Crescent, Brampton, Ontario, L6Y 0B5

**Phone #** (416) 824 - 7200 **Fax #** (905) 450 - 7805  
**Email** sranlawoffice@gmail.com

2. **Name of Agent** \_\_\_\_\_  
**Address** \_\_\_\_\_

**Phone #** \_\_\_\_\_ **Fax #** \_\_\_\_\_  
**Email** \_\_\_\_\_

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

(1) To permit an interior side yard setback of 0.79m (2.59 ft) to a stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft)

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

North Exterior Side yard was 2.01m, after the below grade entrance, the available access to back yard is 0.79m which is less than the required 1.2m.

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

**Lot Number** 53  
**Plan Number/Concession Number** 43M-587  
**Municipal Address** 25 Higgins Crescent, Brampton

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

**Frontage** 14.5 metres  
**Depth** 33.5 metres  
**Area** 485.15 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.)

Two Storey - Detached Residential House with attached garage and accessory structure

Gorss Floor Area of House = 276.98 sq. m.

Gorss Floor Area of Shed = 9.30 sq. m.

PROPOSED BUILDINGS/STRUCTURES on the subject land:


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

EXISTING

Front yard setback	6.12m
Rear yard setback	8.48m
Side yard setback	North - 2.01m
Side yard setback	South - 1.23m

PROPOSED

Front yard setback	N/A
Rear yard setback	N/A
Side yard setback	North - 0.79m
Side yard setback	South Side yard - N/A

10. Date of Acquisition of subject land: July 25, 2003

11. Existing uses of subject property: Residential

12. Proposed uses of subject property: Residential

13. Existing uses of abutting properties: North Side - Residential; South Side - Residential  
East - Residential; West - Higgins Crescent - City Road;

14. Date of construction of all buildings & structures on subject land: In or about 1986

15. Length of time the existing uses of the subject property have been continued: 34 years

16. (a) What water supply is existing/proposed?  
Municipal ☒ Other (specify) \_\_\_\_\_  
Well ☐

- (b) What sewage disposal is/will be provided?  
Municipal ☒ Other (specify) \_\_\_\_\_  
Septic ☐

- (c) What storm drainage system is existing/proposed?  
Sewers ☒ Other (specify) \_\_\_\_\_  
Ditches ☐  
Swales ☐



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

Yes ☐ No ☒

If answer is yes, provide details: File # \_\_\_\_\_ Status \_\_\_\_\_

18. Has a pre-consultation application been filed?

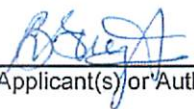
Yes ☒ No ☐

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☐ Unknown ☒

If answer is yes, provide details:

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

  
Signature of Applicant(s) or Authorized Agent

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

THIS 08th DAY OF October, 20 20.

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

I, Balwinder Singh Sran, 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

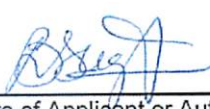
City \_\_\_\_\_ OF Brampton

IN THE Province/Region OF \_\_\_\_\_

Ontario/peel THIS 08th DAY OF

October, 20 20.

  
A Commissioner etc.

  
Signature of Applicant or Authorized Agent

April Dela Cerna, ad.  
a Commissioner, etc.,  
Province of Ontario,  
for the Corporation of the  
City of Brampton.  
Expires May 8, 2021

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R1C - 3227, MATURE

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



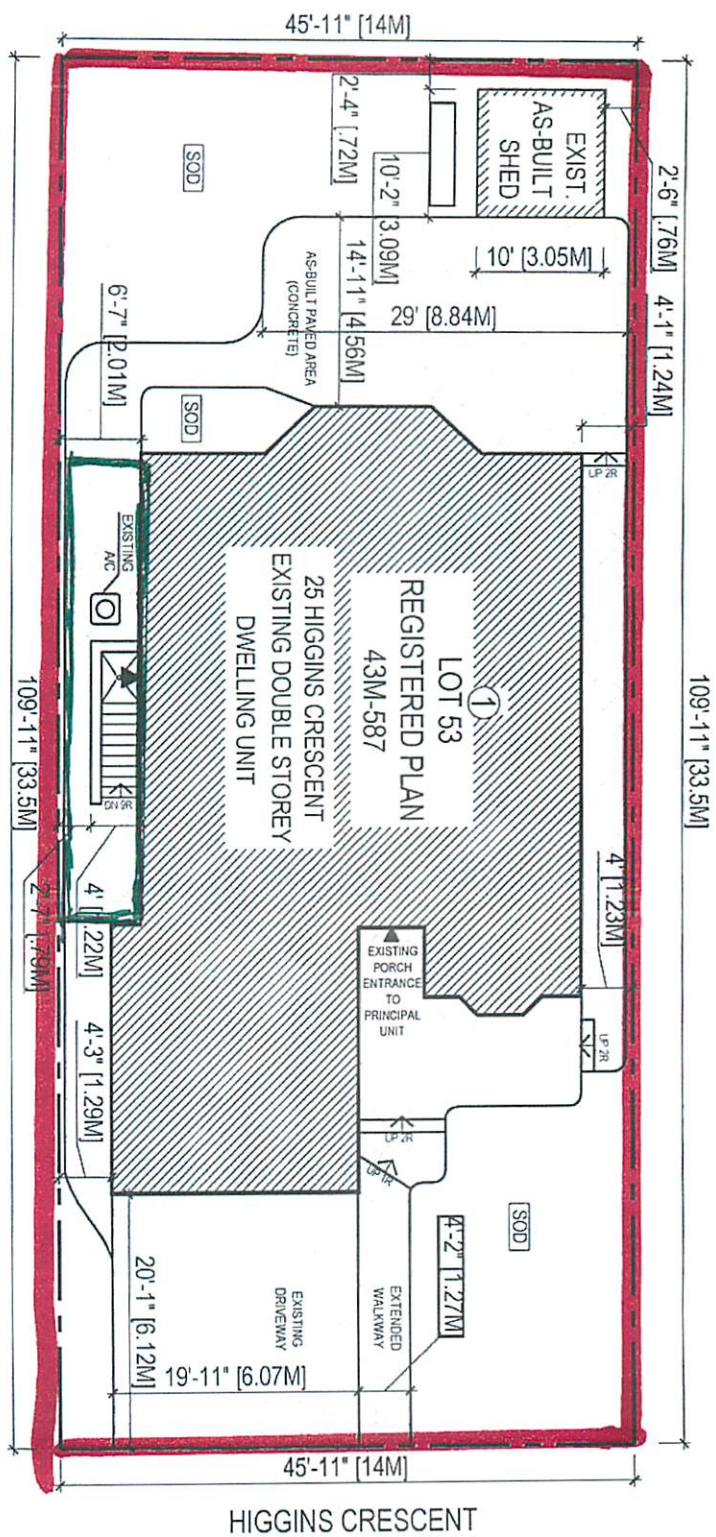
Zoning Officer

OCT. 13. 2020

Date

DATE RECEIVED October 8, 2020

Revised 2020/01/07



## SITE PLAN

SCALE:  $\frac{3}{32}'' = 1'-0''$

### AREA STATISTICS

EXISTING LOT AREA:	5045 SQ.FT.
EXISTING HOUSE FOOT PRINT AREA:	1873 SQ.FT.
EXISTING SHED AREA:	100 SQ.FT.
EXISTING DRIVEWAY AREA:	401 SQ.FT.
EXISTING SOD AREA:	1317 SQ.FT.
EXISTING/AS-BUILT CONCRETE PAVED AREA:	1354 SQ.FT.

▲ ENTRANCE / EGRESS



<p>The information contained in this drawing is the property of weDesignBuild Inc. and is to be used for the project only. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of weDesignBuild Inc.</p>	
<p>weDesignBuild Inc. 111 Kest 111 Kest</p>	<p>111 Kest 111 Kest</p>

<p>PROJECT ADDRESS</p> <p>25 HIGGINS CRESCENT BRAMPTON</p>		<p>PROJECT TITLE</p> <p>SITE PLAN</p>	<p>DESIGNER</p> <p><b>weDesignBuild Inc.</b> MAKE IDEAS HAPPEN</p> <p>205 Advance Blvd Brampton ON L9T 4V9 +1 (647) 770-3230 info@wedesignbuild.ca www.wedesignbuild.ca</p>
<p>DRAWN BY</p> <p>MN</p>		<p>CHECKED BY</p> <p>HIM</p>	
<p>SCALE</p> <p>3/32" = 1'-0"</p>		<p>DATE</p> <p>2020-09-06</p>	
<p>DRAWING NO.</p> <p>A-03</p>		<p>weDesignBuild Inc.</p>	







**Filing Date:** October 8, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0106

**Owner/  
Applicant:** BALWINDER SRAN

**Address:** 25 Higgins Crescent

**Ward:** 3

**Contact:** Shelby Swinfield, Planner I, Development

---

**Recommendations:**

That application A-2020-0106 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. The extended portion of the driveway shall not be parked or driven upon at any time by the whole or a part of a motor vehicle; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

---

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

The property is zoned Residential Single Detached C – Special Section 3227 (R1C-3227)” according to By-law 270-2004, as amended.

**Requested Variances:**

The applicant is requesting the following variances:

1. To permit an exterior stairway leading to a below grade entrance in the required

interior side yard whereas the by-law does not permit exterior stairways constructed below grade in the required interior side yard;

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

### **Current Situation:**

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

The property is designated as “Residential” in the Official Plan and “Low Density Residential” in the Brampton Flowertown Secondary Plan (Area 6). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

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

The property is zoned Residential Single Detached C – Special Section 3227 (R1C-3227)” according to By-law 270-2004, as amended.

Variances 1 and 2 are intended to facilitate a below grade entrance within the interior side yard of the property. The intent of the by-law in prohibiting below grade entrances in and requiring a minimum setback for interior side yards is to ensure that sufficient area is maintained to access the rear yard. In the case of the subject property the side yard located opposite from the below grade entrance has a setback of at least 1.2m (3.96 ft) which provides sufficient room to access the rear yard. Subject to the recommended conditions of approval, Variances 1 and 2 are considered to maintain the general intent of the Zoning By-law.

Variance 3 is requested to permit an extended driveway width of 7.34m (24.08 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.). The extended portion of the driveway is a poured concrete area intended to be used as a walkway, however due to the definition of driveway within the zoning by-law, it is considered to be part of the driveway. The intent of the by-law in regulating maximum driveway width is to ensure that the driveway does not facilitate the parking of an excess number of vehicles. A condition of approval is recommended 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 to ensure that the portion of the driveway intended to be used as a walkway functions only as such. Subject to the recommended conditions of approval, Variance 3 is considered to maintain the intent of the Zoning By-law.

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

Variances 1 and 2 are requested to facilitate a below grade entrance within the interior side yard of the property. The intended use of this entrance is to create a second

dwelling unit on the property. A condition of approval is recommended that the below grade entrance not be used to access an unregistered second unit to ensure that any second units are in compliance with the Ontario Building Code (OBC). Subject to the recommended conditions of approval, Variances 1 and 2 are considered to be desirable for the appropriate development of the land.

Variance 3 is requested to permit an existing driveway width of 7.34m (24.08 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.). The extended portion of the driveway is intended to serve as a walkway and contributes positively to the aesthetic quality of the property. A condition of approval is recommended 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 to ensure that the extended portion is not used for parking vehicles and remains as a walkway. 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

Variances 1 and 2 are intended to facilitate a below grade entrance in the interior side yard. Due to the setback on the adjacent side of the dwelling the location of the entrance is not anticipated to negatively impact access to the rear yard. Subject to the recommended conditions of approval Variances 1 and 2 are considered to be minor in nature.

Variance 3, to permit an extended driveway width, is required to facilitate the existing driveway on the property which has a poured concrete "walkway" portion attached. This extra area of driveway is not anticipated to provide parking for an additional vehicle and contributes positively to the aesthetic character of the property. Subject to the recommended conditions of approval, Variance 3 is considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I, Development

Public Notice  
Committee of Adjustment

APPLICATION # A-2020-0107  
WARD 3

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **PEEL HOLDING 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 A, Plan M-269, Part 1, Plan 43R-13500 municipally known as **222 ADVANCE BOULEVARD, UNIT 2**, Brampton;

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

1. To permit a Motor Vehicle Sales Establishment with outdoor display of three (3) vehicles for sale whereas the by-law does not permit the proposed use.

**OTHER PLANNING APPLICATIONS:**

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

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

The Committee of Adjustment has appointed **TUESDAY, November 10, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

**IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT.** This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

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

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

DATED at Brampton Ontario, this 29th day of October, 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)

222 ADVANCE BLVD

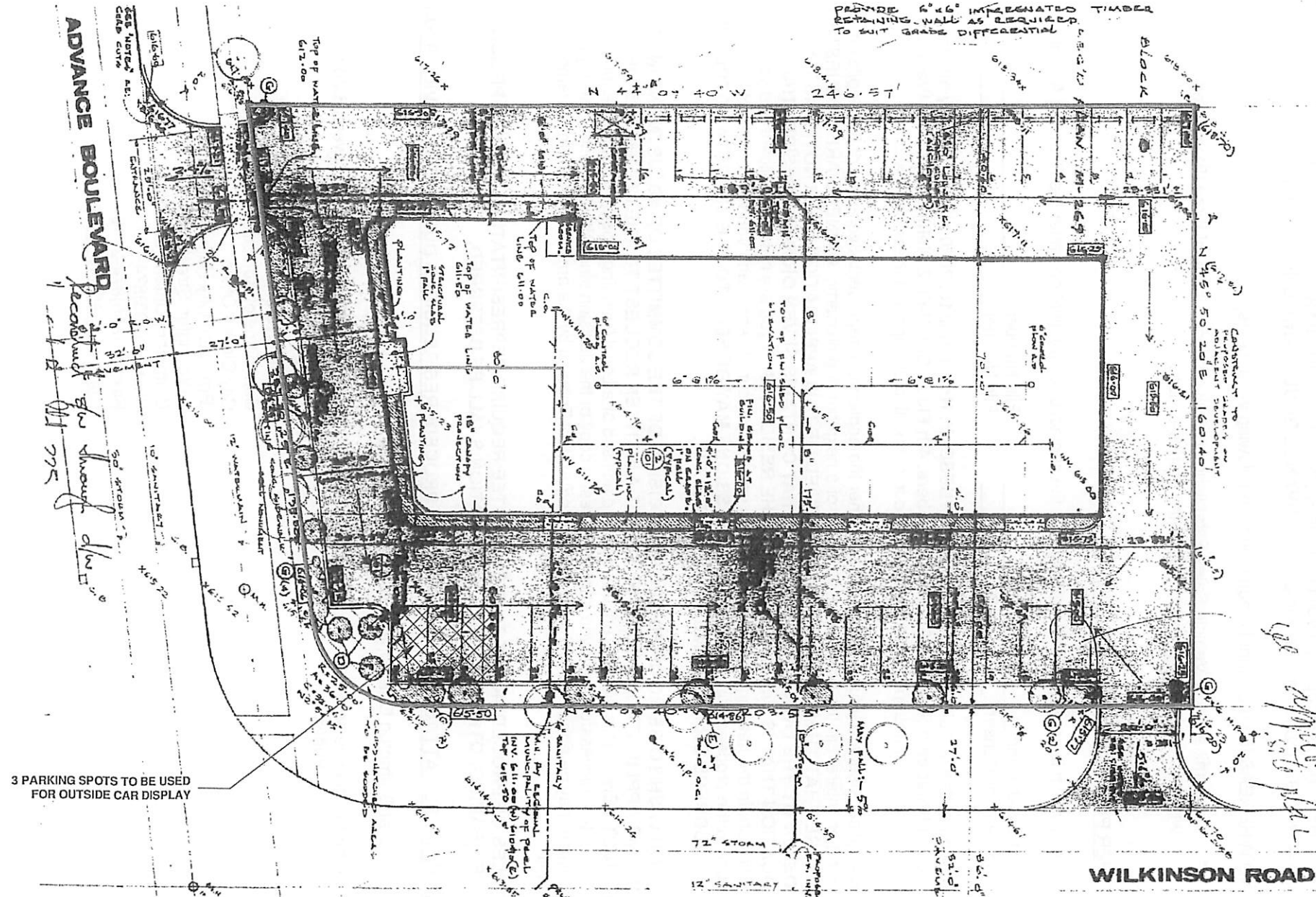
(UNIT-2)

MINOR VARIANCE

TO PERMIT A MOTOR VEHICLE SALES  
ESTABLISHMENT WITH OUTDOOR  
DISPLAY OF VEHICLES FOR SALE.

TOTAL PARKING SPACES :- 36

PARKING SPOTS TO BE USED FOR OUTSIDE CAR DISPLAY = 3



01 ISSUED FOR PERMIT OCT 02/20

ADDRESS:  
222 ADVANCE BLVD,  
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 02/20 SCALE: 1:105  
DRAWN BY: NK  
A-1



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  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **November 6, 2020.** City staff will contact you and provide you with further details.
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**AMENDMENT LETTER**

October 27, 2020

To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE  
PEEL HOLDING INC.  
PART OF BLOCK A, PLAN M-269  
A-2020-0107 – 222 ADVANCE BOULEVARD, UNIT 2  
WARD 3**

---

Please **amend** application **A-2020-0107** to reflect the following:

1. To permit a Motor Vehicle Sales Establishment with outdoor display of 3 vehicles for sale whereas the by-law does not permit the proposed use.

*Ravkirat Sandhu*

NOBLE PRIME SOLUTIONS LTD

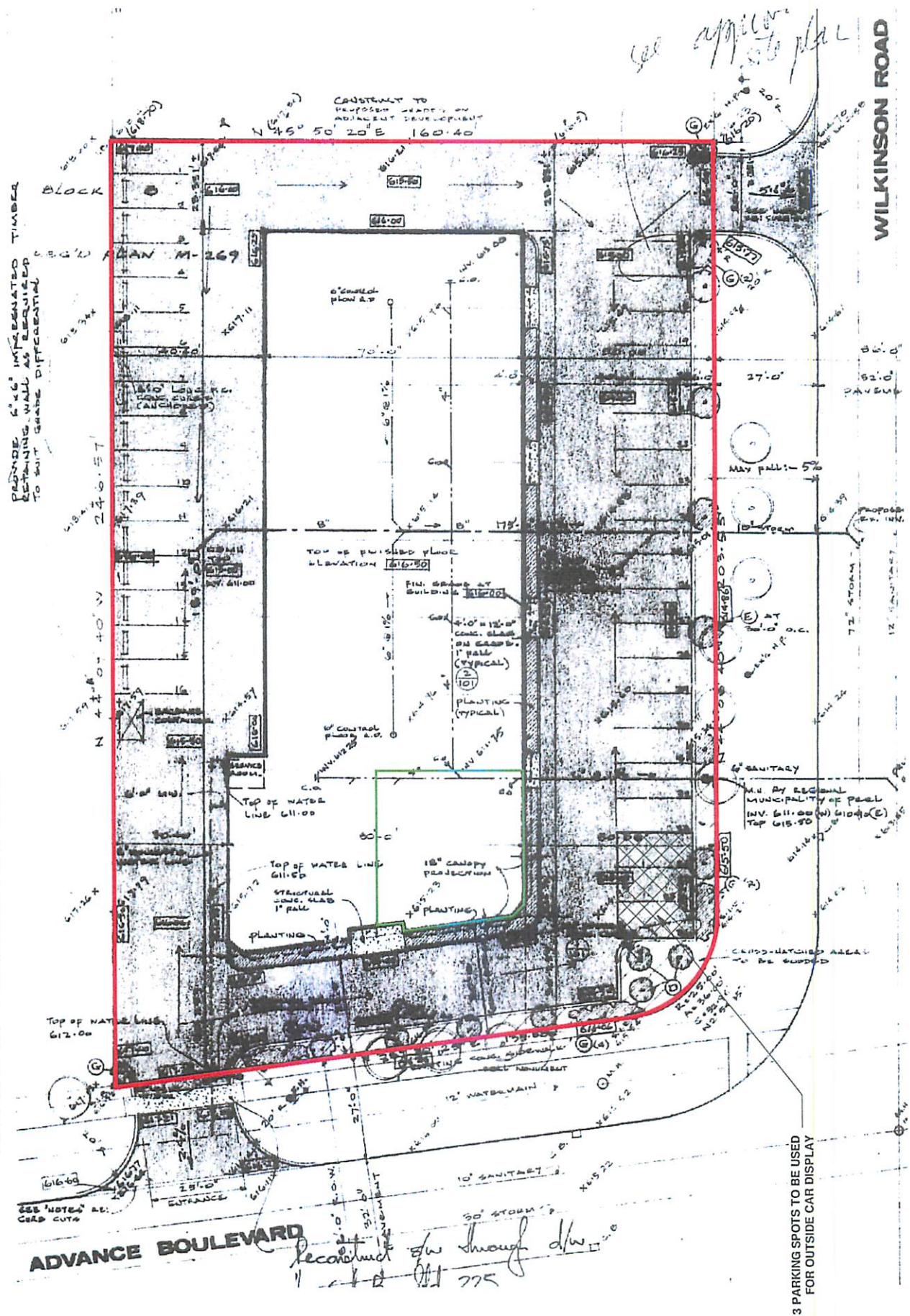
\_\_\_\_\_  
Applicant/Authorized Agent



222 ADVANCE BLVD  
(UNIT-2)

MINOR VARIANCE  
TO PERMIT A MOTOR VEHICLE SALES  
ESTABLISHMENT WITH OUTDOOR  
DISPLAY OF VEHICLES FOR SALE.

TOTAL PARKING SPACES :- 36  
PARKING SPOTS TO BE USED FOR OUTSIDE CAR DISPLAY = 3



SITE PLAN

01 ISSUED FOR PERMIT	OCT 02/20
ADDRESS:	222 ADVANCE BLVD, BRAMPTON, ON
DRAWN BY:	NK
CHECKED BY:	TR
PROJECT NAME:	NOBLE PRIME SOLUTIONS LTD 2131 WILLIAMS PARKWAY, BRAMPTON ON UNIT 19 (437) 888 1800 (905) 782 5261
DATE:	OCT 02/20
SCALE:	1:105
DWG NO:	A-1



To  
The Planning Department and Committee of Adjustment  
City of Brampton

Application for a Minor Variance

Unit 2, 222 Advance Boulevard  
Brampton

This application is to permit a motor vehicle sales establishment with limited outdoor display of vehicles for sale.

Below are some details about the proposal. The applicant is Noble Prime Solutions Ltd. on behalf of Peel Holding Inc. The proposed motor vehicle sales establishment will include a showroom for Ridani Auto Sales Ltd and will operate from 9 am to 6 pm daily.

The applicant is willing to work with the City to address any concerns and changes required to our application. The surrounding context is industrial, and we note that office and retail uses are also to be found in the vicinity. We assure the City that this will be a use that is compatible with the general industrial character of the area. We will also ensure that we will provide appropriate screening to any outdoor parking and that the existing site landscaping will be retained and enhanced if required.

**Planning Framework:**

1. Brampton Official Plan designation: Industrial.
2. Brampton Secondary Plan- Highway 10 and Steeles

Secondary Plan Designation: General Employment 2 which allows for motor vehicle repair and body shop use but not motor vehicle sales. This designation also allows for uses permitted in General Employment 1 uses that include outdoor storage areas if they are accessory to an industrial use.

3. Zoning: Industrial Two (M2) which allows a motor vehicle repair shop and a motor vehicle body shop, a parking lot, a building supplies sales establishment and an accessory retail outlet.

**Proposal:**

Current Use and surrounding uses:

Unit 2 in this building is the subject site for this application. The entire building (222 Advance Boulevard) was recently purchased by our client. This building was previously used as an investment building which was sub-divided into 9 units and leased individually. Here are details of the units:

Unit 2 (subject of this application) is vacant and was previously occupied by Shaw Group.

Unit 1 will be vacant by the end of December as their lease is ending.

Unit 3 is leased to a sign manufacturing company.

Unit 4 is leased to a furniture manufacturing company.

Unit 5 is leased to building supply company

Unit 6 is used for auto accessory.

Unit 7 to 8 is currently used for storage by the owner.

Unit 9 is occupied by the owner which is used as Auto Repair.

Proposed Use: Vehicle Sales Office and Display, total 1857 sq.ft. This includes an Office of 450 sq.ft., a Storage of 200 sq.ft., Washroom and lunchroom space of 300 sq.ft. and rest as display area. Car display shown in as-built drawings of unit 2. A total of 5 outdoor parking spots will be used for display (these are marked on the site plan).

Parking- Currently there are 45 number of parking spaces on the property. The proposed use will require only 5 of these same spaces- these are shown on the site plan.

Retail sales/ display will only be located as shown on the submitted Sketch. No outdoor display of vehicles for sale will occur outside of the designated display spaces.

We can confirm that the current parking spaces will accommodate the total parking we require for the proposed use.

Traffic, Access and Street Network: No changes are proposed to the current two site accesses. We do not anticipate any traffic impacts due to the small size of the proposed operations.

Landscaping: Currently the entire stretch of the eastern and southern property line has a landscaped buffer strip. This shall be retained as is, and any other required enhancement will be completed.

Employees: The proposed facility will generate 2 jobs in total.

We anticipate that the proposed use which is limited to just one bay in an existing industrial building, will not create any adverse effects to and will integrate well with the surrounding neighborhood character.

Thank you

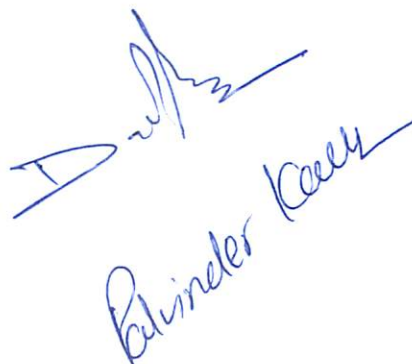
Sincerely



Noble Prime Solutions Ltd

#19, 2131 Williams Parkway

Brampton, ON L6S5Z4





FILE NUMBER: A-2020-0167

*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)** PEEL HOLDING INC. (DALBARA SINGH)  
**Address** 24 MAISONNEUVE BLVD, BRAMPTON L6P1W8  
**Phone #** 647-834-8283 **Fax #** \_\_\_\_\_  
**Email** peelautocollision@gmail.com

2. **Name of Agent** NOBLE PRIME SOLUTIONS LTD  
**Address** UNIT 19, 2131 WILLIAMS PARKWAY, BRAMPTON L6S5Z4  
**Phone #** 437-888-1800 **Fax #**  
**Email** INFO@NOBLELTD.CA

3. Nature and extent of relief applied for (variances requested):  
To permit a Motor Vehicle Sales Establishment with limited outdoor display of vehicles for sale.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. Why is it not possible to comply with the provisions of the by-law?  
THE PROPERTY IS ZONED M2, MOTOR VEHICLE SALES ESTABLISHMENT IS NOT PERMITTED

5. Legal Description of the subject land: Part of BLOCK B, PLAN M-269, PART 1, PLAN 43R-13500  
 Lot Number PT BLK B  
 Plan Number/Concession Number M269  
 Municipal Address UNIT 2 - 222 ADVANCE BLVD, BRAMPTON L6T 4V7

6. Dimension of subject land (in metric units)

Frontage	139.80
Depth	246.57
Area	37772.5 SQM

7. Access to the subject land is by:

Provincial Highway	<input type="checkbox"/>	Seasonal Road	<input type="checkbox"/>
Municipal Road Maintained All Year	<input checked="" type="checkbox"/>	Other Public Road	<input type="checkbox"/>
Private Right-of-Way	<input type="checkbox"/>	Water	<input type="checkbox"/>

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

**EXISTING BUILDINGS/STRUCTURES** on the subject land: List all structures (dwelling, shed, gazebo, etc.)  
SINGLE STOREY INDUSTRIAL BUILDING BUILDING AREA : 1221 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 30.13 M  
Rear yard setback 29.06 M  
Side yard setback 30.22 M  
Side yard setback 50.35 M

**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: JAN 2020
11. Existing uses of subject property: INDUSTRIAL
12. Proposed uses of subject property: INDUSTRIAL
13. Existing uses of abutting properties: INDUSTRIAL
14. Date of construction of all buildings & structures on subject land: 1981
15. Length of time the existing uses of the subject property have been continued: 29 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 _____

Ravkirat Sandhu

Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF BRAMPTON  
THIS 8th 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, 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 8th DAY OF  
October, 2020

April Dela Cerna  
A Commissioner etc.

Ravkirat Sandhu

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

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

M2

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

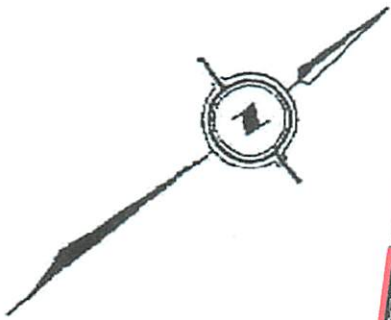
Hothi S  
Zoning Officer

Oct. 13. 2020  
Date

DATE RECEIVED October 8, 2020



TOTAL UNIT AREA : 146 SQM  
TOTAL BUILDING AREA : 3772.5 SQM



BLOCK

REGISTERED

PARCEL B-3  
SECTION M-269  
PART 1 PLAN 43R-11309

PART 1 PLAN 43R-12614  
PARCEL B-6 SECTION M-269

CONCRETE BLOCK  
FOUNDATION

ROAD

NOS NIKIM

SECTION M-269

PLAN 43R-11309

UNIT-2

222 ADVANCE BLVD  
(UNIT-2)  
MINOR VARIANCE  
TO PERMIT A MOTOR VEHICLE SALES  
ESTABLISHMENT WITH LIMITED OUTDOOR  
DISPLAY OF VEHICLES FOR SALE.

TOTAL PARKING SPACES :- 45

MAINTAIN EXISTING LANDSCAPING

5 PARKING SPOTS TO BE USED  
FOR OUTSIDE CAR DISPLAY

ADVANCE

BOULEVARD

SITE PLAN

222 ADVANCE BLVD,  
BRAMPTON, ON

OWNER: NK  
PROJECT NUMBER: TR

NOBLE PRIME  
SOLUTIONS LTD

2131 WILLIAMS PARKWAY,  
BRAMPTON ON

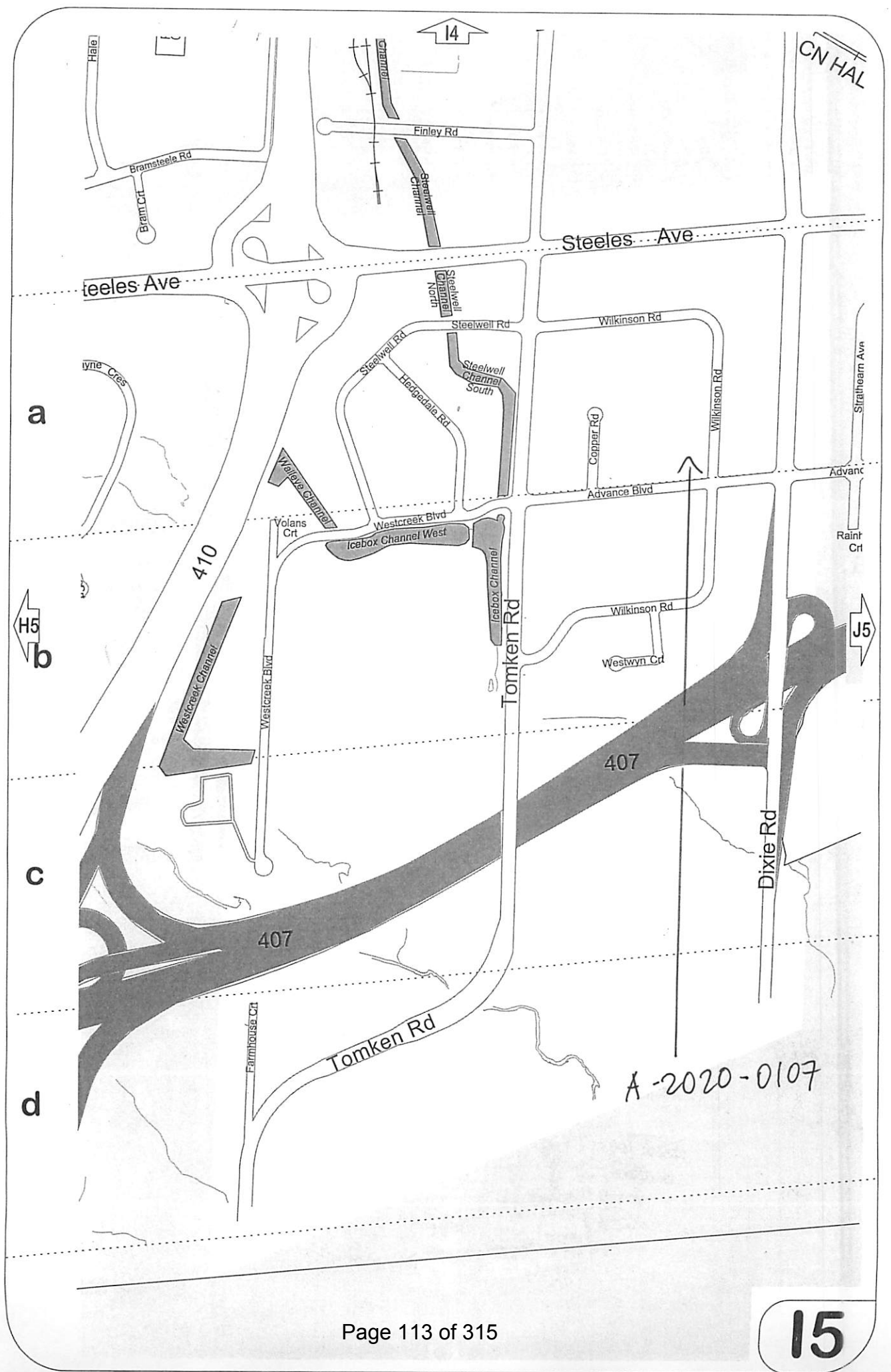
UNIT 19

(437) 888 1800  
(905) 782 5261

DATE: OCT 02/20

SCALE: 1:105

A-1



**Filing Date:** October 9, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0107

**Owner/  
Applicant:** PEEL HOLDING INC.

**Address:** 220 Advance Boulevard

**Ward:** 3

**Contact:** Shelby Swinfield, Planner I, Development

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**Recommendations:**

That application A-2020-0107 is supportable in part, subject to the following conditions being imposed:

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

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

The property is zoned "Industrial Two (M2)" according to By-law 270-2004, as amended.

**Requested Variance:**

The applicant is requesting the following variance:

1. To permit a Motor Vehicle Sales Establishment with outdoor display of three (3) vehicles for sale whereas the by-law does not permit the proposed use.



## **Current Situation:**

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

The property is designated “Industrial” in the Official Plan and “General Employment 1” in the Highway 410 and Steeles Secondary Plan (Area 5).

The General Employment 1 designation permits a range of uses, including but not limited to warehousing and storage of goods; manufacturing; processing; repairing and servicing operations, but excluding motor vehicle body shops; and, outdoor storage areas, only as accessory to an industrial use.

The property has an existing “industrial/retail” style construction that allows for a mix of employment uses, but does not necessarily accommodate the large scale employment uses noted within the Secondary Plan. Currently, the property houses a number of permitted automobile repair facilities and the requested motor vehicle sales use, given its limited floor area, would be considered ancillary and complementary to those permitted uses. A condition of approval is recommended that the use be limited to Unit 2 and that the outdoor vehicle display be limited to one vehicle to ensure that the automobile sales use continues to be ancillary to the permitted repair uses. Further, the proposed automobile sales use will generate new jobs for the plaza, which is consistent with the objectives of the City’s employment areas.

Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

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

The property is zoned “Industrial Two (M2)” according to By-law 270-2004, as amended.

The intent of the by-law in prescribing a set of uses for a property is to ensure that a certain character is maintained for that property. On the subject property, there are a number of permitted automobile repair uses and a permitted furniture warehouse. The proposed automobile sales use would consume less floor area than the permitted uses, and could be considered to be ancillary to the permitted motor vehicle repair uses. A condition of approval is recommended that the use be limited to Unit 2 to ensure that automobile sales remains ancillary to the permitted uses on site.

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 establishment of an automobile sales use within one unit in the existing building, and to allow one parking space to be used for outdoor vehicle display. It should be noted that the use of this space for vehicle display does not create the need for a variance related to parking as there are excess parking spaces provided on the site currently.

The automobile sales use is not anticipated to negatively impact the overall function of the property and is considered to be complimentary to the permitted uses on the property provided that the floor area is limited to one unit. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance is proposed to permit an automobile sales use within one unit of the existing plaza and to utilize parking spaces for outdoor display. A condition of approval is recommended that the outdoor display be limited to one vehicle to ensure the display does not encroach into required parking and instead utilizes excess parking. The additional use is not anticipated to impact the overall function of the property. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I, Development



## Committee of Adjustment

Page 117 of 315

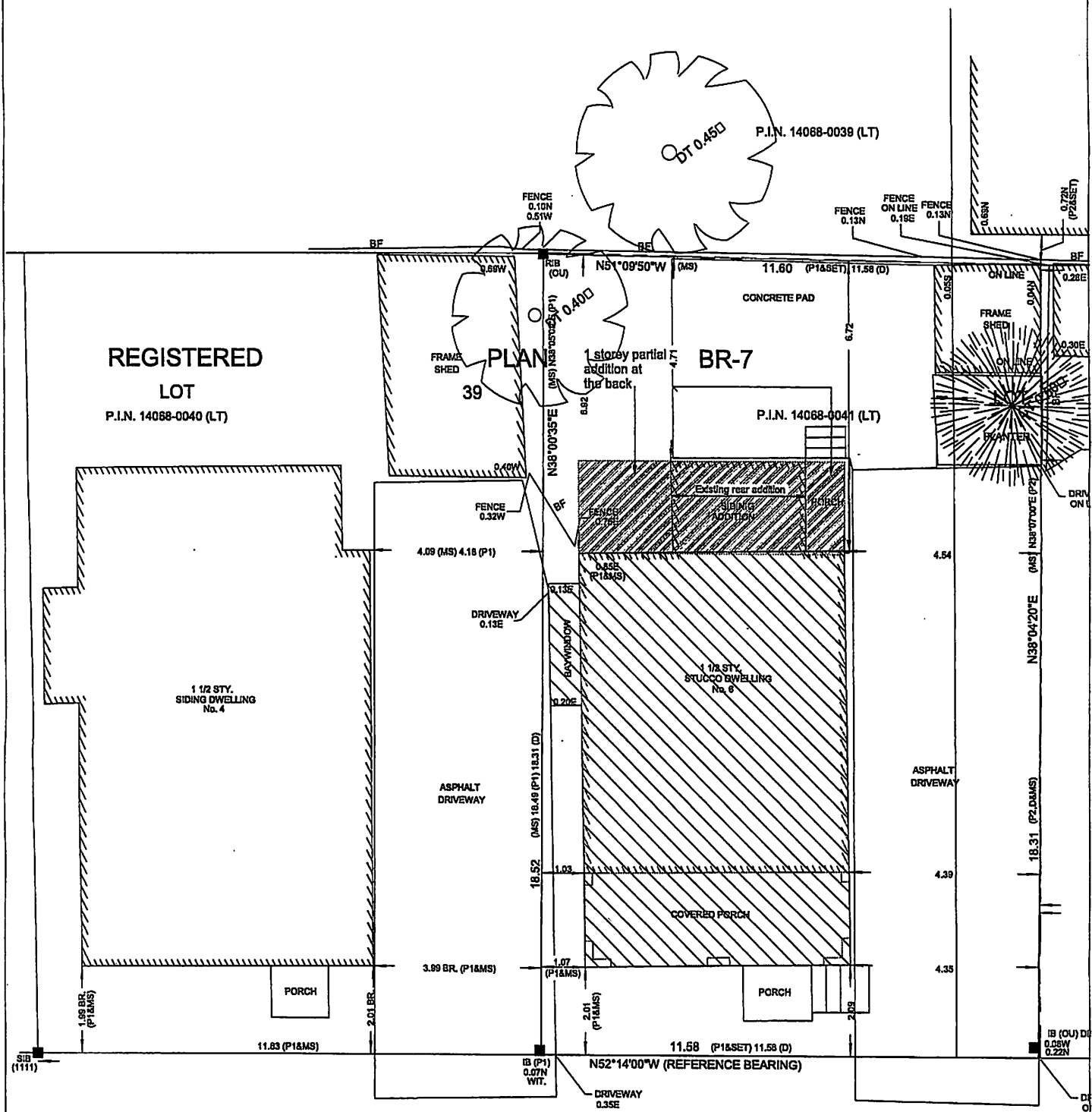
Site stats:

Lot area 2,302 ft<sup>2</sup>

Existing lot coverage (661.49 ft<sup>2</sup>) = 24.35%

Proposed lot coverage (661.49 + 146.13=807.62ft<sup>2</sup>) = 35.08%

Total rear addition 75 ft<sup>2</sup> (6.97 m<sup>2</sup>)



MILL STREET SOUTH

(BY REGISTERED PLAN BR-7 AND BR-6)

P.I.N. 14068-0106 (LT)

① Site/Grade  
1 : 100

Drawn By		Date	Revised	Contractor to check and verify all dimensions and conditions on the job and report discrepancies to the designer before proceeding with the works. This drawing is the property of "Eden Engineering & Design" and any use of it should have the designer consent. Drawings are not to be scaled		<p>Eden Engineering &amp; Design Inc. Consulting Engineers</p> <p>34 Pheasant Valley Ct. Markham, ON L3T2H1 Tel : 416-876-0957 Fax : 905-248-3593 E-mail : info@edenengineering.ca</p>	6 Mill St. South Brampton, ON.  1
Checked By	AY						
Project Issue Date	23.7.2020						

Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically during the COVID-19 Emergency

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

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

**How to Participate in the Hearing:**

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, November 5, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm, Friday, November 6, 2020**.
  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **November 6, 2020**. City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or <http://video.isilive.ca/brampton/live.html>.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to [cityclerksoffice@brampton.ca](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

October 28, 2020

To: Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE  
ANNA CICIONE  
PART OF LOTS 39 AND 40, PLAN BR-7  
A-2020-0108 – 6 MILL STREET SOUTH  
WARD 3

---

Please **amend** application **A-2020-0108** to reflect the following:

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



Applicant/Authorized Agent



*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) <u>Anna Cicione</u>  |  |
| Address <u>6 Mill St. South Brampton ON. L6Y 1S3</u>   |  |
|  |  |
| Phone # <u>416-456-3077</u>  | Fax # <u>                    </u>          |
| Email <u>emailme3077@gmail.com</u>   |  |
|  |  |
| 2. Name of Agent <u>Albert Yerushalmi (Eden Engineering &amp; Design Inc.)</u>                                 |  |
| Address <u>34 Pheasant Valley Ct. Markham, ON. L3T2H1</u>  |  |
|  |  |
| Phone # <u>416-876-0957</u>  | Fax # <u>                    </u>          |
| Email <u>info@edenengineering.ca</u>   |  |
|  |  |
| 3. Nature and extent of relief applied for (variances requested):  |  |
| <u>The proposed one storey addition of 146 ft2 (13.56 m2) increases the total lot coverage to 35.08% while</u> |  |
| <u>the permitted lot coverage in the By-Law is 30%.</u>  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
| 4. Why is it not possible to comply with the provisions of the by-law?   |  |
| <u>The rear addition is very small but immensely benefits the owner.</u>                                       |  |
| <u>The design of the rear addition creates the variance.</u>   |  |
|  |  |
|  |  |
|  |  |
| 5. Legal Description of the subject land:  |  |
| Lot Number <u>Parts of lots 39 &amp; 40</u>  |  |
| Plan Number/Concession Number <u>Registered plan BR-7</u>  |  |
| Municipal Address <u>6 Mill St. South Brampton ON. L6Y 1S3</u>   |  |
|  |  |
| 6. Dimension of subject land (in metric units)   |  |
| Frontage <u>11.58</u>  |  |
| Depth <u>18.52</u>   |  |
| Area <u>213.86 m2</u>  |  |
|  |  |
| 7. Access to the subject land is by:   |  |
| Provincial Highway <input type="checkbox"/>  | Seasonal Road <input type="checkbox"/>     |
| Municipal Road Maintained All Year <input checked="" type="checkbox"/>   | Other Public Road <input type="checkbox"/> |
| Private Right-of-Way <input type="checkbox"/>  | Water <input type="checkbox"/>             |

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

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

**Existing building measures 9.4 m length x 6.25 m width**

**Existing GFA 117.5 m2. Total height of the building to the top of the roof is 7.93 m (and that does not change)**

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

**Rear one storey (ground )addition to the building width of 2.21 m length of 6.25 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** 2.01m

<b>Rear yard setback</b>	<b>6.72 m</b>
--------------------------	---------------

<b>Side yard setback</b>	<b>4.35 m</b>
--------------------------	---------------

<b>Side yard setback</b>	<b>1.03 m</b>
--------------------------	---------------

**PROPOSED**

**Front yard setback** 2.01 m

<b>Rear yard setback</b>	<u>4.71 m</u>
--------------------------	---------------

<b>Side yard setback</b>	<b>4.35 m</b>
--------------------------	---------------

<b>Side yard setback</b>	<b>1.03 m</b>
--------------------------	---------------

- |     |   |             |
|-----|---|-------------|
| 10. | Date of Acquisition of subject land:  | 1980        |
| 11. | Existing uses of subject property:  | Residential |
| 12. | Proposed uses of subject property:  | Residential |
| 13. | Existing uses of abutting properties:   | Residential |
| 14. | Date of construction of all buildings & structures on subject land:           | 1960's      |
| 15. | Length of time the existing uses of the subject property have been continued: | From 1960's |

16. (a) What water supply is existing/proposed?  
Municipal ☒ Other (specify) \_\_\_\_\_  
Well ☐
- (b) What sewage disposal is/will be provided?  
Municipal ☒ Other (specify) \_\_\_\_\_  
Septic ☐
- (c) What storm drainage system is existing/proposed?  
Sewers ☒ Other (specify) \_\_\_\_\_  
Ditches ☐  
Swales ☐



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

Yes ☐ No ☒

If answer is yes, provide details: File # \_\_\_\_\_ Status \_\_\_\_\_

18. Has a pre-consultation application been filed?

Yes ☐ No ☒

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

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



Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton  
THIS 9 DAY OF October, 2020

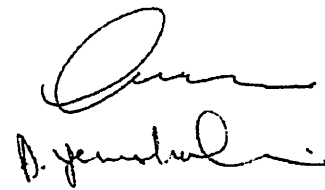
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I, Anna Cicione, OF THE City OF Brampton  
IN THE Region OF Peel SOLEMNLY DECLARE THAT:

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 9th DAY OF  
October, 2020.  
April Dela Cerna  
A Commissioner etc.



Signature of Applicant or Authorized Agent

April Dela Cerna, ad.  
a Commissioner, etc.,  
Province of Ontario,  
for the Corporation of the  
City of Brampton.  
Expires May 8, 2021.

FOR OFFICE USE ONLY

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

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

R1B (Mature)

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

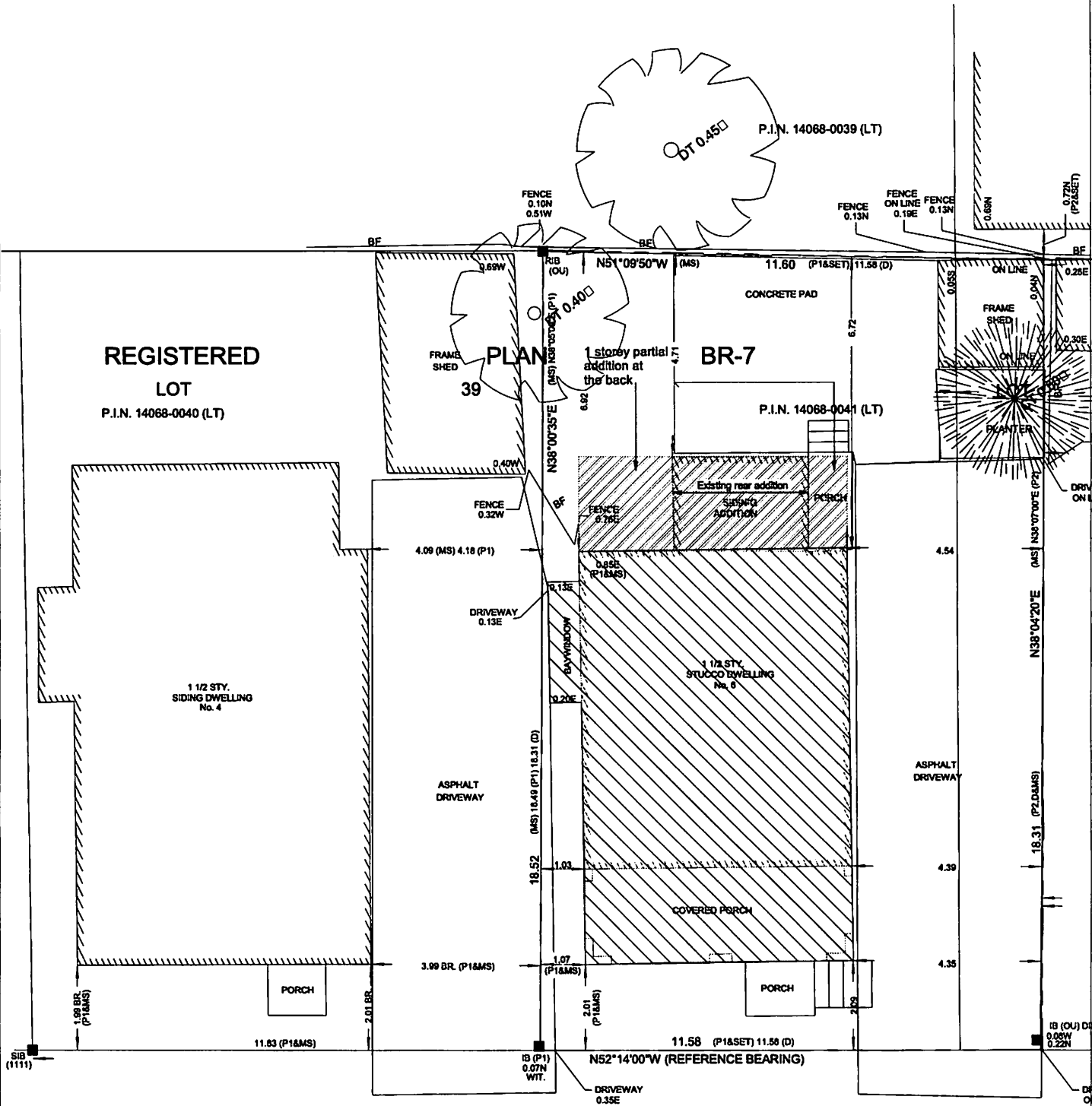
  
Zoning Officer

Oct 9, 2020  
Date

DATE RECEIVED OCTOBER 9, 2020

Revised 2020/01/07

Site stats:  
Lot area 2,302 ft2  
Existing lot coverage (661.49 ft2) = 24.35%  
Proposed lot coverage (661.49 + 146.13=807.62ft2) = 35.08%  
Total rear addition 75 ft2 (6.97 m2)



MILL STREET SOUTH  
(BY REGISTERED PLAN BR-7 AND BR-8)  
P.I.N. 14068-0106 (LT)

1 Site/Grade  
1 : 100

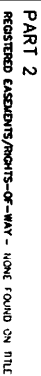
Drawn By		Date	Revised	Contractor to check and verify all dimensions and conditions on the job and report discrepancies to the designer before proceeding with the works. This drawing is the property of "Eden Engineering & Design" and any use of it should have the designer consent. Drawings are not to be scaled		 34 Pheasant Valley Ct. Markham, ON L3T2H1 Tel : 416-876-0957 Fax : 905-248-3593 E-mail : info@edenengineering.ca	6 Mill St. South Brampton, ON.  1
Checked By	AY						
Project Issue Date	23.7.2020						

SCALE & NOTES  
Scale 1:100  
2 0 2 4  
4 METERS  
ALTMAP LAND SURVEYORS INC.

METRIC DISTANCES AND CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO NORTH-EASTERLY (LAT OF WILL STREET SOUTH AS SHOWN ON PLAN BR-7 HAVING A BEARING OF N52°4'00"W

- | LEGEND |   |
|--------|---|
| 1      | DEMOTES SURVEY MONUMENT FOUND           |
| 2      | DEMOTES SURVEY MONUMENT PLANTED         |
| 3      | DEMOTES POIN BAR                        |
| 4      | DEMOTES POIN BAR                        |
| 5      | DEMOTES SURVEYS WILL SET IN WASHOR      |
| 6      | DEMOTES ORIGIN SHANTOWN                 |
| 7      | DEMOTES CUT CRESS                       |
| 8      | DEMOTES MANHOLE                         |
| 9      | DEMOTES BEGINNING OF CURVE              |
| 10     | DEMOTES TANGENT OF CURVE                |
| 11     | DEMOTES POINT OF REVERSE CURVE          |
| 12     | DEMOTES OVERHEAD UTILITY CABLES         |
| 13     | DEMOTES DEFENDERS TREE                  |
| 14     | DEMOTES LIGHT STANDARDS                 |
| 15     | DEMOTES WATER ELEVATION                 |
| 16     | DEMOTES PRE HYDRANT                     |
| 17     | DEMOTES CONCRETE RETAINING WALL         |
| 18     | DEMOTES WOOD RETAINING WALL             |
| 19     | DEMOTES TOP OF WALL ELEVATION           |
| 20     | DEMOTES TOP OF CONCRETE DRAIN ELEVATION |
| 21     | DEMOTES BOTTOM OF CURB ELEVATION        |
| 22     | DEMOTES BOUNDARY                        |
| 23     | DEMOTES STUCCO                          |
| 24     | DEMOTES SLOPING                         |
| 25     | DEMOTES PLAIN TRAIL FENCE               |
| 26     | DEMOTES METAL FENCE                     |
| 27     | DEMOTES FINISHED FLOOR ELEVATION        |
| 28     | DEMOTES GARAGE FLOOR ELEVATION          |
| 29     | DEMOTES PROPOSED PLAIN BAR              |
| 30     | DEMOTES PLANTED BY GORDON 3.000 0.15    |
| 31     | DEMOTES PLANTED BY GORDON 5.000 0.15    |
| 32     | DEMOTES PLANTED SEPTEMBER 17, 1930      |
| 33     | DEMOTES GORDON 5.000 0.15               |
| 34     | DEMOTES INSPIRMENT ROAD#51              |




ADDITIONAL REMARKS - MAKE NOTE OF THE LOCATION OF FENCES AND PHYSICAL FEATURES AS DEPICTED ON THE FACE OF THIS PLAN. THIS PLAN WAS PREPARED FOR ANNA ODOME AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

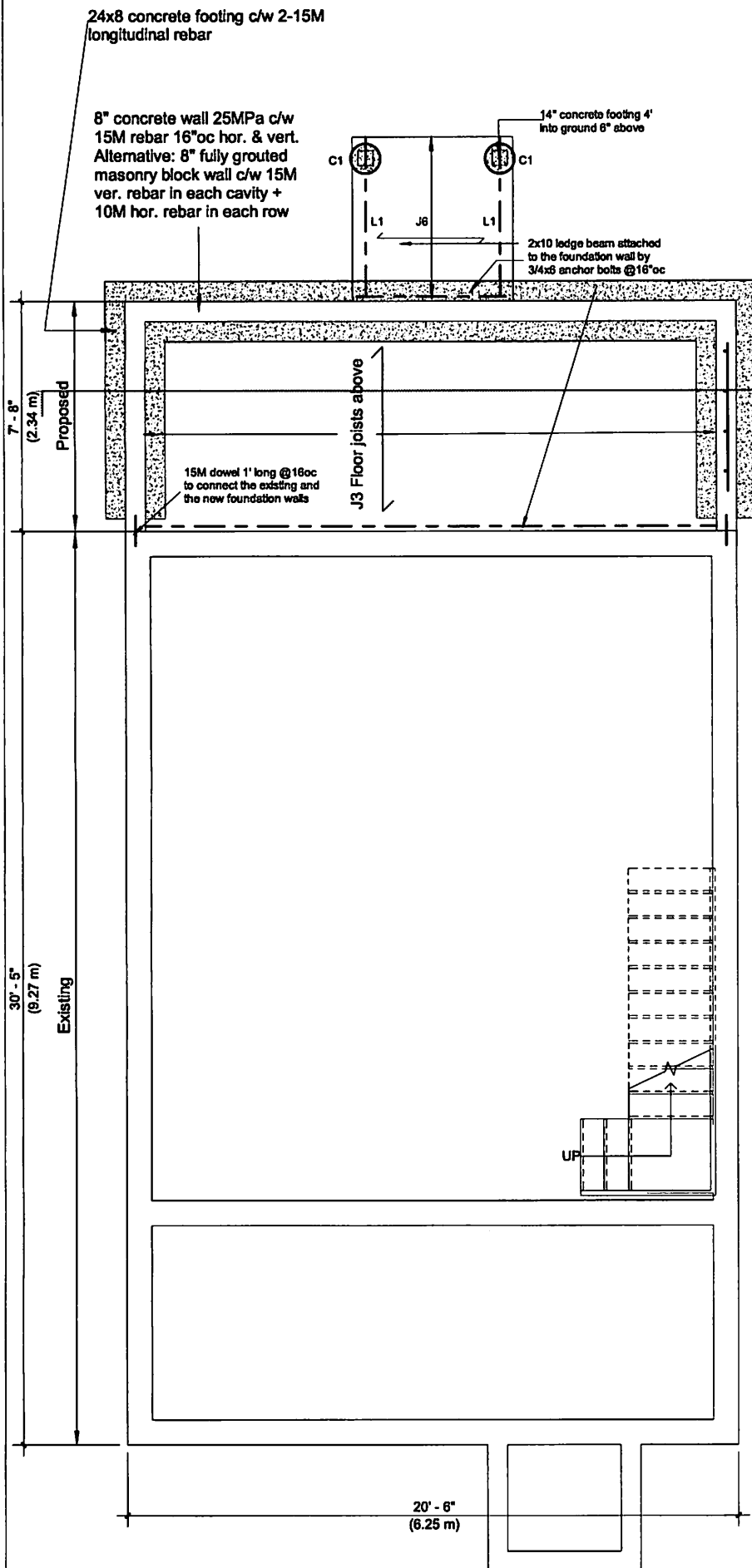
I CERTIFY THAT  
1. THIS SURETY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS  
ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON JULY 03, 2020.

.....  
GILDO W. CONSOLI  
ONTARIO LAND SURVEYOR

 **ALTIMAP LAND SURVEYORS INC.**

OWN BY AM  
COK BY GYC  
JOB No. 20-1326



# Structural members :

J1:TJI 560 OR LPI 42 plus 11 7/8 @ 12" OC  
J2:TJI 360 or LPI 42 plus 11 7/8 @ 16" OC  
J3: 2x8 dim. lum@12"  
J4: 2x10 dim. lum@12"  
J5: 2x12 dim. lum @12"  
J6: 2x8 dim. lum @16"  
J7: 2x10 dim. lum@16"  
J8: 2x12 dim. lum@16"  
B1:1-LVL 117/8-2.0E  
B2:2-LVL 117/8-2.0E  
B3:3-LVI 117/8-2.0E  
B4:4LVL 117/8-2.0E  
B5:5LVL 117/8-2.0E  
C1:3-2x6 (or 6x6)  
C2:4-2x6  
C3:5-2x6

C4: 4x4x3/8 HSS c/w 8x8x1/2 PL T&B  
C5: 6x6x3/8 HSS c/w 8x8x1/2PL T&B  
L1:2-2x8  
L2:3-2x8  
L3:4-2x8  
L4:2-2x10  
L5:3-2x10  
L6:4-2x10  
L7:2-2x12  
L8:3-2x12  
L9:4-2x12

S1 : 3 1/2" x 3 1/2" x 1/4" (max 4' span)  
S2 : 5" x 3 1/2" x 5/16" (7' max span)  
S3 : 6" x 4" x 3/8" (9' max span)  
S4 : 7" x 4" x 7/16" (12' max span)  
S5 : 8" x 4" x 5/8" (14' max span)  
S6 : 9" x 4" x 5/8" (16' max span)  
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S5 : 8" x 4" x 5/8" (14' max span)  
S6 : 9" x 4" x 5/8" (16' max span)  
All members shall be so framed, anchored, fastened, tied and braced to provide the necessary strength and rigidity.

The design conforms to  
The OBC 2012 incl. amendments.  
DL 20 PSF  
LL 40 PSF

Basement to be used in conjunction with single family dwelling above. any changes in use will require variances.

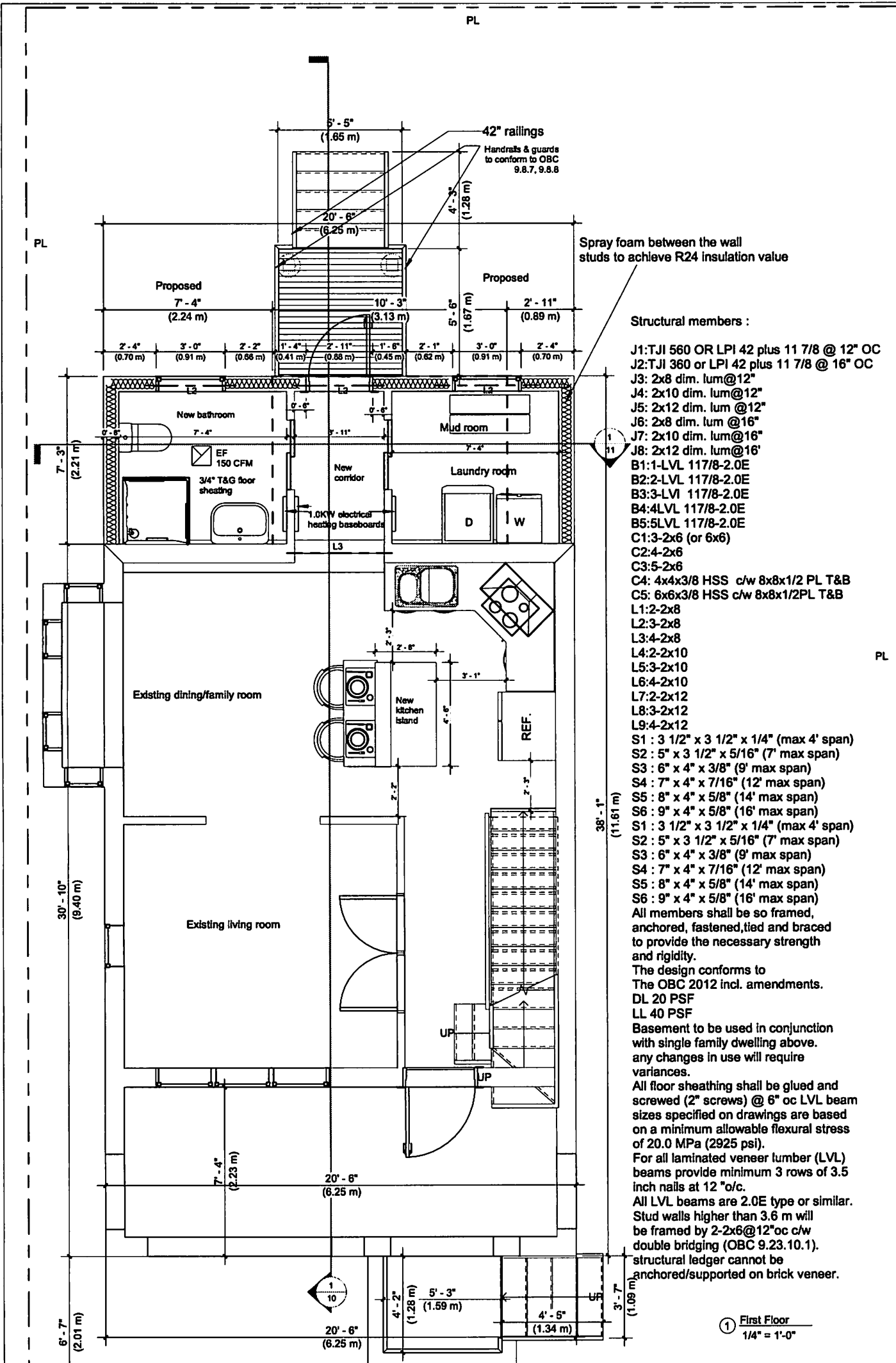
All floor sheathing shall be glued and screwed (2" screws) @ 6" oc LVL beam sizes specified on drawings are based on a minimum allowable flexural stress of 20.0 MPa (2925 psi).

For all laminated veneer lumber (LVL) beams provide minimum 3 rows of 3.5 inch nails at 12 "o/c.

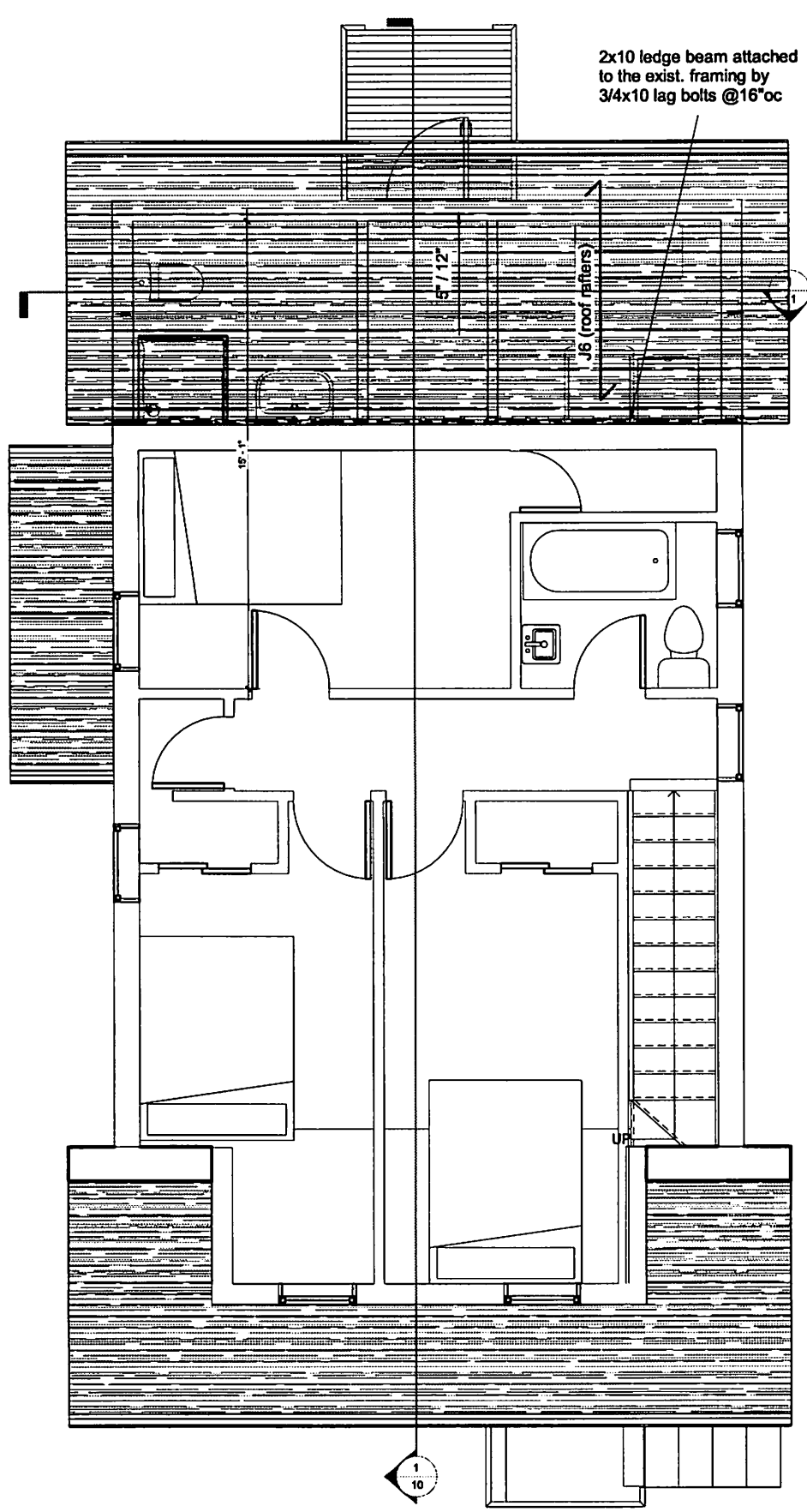
All LVL beams are 2.0E type or similar. Stud walls higher than 3.6 m will be framed by 2-2x6@12"oc c/w double bridging (OBC 9.23.10.1). structural ledger cannot be anchored/supported on brick veneer.

① Basement  
1/4" = 1'-0"

Drawn By		Date	Revised	Contractor to check and verify all dimensions and conditions on the job and report discrepancies to the designer before proceeding to the works. This drawing is the property of "Eden Engineering & Design" and any use of it should have the designer consent. Drawings are not to be scaled		<p>Eden Engineering &amp; Design Inc. Consulting Engineers 34 Pleasant Valley Ct. Markham, ON L3T2H1 Tel : 416-876-0957 Fax : 905-248-3595 E-mail : info@edenengineering.ca</p>	6 Mill St. South Brampton, ON.
Checked By	AY						
Project Issue Date	23.7.2020						





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Checked By	AY						
Project Issue Date	23.7.2020						



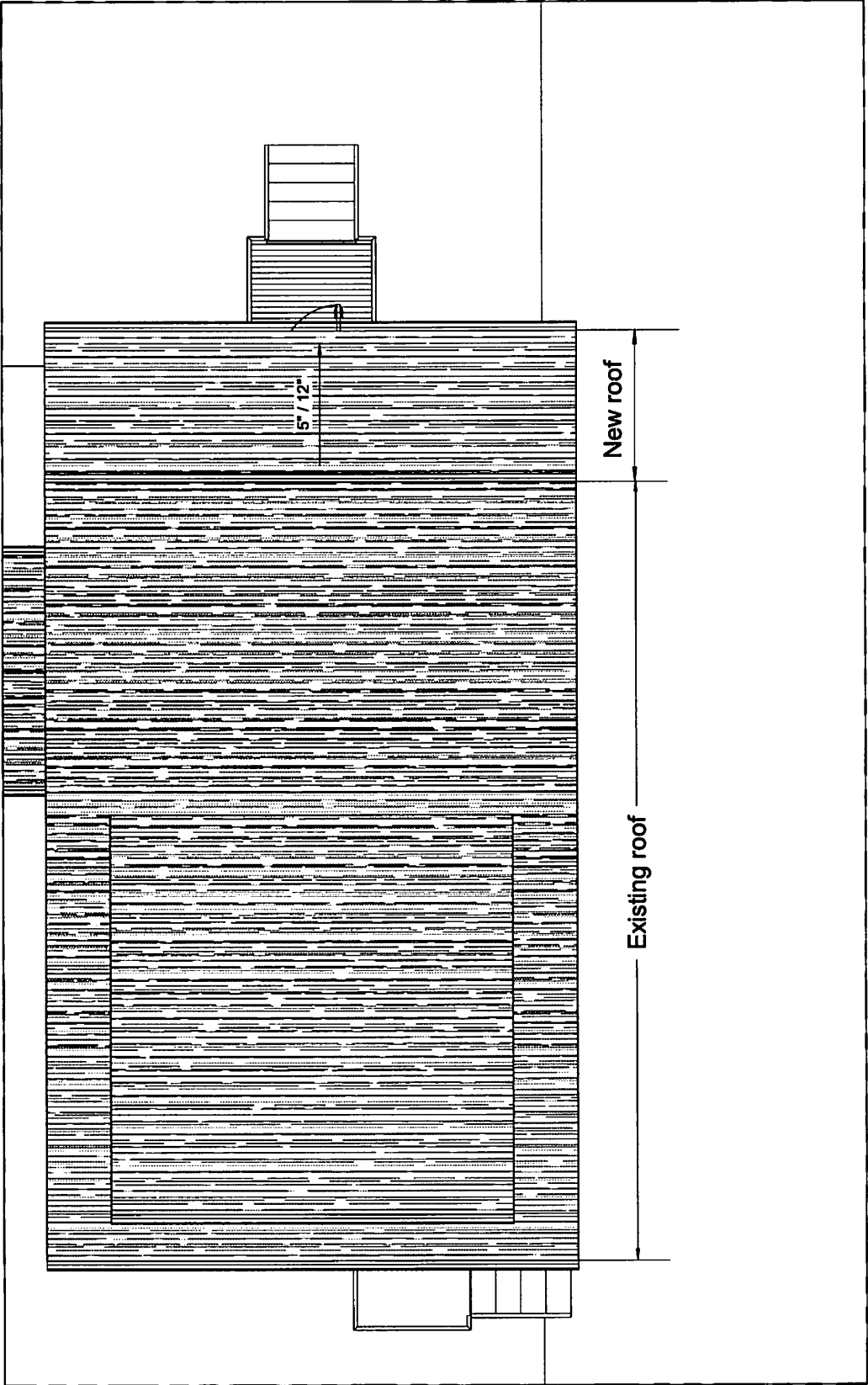
- Structural members :
- J1:TJI 560 OR LPI 42 plus 11 7/8 @ 12" OC
  - J2:TJI 360 or LPI 42 plus 11 7/8 @ 16" OC
  - J3: 2x8 dim. lum@12"
  - J4: 2x10 dim. lum@12"
  - J5: 2x12 dim. lum @12"
  - J6: 2x8 dim. lum @16"
  - J7: 2x10 dim. lum@16"
  - J8: 2x12 dim. lum@16"
  - B1:1-LVL 117/8-2.0E
  - B2:2-LVL 117/8-2.0E
  - B3:3-LVI 117/8-2.0E
  - B4:4LVL 117/8-2.0E
  - B5:5LVL 117/8-2.0E
  - C1:3-2x6 (or 6x6)
  - C2:4-2x6
  - C3:5-2x6
  - C4: 4x4x3/8 HSS c/w 8x8x1/2 PL T&B
  - C5: 6x6x3/8 HSS c/w 8x8x1/2PL T&B
  - L1:2-2x8
  - L2:3-2x8
  - L3:4-2x8
  - L4:2-2x10
  - L5:3-2x10
  - L6:4-2x10
  - L7:2-2x12
  - L8:3-2x12
  - L9:4-2x12
  - S1 : 3 1/2" x 3 1/2" x 1/4" (max 4' span)
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- All members shall be so framed, anchored, fastened,tied and braced to provide the necessary strength and rigidity.
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DL 20 PSF  
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- Basement to be used in conjunction with single family dwelling above. any changes in use will require variances.
- All floor sheathing shall be glued and screwed (2" screws) @ 6" oc LVL beam sizes specified on drawings are based on a minimum allowable flexural stress of 20.0 MPa (2925 psi).
- For all laminated veneer lumber (LVL) beams provide minimum 3 rows of 3.5 inch nails at 12 "o/c.
- All LVL beams are 2.0E type or similar. Stud walls higher than 3.6 m will be framed by 2-2x6@12"oc c/w double bridging (OBC 9.23.10.1). structural ledger cannot be anchored/supported on brick veneer.



No changes at this level

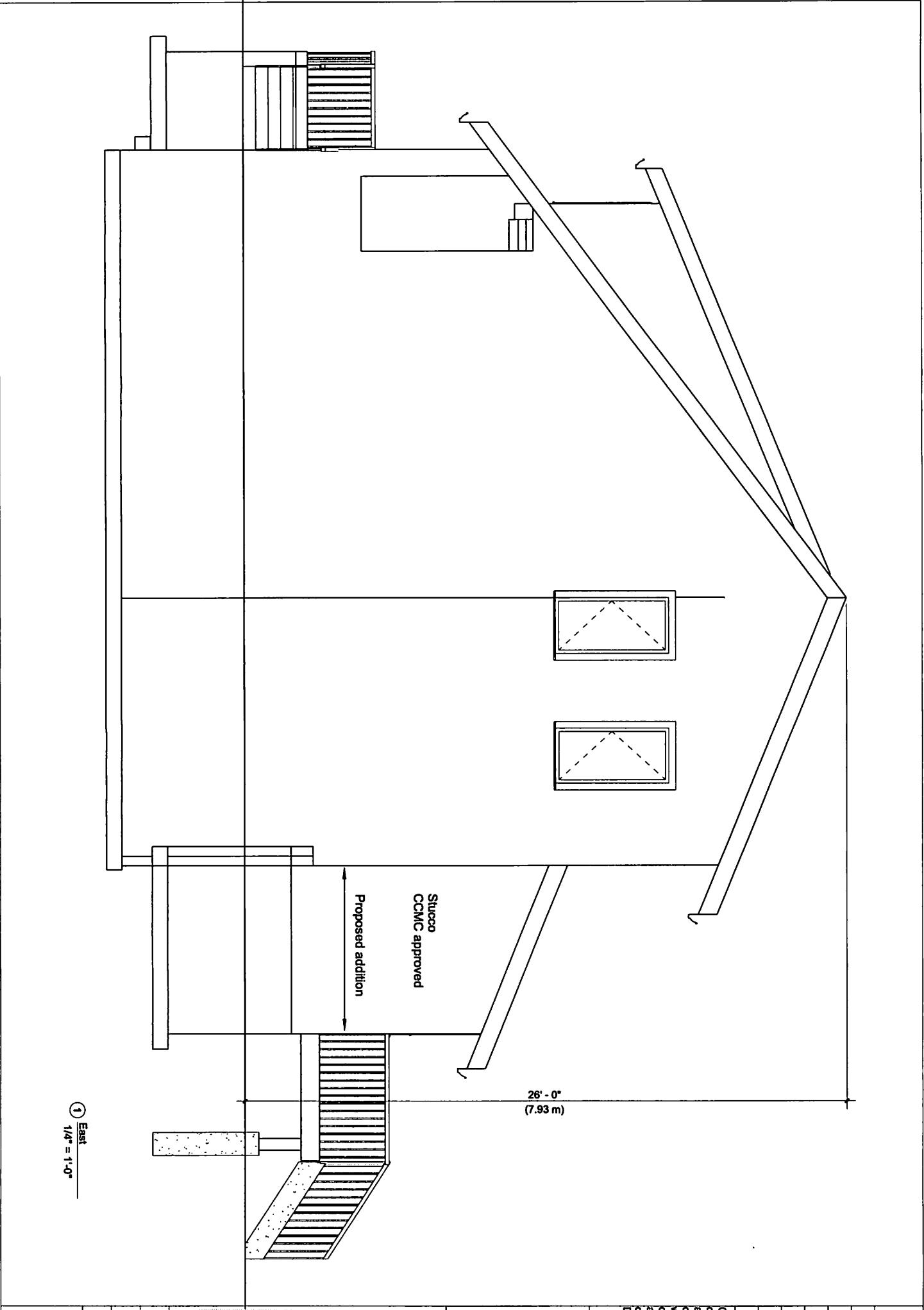
① Second Floor  
1/4" = 1'-0"

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Checked By	AY						
Project Issue Date	23.7.2020						



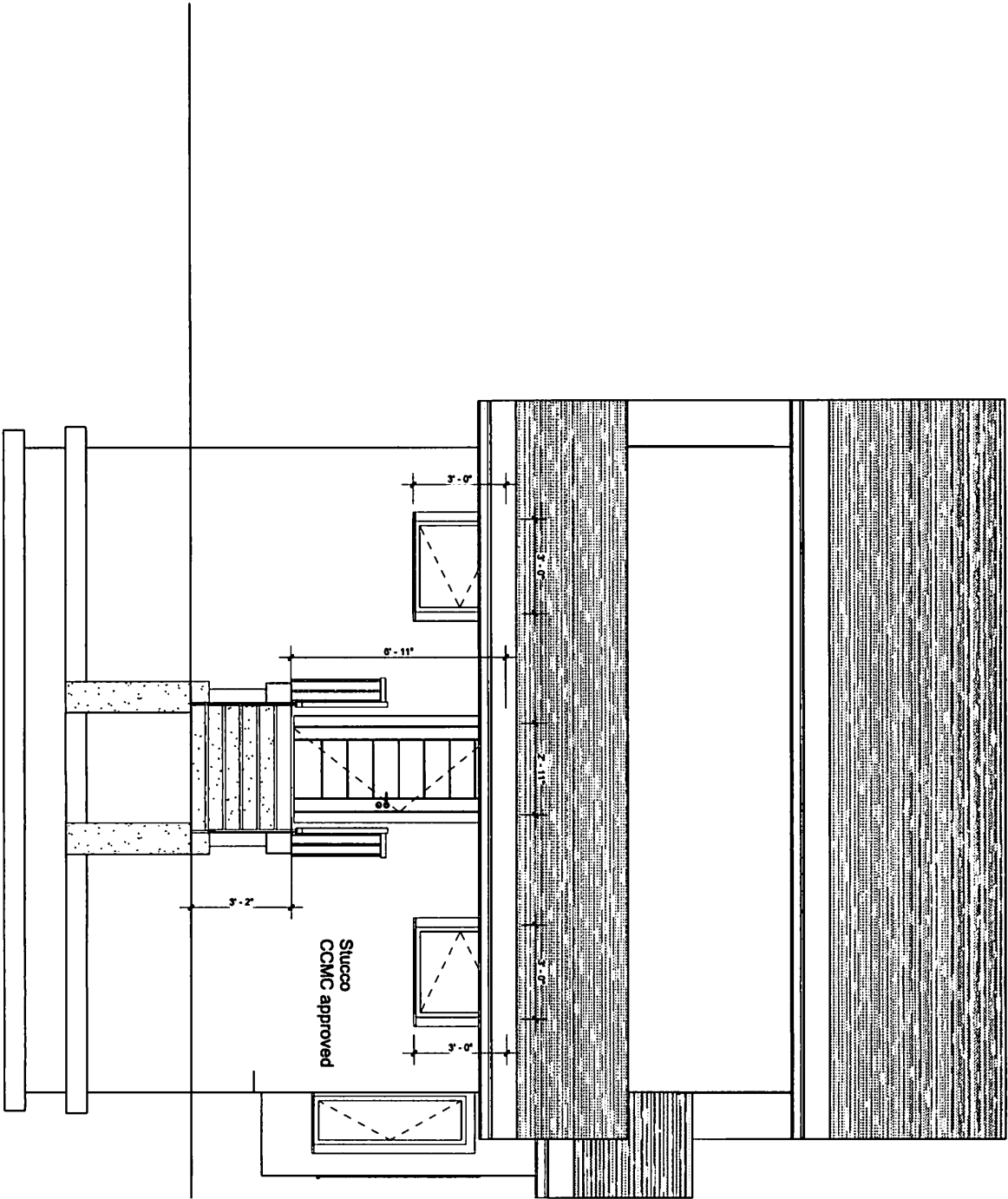


Drawn By		Date	Revisio	<p>Contractor to check and verify all dimensions and conditions on the job and report discrepancies to the designer before proceeding with the works. This drawing is the property of "Eden Engineering &amp; Design" and any use of it should have the designer consent. Drawings are not to be scaled</p>		 <p>Eden Engineering &amp; Design Inc. Consulting Engineers 34 Pheasant Valley Ct. Markham, ON L3T2H1 Tel : 416-876-0957 Fax : 905-248-3595 E-mail : info@edenengineering.ca</p>	<p>6 Mill St. South Brampton, ON.</p> <p>5</p>
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Project Issue Date	23.7.2020						





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6 Mill St. South Brampton, ON.	
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Checked By	AY
Project issue date	23.7.2020
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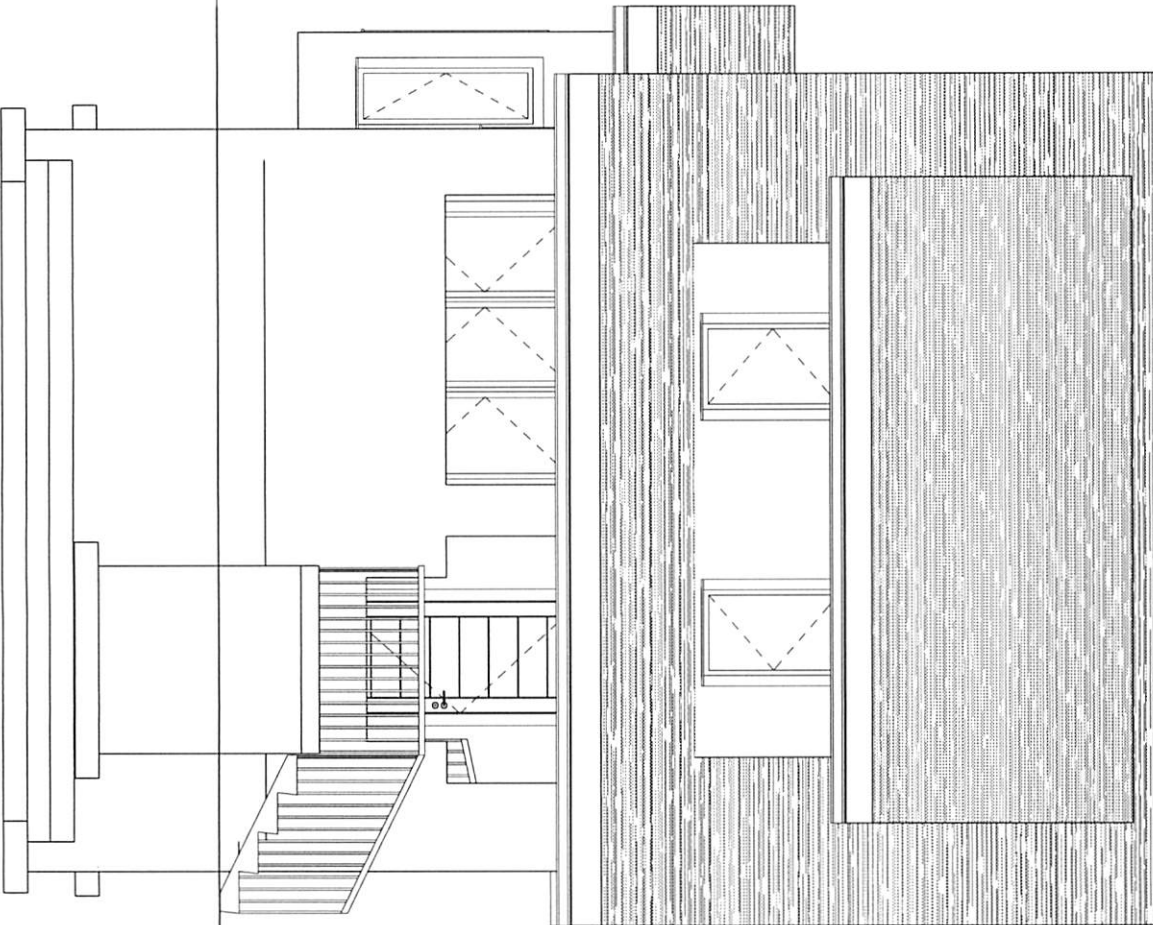


① North  
1/4" = 1'-0"

Date	Revision
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<p>6 Mill St. South Brampton, ON.</p>	
<p><b>Eden Engineering &amp; Design Inc.</b> Consulting Engineers 24 Pleasant Valley Ct. Markham, ON L3T2H1 Tel : (905) 476-0971 Fax : (905) 476-1995 E-mail : info@edenengineering.ca</p>	
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Project Issue date	23.7.2020
8	

Date	Revision
<p>Contractor to check and verify all dimensions and conditions on the job and report discrepancies to the designer before proceeding with the works. This drawing is the property of "Eden Engineering &amp; Design" and any use of it should have the designer consent.</p> <p>Drawings are not to be scaled</p>	
<p>6 Mill St. South Brampton, ON.</p>	
<div><div><p>LICENSED PROFESSIONAL ENGINEER A. Yousif 100070815 PROVINCE OF ONTARIO</p></div><div><p>Eden Engineering &amp; Design Inc. Consulting Engineers 34 Pleasant Valley Ct. Markham, ON L3R 9T1 Tel: 905.476.0952 Fax: 905.216.1975 E-mail: info@edenengineering.ca</p></div></div>	
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Project Issue date	23.7.2020

1 South  
1/4" = 1'-0"



No changes in this elevation

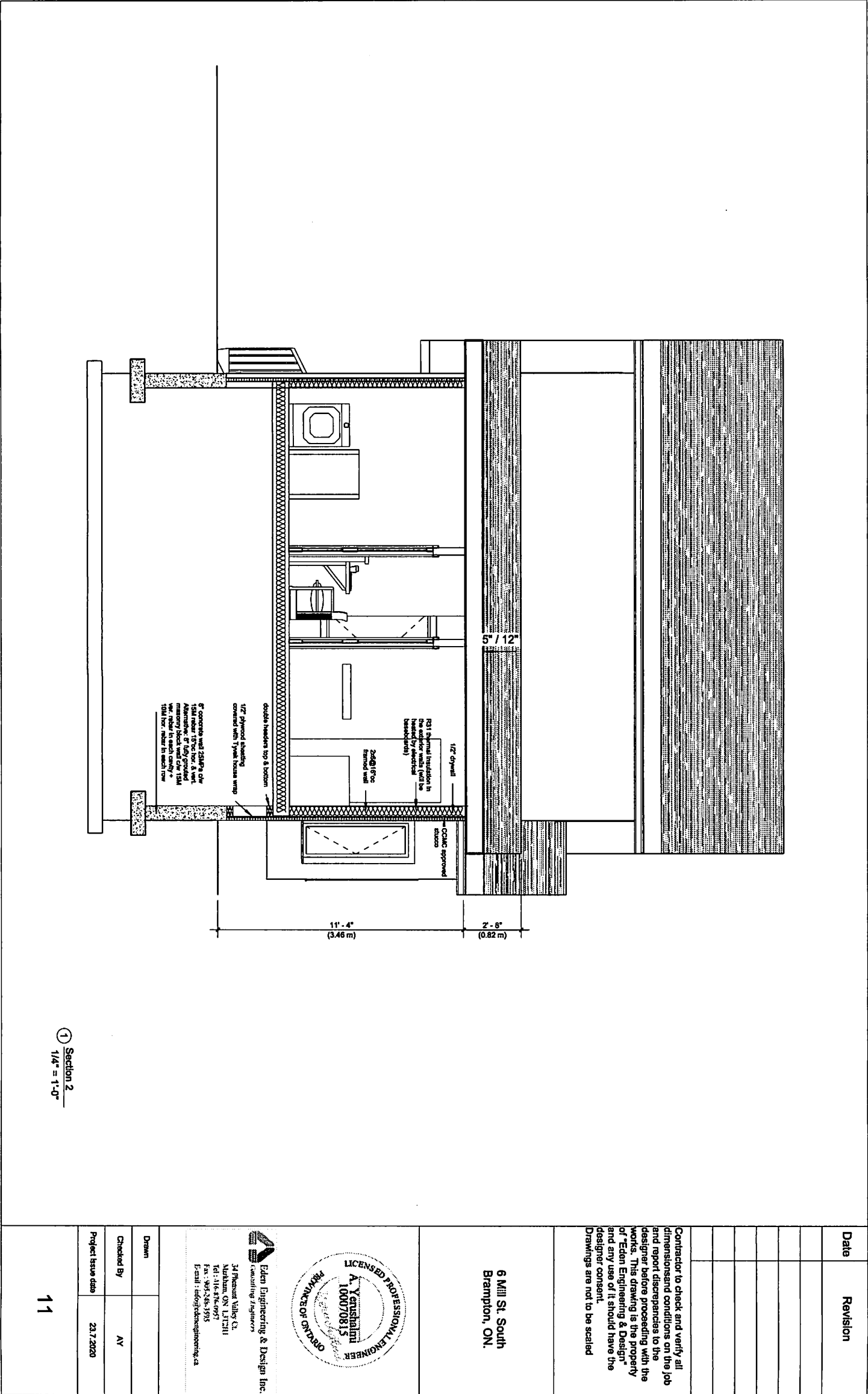
9


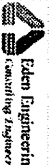


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Drawn	
Checked By	AV
Project Issue date	23.7.2020
11	

### Excursion and Backs

- [illegible]

### Foundation Walls

- To be passed concrete, with air entrainers, H<sub>2</sub>O or preserved wood (see summary of types and characteristics)
  - Dispersoids shall be a heavy coat of
    - Foundation and ground anchors (100mm above finished ground)
    - A strong layer if installed on the surface of foundation wall (the heavier the insulation, the more times 100mm below surface ground)
    - A strong layer and coat of
      - 1st. (thinner) Dry insulation with min. density of 17 kg/m<sup>3</sup>
      - 2nd. (thinner) Dry air-entrapped granular material.
    - An approved paper which provides equivalent performance
  - Foundation walls and be finished or have the lower face finished before backfilling
- Concrete Floor Slabs**
- Concrete slabs and cast-in-place walls and columns shall be 225MPa concrete with 4.5% air entrainment
  - An approved slab (225MPa concrete, min/max 75mm thick, placed in a minimum 100mm of coarse, clean, granular material
  - All floor slabs concrete shall be installed placed beneath concrete slabs and be completed to provide vertical support
- Reference:* WMA

### Measured Versus

- Answer: (C) Only gold is considered relatively inert. Gold is the most commonly used dental casting alloy because of its high purity, strength, and resistance to corrosion. It is also the only metal that does not corrode in the mouth. Silver is a common dental casting alloy, but it is not as pure as gold and is more susceptible to corrosion. Copper is a common dental casting alloy, but it is not as pure as gold and is more susceptible to corrosion. Nickel is a common dental casting alloy, but it is not as pure as gold and is more susceptible to corrosion. Chromium is a common dental casting alloy, but it is not as pure as gold and is more susceptible to corrosion.

13

- [illegible]

Contractor to check and verify dimensions and conditions on

A

23.7.2020

**Drawings are not to be scaled**



**Eden Engineering & Design Inc.**  
Consulting Engineers

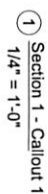
Fax : 905-248-3595  
E-mail : info@ednengineering.ca

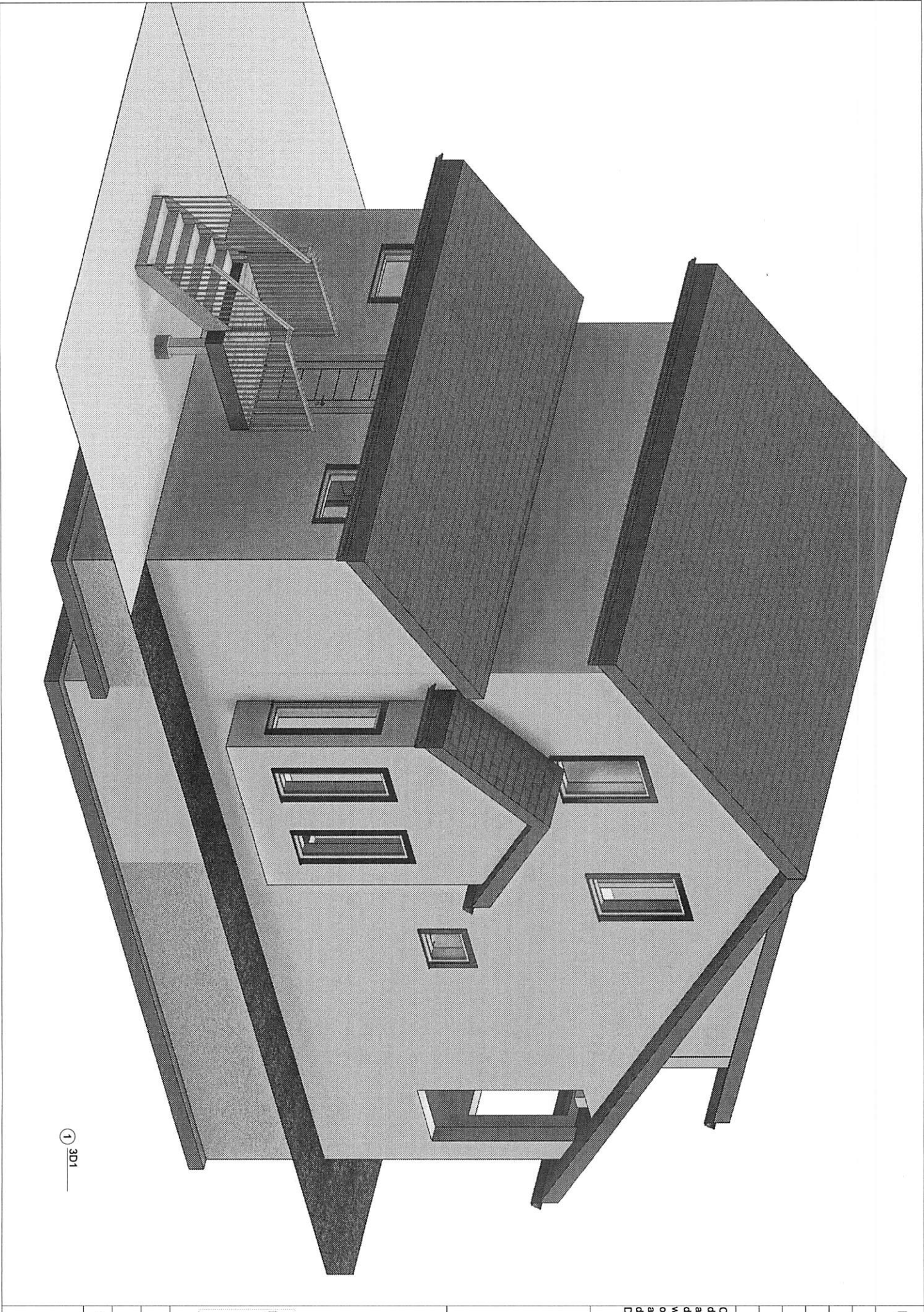
## Revisio

**6 Mill St. South  
Brampton, ON.**

**6 Mill St. South  
Brampton, ON.**

## Floor Details

Page 137 of 315



Date	Revision
<p>Contractor to check and verify all dimensions and conditions on the job and report discrepancies to the designer before proceeding with the works. This drawing is the property of "Eden Engineering &amp; Design" and any use of it should have the designer consent. Drawings are not to be scaled</p>	
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Drawn	
Checked By	AY
Project Issue date	23.7.2020
14	









**Filing Date:** October 9, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0108

**Owner/  
Applicant:** ANNA CICIONE

**Address:** 6 Mill Street South

**Ward:** 3

**Contact:** Shelby Swinfield, Planner I, Development

---

**Recommendations:**

That application A-2020-0108 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 submit elevations of the proposed addition and that those elevations shall be approved to the satisfaction of the Director of Development Services prior to construction commencing;
3. That drainage on adjacent properties shall not be impacted;
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

---

**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 rear yard setback of 4.71m (15.45 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.);
2. To permit a lot coverage of 35.08% whereas the by-law permits a maximum lot coverage of 30%;

3. To permit an existing accessory structure (shed) having a setback of 0.0 metres to the rear and side lot lines whereas the by-law requires an accessory structure to be located no closer than 0.6m (1.97 ft.) to the nearest lot line.

#### **Current Situation:**

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

The property is designated as "Residential" in the Official Plan and "Low Density Residential" in the Downtown Brampton Secondary Plan (Area 7). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Official Plan.

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

Variances 1 and 2 are requested to facilitate an expansion to an existing one storey addition at the rear of the residential dwelling.

Variance 1 is to permit a rear yard setback of 4.71m (15.45 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.). The intent of the by-law in requiring a minimum rear yard setback is to ensure that adequate rear yard outdoor amenity space is provided for the residential dwelling and to avoid any impacts from massing on adjacent properties. The proposed addition will be one storey in height which does not pose concerns from a perspective of massing. Further, the rear yard setback still allow adequate rear yard amenity space. 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 lot coverage of 35.08% whereas the by-law permits a maximum lot coverage of 30%. The intent of the by-law in limiting lot coverage is to ensure that the size of the dwelling constructed on the lot is appropriate for the size of the lot and character of the neighbourhood. The proposed increase of 5.08% is not anticipated to negatively impact the appropriateness of the size of the dwelling for the neighbourhood. Further, the addition will be on the rear of the dwelling which will limit its impact on the streetscape. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

Variance 3 is requested to permit an existing accessory structure (shed) having a setback of 0.0 metres to the rear and side lot lines whereas the by-law requires an accessory structure to be located no closer than 0.6m (1.97 ft.) to the nearest lot line. The intent of the by-law in regulating a minimum setback to all lot lines for accessory structures is to ensure adequate room is provided for drainage. A condition of approval is recommended that drainage on adjacent properties shall not be impacted to ensure that drainage is contained within the subject property, which is consistent with the design of the accessory structure's roof. 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

Variances 1 and 2 are requested to facilitate an expansion to an existing one storey addition at the rear of the residential dwelling.

Variance 1 is to permit a rear yard setback of 4.71m (15.45 ft.) to a proposed addition. The reduced rear yard setback is anticipated to still provide sufficient rear yard amenity space for the property, and the one storey nature of the addition does not pose concerns with regard to massing. A condition of approval is recommended that the applicant submit elevations of the proposed addition and that those elevations shall be approved to the satisfaction of the Director of Development Services prior to construction to ensure that the addition is appropriate size and design for the property. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

Variance 2 is to permit a lot coverage of 35.08% related to the proposed one storey addition at the rear of the property. The requested increase in lot coverage is not anticipated to negatively impact the overall scale of the dwelling as it relates to the lot and neighbourhood. Subject to the recommended conditions of approval, Variance 2 is considered to be desirable for the appropriate development of the land.

Variance 3 is requested to permit an existing accessory structure located 0.0m from the side and rear lot lines. A condition of approval is recommended that drainage from the roof of the structure shall flow onto the applicant's property to ensure that water does not run onto the adjacent properties from the structure. Subject to the recommended conditions of approval, Variance 3 is considered to be desirable for the appropriate development of the land.

### 4. Minor in Nature

The reduced rear yard setback proposed by Variance 1 is considered to provide sufficient outdoor amenity space for the dwelling. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 is to permit an increase in lot coverage of 5.08%. This increase is modest in nature and will not facilitate the construction of an oversized dwelling. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Variance 3 is requested to permit an existing accessory shed located 0.0m from the side and rear lot lines. The existing shed does not appear to be impacting drainage on either the subject or adjacent property. Subject to the recommended conditions of approval, Variance 3 is considered to be minor in nature.

Respectfully Submitted,

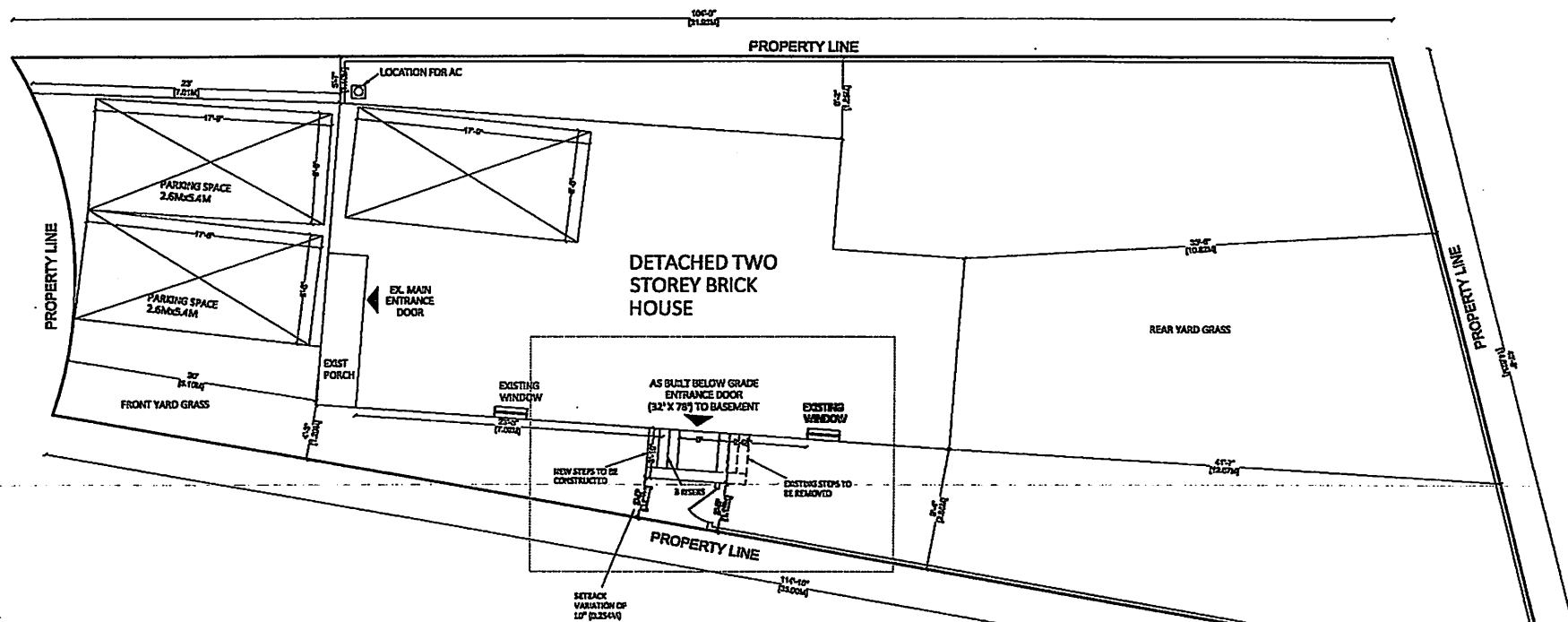
*Shelby Swinfield*

Shelby Swinfield, Planner I, Development



## Committee of Adjustment

Page 144 of 315



STATISTICS		
AREAS	(SQ.M.)	(SQ.FT.)
LOT AREA	371.22	3995.74
BUILDING FOOTPRINT	98.51	1060.33
FRONT LANDSCAPE AREA	15.74	169.4
PARKING LOTS	2 CAR DRIVEWAY	1 CAR GARAGE

SITE PLAN

ISSUED FOR PERMIT EXP. 24-02-2025

APPROVED

8 PREAKERS CT  
BRAMPTON, ON  
L6Y 4G3

OWNER: A.D. DESIGNED: D.Y.

PROJECT NUMBER: 20R-05235

INNOVATION TRIGGER  
CONSULTING INC.  
BRAMPTON, ON  
416.951.3978

DATE: SEP. 28/2020

SCALE: 1/8" = 10'

REVISION

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 Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, November 5, 2020.**
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm, Friday, November 6, 2020.**
  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **November 6, 2020.** City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or <http://video.isilive.ca/brampton/live.html>.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to [cityclerksoffice@brampton.ca](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**

October 29, 2020

To: Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE  
SHIBA BASNET SHERMA AND SEEMA BASNET  
LOT 90, PLAN M-829  
A-2020-0109– 8 PREAKNESS COURT  
WARD 7

---

Please **amend** application **A-2020-0109** to reflect the following:

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



Applicant/Authorized Agent



FILE NUMBER: A-2020-0109

The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, City of Brampton.

## APPLICATION

## Minor Variance or Special Permission

(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law 270-2004.

1. Name of Owner(s) SHIBA BASNET AND SEEMA BASNET  
 Address 8 PREKNESSE CRT BRAMPTON ON L6Y4G3  
 Phone # 416.882.8471 Fax # \_\_\_\_\_  
 Email SHIBABASNET@HOTMAIL.COM
2. Name of Agent Devendra Yeole (Innovation Trigger Consulting)  
 Address 43 AVERILL RD BRAMPTON ON L7A5A7  
 Phone # 416.951.3678 Fax # \_\_\_\_\_  
 Email devendrayeole@yahoo.ca
3. Nature and extent of relief applied for (variances requested):  
To permit a below grade door (as a primary entry and exit to a second dwelling unit in Basement) in the side wall of a dwelling having a setbacks of 0.97m (3'2") ft)
4. Why is it not possible to comply with the provisions of the by-law?  
This is AS-built Below grade Entrance to the AS-built second dwelling
5. Legal Description of the subject land:  
 Lot Number 90  
 Plan Number/Concession Number M829  
 Municipal Address 8 PREKNESSE CRT BRAMPTON ON L6Y4G3  
PREKNESSE
6. Dimension of subject land (in metric units)  
 Frontage 9.144 M (30')  
 Depth 35 M (114') → Irregular - See Site plan  
 Area 371.22 M<sup>2</sup> (3995.74 FT<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.)

Single family Dwelling: Gross floor area = 125.49 SQM  
(1350.77 SQF)  
As-built below grade stairs to basement on the right side of house

PROPOSED BUILDINGS/STRUCTURES on the subject land:

(1) Approved permit for second dwelling in Bsmt, owner looking to amend it.

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

EXISTING

Front yard setback	6.10m (20')	-	7.01m (23')	- Irregular
Rear yard setback	10.82m (35'6")	-	12.67m (41'7")	- Irregular
Side yard setback	1.29m (4'3")	-	2.58m (8'6")	- Irregular
Side yard setback	1.10m (3'7")	-	1.88m (6'2")	- Irregular

PROPOSED

Front yard setback	No change
Rear yard setback	No change
Side yard setback	0.97m (3'2") - 1.18m (3'11") → As built
Side yard setback	No change

10. Date of Acquisition of subject land: 1988 APRIL 29, 2005
11. Existing uses of subject property: Single Family Dwelling
12. Proposed uses of subject property: second dwelling unit (two-unit dwelling)
13. Existing uses of abutting properties: Residential
14. Date of construction of all buildings & structures on subject land: 1988
15. Length of time the existing uses of the subject property have been continued: 32 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 _____

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

DATED AT THE (Brampton) Sep 29 OF 2020  
THIS 29 DAY OF Sep, 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, Devendra Yeole, OF THE City of Brampton 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 9th DAY OF October, 2020.

April Dela Cerna  
A Commissioner etc.

[Signature]  
Signature of Applicant or Authorized Agent

April Dela Cerna, oid  
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:

R1D-2780

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

October 13, 2020

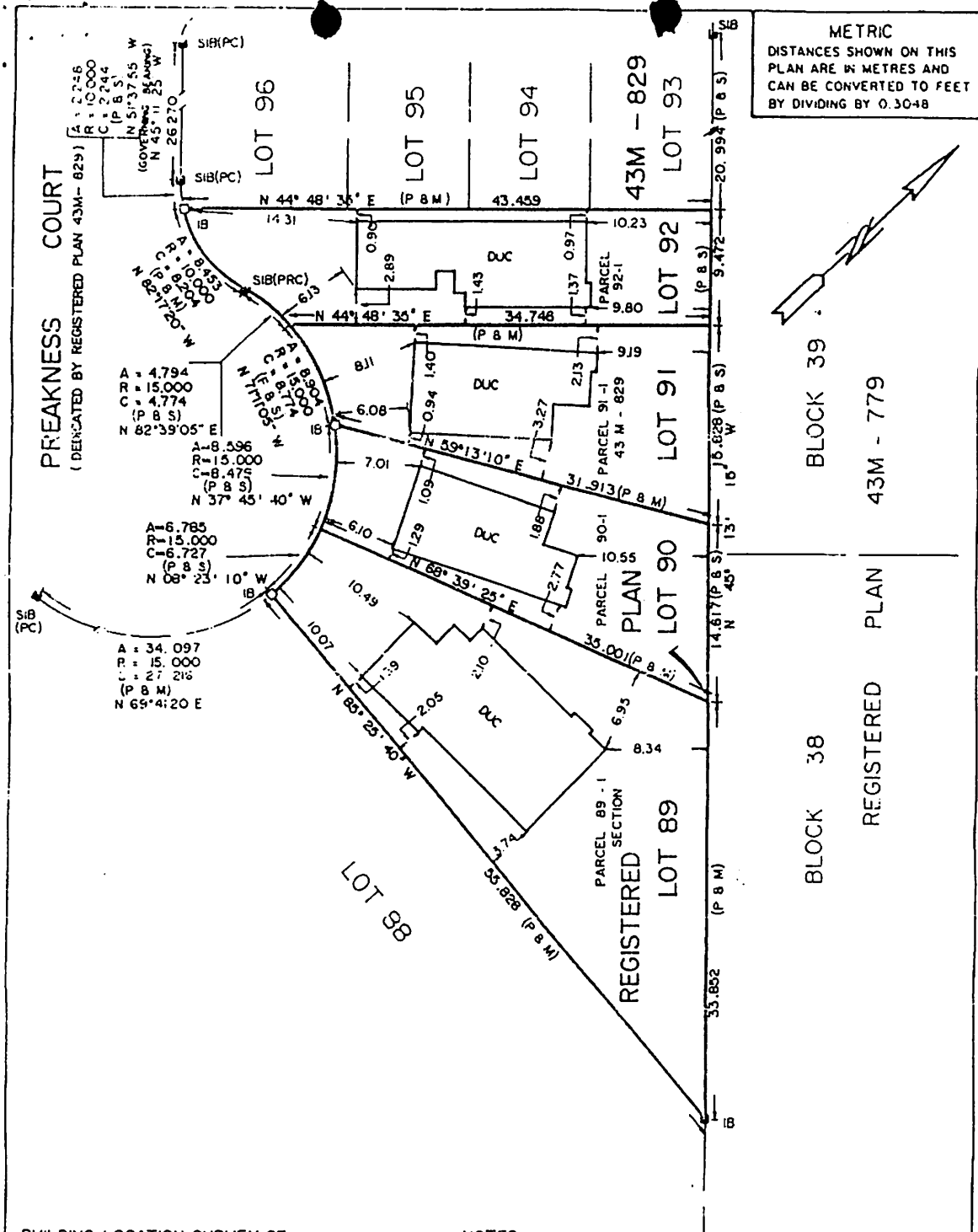
Date

DATE RECEIVED OCTOBER 9, 2020









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

**BUILDING LOCATION SURVEY OF  
LOTS 89, 90, 91 AND 92  
REGISTERED PLAN 43M-829  
CITY OF BRAMPTON**

REGIONAL MUNICIPALITY OF PEEL

SCALE 1:400



J. D. BARNES LIMITED - 1988.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

THE FIELD SURVEY REPRESENTED ON THIS PLAN  
WAS COMPLETED ON THE 10th DAY OF AUGUST, 1988.

Aug 30, 1988

F. A. SIDDIQI  
Ontario Land Surveyor

**NOTES:**

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHEASTERLY  
LIMIT OF PREAKNESS COURT AS SHOWN ON REGISTERED PLAN 43M-829  
HAVING A BEARING OF N 45° 11' 25" W

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
SIB	DENOTES	STANDARD IRON BAR
IB	DENOTES	IRON BAR
P.C.	DENOTES	POINT OF CURVATURE
DUC	DENOTES	DWELLING UNDER CONSTRUCTION
PBS	DENOTES	REGISTERED PLAN 43M-829 AND SET
P&M	DENOTES	REGISTERED PLAN 43M-829 AND MEASURED
PRC	DENOTES	POINT OF REVERSE CURVE

ALL BUILDING TIES ARE TAKEN TO CONCRETE FOUNDATION  
ALL FOUND SURVEY MONUMENTS SET BY SCHAEFFER & RENTHALER LTD. O.L.S.  
UNLESS NOTED OTHERWISE.

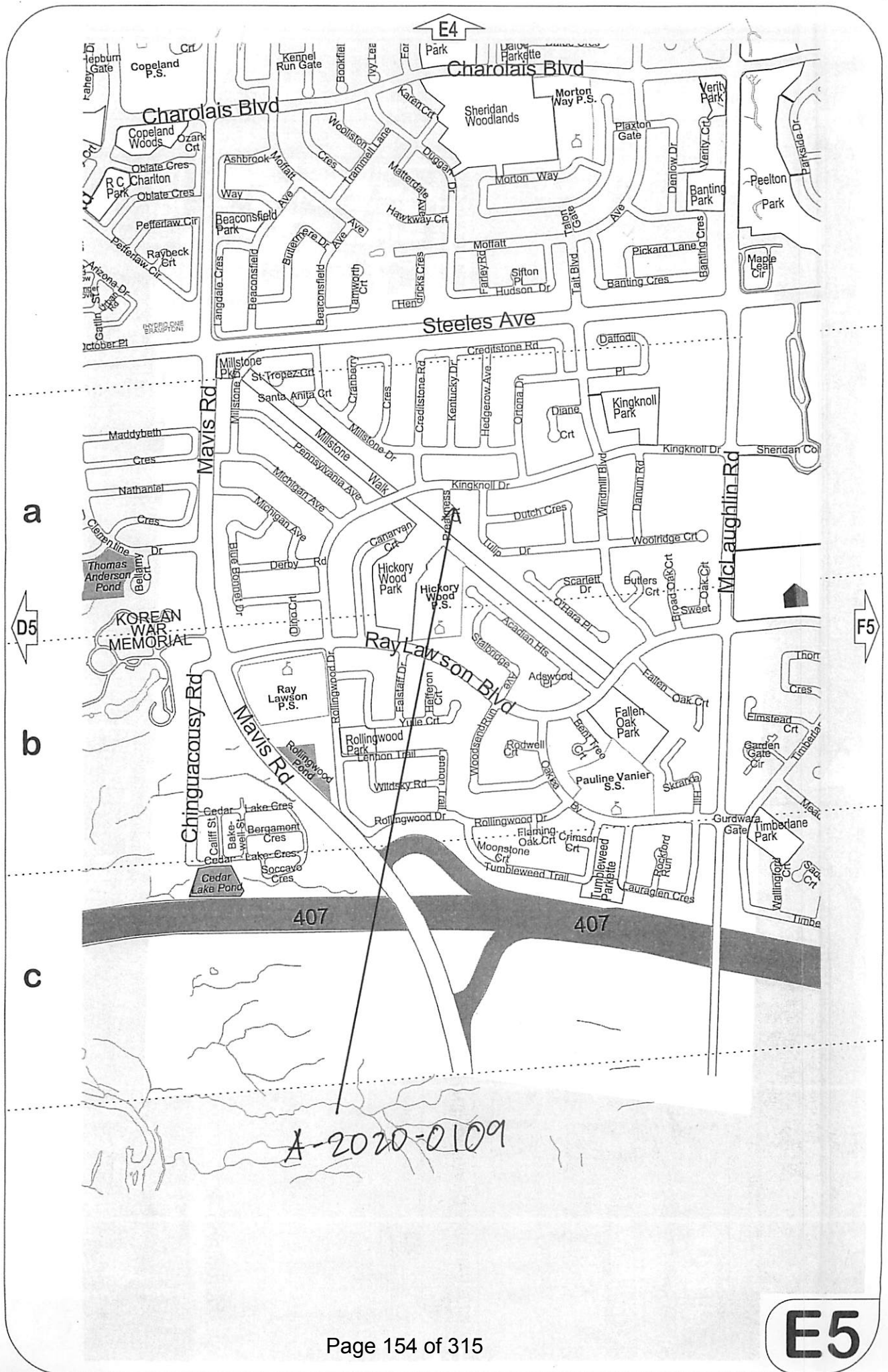
**J.D. BARNES**  
LIMITED

**SURVEYING MAPPING  
LAND INFORMATION SERVICES**

DRAWN BY  
PRC

CHECKED BY:

REFERENCE NO.:  
88-26-142-0-89



**Filing Date:** October 9, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0109

**Owner/  
Applicant:** SHIBA BASNET AND SEEMA BASNET

**Address:** 8 Preakness Court

**Ward:** 4

**Contact:** Shelby Swinfield, Planner I, Development

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**Recommendations:**

That application A-2020-0109 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 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;
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 D – Special Section 2780 (R1D-2780)" according to By-law 270-2004, as amended.

**Requested Variances:**

The applicant is requesting the following variances:

1. To permit an exterior stairway leading to a below grade entrance in the required

interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;

2. To permit an interior side yard setback of 0.95m (3.12 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.).

### **Current Situation:**

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

The property is designated as "Residential" in the Official Plan and "Low Density Residential" in the Fletcher's Creek South Secondary Plan (Area 24). 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 D – Special Section 2780 (R1D-2780)" according to By-law 270-2004, as amended.

The requested variances are to permit a below grade entrance to be located within the interior side yard of the property, and to permit a setback of 0.95m (3.12 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.). The intent of the by-law in requiring a minimum interior side yard setback is to ensure that sufficient space is maintained for accessing the rear yard.

In the case of the subject property the two lot lines converge toward the front of the lot. Because of this, on the opposite side of the dwelling there is a "pinch point" between the front corner of the dwelling and the lot line which provides a setback of 1.10m (3.6 ft) however past that point the setback largely exceeds 1.2m (3.96 ft). It is anticipated that this side yard will provide sufficient access to the rear yard.

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 a below grade entrance within the interior side yard which is intended to be used as an entrance to a secondary unit within the dwelling. A condition of approval is recommended that the entrance not be used to access an unregistered second unit in order to ensure that any second unit is constructed in accordance with the Ontario Building Code. Further, a condition of approval is recommended that the applicant obtain a building permit for the existing below grade entrance within 60 days of the final date of the Committee's decision in order to ensure that it has been constructed in accordance with the OBC. Subject to the recommended conditions of approval, the requested variances are considered to be

desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances are intended to facilitate a below grade entrance to a secondary unit within the interior side yard of the residential property. The location of the entrance does not present any concerns with regard to drainage for the subject properties or adjacent properties, and sufficient space to access the rear yard is maintained on the opposite side of the 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, Development



## Committee of Adjustment

## APPLICATION FOR MINOR VARIANCE

Page 158 of 315 ~~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

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**AMENDMENT LETTER**

October 28, 2020

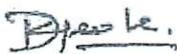
To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE  
AAMIR FIDA AND QURAT UL AIN  
LOT 65, PLAN M-441  
A-2020-0110- 26 NEWPORT STREET  
WARD 7**

---

Please **amend** application **A-2020-0110** to reflect the following:

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



Applicant/Authorized Agent









FILE NUMBER: A-2020-0110

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**APPLICATION**

**Minor Variance or Special Permission**

(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law 270-2004.

1. Name of Owner(s) Aamir Fida & Qurat ul Ain  
 Address 26 NEWPORT ST  
BRAMPTON ON L6S4M9  
 Phone # 416 402 0013 Fax # \_\_\_\_\_  
 Email Aamir.kokhar@gmail.com

2. Name of Agent Devendra Yeole (Innovation Trigger Consulting)  
 Address 43 Averill Rd Brampton ON L7A 5A7  
 Phone # 416.951.3678 Fax # \_\_\_\_\_  
 Email devendrayeole@yahoo.ca

3. Nature and extent of relief applied for (variances requested):  
To permit below grade entrance (As-built) on  
the side of single family dwelling located at the  
corner of Newport st + Nottingham cresc.

4. Why is it not possible to comply with the provisions of the by-law?  
This is As-built below grade entrance to the basement  
As per me it fits in all requirements, zoning department  
informed to apply for variance as its located on the  
corner.

5. Legal Description of the subject land:  
 Lot Number 65  
 Plan Number/Concession Number M441  
 Municipal Address 26 NEWPORT ST BRAMPTON

6. Dimension of subject land (in metric units)  
 Frontage 16.78m (55') → curved see site plan  
 Depth 33.53m (110')  
 Area 260.13m (28m<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.)

Single Family Dwelling - Gross floor Area: 260.12 sqm  
As-built below grade stairs to basement on the left side of the house  
2800 sqf

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Below Grade Stairs  
Second dwelling unit

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

EXISTING

Front yard setback 6.09m (20')  
 Rear yard setback 7.72m (25'3")  
 Side yard setback 1.51m (4'11")  
 Side yard setback 3.09m (10'2")

PROPOSED

Front yard setback No change  
 Rear yard setback No change  
 Side yard setback No change  
 Side yard setback 1.83m (6')

10. Date of Acquisition of subject land: Feb 25, 2020
11. Existing uses of subject property: Single Family Dwelling
12. Proposed uses of subject property: Second dwelling (Two unit dwelling)
13. Existing uses of abutting properties: Residential
14. Date of construction of all buildings & structures on subject land: 1984
15. Length of time the existing uses of the subject property have been continued: 36 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 _____

Djosele  
Signature of Applicant(s) or Authorized Agent

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

THIS 29 DAY OF Sep, 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, Devenendra Yeole, OF THE City of 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 9th DAY OF  
October, 20 20

April Dela Cerna  
A Commissioner etc.

Djosele  
Signature of Applicant or Authorized Agent

ad.  
April Dela Cerna,  
a Commissioner, etc.,  
Province of Ontario,  
for the Corporation of the  
City of Brampton.  
Expires May 8, 2021

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R1B-182, MATURE

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

Hothi S

Zoning Officer

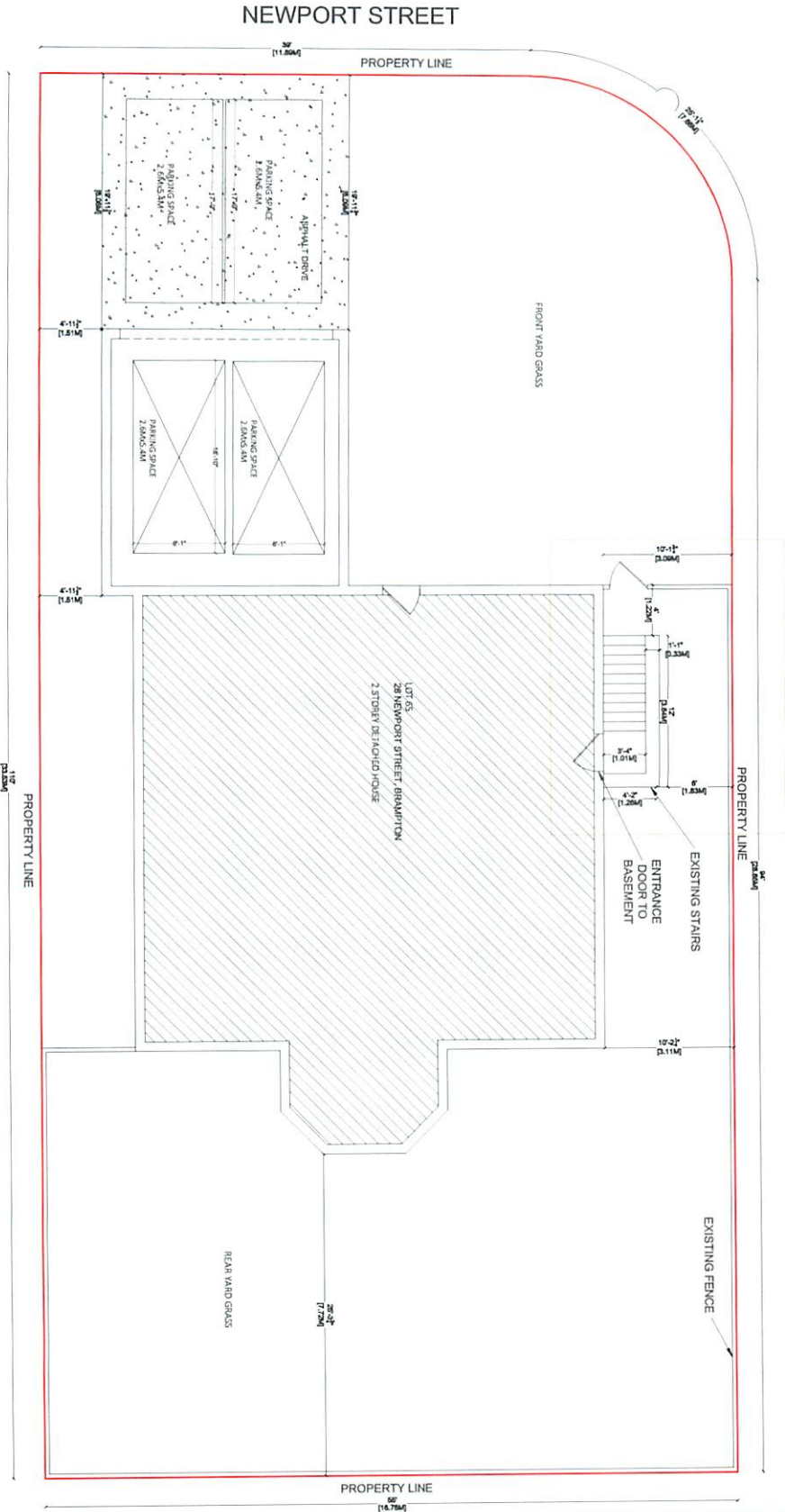
OCT. 13. 2020

Date

DATE RECEIVED OCTOBER 9, 2020

STATISTICS			
AREAS		(SQ.M.)	(SQ.FT.)
LOT AREA		556.96	5995.06
BUILDING FOOTPRINT		172.45	1856.21
FRONT LANDSCAPE AREA		108.35	1166.23
PARKING LOTS		2 CARS	2 CARS
PARKWAY		2 CARS	2 CARS
GARAGE			

NOTTINGHAM CRESCENT



SITE PLAN

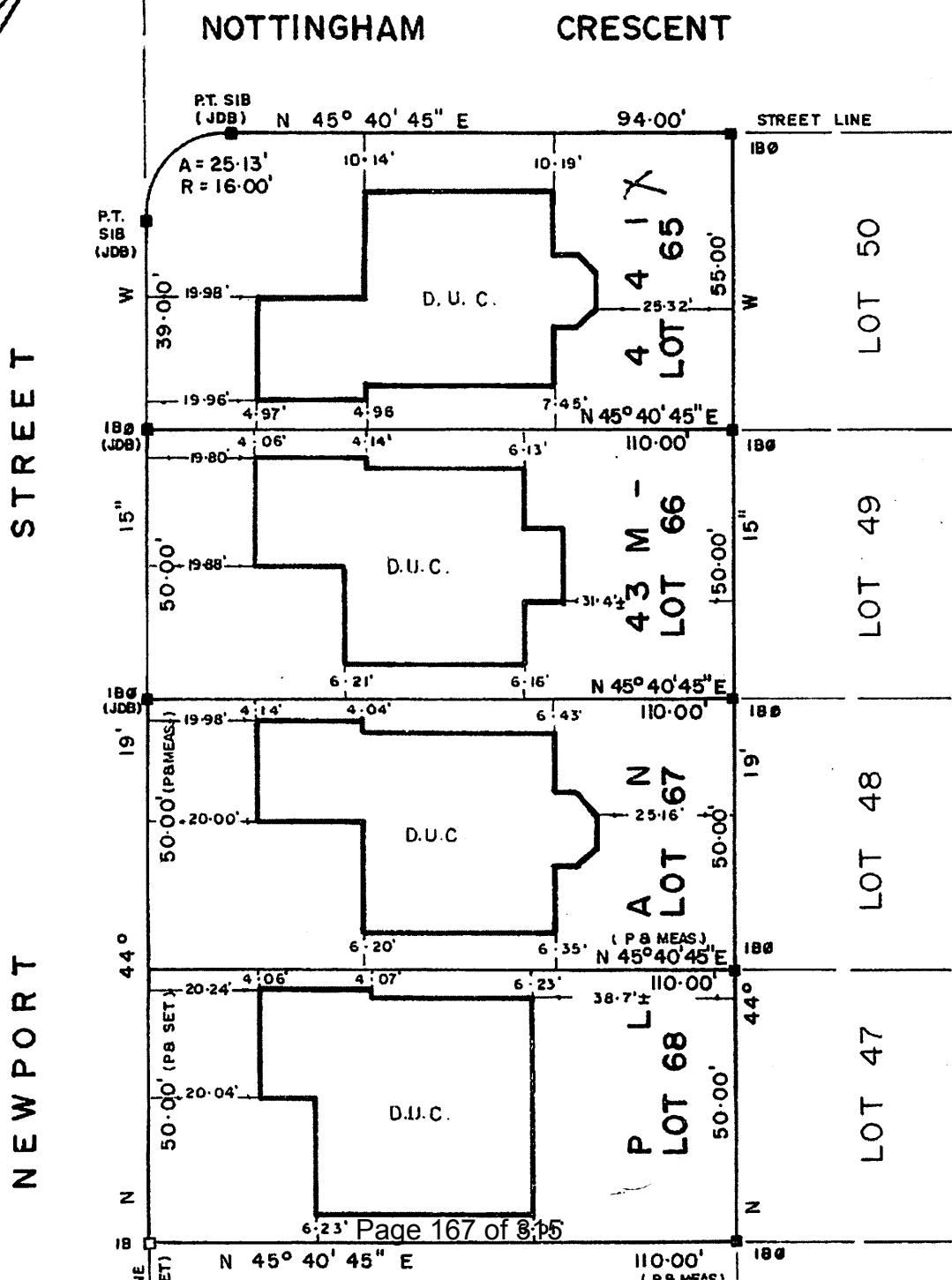
NOTED FOR PERMIT		SEP. 28/2020
ADDRESS		
28 NEWPORT ST. BRAMPTON, ON L6S 4A1		
DRAWN BY: A.D.      CHECKED BY: D.Y.		
PROJECT NUMBER: 20R-095126		
INNOVATION TRIGGER CONSULTING INC. BRAMPTON, ON 416.951.3678		
DATE: SEP. 28/2020	DRAWN BY: A-1	
SCALE: 1/8" = 1'-0"		

SCALE 1" = 30'  
ANTON KIKAS LIMITED  
ONTARIO LAND SURVEYORS  
1984

BEARINGS ARE ASTRONOMIC AND ARE  
REFERRED TO THE NORTHEASTERLY LIMIT  
OF NEWPORT STREET AS SHOWN  
ON PLAN 43M-441 HAVING A  
BEARING OF N 44° 19' 15" W  
BUILDING TIES SHOWN HEREON ARE TO  
CONCRETE FOUNDATION UNLESS NOTED  
OTHERWISE

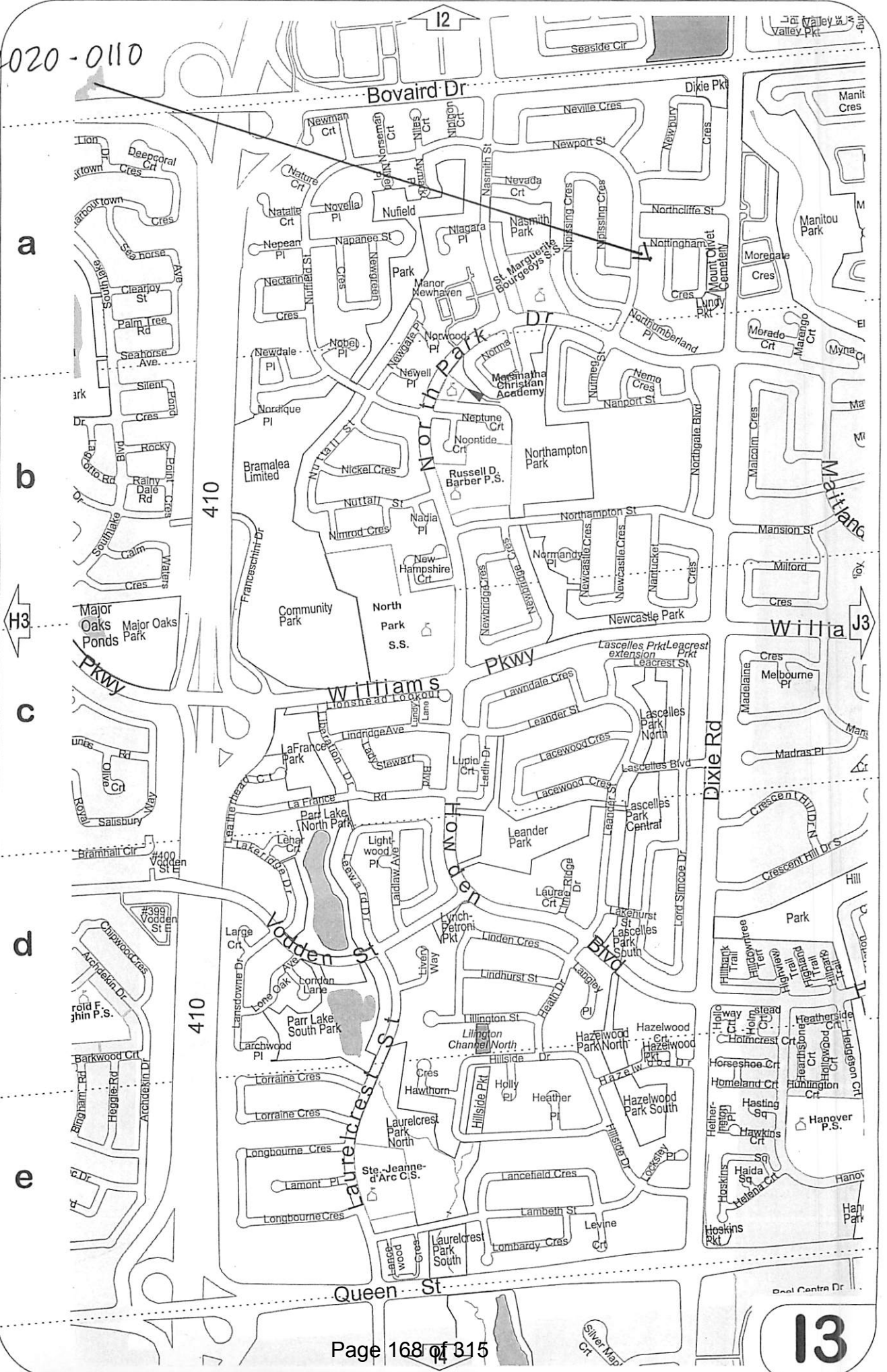
■ DENOTES SURVEY MONUMENT FOUND  
□ DENOTES SURVEY MONUMENT SET  
SIB DENOTES STANDARD IRON BAR  
IB DENOTES IRON BAR  
D.W.C. DENOTES DWELLING UNDER CONSTRUCTION  
(JDB) DENOTES J.D BARNES O.L.S.  
Ø DENOTES ROUND  
(P) DENOTES PLAN 43 M - 44!

DOCUMENTS RELEASED PURSUANT TO A REQUEST  
UNDER THE  
NATIONAL FREEDOM OF INFORMATION AND  
PROTECTION OF PRIVACY ACT 5 U.S.C. 1986A, 1984  
COPYRIGHT ACT P.L. 1976, C-42 APPLIES TO THE  
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A-2020-0110



**Filing Date:** October 13, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0110

**Owner/  
Applicant:** AAMIR FIDA AND QURAT UL AIN

**Address:** 26 Newport Street

**Ward:** 7

**Contact:** Shelby Swinfield, Planner I, Development

---

**Recommendations:**

That application A-2020-0110 is supportable subject to the following conditions being imposed:

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

---

**Background:**

Through the review of the application it was determined that the existing driveway is considered to be Legal Non-Conforming and as such an analysis of it will not be included within this report.

**Existing Zoning:**

The property is zoned "Residential Single Detached B(3) – Special Section 182



(R1B(3)-182)” 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 the flankage lot line whereas the by-law does not permit a below grade entrance to be located between a main wall of a dwelling and the flankage lot line;
2. To permit a below grade entrance stair having an exterior side yard setback of 1.83m (6.00 ft.) whereas the by-law requires an exterior side yard setback of 3.0m (9.84 ft.);
3. To permit an existing driveway width of 8.9m. (29.19 ft.) whereas the by-law permits a maximum driveway width of 7.32m (24.00 ft.);
4. To permit an encroachment of the eave on the canopy above the below grade entrance of 0.7m (2.30 ft.) whereas the by-law permits a maximum encroachment of an eave of 0.5m (1.64 ft.).

**Current Situation:**

1. Conforms to the Intent of the Official Plan

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

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

Variances 1 and 2 relate to an existing below grade entrance located within the exterior side yard of the property, behind a fence.

The intent of the by-law in prohibiting below grade entrances in the exterior side yard and requiring a minimum side yard setback to the stairs leading to the entrance is to prevent negative visual impacts to the overall streetscape. The proposed below grade entrance is screened behind the fence surrounding the rear yard. A condition of approval is recommended that the fence shall remain constructed in its current location and height to ensure that the below grade entrance is not visible from the street.

Subject to the recommended conditions of approval, Variances 1 and 2 are considered to maintain the general intent of the Zoning By-law.

Variance 4 is requested to permit a covering canopy associated with the below grade entrance to encroach into the exterior side yard by 0.7m (2.3 ft) whereas the by-law permits a maximum encroachment of 0.5m (1.64 ft). The intent of the by-law in

regulating the maximum encroachment of an eave is to ensure that runoff from the eave does not drain onto adjacent properties. The location of this eave and its encroachment do not present any concerns with regard to runoff impacting adjacent properties. Subject to the recommended conditions of approval, Variance 4 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variances 1, 2, and 4 are requested to permit an existing below grade entrance located within the exterior side yard of the residential dwelling, and to permit an increased eave encroachment for the canopy associated with that entrance.

The location of the entrance and canopy is fully screened by a wood board fence that also separates the location of the entrance from the rear yard amenity space. 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 screening remains in place. Additionally, as the entrance and canopy have already been constructed, a condition of approval is recommended that a building permit be obtained for the below grade entrance within 60 days of the final date of Committee's decision. A further condition is recommended that the entrance not be used to access an unregistered second unit to ensure that any second unit in the dwelling is constructed in accordance with the Ontario Building Code.

Subject to the recommended conditions of approval, Variances 1, 2, and 4 are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variances 1 and 2 are to permit a below grade entrance and associated stairway in the exterior side yard of the property. Variance 4 is requested to permit the canopy above the entrance to encroach into the exterior side yard. Given the location of the entrance and canopy behind a solid wood board fence, the impacts to the streetscape are minimized. 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 screening remains in place. Subject to the recommended conditions of approval, Variances 1, 2, and 4 are considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, , Planner I, Development



## Committee of Adjustment

## APPLICATION FOR MINOR VARIANCE

**AND WHEREAS** the applicant is requesting the following variances(s):

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

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

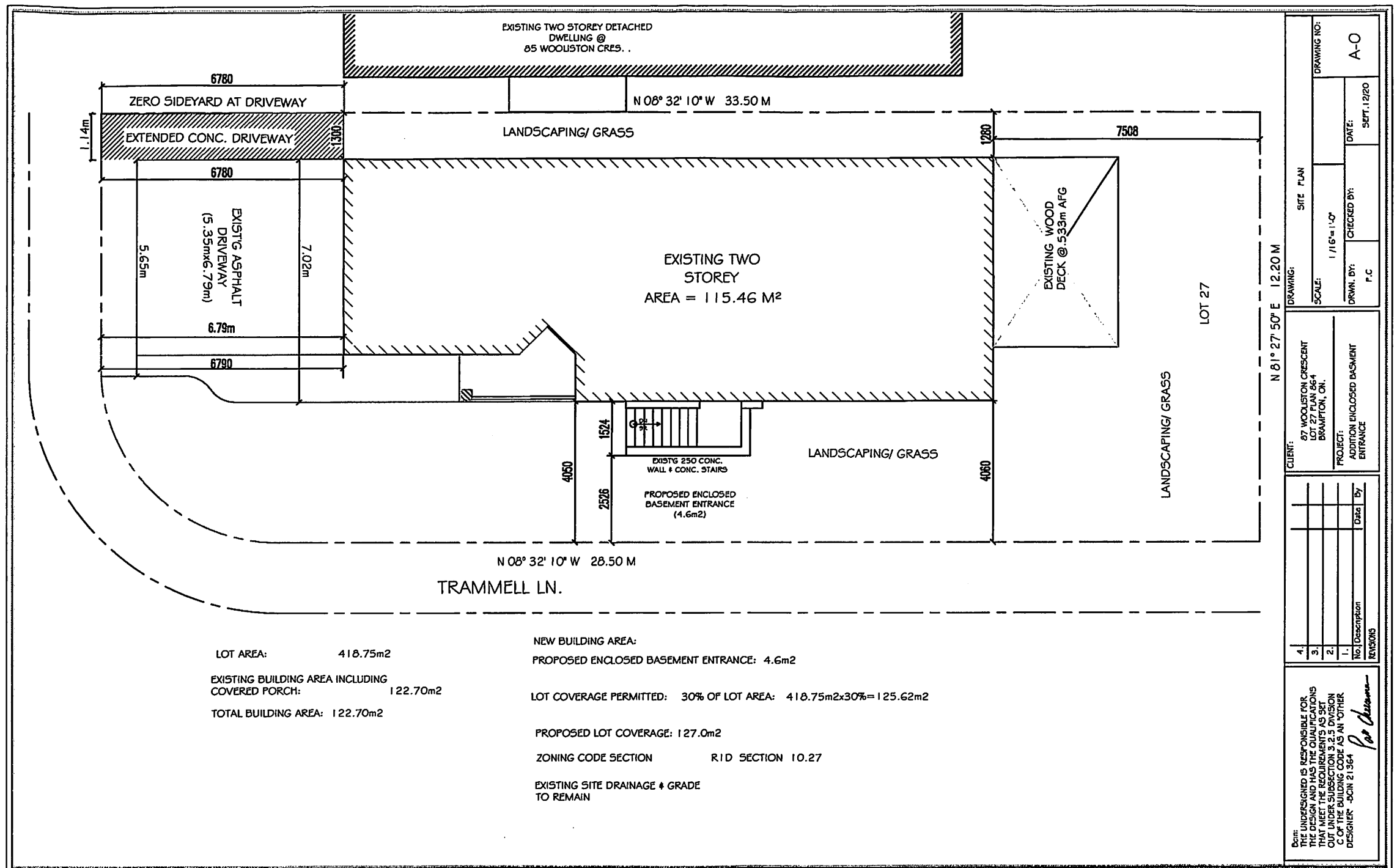
File Number: \_\_\_\_\_  
File Number: \_\_\_\_\_

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

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

DATED at Brampton Ontario, this 29th day of October, 2020.

**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 Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

**How to Participate in the Hearing:**

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, November 5, 2020.**
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm, Friday, November 6, 2020.**
  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **November 6, 2020.** City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or <http://video.isilive.ca/brampton/live.html>.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to [cityclerksoffice@brampton.ca](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**

October 28, 2020

To: Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE  
MANJIT KAUR GREWAL  
LOT 27, PLAN M-864  
A-2020-0111 – 87 WOOLISTONCRESCENT  
WARD 3

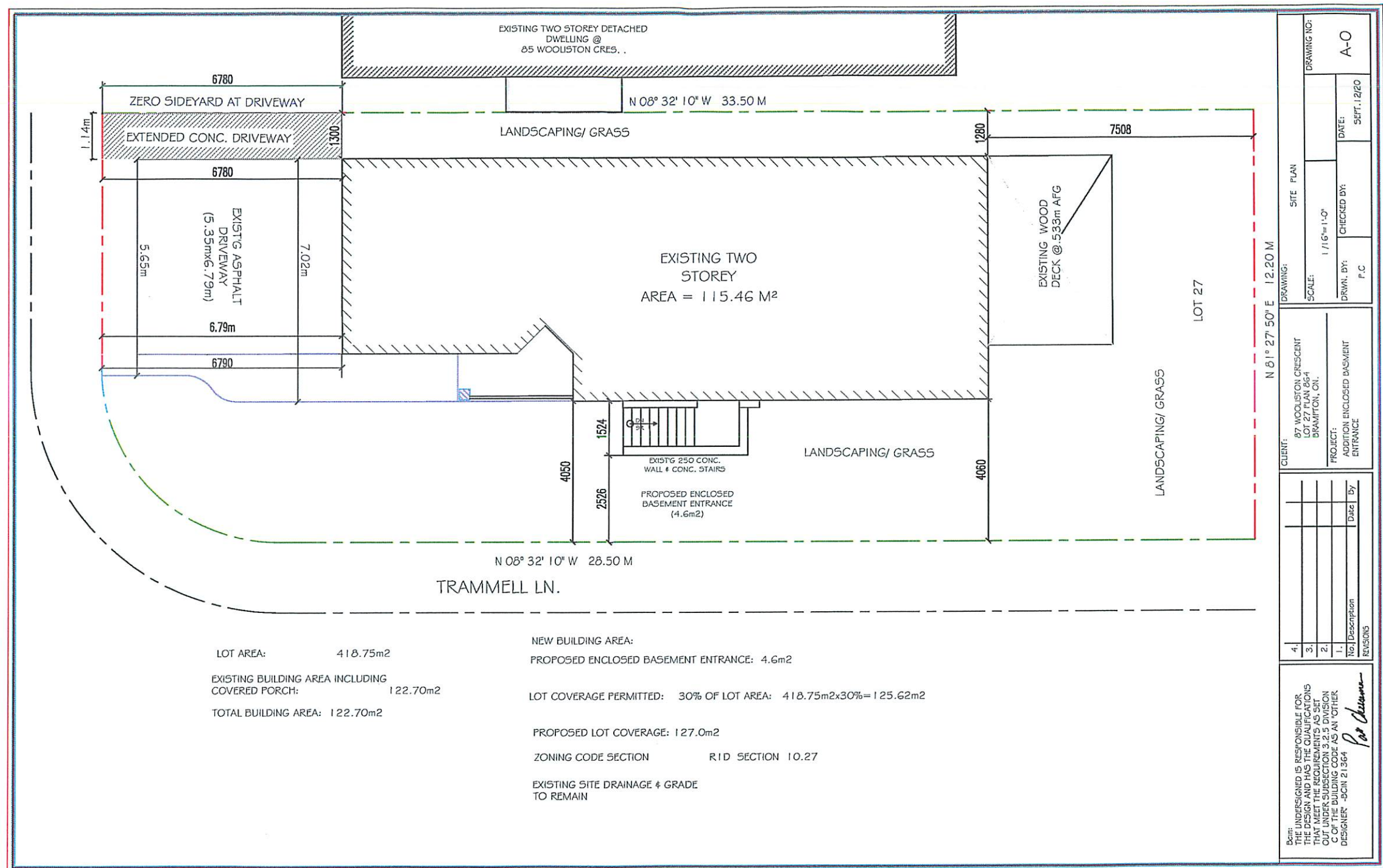
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Please **amend** application **A-2020-0111** to reflect the following:

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



Applicant/Authorized Agent





Flower City



brampton.ca

FILE NUMBER: A-2020-0111

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) MANJIT LAUR GREWAL  
Address 87 WOOLSTON CRES. BRAMPTON, ON L6Y4J2  
Phone # 416-997-3000 Fax # \_\_\_\_\_  
Email MAJORNAGRA@gmail.com
2. Name of Agent PATRICK CHELLOMAN  
Address 9 MERTON ROAD  
BRAMPTON, ON  
L6Y2V9  
Phone # 416-611-6994 Fax # \_\_\_\_\_  
Email PL6693@gmail.com
3. Nature and extent of relief applied for (variances requested):  
TO PERMIT THE EXISTING BASEMENT  
ENTRANCE AT THE SIDEYARD - ENCLOSED  
BASEMENT ENTRANCE.
4. Why is it not possible to comply with the provisions of the by-law?  
EXISTING BASEMENT ENTRANCE (below GRADE)  
IS NOT PERMITTED IN THE FLANKING SIDEYARD  
HAVING EXTERIOR GRASS SOFTBALL PITCH OF  
LESS THAN 3M
5. Legal Description of the subject land:  
Lot Number 27  
Plan Number/Concession Number M-804  
Municipal Address 87 WOOLSTON CRES
6. Dimension of subject land (in metric units)  
Frontage 12.90M (AV.)  
Depth 53.90M  
Area 418.79M<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.)

EXISTING TWO STOREY SINGLE FAMILY DWELLING  
UNIT HAVING GROUND FLOOR AREA OF: 89.70 m<sup>2</sup>  
SECOND FLOOR: 122.40 m<sup>2</sup>  
GROSS FLOOR AREA: 212.10 m<sup>2</sup>

PROPOSED BUILDINGS/STRUCTURES on the subject land:

ENCLOSED BASEMENT ENTRANCE (5.0 m<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 6.76 m  
Rear yard setback 7.51 m  
Side yard setback 4.05  
Side yard setback 1.28

PROPOSED

Front yard setback 6.76 m  
Rear yard setback 7.51  
Side yard setback 4.05  
Side yard setback 1.28

10. Date of Acquisition of subject land: \_\_\_\_\_
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: 1987
15. Length of time the existing uses of the subject property have been continued: 33 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 ☐  
Ditches ☐ Other (specify) \_\_\_\_\_  
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 _____

Patterson CL  
Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton  
THIS 9 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, PATRICK CHESSMAN 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 9<sup>th</sup> DAY OF October, 2020

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

J.M.  
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

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

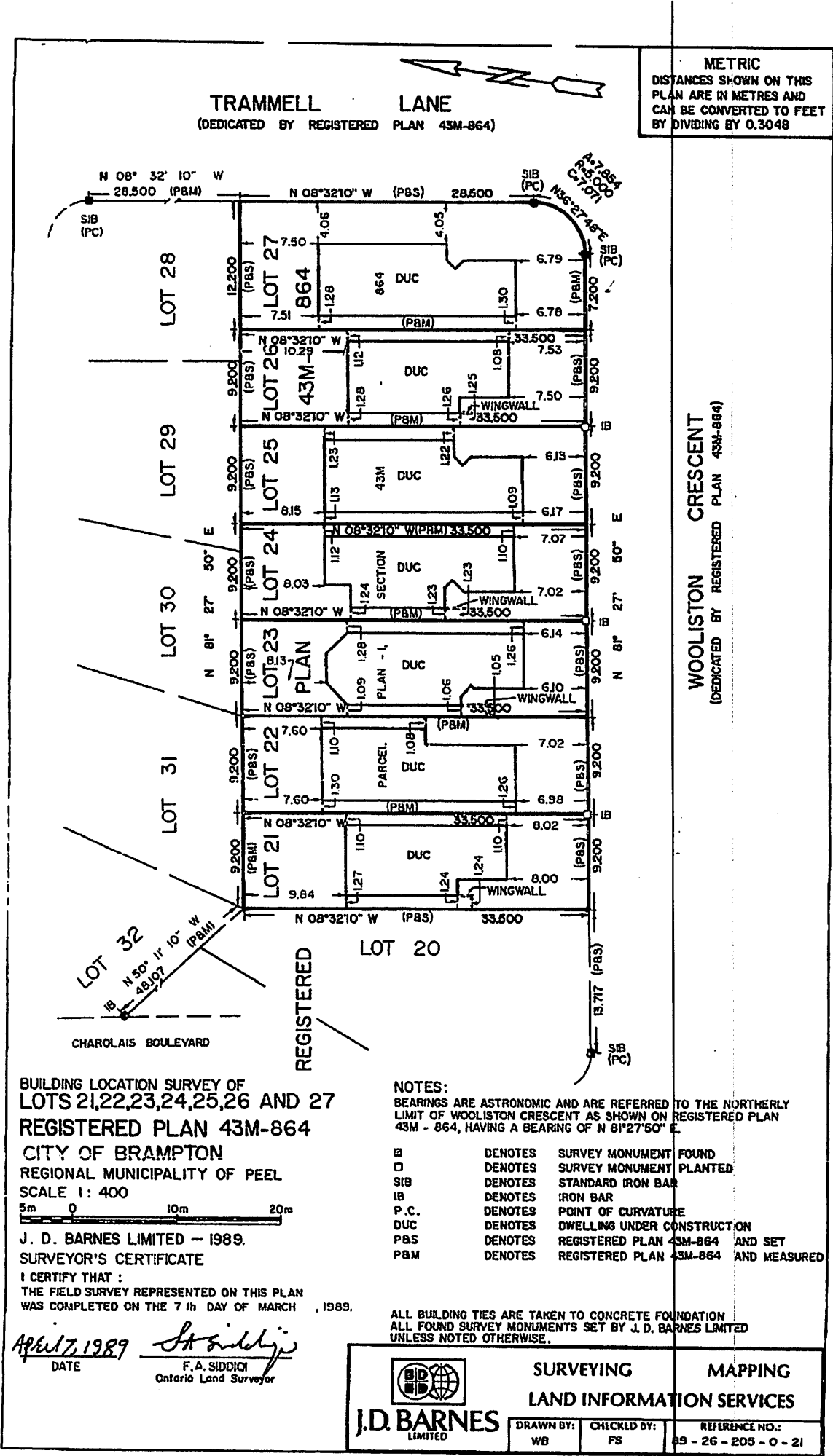
Hothi S  
Zoning Officer

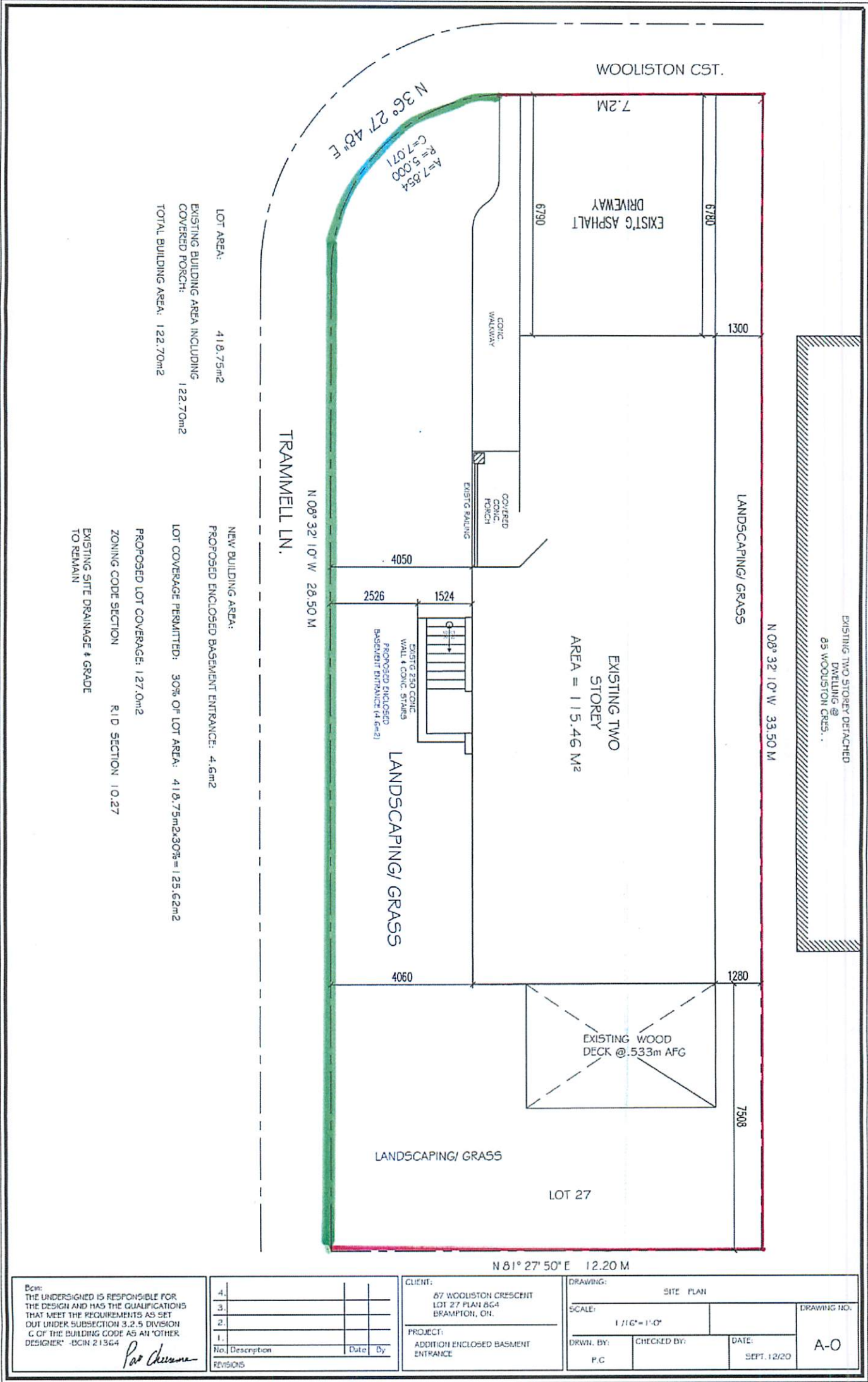
OCT. 13. 2020  
Date

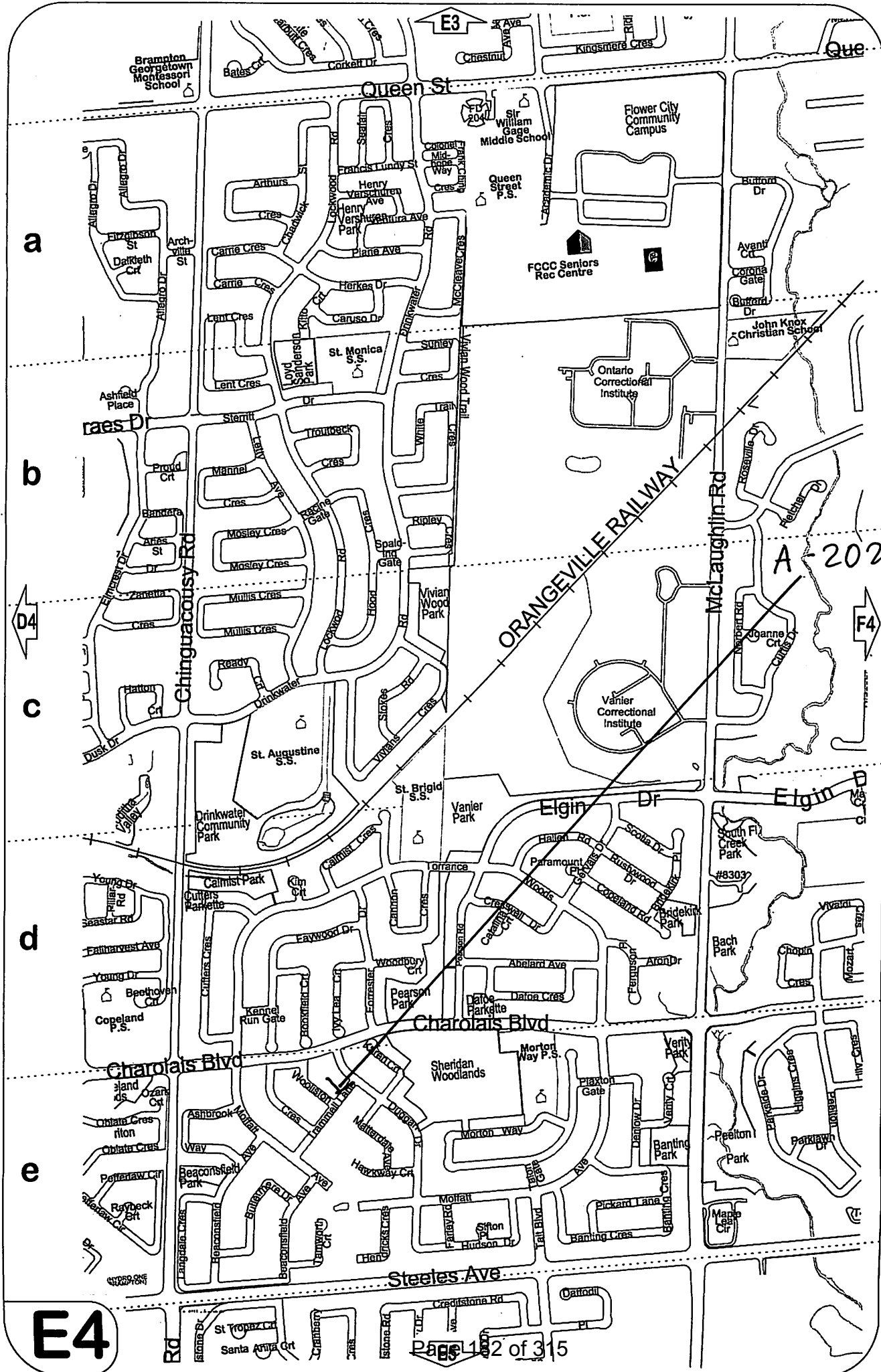
DATE RECEIVED October 9, 2020

Revised 2/20/2017









A-2020-0111

**Filing Date:** October 13, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0111

**Owner/  
Applicant:** MANJIT KAUR GREWAL

**Address:** 87 Wooliston Crescent

**Ward:** 4

**Contact:** Shelby Swinfield, Planner I, Development

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**Recommendations:**

That application A-2020-0111 is supportable in part, subject to the following conditions being imposed:

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

enclosure within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official; and

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

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

The property is designated as "Residential" in the Official Plan and "Low Density Residential" in the Brampton Flowerdown Secondary Plan (Area 6). The requested variances are not considered to have significant impacts within the context of the Official Plan and, subject to the recommended conditions of approval, 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.

Variance 1 is to permit a reduced setback to an enclosed below grade entrance of 2.526m (8.29 ft.) to an enclosed below grade entrance whereas the by-law requires a minimum exterior side yard setback of 3.0m (9.84 ft.). The intent of the by-law in requiring a minimum exterior side yard setback to an enclosure is to ensure that there are no negative massing or visual impacts on the streetscape. The below grade entrance and enclosure is proposed to be behind a solid wood board fence which screens the entrance from the streetscape, minimizing its impacts on 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 screening is



maintained. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is to permit an existing driveway width of 8.32m (27.30 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.). Variance 3 is 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

The intent the by-law of regulating driveway width is to ensure that driveways, and the potential parking of vehicles that driveways can accommodate, does not dominate the streetscape, and the intention of requiring a 0.6m (1.97 ft.) permeable landscape strip between the driveway and property line is to ensure sufficient area is provided for drainage. There is concrete paving from the asphalt portion of the driveway to the lot line. As the concrete inhibits proper drainage, Variance 3 is not considered to maintain the general intent of the Zoning By-law.

Variance 2, relating to the driveway width is in regard to extended portions on both sides of the driveway. A condition of approval is recommended that Variance 2 be approved to a maximum width of 7.02m (23.02 ft) which will facilitate the removal of the concrete in the permeable area and between the asphalt and the interior lot line, but allow the walkway portion of the driveway on the other side to remain. A condition of approval is recommended that no part or whole of a vehicle shall be parked upon the extended portion at any time to ensure that the main function remains as a walkway. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

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

Variance 1 is requested to permit a reduced setback to an enclosed below grade entrance in the exterior side yard. This proposed enclosure of the below grade entrance is not anticipated to have any negative impacts on the streetscape as it will be located behind the existing wood board fence. A conditions of approval are recommended that the entrance not be used to access an unregistered second unit, and that a building permit be obtained for the below grade entrance within 60 days of the final date of the Committee's decision in order to ensure that the entrance, enclosure, and any associated second unit are all constructed in accordance with the Ontario Building Code. 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 an existing driveway that has been extended on both sides of the asphalt portion, including up to the interior property line.

Variance 3 is requested to allow a 0m permeable landscape strip. This reduction is anticipated to negatively impact drainage for the subject property and potentially the adjacent property. Variance 3 is not considered to be desirable for the appropriate development of the land.

Variance 2 is to permit the width of the extended driveway. While part of the extended portion interferes with drainage for the property and has been used for the parking of vehicles, the portion of the driveway extended toward the exterior lot line is intended to be used as a walkway. A condition of approval is recommended that Variance 2 be approved to a maximum width of 7.02 metres (23.03 feet) to allow the portion of the driveway that is used as a walkway to remain while facilitating the removal of the driveway portion interfering with the permeable landscape area. Further, a condition is recommended that 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 to ensure its primary function is as a walkway. 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 related to a below grade entrance that is proposed to be enclosed within the exterior side yard. The entrance will be located behind a solid wood board fence and will be screened, having minimal impacts on the streetscape. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 3 is to permit a 0m permeable landscape strip adjacent to the driveway, however this reduction is anticipated to interfere with proper drainage for the property. Variance 3 is not considered to be minor in nature.

Variance 2 is in regard to the existing driveway which has been extended for the purpose of a walkway, and to provide additional parking. A condition of approval is recommended that Variance 2 be approved to a maximum width of 7.02 metres (23.03 feet) to allow the portion of the driveway that is used as a walkway to remain while facilitating the removal of the driveway portion interfering with the permeable landscape area and being used for extra parking. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I, Development

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **DIPEN PAREKH AND SONAL SHAW** 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 29, Plan 43M-1962 municipally known as **393 ROYAL WEST DRIVE**, Brampton;

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

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

**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, November 10, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

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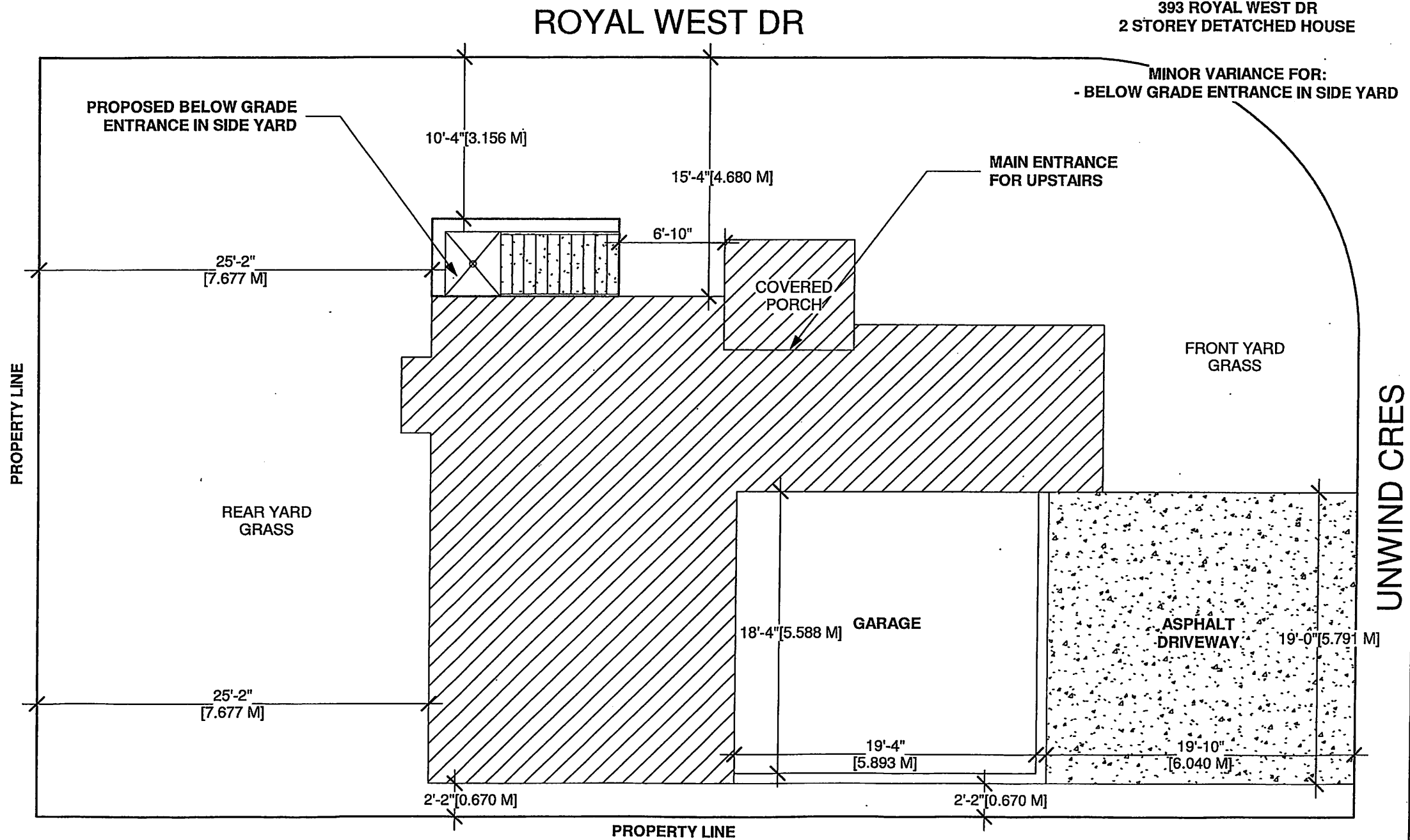
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 29th day of October, 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)



SITE PLAN

1		ISSUED FOR MINOR VARIANCE	OCT 04/20
PROJECT ADDRESS: 393 ROYALWEST DR, BRAMPTON, ON			
DRAWN BY:		CHECKED BY:	
PROJECT NUMBER:			
DATE: SEP 16/20		DWG. No: A-1	
SCALE: 1" = 7'-6"			



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**

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**How to Participate in the Hearing:**

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, November 5, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm, Friday, November 6, 2020**.
  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **November 6, 2020**. City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or <http://video.isilive.ca/brampton/live.html>.

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**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 – L6Y4R2

**RE: Application for Minor Variance or Special Permission**

City Planners & Committee of Adjustment Members,

We are writing as a resident of 393 Royal West Drive, Brampton; to allow a below grade entrance from the exterior side yard of a corner lot. The request to approve exterior side entrance in order to finish the basement as a second dwelling unit for rental purpose.

It is a Single-Family House, Corner Lot and we are family of four with one son and one dog. We tend to spend more time in the backyard with our dog during warm weather and we are concerned if the future tenant of our basement might not be comfortable with our dog. For our privacy and their safety we would like to build the exterior stairs near the side entrance to our basement. The exterior stairs do not in any way impact any other exterior part of the house.

If you allow this variance, and it is built, it will give us the privacy in our backyard and allow us to utilize the space next to our entrance which is currently not being utilized.

Aesthetically, there is no change to house structure that would be unsightly. We appreciate your help and request your approval to our application.

Thank you for your consideration.

Regards,



Sonal Shah  
Dipen Parekh  
393 Royal West Drive  
Brampton  
ON L6X 5J9  
416-545-7511



The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, City of Brampton.

## APPLICATION

## Minor Variance or Special Permission

(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law **270-2004**.

1. Name of Owner(s) DIPEN PAREKH, SONAL SHAH  
Address 393 ROYAL WEST DR, BRAMPTON L6X5J9

Phone # 416-545-7511 Fax # \_\_\_\_\_  
Email SONALDIPEN@YAHOO.COM

2. Name of Agent \_\_\_\_\_  
Address \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_  
Email \_\_\_\_\_

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

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

5. Legal Description of the subject land:  
Lot Number 29  
Plan Number/Concession Number M-1962  
Municipal Address 393 ROYAL WEST DR

6. Dimension of subject land (in metric units)  
Frontage 15.132 M  
Depth 25.800 M  
Area 382.1 SQM

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

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

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

TWO STOREY DETACHED SINGLE DWELLING HOUSE - AREA 201.32 SQM

HEIGHT - 7 M

WIDTH - 10.82 M

LENGTH - 13.7 M

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

BELOW GRADE ENTRANCE IN THE EXTERIOR SIDE YARD

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

**EXISTING**

Front yard setback 5.04 M

Rear yard setback 7.67 M

Side yard setback 4.68 M

Side yard setback 0.67 M

**PROPOSED**

Front yard setback NO CHANGE

Rear yard setback NO CHANGE

Side yard setback 3.15 M

Side yard setback NO CHANGE

10. Date of Acquisition of subject land: MAY 2016
11. Existing uses of subject property: SINGLE FAMILY RESIDENCE
12. Proposed uses of subject property: SINGLE FAMILY RESIDENCE
13. Existing uses of abutting properties: RESIDENTIAL
14. Date of construction of all buildings & structures on subject land: MARCH 2016
15. Length of time the existing uses of the subject property have been continued: 4 YEARS
16. (a) What water supply is existing/proposed?  
Municipal ☐ Other (specify) \_\_\_\_\_  
Well ☐
- (b) What sewage disposal is/will be provided?  
Municipal ☒ Other (specify) \_\_\_\_\_  
Septic ☐
- (c) What storm drainage system is existing/proposed?  
Sewers ☒ Other (specify) \_\_\_\_\_  
Ditches ☐  
Swales ☐

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

Yes ☐ No ☒

If answer is yes, provide details: File # \_\_\_\_\_ Status \_\_\_\_\_

18. Has a pre-consultation application been filed?

Yes ☐ No ☒

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

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

*[Signature]* *[Signature]*

Signature of Applicant(s) or Authorized Agent

DATED AT THE \_\_\_\_\_ City \_\_\_\_\_ OF \_\_\_\_\_ Brampton \_\_\_\_\_

THIS 6th 9th 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, Sonal shah, 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 9th DAY OF

October, 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:

Present Zoning By-law Classification:

R1F-11.6-2303

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

Oct 9, 2020

Date

DATE RECEIVED OCTOBER 9, 2020

Revised 2019/01/08



ROYAL WEST DR

LOT:29 PLAN:1962  
393 ROYAL WEST DR  
2 STOREY DETACHED HOUSE

MINOR VARIANCE FOR:  
- BELOW GRADE ENTRANCE IN SIDE YARD

PROPOSED BELOW GRADE  
ENTRANCE IN SIDE YARD

10'-4" [3.156 M]

15'-4" [4.680 M]

6'-10"

COVERED  
PORCH

MAIN ENTRANCE  
FOR UPSTAIRS

25'-2"  
[7.677 M]

REAR YARD  
GRASS

25'-2"  
[7.677 M]

2'-2" [0.670 M]

PROPERTY LINE

FRONT YARD  
GRASS

18'-4" [5.588 M]

GARAGE

19'-4"  
[5.893 M]

2'-2" [0.670 M]

19'-10"  
[6.040 M]

ASPHALT  
DRIVEWAY

19'-0" [5.791 M]

UNWIND CRES

SITE PLAN

1	ISSUED FOR MINOR VARIANCE	OCT 04/20

PROJECT ADDRESS:  
393 ROYALWEST  
DR, BRAMPTON, ON

DRAWN BY:	CHECKED BY:
PROJECT NUMBER:	

DATE:	SEP 16/20	DWG NO:
SCALE:	1" = 7'-6"	A-1



A-2020-0112

a

b

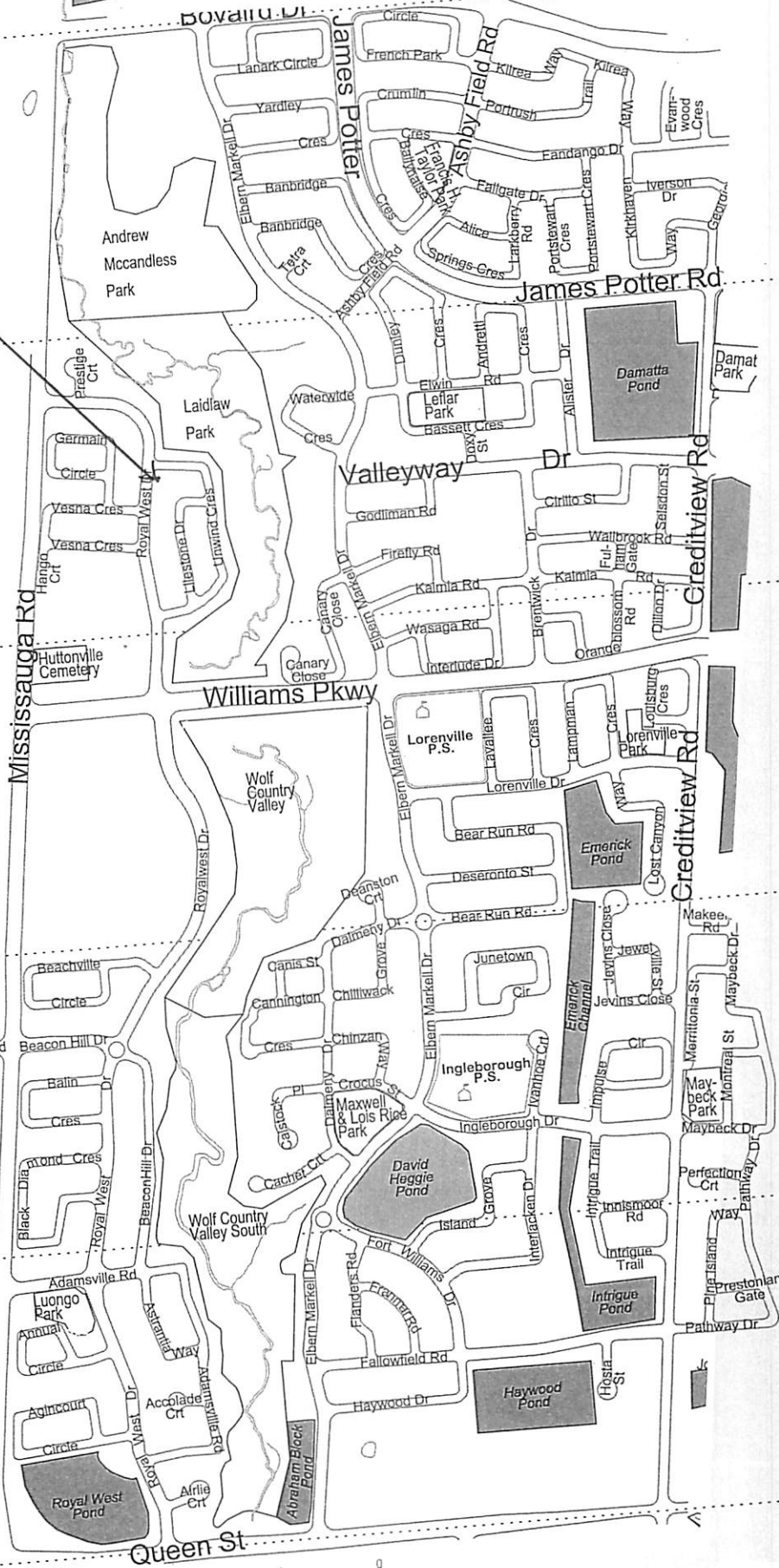
c

d

e

C2

Mount Pleasant  
Village Community  
Centre & Library



C3

**Filing Date:** October 13, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0112

**Owner/  
Applicant:** DIPEN PAREKH AND SONAL SHAH

**Address:** 393 Royal West Drive

**Ward:** 5

**Contact:** Shelby Swinfield, Planner I, Development

---

**Recommendations:**

That application A-2020-0112 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 the existing fence to screen the below grade entrance in a manner satisfactory to the Director of Development Services; and
  4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
- 

**Background:**

Existing Zoning:

The property is zoned "Residential Single Detached F11.6 – Section 2303 (R1F-11.6-2303) 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 the flankage lot line whereas the by-law does not permit a below grade entrance to be located between a main wall of a dwelling and the flankage lot line;

2. To permit an exterior side yard setback of 3.156m (10.35 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum exterior side yard setback of 4.5m (14.76 ft.).

**Current Situation:**

1. Conforms to the Intent of the Official Plan

The property is designated "Residential" in the Official Plan and "Low Density Residential 2" in the Credit Valley Secondary Plan (Area 45). The requested variances are not considered to have significant implications within the context of the policies of the Official Plan. Subject to the recommended conditions of approval, the requested 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 F11.6 – Section 2303 (R1F-11.6-2303) according to By-law 270-2004, as amended.

Variances 1 and 2 are requested to permit a below grade entrance in to be located between the main wall of a dwelling and the flankage lot line, and to allow an exterior side yard setback of 3.156m (10.35 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum exterior side yard setback of 4.5m (14.76 ft.).

The intent of the by-law in prohibiting below grade entrances in the exterior side yard and requiring a minimum side yard setback to the stairs leading to the entrance is to prevent negative visual impacts to the overall streetscape. A condition of approval is recommended that the applicant shall extend the existing fence to screen the below grade entrance in a manner satisfactory to the Director of Development Services so that the below grade entrance is not visible from the street upon construction. This will allow the applicant to discuss the proposed fencing with Planning staff prior to construction.

Subject to the recommended conditions of approval, Variances 1 and 2 are considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variances 1 and 2 are requested to permit a proposed below grade entrance in the exterior side yard of the subject property to allow for the creation of a second unit. A condition of approval is recommended that the below grade entrance not be used to access an unregistered unit to ensure that any second unit is in compliance with the Ontario Building Code. A condition of approval is also recommended to an extension of the existing wood board fence to provide screening between the proposed entrance and the street so that visual impacts are minimized.

Subject to the recommended conditions of approval, Variances 1 and 2 are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances are intended to facilitate the creation of a below grade entrance to serve a second unit in the residential dwelling. A condition of approval is recommended that the applicant extend the existing fence to screen the proposed entrance from the street so that the location of the entrance has minimal impacts on the streetscape. Subject to the recommended conditions of approval, Variances 1 and 2 are considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I, Development



**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **RAJANMOL DHINDSA AND PREET BOPARAI DHINDSA** 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 118, Plan 43M-1898 municipally known as **24 TEMPLAR STREET**, Brampton;

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

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

**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, November 10, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

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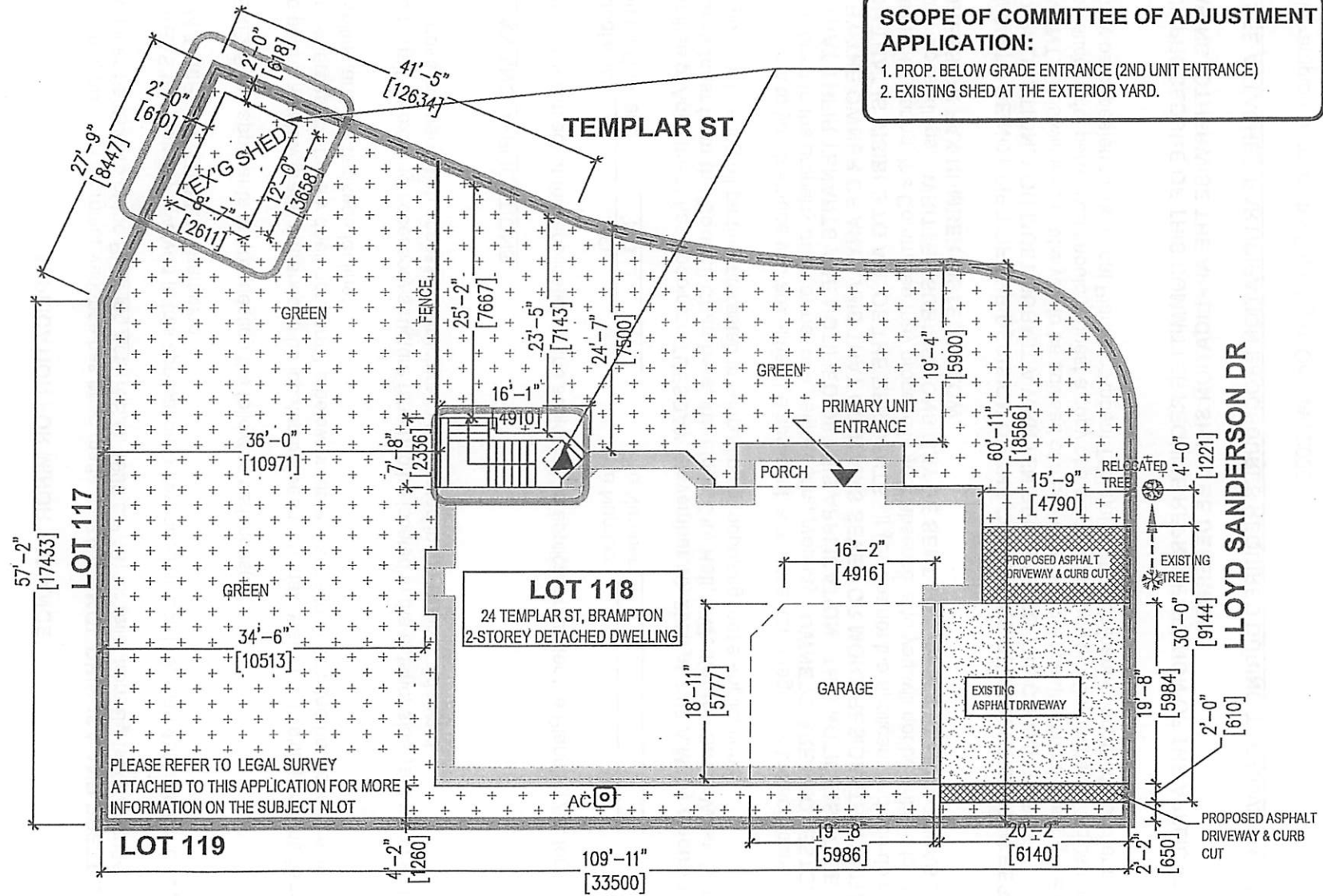
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Jeanie Myers, Secretary-Treasurer  
Committee of Adjustment  
City Clerk's Office,  
Brampton City Hall  
2 Wellington Street West,  
Brampton, Ontario L6Y 4R2  
Phone: (905)874-2117  
Fax: (905)874-2119  
[jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca)

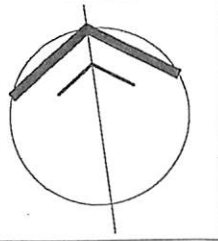


# PROPOSED BELOW GRADE ENTRANCE @ EXTERIOR SIDE LOT

24 TEMPLAR ST, BRAMPTON



**1 SITE PLAN**  
1/16" = 1'-0"



No.	Description	Date

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

57 BLACK DIAMOND CRES., BRAMPTON

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

Checked by:

Drawn by:  
Date: 15/10/2020  
DRAWING NAME:  
**SITE PLAN**  
SHEET NUMBER:  
**A1**

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**APPLICATION****Minor Variance or Special Permission**

(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law **270-2004**.

1. Name of Owner(s) RAJANMOL DHINDSA & PREET BOPARAI DHINDSA  
Address 24 TEMPLAR ST, BRAMPTON ON L6Y 3A6

Phone # 647-588-3950 Fax # \_\_\_\_\_  
Email dhindsa2k@gmail.com

2. Name of Agent ISMATULLAH AMIRI  
Address \_\_\_\_\_  
48 COVEBANK CRES, BRAMPTON - L6P 2Y1

Phone # 647-741-4552 Fax # \_\_\_\_\_  
Email amiri@nestadesign.ca

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

3.1. A RELIEF FROM ZONING BY LAW TO ALLOW A PROP. BELOW GRADE ENTRANCE @ EXTERIOR SIDE LOT  
THE BELOW GRADE ENTRANCE WILL BE USED AS SEPARATE ENTRANCE TO A 2ND UNIT. SECOND UNIT  
BUILDING PERMIT APPLICATION TO BE FILED.

The main purpose of the stair at the exterior side lot is to provide two separate yards for both the Principle and 2nd units keeping privacy of the Units intact. This can only be achieved by construction of below grade entrance at the exterior side yard.

3.2. To allow for an accessory structure to be located in the exterior side yard. Whereas the Zoning By-law does not permit an accessory structure in the exterior side yard.

4. Why is it not possible to comply with the provisions of the by-law?  
THE ZONING BY LAW DOES NOT PERMIT BELOW GRADE STAIRS AT THE EXTERIOR SIDE LOT  
Zoning By-law does not permit an accessory structure in the exterior side yard.

5. Legal Description of the subject land:  
Lot Number LOT 118  
Plan Number/Concession Number PLAN M1898 LOT 118  
Municipal Address 24 TEMPLAR ST, BRAMPTON

6. Dimension of subject land (in metric units)  
Frontage 18.57 M  
Depth 33.5 M  
Area 676.99 M2

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

Seasonal Road ☐  
Other Public Road ☐  
Water ☐

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

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

**SINGLE FAMILY DWELLING 17.8 M X 9.9 M 2 STOREY (DETACHED) - GROSS FLR AREA =279.3 M2**

**SHED 2.61 M X 3.66 M AREA=9.55 M2**

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

**BELOW GRADE STAIR WELL 2.34M X 4.91M**

- 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** 4.79 M

<b>Rear yard setback</b>	<b>10.51 M</b>
--------------------------	----------------

**Side yard setback** (INTERIOR) 1.2 M

**Side yard setback** (EXTERIOR) 5.9 M

**PROPOSED**

**Front yard setback** N/A

**Rear yard setback** N/A

<b>Side yard setback</b>	(INTERIOR) N/A
--------------------------	----------------

**Side yard setback** (EXTERIOR) 7.67M - PLEASE REFER TO SITE PLAN

10. **Date of Acquisition of subject land:** 2012

- 11. Existing uses of subject property:** RESIDENTIAL

- 12. Proposed uses of subject property:** RESIDENTIAL

- 13. Existing uses of abutting properties:** RESIDENTIAL

14. **Date of construction of all buildings & structures on subject land:** 2012

15. Length of time the existing uses of the subject property have been continued: RESIDENTIAL SINCE CONSTRUCTION

16. (a) What water supply is existing/proposed?  
Municipal ☒ Other (specify) \_\_\_\_\_  
Well ☐

- (b) What sewage disposal is/will be provided?  
Municipal ☒ Other (specify) \_\_\_\_\_  
Septic ☐

- (c) What storm drainage system is existing/proposed?
- |         |                                     |                       |
|---------|-------------------------------------|-----------------------|
| Sewers  | <input checked="" type="checkbox"/> |                       |
| Ditches | <input type="checkbox"/>            | Other (specify) _____ |
| Swales  | <input type="checkbox"/>            |                       |



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

Yes ☐ No ☒

If answer is yes, provide details: File # \_\_\_\_\_ Status \_\_\_\_\_

18. Has a pre-consultation application been filed?

Yes ☐ No ☒

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

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



Signature of Applicant(s) or Authorized Agent

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

THIS 9<sup>th</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, Ismatullah Amiri, OF THE city OF Brampton  
IN THE region OF peel SOLEMNLY DECLARE THAT:

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

DECLARED BEFORE ME AT THE

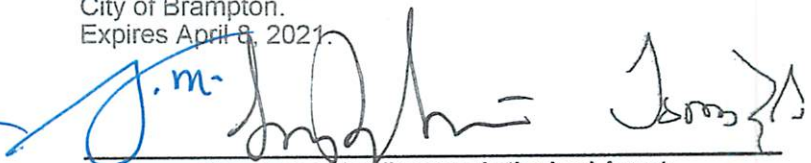
9<sup>th</sup> OF October

IN THE City OF

Brampton THIS 30<sup>th</sup> DAY OF  
October, 2020.

  
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


FOR OFFICE USE ONLY

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

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

R1E - Section 2268

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

October 15, 2020

Date

DATE RECEIVED OCTOBER 9, 2020



24 TEMPLAR ST, BRAMPTON

[illegible]

PROPOSED  
BELOW GRADE  
ENTRANCE @  
EXTERIOR SIDE  
LOT

Drawing by:  
**NESTA DESIGN CO**  
48 COVERBANK CRESCENT  
BRAMPTON, ON, L6P 2Y1  
PHONE: 647-741-6552  
EMAIL: [amini@nestadesign.ca](mailto:amini@nestadesign.ca)

Checked by:

Drawn by	
Date	15/10/2020
DRAWING NAME	

## SITE PLAN

SHEET NUMBER

**A1**

Page 205 of 315

## SITE PLAN

 $1/16" = 1'-0"$

e





**Filing Date:** October 13, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0113

**Owner/  
Applicant:** RAJANMOL DHINDSA AND PREET BOPARAI DHINDSA

**Address:** 24 TEMPLAR ST, BRAMPTON, ON L6Y3A6

**Ward:** 4

**Contact:** Shelby Swinfield, Planner I, Development

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**Recommendations:**

That application A-2020-0113 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 roof drainage from the accessory structure shall flow onto the applicant's property;
4. That drainage on adjacent properties shall not be adversely affected;
5. That the applicant shall extend the existing fence to screen the below grade entrance in a manner satisfactory to the Director of Development Services; and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

---

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

The property is zoned "Residential Single Detached E-15.2 (R1E-15.2-2268)" 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 the flankage lot line whereas the by-law does not permit a below grade entrance to be located between a main wall of a dwelling and the flankage lot line;
2. To permit an existing accessory structure (shed) to be located in the exterior side yard whereas the by-law does not permit an accessory structure to be located in the exterior side yard.

**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 implications within the context of the policies of the Official Plan. 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-15.2 (R1E-15.2-2268)" according to By-law 270-2004, as amended.

Variance 1 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 a main wall of a dwelling and the flankage lot line

The intent of the by-law in prohibiting below grade entrances in the exterior side yard and requiring a minimum side yard setback to the stairs leading to the entrance is to prevent negative visual impacts to the overall streetscape. A condition of approval is recommended that the applicant shall extend the existing fence to screen the below grade entrance in a manner satisfactory to the Director of Development Services so that the below grade entrance is not visible from the street upon construction. This will allow the applicant to discuss the proposed fencing with Planning staff prior to construction. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is to permit an existing accessory structure (shed) 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 there are no massing or visual impacts to the streetscape. In the case of the subject property, the exterior side yard where the accessory shed is located is the effective backyard for the residential dwelling and the shed is located behind a fence. 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 the shed is not relocated out of the fenced area. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

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

Variance 1 is requested to permit a proposed below grade entrance in the exterior side yard of the subject property to allow for the creation of a second unit. A condition of approval is recommended that the below grade entrance not be used to access an unregistered unit to ensure that any second unit is in compliance with the Ontario Building Code. A condition of approval is also recommended to an extension of the existing wood board fence to provide screening between the proposed entrance and the street so that visual impacts are minimized.

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 existing accessory structure (shed) to be located in the exterior side yard whereas the by-law does not permit an accessory structure to be located in the exterior side yard. In the case of the subject property, the exterior side yard where the accessory shed is located is the effective backyard for the residential dwelling and the shed is located behind a fence and provides additional storage for the residential dwelling. 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 the shed is not relocated out of the fenced area. Further conditions of approval are recommended related to drainage from the structure draining onto the applicant's property and that drainage on adjacent properties shall not be impacted to ensure drainage patterns are maintained.

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 intended to facilitate the creation of a below grade entrance to serve a second unit in the residential dwelling. A condition of approval is recommended that the applicant extend the existing fence to screen the proposed entrance from the street so that the location of the entrance has minimal impacts on the streetscape. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 is to permit an accessory shed in the exterior side yard of the property, which functions as the effective backyard for the property. The shed is screened from the street and does not have any impacts on the streetscape. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Respectfully Submitted,



*Shelby Swinfield*

Shelby Swinfield, Planner I, Development

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **SHOKIN KULAR AND MANJIT KAUR KULAR** 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 14, Concession 9 N.D. municipally known as **10796 THE GORE ROAD**, Brampton;

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

1. To permit an accessory structure (shed) on a lot within the Rural Estate Zone having a gross floor area of 128.58 sq. m (1384.02 sq. ft.) whereas the by-law permits an individual accessory structure to a maximum size of 23 sq. m (247.57 sq. ft.);
2. To permit an existing fence in the front yard having a maximum height of 1.8m (5.90 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 ft.);
3. To permit 58.71% of the front yard to be landscaped open space (as existing) whereas the by-law requires a minimum 70% of the front yard to be landscaped open space.

**OTHER PLANNING APPLICATIONS:**

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

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

The Committee of Adjustment has appointed **TUESDAY, November 10, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

**IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT.** This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

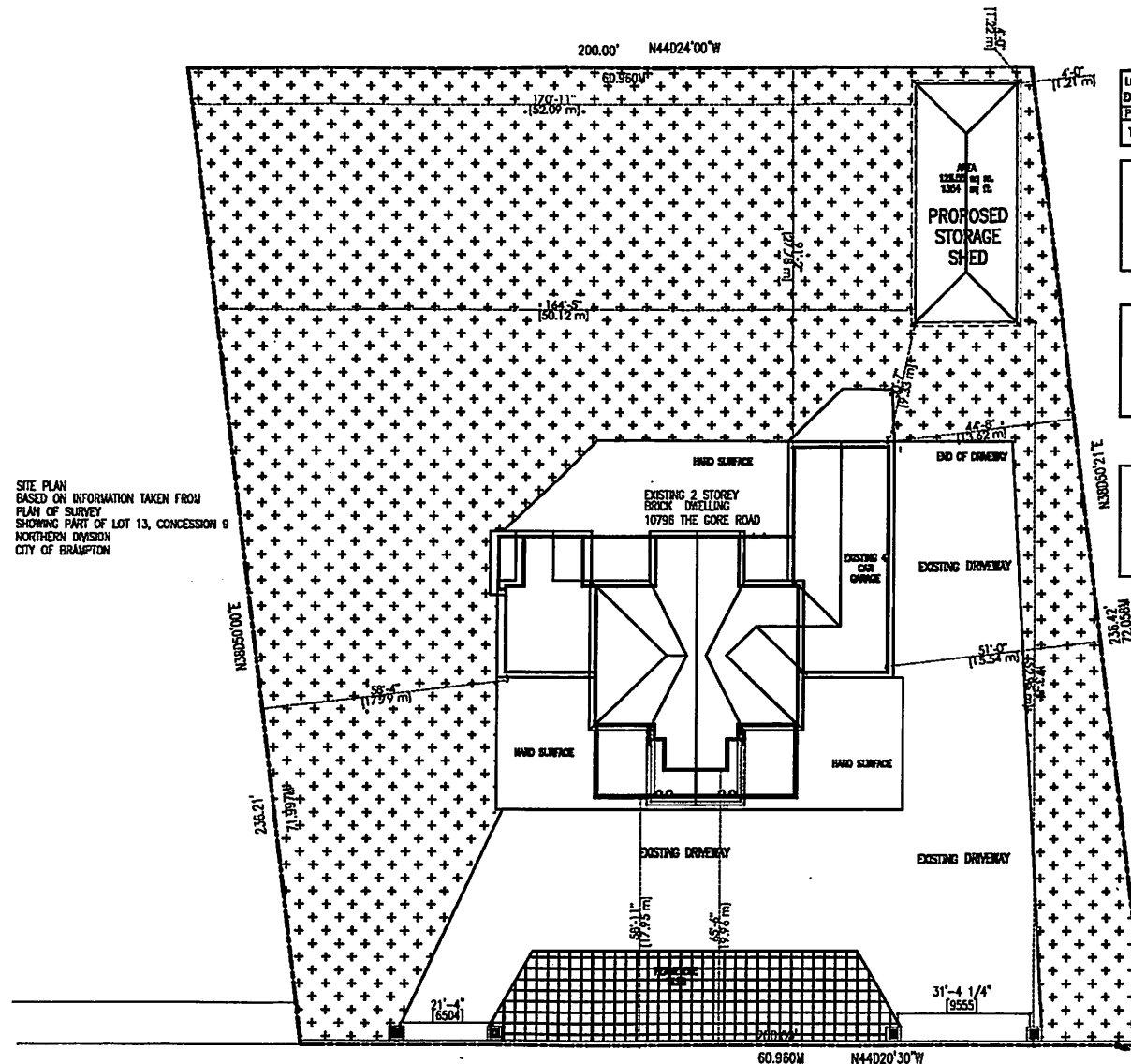
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 29th day of October, 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)



SITE PLAN  
BASED ON INFORMATION TAKEN FROM  
PLAN OF SURVEY  
SHOWING PART OF LOT 13, CONCESSION 9  
NORTHERN DIVISION  
CITY OF BRAMPTON

LOT AREA	4359.98 M <sup>2</sup>	45830.44 SF	
EXISTING COVERAGE AREA	457.81 M <sup>2</sup>	4922.85 SF	10.8%
PROPOSED STORAGE SHED ADDITION	128.50 M <sup>2</sup>	1384 SF	2.9%
TOTAL COVERAGE AREA	586.31 M <sup>2</sup>	6306.85 SF	13.42%

EXTG MAIN FLOOR AREA	280.39 M <sup>2</sup>	3011.78 SF
EXTG SECOND FLOOR AREA	332.43 M <sup>2</sup>	3578.24 SF
EXTG GROSS FLOOR AREA	612.73 M <sup>2</sup>	6589.92 SF
WIDTH OF EXISTING HOUSE	27.58 M	
LENGTH OF EXISTING HOUSE	22.95 M	
NO. OF STOREYS	2	
HEIGHT	6.53 M	

PROPOSED STORAGE SHED AREA	128.50 M <sup>2</sup>	1384 SF
WIDTH OF SHED	7.38 M	
LENGTH OF SHED	17.42 M	
NO. OF STOREYS	1	
HEIGHT	5.00 M	

LANDSCAPE STATISTICS		
TOTAL FRONT AREA	1198.9 SQ M	
FRONT LANDSCAPE AREA	702.2 SQ M	
PERCENTAGE OF TOTAL	58.71 %	
HEIGHT OF FENCE	1.8 M	

- PLEASE NOTE :
- 1) ACCESSORY STRUCTURES ON THE SITE ARE TEMPORARY AND SHALL BE DEMOLISHED. ONLY ACCESSORY STRUCTURE THAT WILL REMAIN IS THE PROPOSED SHED
  - 2) DRIVEWAY TERMINATES AT THE EXISTING 4 CAR GARAGE AND DOES NOT EXTEND TILL THE PROPOSED SHED.

General Notes

\* CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK IN IS AND REPORT DISCREPANCIES TO THE CONSULTANT BEFORE PROCEEDING.

\* ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF CONSULTANTS AND MUST BE RETURNED AT THE COMPLETION OF WORK.

\* THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE CONSULTANT.

\* DRAWINGS 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:

10796 The Gore Rd,  
Brampton, ON L6P 0B3

SHEET TITLE:

**SITE PLAN**

CLIENT EMAIL:

CLIENT CONTACT:

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

PLOT DATE: 2020-10-29

DRAWN BY: AR

CHECKED BY: HS

DRAWING NO.:

**A100**

SITE PLAN  
SC: 1/32" - 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 Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

#### How to Participate in the Hearing:

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, November 5, 2020.**
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm, Friday, November 6, 2020.**
  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **November 6, 2020.** City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or <http://video.isilive.ca/brampton/live.html>.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to [cityclerksoffice@brampton.ca](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**

October 29, 2020

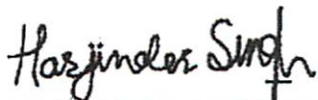
To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE  
SHOKIN SINGH AND MANJIT KAUR KULAR  
PART OF LOT 14, CONCESSION 9 EHS  
A-2020-0114 – 10796 THE GORE ROAD  
WARD 10**

---

Please **amend** application **A-2020-0114** to reflect the following:

1. To permit an accessory structure (shed) on a lot within the Rural Estate Zone having a gross floor area of 128.58 sq. m (1384.02 sq. ft.) whereas the by-law permits an individual accessory structure to a maximum size of 23 sq. m (247.57 sq. ft.);
2. To permit an existing fence in the front yard having a maximum height of 1.8m (5.90 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 ft.);
3. To permit 58.71% of the front yard to be landscaped open space (as existing) whereas the by-law requires a minimum 70% of the front yard to be landscaped open space.



Applicant/Authorized Agent



### General Notes

- CONSTRUCTION SHALL CHECK ALL DISCREPANCIES ON THE WORK BEFORE REPORT DISCREPANCIES TO THE CONSULTANT BEFORE PROCEEDING.
- ALL DISCREPANCIES AND SPECIFICATIONS ARE THE PROPERTY OF CONSULTANTS AND MUST BE RUN/REPAIRED AT THE CONSULTANT'S EXPENSE.
- THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL CHECKED BY THE CONSULTANT.
- DISCREPANCIES ARE NOT TO BE SOLID.

## NOTES:

- STUCCO WALL SYSTEMS SHALL BE DUREX STUCCO WALL SYSTEM BY DUREXOND PRODUCTS LTD. AND SHALL BE MIN. 1 HR. FIRE RATED CONSISTING OF DUREX ARCHITECTURAL COATINGS BRUSH COAT 2 COATS DUREX UNIPLAST / STUCCO BINDER  
2 GALVANIZED METAL LATH MECHANICALLY FASTENED  
MASONRY, CONCRETE BLOCK, BRICK OR CONCRETE SUBSTRATES  
OR  
DUREX ARCHITECTURAL COATINGS  
2 COATS DUREX UNIPLAST / STUCCO BINDER  
FIBERGLASS MESH O40  
RIGID POLYSTYRENE INSULATION (R-8 MIN. W/ 2" X 4", 2" X 6" WOOD OR 3 5/8" METAL STUD FRAMING) FASTENERS  
MOISTURE BARRIER  
EXTERIOR GRADE 1/2" CEMENT BOARD / 1/2" DENS. GLASS GOLD (PLYWOOD SHEATHING WHEN 2" X 4" MIN. WOOD STUDS USED)  
3 3/8" 20 GAUGE MIN. STEEL STUDS (2" X 4", 2" X 6" WD STUDS) @ 16" O.C.  
(6" R-24 SOUND ATTENUATION BLANKET/ INSULATION WITH 2" X 6" WD. STUD FRAMING)  
2 mm. POLYETHYLENE VAPOR BARRIER  
1 LAYER 1/2" (MIN) FIRECODE DRYWALL AND ALL MECHANICAL FASTENERS SHALL BE CORROSION RESISTANT

## COVER SHEET

SCALE:	DRAWING NO.
--------	-------------

**DRAWING NO.**

00V

...

# A00

CONTRACTOR SHALL CHECK ALL DIMENSIONS TO THE CONSULTANT'S RECORD DRAWING TO THE CONSULTANT'S RECORD DRAWING. PROPERTY OF CONSULTANT AND NOT BE LOST AT THE COMPLETION OF WORK. THE CONSULTANT IS NOT RESPONSIBLE FOR CONSTRUCTION UNITS BOUND BY THE CONSULTANT. DIMENSIONS ARE NOT TO BE EXCEED.

LEGENDS:-

REVISION	NO	DATE	DESCRIPTION	BY

Firm Name and Address  
MEM ENGINEERING INC  
3265 LEHIGH CRES  
MISSISSAUGA, ON, L4T1W9  
416-558-6755  
Email: herry@memengineering.ca



PROJECT TITLE:  
10795 The Gore Rd.  
Brampton, ON L6P 0B3

SHEET TITLE:

SITE PLAN

CLIENT EMAIL:

CLIENT CONTACT:

SCALE: 1/16"=1'-0" DRAWING NO.:

PLOT DATE: 2020-10-28

DRAWN BY: AR

CHECKED BY: NS

A100

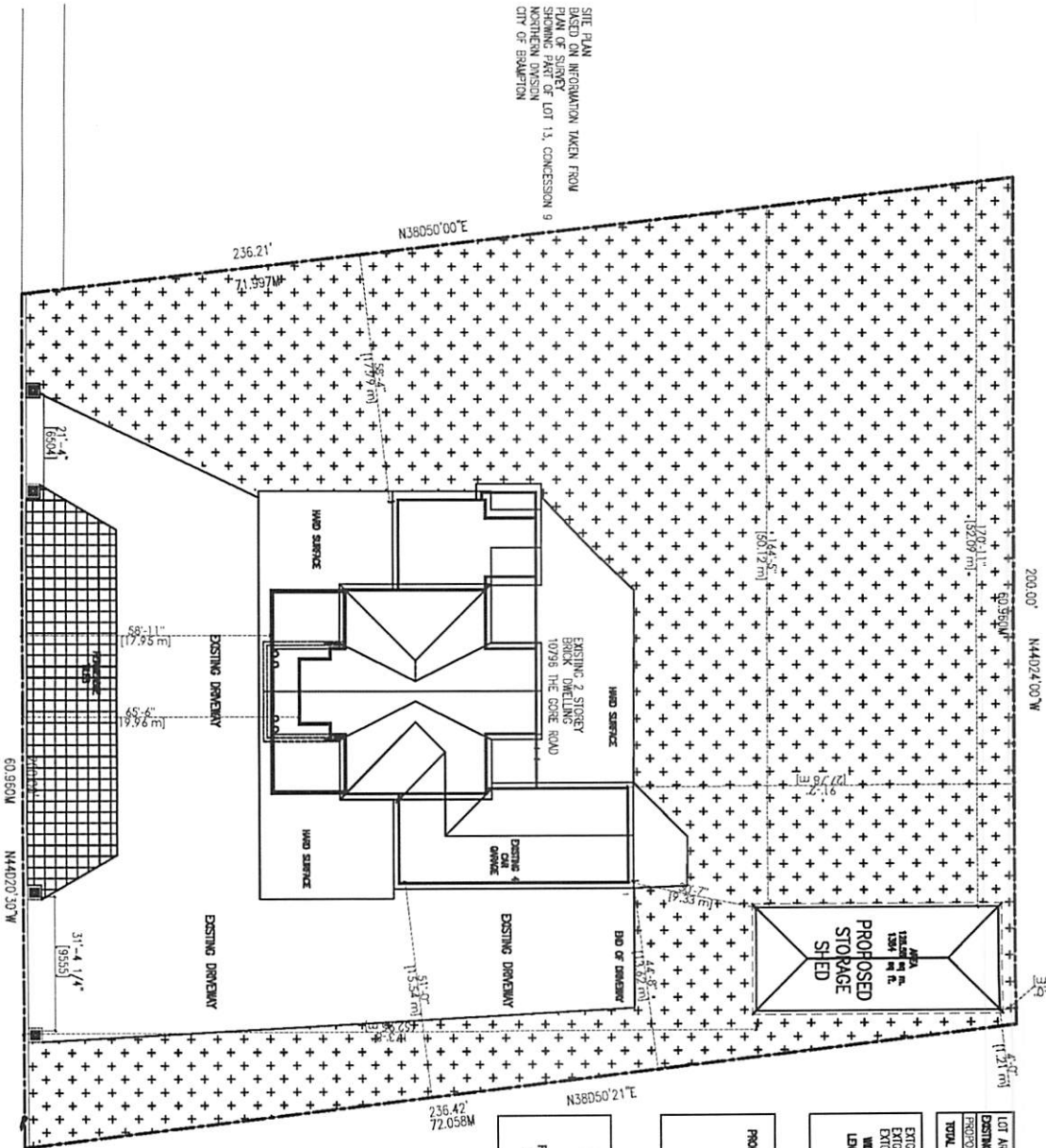
LOT AREA	4359.88 W2	46930.44 SF	10.0%
EXISTING COVERED AREA	402.81 W2	4028.05 SF	2.8%
PROPOSED STORAGE SHED ADDITION	138.50 W2	1384 SF	2.8%
TOTAL COVERED AREA	541.31 W2	4626.05 SF	10.6%

EXIST. MAIN FLOOR AREA	3981.30 W2	3981.30 SF
EXIST. SECOND FLOOR AREA	330.43 W2	3304.34 SF
EXIST. GROSS FLOOR AREA	612.73 W2	6040.02 SF
WIDTH OF EXISTING HOUSE	27.28 W2	
LENGTH OF EXISTING HOUSE	25.35 W2	
NO. OF STOREYS	2	
HEIGHT	6.53 W2	

PROPOSED STORAGE SHED AREA	138.50 W2	1384 SF
WIDTH OF SHED	7.38 W2	
LENGTH OF SHED	17.42 W2	
NO. OF STOREYS	1	
HEIGHT	5.09 W2	

LANDSCAPE STATISTICS		
TOTAL FRONT AREA	1185.9 SQ M	
FRONT LANDSCAPE AREA	702.2 SQ M	
PERCENTAGE OF TOTAL	59.21 %	
HEIGHT OF FENCE	1.8 M	

- PLEASE NOTE :
- 1) ACCESSORY STRUCTURES ON THE SITE ARE TEMPORARY AND SHALL BE DEMOLISHED. ONLY ACCESSORY STRUCTURE THAT WILL REMAIN IS THE PROPOSED SHED
  - 2) DRIVEWAY TERMINATES AT THE EXISTING 4 CAR GARAGE AND DOES NOT EXTEND TILL THE PROPOSED SHED.



SITE PLAN  
BASED ON INFORMATION TAKEN FROM  
PLAN OF SURVEY  
SHOWING PART OF LOT 13, CONVESSION 9  
NORTHERN DIVISION  
CITY OF BRAMPTON

THE GORE ROAD

SITE PLAN

SC: 1/32" = 1'-0"

SUCCO DUEX: L.U.S. SYSTEM  
BY DURALOND  
2 x 8 WOOD STUDS  
DOUBLED TOP PLATE  
BOTTOM PLATE ANCHORED TO  
SOLID FILLED TOP COURSE  
CONCRETE BLOCK W/1/2" DIA.  
X 8" LONG ANCHORS AT 48"  
O.C.

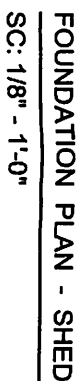
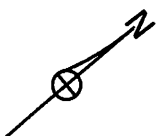
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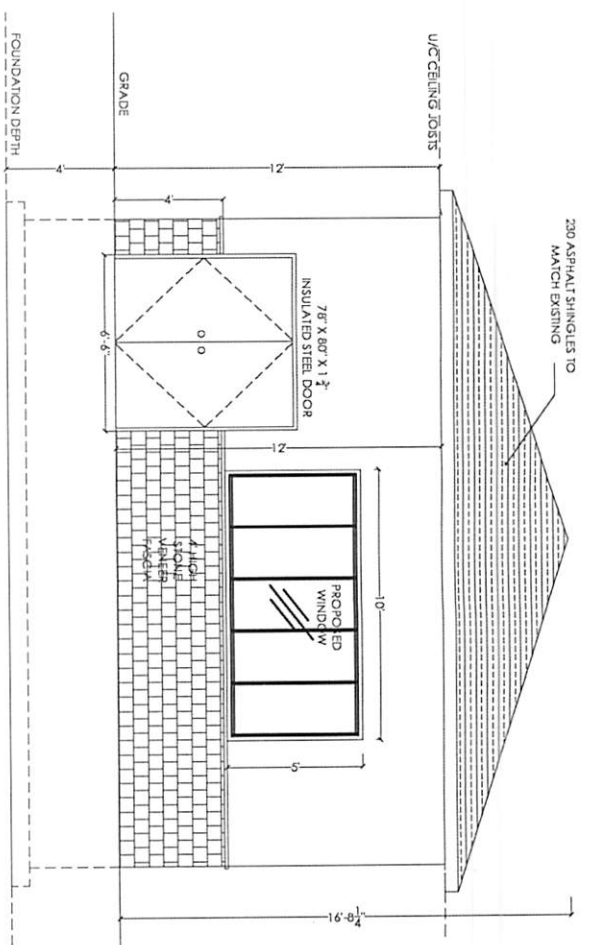
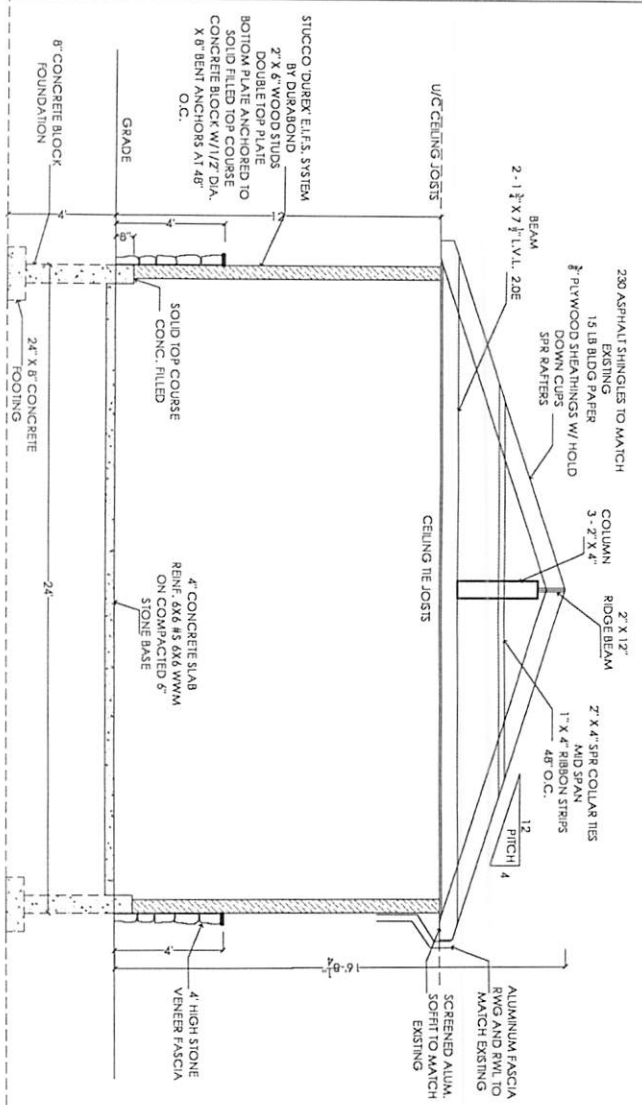
**SHEET TITLE:**  
**SHED FLOOR PLAN**

SCALE:	DRAWING NO.:
--------	--------------

CHECKED BY:

A101





General Notes

- CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK SITE AND REPORT DISCREPANCIES TO THE CONSULTANT'S BEST PRACTICE ENGINEER.
- ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF CONSULTANTS AND MUST BE TURNED IN AT THE COMPLETION OF WORK.
- THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY THE CONSULTANT.
- DRAWINGS ARE NOT TO BE COLORED.

[illegible]

**MEM ENGINEERING INC**  
3355 LEIGH CRES.  
MISSISSAUGA, ON, L4T1W9  
416-558-6755  
Email: [heary@memengineering.ca](mailto:heary@memengineering.ca)

Email: [harry@memengineering.ca](mailto:harry@memengineering.ca)

**PROJECT TITLE:**  
10796 The Gore Rd,  
Brampton, ON L6P 0B3

**SHEET TITLE:**  
**SECTION & ELEVATIONS**

CLIENT EMAIL:	
CLIENT CONTACT:	

CLIENT CONTACT

SCALE:	DRAWING NO
--------	------------

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

DATE: 01/10/2000  
PLOT DATE: 01/10/2000

2020-10-28

DRAWN BY:  
AB

AR
CHECKED BY:

- CONSTRUCTION SHALL CHECK ALL DIMENSIONS TO BE CORRELATED WITH BEFORE CONSTRUCTION. ALL DIMENSIONS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND SHALL BE SHOWN AT THE CONSTRUCTION OF WORK.
- THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND NOT TO BE SCALED.

LEGENDS:-

REVISION		
NO.	DATE	DESCRIPTION

Firm Name and Address  
**MEM ENGINEERING INC**  
3333 LEHIGH CRES.  
MISSISSAUGA, ON, L4T1W9  
416-658-6755  
Email: herry@memengineering.ca



PROJECT TITLE:  
10786 The Gore Rd.  
Brampton, ON L6P 0E3

SHEET TITLE:  
**ELEVATIONS**

CLIENT EMAIL:

CLIENT CONTACT:

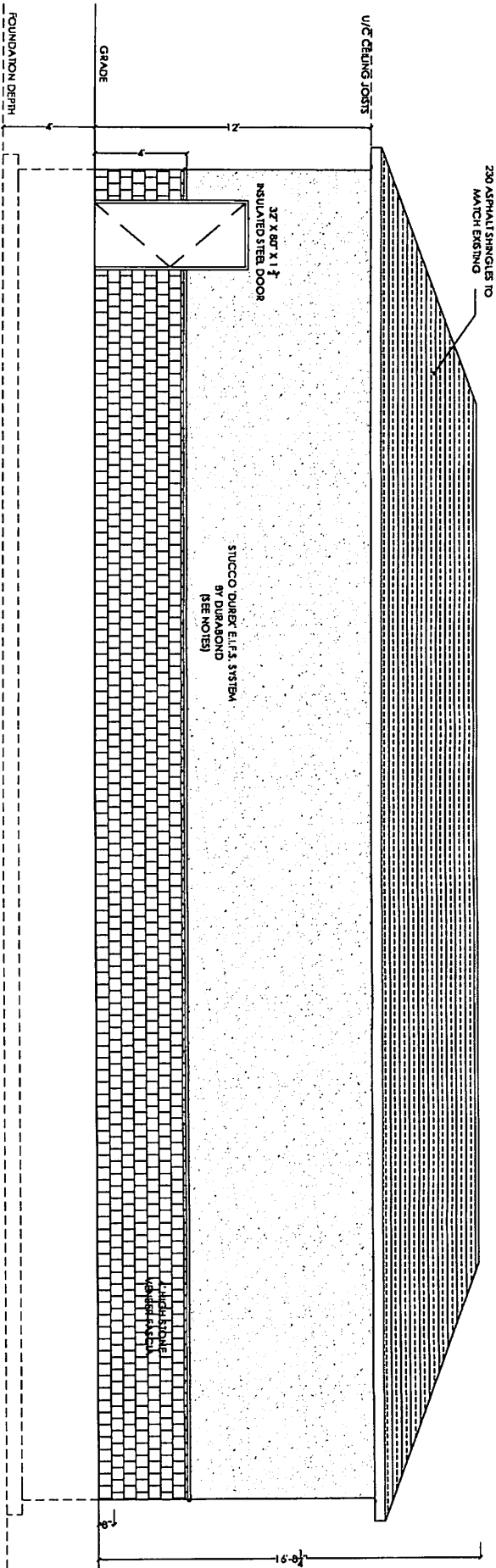
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PROJECT NO: 2020-10-28

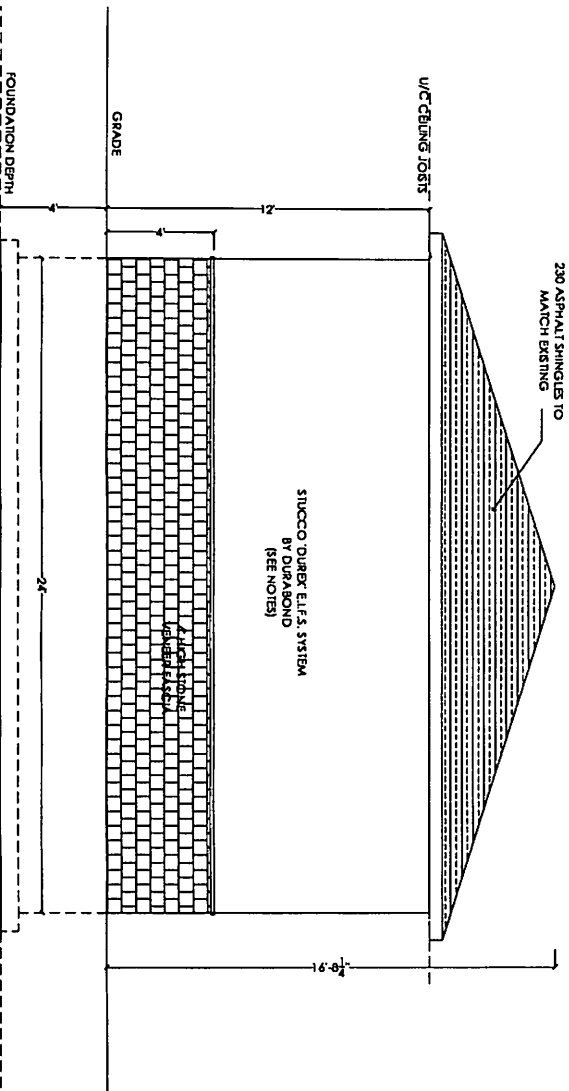
DRAWN BY: AR

CHECKED BY: HB

**A103**



**1**  
**ELEVATION**  
**A103** SC: 3/16" - 1'-0"



**2**  
**ELEVATION**  
**A103** SC: 3/16" - 1'-0"





The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

**APPLICATION****Minor Variance or Special Permission**

(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law 270-2004.

- 1. Name of Owner(s)** SHOKIN SINGH AND MANJIT KAUR KULAR  
**Address** 10796 THE GORE RD BRAMPTON, ON L6P 0B3  
**Phone #** 647-293-9153 **Fax #** \_\_\_\_\_  
**Email** aa1kular@gmail.com
- 2. Name of Agent** HARTINDER SINGH  
**Address** 2355 DERRY RD E, UNIT 28, MISSISSAUGA, ON L5S 1V6  
**Phone #** 416-558-6755 **Fax #** \_\_\_\_\_  
**Email** HARRYC.MEMENGINEERING@CA
- 3. Nature and extent of relief applied for (variances requested):**  
By Law Storage SHED Allowed = 10m<sup>2</sup>  
Proposed Storage Shed = 128.56m<sup>2</sup>  
Client wants Bigger Storage to store small tractor and other equipment
- 4. Why is it not possible to comply with the provisions of the by-law?**  
By Law Storage Shed allowed = 10m<sup>2</sup>  
Proposed Storage Shed = 128.56m<sup>2</sup>
- 5. Legal Description of the subject land:**  
**Lot Number** CON 9 EHS PT LOT 14  
**Plan Number/Concession Number** 9  
**Municipal Address** 10796 THE GORE ROAD
- 6. Dimension of subject land (in metric units)**  
**Frontage** 60.96M  
**Depth** 72.05 M  
**Area** 4359.98
- 7. Access to the subject land is by:**  
 Provincial Highway ☐  
 Municipal Road Maintained All Year ☒ Page 220 of 315  
 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 brick House.  
Ground floor Area = 280.3m<sup>2</sup>  
Gross floor Area = 612.73m<sup>2</sup>  
Width of House = 27.58m  
Length of House = 25.95m  
Height of House = 8.53m Existing Coverage = 10.5%

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Proposed Storage Shed Area = 128.58m<sup>2</sup>  
No. of Storey = 1  
Length of Shed = 17.42m  
Width of Shed = 7.38m  
Height of Shed = 5.09m  
Shed coverage = 2.9%

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 17.95m  
Rear yard setback 27.78m  
Side yard setback 13.62m  
Side yard setback 17.79m

PROPOSED

Front yard setback 52.95m  
Rear yard setback 1.22m  
Side yard setback 1.21m  
Side yard setback 50.12m

10. Date of Acquisition of subject land: 2012

11. Existing uses of subject property: Single family Dwelling

12. Proposed uses of subject property: Single family Dwelling

13. Existing uses of abutting properties: Residential

14. Date of construction of all buildings & structures on subject land: 1985

15. Length of time the existing uses of the subject property have been continued: 25 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) on Gravel (Backyard)  
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 Brampton OF Ontario  
THIS 05 DAY OF Oct, 2020.

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

I, HARJINDER SINGH, OF THE CITY BRAMPTON 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 13th DAY OF  
October, 2020.  
April Dela Cerna  
A Commissioner etc.

Harjinder Singh  
Harjinder Singh  
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: \_\_\_\_\_

A-1520, Mature

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

Hothi S  
Zoning Officer

Oct. 13. 2020  
Date

DATE RECEIVED OCTOBER 13, 2020



PROJECT

10796 THE GORE ROAD, BRAMPTON, ON L6P 0B3

INDEX

- A100 SITE PLAN
- A101 SHED - FOUNDATION AND FLOOR PLAN
- A102 SHED - SECTION AND ELEVATIONS
- A103 SHED - ELEVATION

NOTES:

STUCCO WALL SYSTEMS SHALL BE DUREX STUCCO WALL SYSTEM BY DURABOND PRODUCTS LTD. AND SHALL BE MIN. 1 HR. FIRE RATED CONSISTING OF DUREX ARCHITECTURAL COATINGS BRUSH COAT 2 COATS DUREX UNIPLAST / STUCCO BINDER GALVANIZED METAL LATH MECHANICALLY FASTENED MASONRY, CONCRETE BLOCK, BRICK OR CONCRETE SUBSTRATES OR DUREX ARCHITECTURAL COATINGS 2 COATS DUREX UNIPLAST / STUCCO BINDER FIBERGLASS MESH 040 RIGID POLYSTYRENE INSULATION (R-8 MIN. W/ 2" X 4" , 2" X 6" WOOD OR 3 5/8" METAL STUD FRAMING) FASTENERS MOISTURE BARRIER EXTERIOR GRADE 3/4" CEMENT BOARD / 3/4" DENS - GLASS GOLD (PLYWOOD SHEATHING WHEN 2" X 4" MIN. WOOD STUDS USED) 3 3/8" 20 GAUGE MIN. STEEL STUDS (2" X 4" , 2" X 6" WD STUDS) @ 16" O.C. (6" R-24 SOUND ATTENUATION BLANKET/ INSULATION WITH 2" X 6" WD. STUD FRAMING) 2 mm. POLYETHYLENE VAPOR BARRIER 1 LAYER 3/4" (MIN) FIRECODE DRYWALL AND ALL MECHANICAL FASTENERS SHALL BE CORROSION RESISTANT

General Notes

- \* CONTRACTOR SHALL OBTAIN ALL PERMITS ON THE WORK SITE AND REPORT DISCREPANCIES TO THE CONSULTANT BEFORE PROCEEDING
- \* ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING ACT AND THE REGULATIONS THEREUNDER
- \* PROPERTY OF CONSULTANT AND MATERIALS BELONGING TO THE CONSULTANT SHALL BE RETURNED TO THE CONSULTANT AT THE END OF THE PROJECT
- \* THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE COST OF THE SAME
- \* CHANGES ARE NOT TO BE MADE WITHOUT THE WRITTEN APPROVAL OF THE CONSULTANT

LEGENDS:-

REVISION		
NO.	DATE	DESCRIPTION

Firm Name and Address

MEM ENGINEERING INC  
3555 LEHIGH CRES.  
MISSISSAUGA, ON, L4T1W9  
416-556-6755  
Email: herry@memengr.com



PROJECT TITLE:  
10796 The Gore Rd,  
Brampton, ON L6P 0B3

SHEET TITLE:  
COVER SHEET

CLIENT EMAIL:

CLIENT CONTACT:

SCALE: DRAWING NO.:

PLOT DATE:

DRAWN BY:

CHECKED BY:

A00

- CONSTRUCTION SHALL COMPLY WITH THE REQUIREMENTS OF THE CANADIAN BUILDING CODE, AS AMENDED BY THE LOCAL LAWS AND ORDINANCES.
- THE DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS APPROVED BY THE CONSULTANT.
- THE DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS APPROVED BY THE CONSULTANT.
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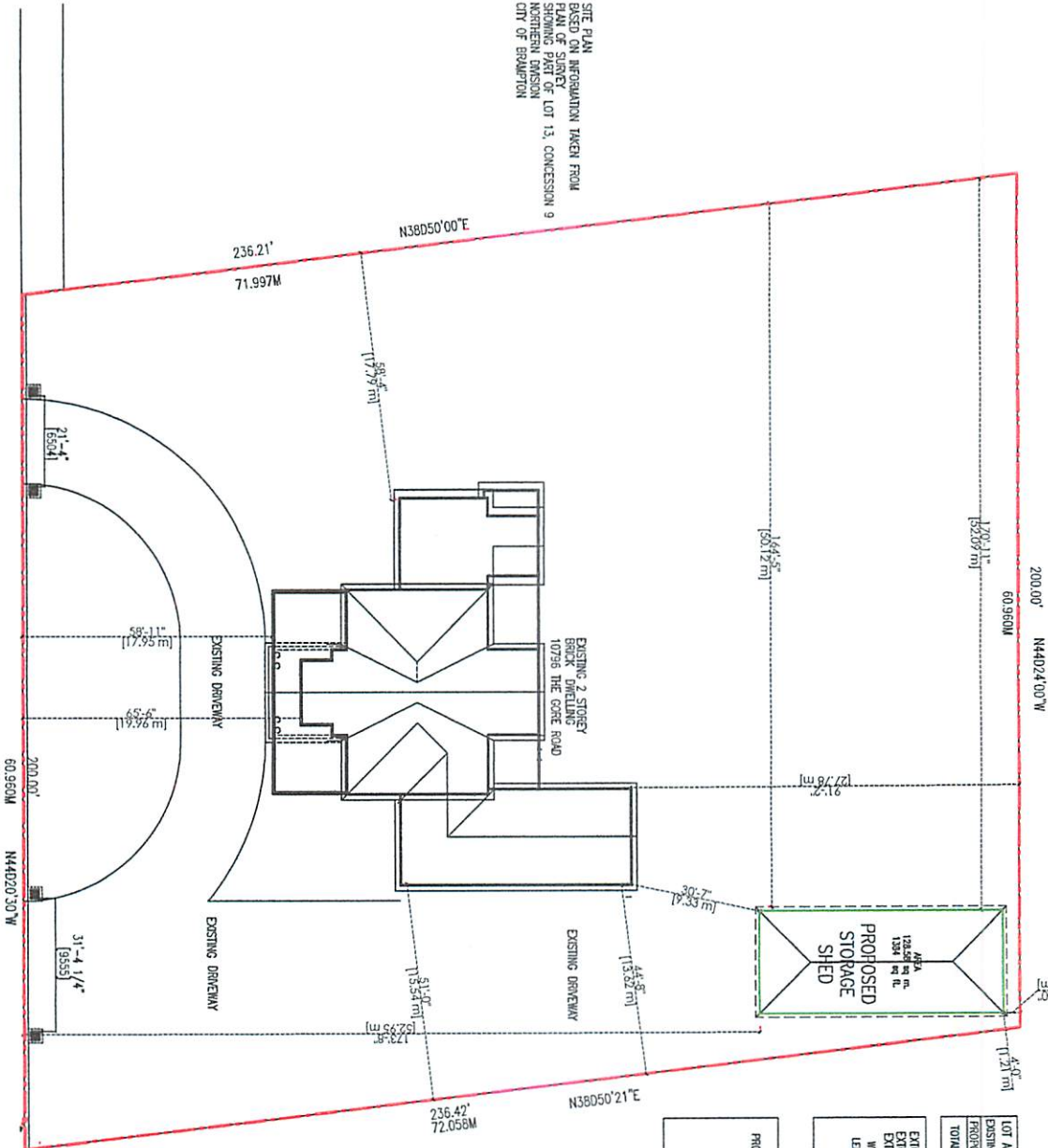
LEGENDS:-

LOT AREA	4399.99 M <sup>2</sup>	46930.44 SF	10.5%
EXISTING COVERAGE AREA	457.91 M <sup>2</sup>	4928.55 SF	2.9%
PROPOSED STORAGE SHED ADDITION	128.58 M <sup>2</sup>	1384 SF	
TOTAL COVERAGE AREA	586.49 M <sup>2</sup>	6313.59 SF	13.45%

EXIST. MAIN FLOOR AREA	280.30 M <sup>2</sup>	3011.78 SF
EXIST. SECOND FLOOR AREA	333.43 M <sup>2</sup>	3578.24 SF
EXIST. GROSS FLOOR AREA	612.73 M <sup>2</sup>	6590.02 SF
WIDTH OF EXISTING HOUSE	22.58 M	
LENGTH OF EXISTING HOUSE	25.59 M	
NO. OF STOREYS	2	
HEIGHT	8.53 M	

PROPOSED STORAGE SHED AREA	128.58 M <sup>2</sup>	1384 SF
WIDTH OF SHED	7.33 M	
LENGTH OF SHED	17.42 M	
NO. OF STOREYS	1	
HEIGHT	5.09 M	

SITE PLAN  
BASED ON INFORMATION TAKEN FROM  
PLAN OF SURVEY  
SHOWING PART OF LOT 13, CONCESSION 9  
NORTHWEST QUARTER  
CITY OF BRAMPTON



THE GORE ROAD

SITE PLAN

SC: 1/32" = 1'-0"



STUCCO DUREX ELFS SYSTEM  
BY DURABOND  
2" X 8" WOOD STUDS  
DOUBLE TOP PLATE  
BOTTOM PLATE ANCHORED TO  
SOLID FILED TOP COURSE  
CONCRETE BLOCK W/1/2" DIA.  
X 8" EBT ANCHORS AT 48"  
O.C.

[illegible]

**Firm Name and Address**  
**MEM ENGINEERING INC**  
3355 LEHIGH CRES.  
MISSISSAUGA, ON, L4T1W9  
416-558-6755  
Email: harry@memengineering.ca



PROJECT TITLE:  
10796 The Gore Rd,  
Brampton, ON L6P 0B3

SHEET TITLE:

SHED FLOOR PLAN

CLIENT EMAIL:

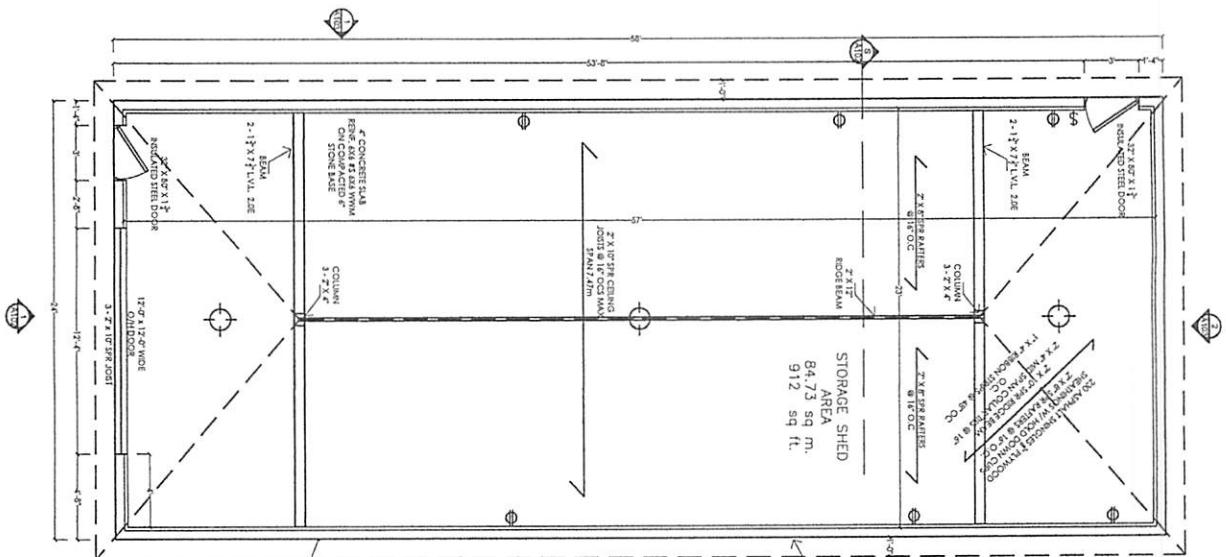
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1/8"-1'-0"
PLOT DATE:
0000 10 05

2020-10-05  
DRAWN BY:

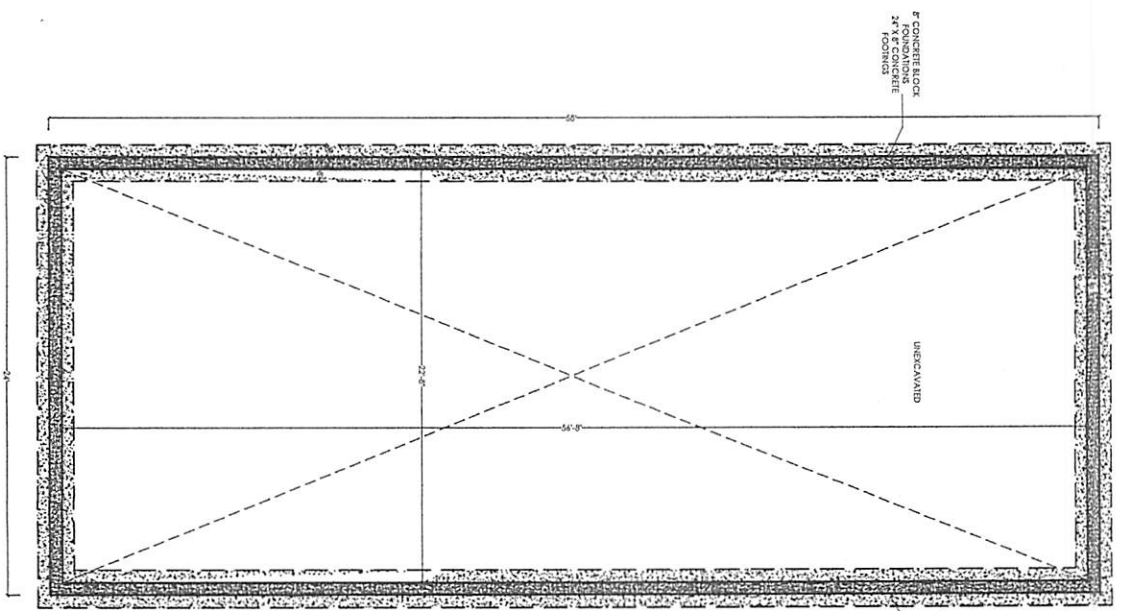
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CHECKED BY:

A101



FLOOR PLAN - SHED

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

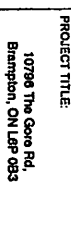


FOUNDATION PLAN - SHED

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



**MEM ENGINEERING INC**  
3355 LEHIGH CRES.  
MISSISSAUGA, ON, L4T1W9  
416-558-8755  
Email: [harry@memenginc.org.ca](mailto:harry@memenginc.org.ca)



CLIENT EMAIL:
CLIENT CONTACT:

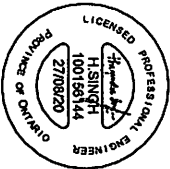
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PLOT DATE:	2020-10-09
DRAWN BY:	AR
CHECKED BY:	MS
DRAWING NO.: A102	

1. CONSULT WITH ARCHITECT FOR ALL DIMENSIONS ON THE WORK SITE AND REPORT DISCREPANCIES TO THE CONSULTANT BEFORE PROCEEDING.  
2. THE CONSULTANT SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.  
3. THE CONSULTANT SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.  
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10. THE CONSULTANT SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

LEGENDS:-

REVISION	NO.	DATE	DESCRIPTION	BY

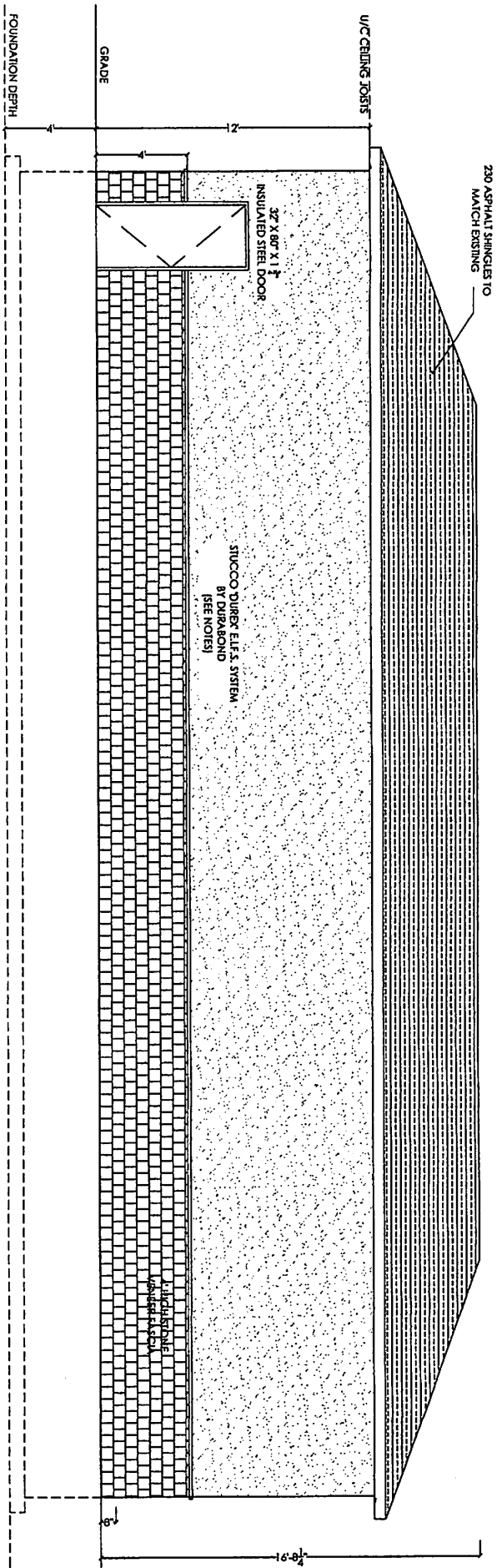
MEM ENGINEERING INC  
3355 LEIGH CRES.  
MISSISSAUGA, ON, L4T 1W9  
416-669-6755  
Email: herry@memengineering.ca



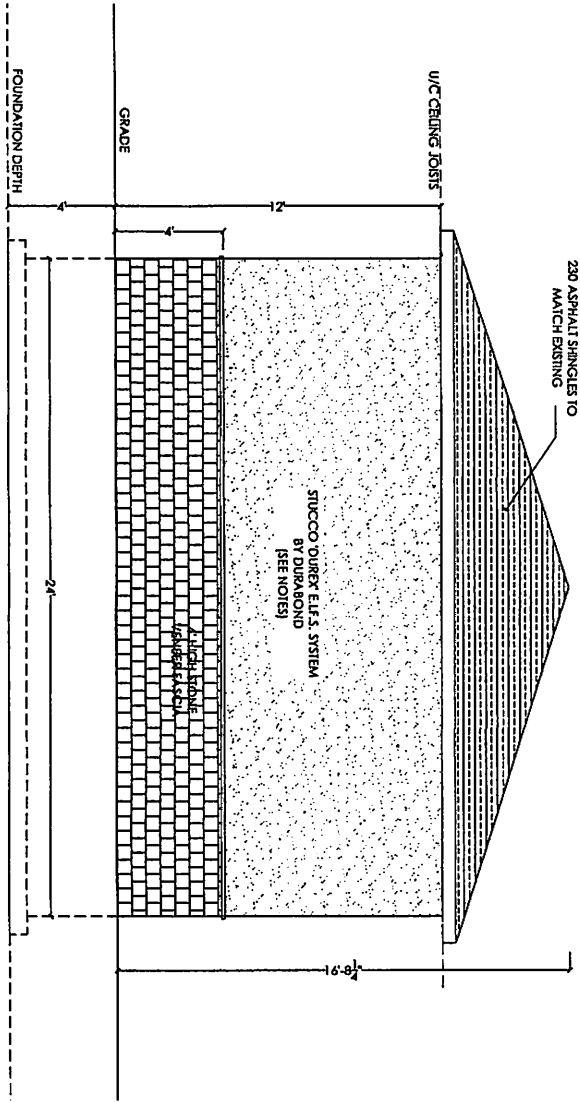
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10786 The Gore Rd,  
Brampton, ON L6P 0B3

SHEET TITLE:  
ELEVATIONS

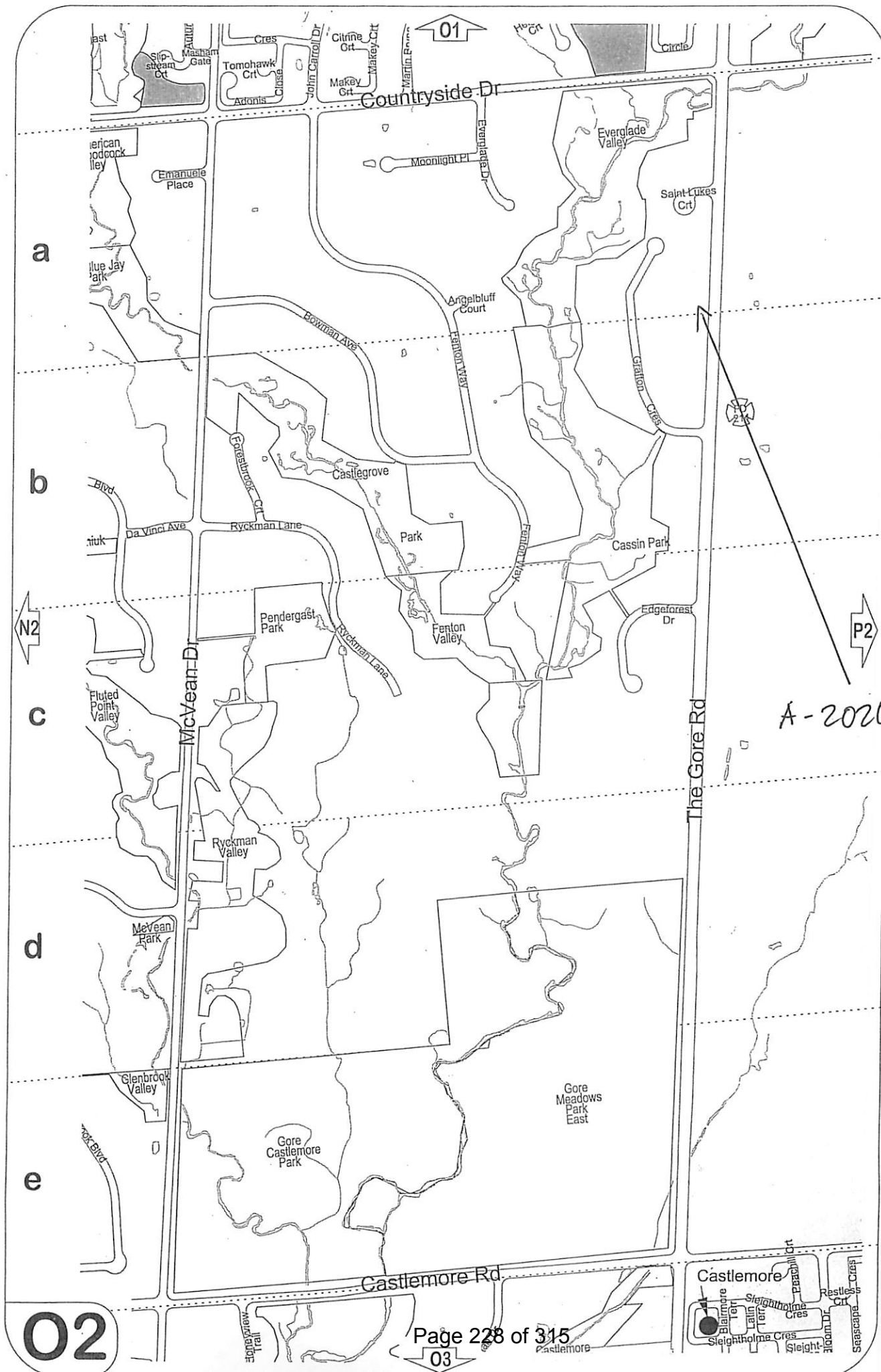
CLIENT EMAIL:	
CLIENT CONTACT:	
SCALE:	3/16" = 1'-0"
PROJECT NO.:	2023-10-05
DRAWN BY:	AN
CHECKED BY:	HS
DRAWING NO.:	A103



1 ELEVATION  
SC: 3/16" - 1'-0"



2 ELEVATION  
SC: 3/16" - 1'-0"



A-2020-0114

**Filing Date:** October 13, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0114

**Owner/  
Applicant:** SHOKIN SINGH AND MANJIT KAUR KULAR

**Address:** 10796 The Gore Road

**Ward:** 10

**Contact:** Shelby Swinfield, Planner I, Development

---

**Recommendations:**

That application A-2020-0114 is supportable, subject to the following conditions being imposed:

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



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

The property is zoned "Agricultural – Special Section 1520 (A-1520)" according to By-law 270-2004, as amended.

**Requested Variance:**

The applicant is requesting the following variances:

1. To permit an accessory structure (shed) on a lot within the Rural Estate Zone having a gross floor area of 128.58 sq. m (1384.02 sq. ft.) whereas the by-law permits an individual accessory structure to a maximum size of 23 sq. m (247.57 sq. ft.);
2. To permit an existing fence in the front yard having a maximum height of 1.8m (5.90 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 ft.);
3. To permit 58.71% of the front yard to be landscaped open space (as existing) whereas the by-law requires a minimum 70% of the front yard to be landscaped open space.

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

The property is designated "Estate Residential" in the Official Plan and is located within the Toronto Gore Rural Estate Secondary Plan (Area 26). The requested variances are not considered to have significant impacts within the context of the Official Plan policies, and as such 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 – Special Section 1520 (A-1520)" according to By-law 270-2004, as amended.

Variance 1 is to permit an accessory structure (shed) on a lot within the Rural Estate Zone having a gross floor area of 128.58 sq. m (1384.02 sq. ft.) whereas the by-law permits an individual accessory structure to a maximum size of 23 sq. m (247.57 sq. ft.). The intent of the by-law in regulating the maximum size for an accessory structure in a rural estate zone is to ensure that the property is not dominated by accessory structures and that accessory structures remain ancillary to the primary residential use. Given the size of the property the increased floor area of the accessory structure does not dominate the outdoor space. A condition of approval is recommended that the accessory structure shall not be used as a separate dwelling unit to ensure that its primary function remains for storage for the existing residential dwelling. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is to permit an existing fence in the front yard having a maximum height of

1.8m (5.90 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 ft.). The intent of the by-law in regulating the maximum height of fencing permitted in the front yard is to prevent negative aesthetic and visual impacts, and to avoid "fortress-like" construction. In the case of the subject property, the fence is of a barred nature that allows for visibility into the property and onto the street. The decorative nature of the fence does not create a "fortress-like" feel for the property. A condition of approval is recommended that the fence remain in its current design. 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 58.71% of the front yard to be landscaped open space (as existing) whereas the by-law requires a minimum 70% of the front yard to be landscaped open space. The intent of the by-law in regulating the minimum required landscaped area in the front yard is to ensure a balance is maintained between soft and hard surfaces to facilitate drainage and enhance the aesthetic quality of a property. Given the size of the subject property, the increased hardscaped area is not anticipated to negatively impact drainage and does not impact the overall aesthetic quality of the property. Subject to the recommended conditions of approval, Variance 3 is considered to maintain the general intent of the Zoning By-law.

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

Variance 1 to permit an accessory structure (shed) on a lot within the Rural Estate Zone having a gross floor area of 128.58 sq. m (1384.02 sq. ft.) whereas the by-law permits an individual accessory structure to a maximum size of 23 sq. m (247.57 sq. ft.). The proposed accessory structure ("shed") is intended to be used for storage of lawn equipment and other items related to the residential use of the property. As the subject property is of a large nature, the increased floor area of the accessory structure is appropriately proportioned to the property. Given the size of the structure, conditions of approval are recommended that the structure not be used as a separate dwelling unit, and that the structure not be used as a garage. The property is located within the Mature Neighbourhood Area which requires that a Site Plan Application be submitted for any sized detached garage, however as this structure is considered to be a shed, a Site Plan Application is not required. Conditions of approval are recommended that drainage from the roof of the accessory structure shall flow onto the applicant's property and that drainage on adjacent properties shall not be impacted. These conditions are intended to ensure that the size of the structure does not negatively impact surrounding properties. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variance 2 is to permit an existing fence in the front yard having a maximum height of 1.8m (5.90 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 ft.). The subject property is a large estate lot and the existing fence is of a decorative nature. Further, the fence is of a "see-through" style iron bar construction which alleviates concerns related to visibility and massing related to a fence this tall. A condition of approval is recommended that the fence remain of its

existing style and construction so that the aesthetic quality of the property is maintained. Subject to the recommended conditions of approval, Variance 2 is considered to be desirable for the appropriate development of the land.

Variance 3 is to permit 58.71% of the front yard to be landscaped open space (as existing) whereas the by-law requires a minimum 70% of the front yard to be landscaped open space. Given the size of the property, the increased hardscaped area does not detract from the aesthetic quality of the property or pose concerns related to drainage. Subject to the recommended conditions of approval, Variance 3 is considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

Variance 1 is to permit an oversized accessory structure (shed) in the rear yard of the property. Given the size of the property, the increase in floor area to the accessory structure does not detract from the provision of outdoor space and is considered to be appropriate relative to the size of the property. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2, to permit an increased fence height in the front yard is related to an existing wrought iron fence. The fence is of a decorative nature and does not negatively impact the aesthetic quality of the property. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Variance 3 is to permit a reduced landscaped area in the front yard. Given the size of the property, the reduction in landscaped area is largely unnoticeable as it is mostly related to the driveway for the property. Subject to the recommended conditions of approval, Variance 3 is considered to be minor in nature.

Respectfully Submitted,

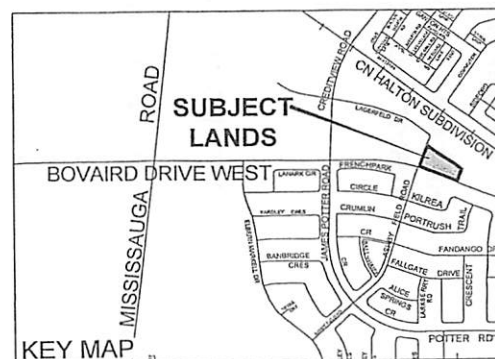
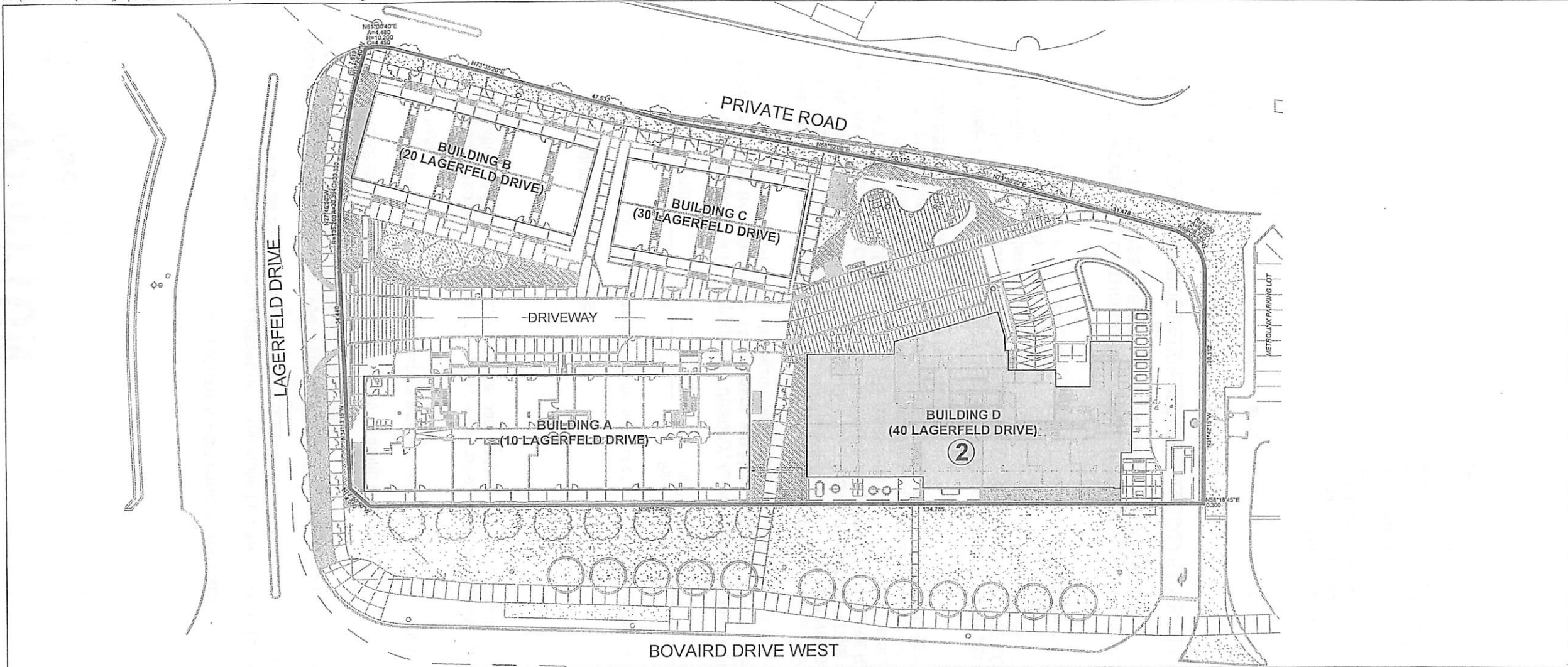
*Shelby Swinfield*

Shelby Swinfield, Planner I, Development



## Committee of Adjustment

Page 233 of 315



**COMMITTEE OF ADJUSTMENT  
MINOR VARIANCE SKETCH PLAN  
DANIELS CHOICE MOUNT  
PLEASANT CORPORATION  
10, 20, 30, & 40 LAGERFELD DRIVE**

BLOCK 4, PLAN 43M-1927  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL  
Subject Lands - 0.83ha (2.05ac)

**Required Variances:**

1. To permit a maximum building height of 26 storeys whereas the site-specific zoning by-law permits a maximum building height of 25.
2. To permit the use of vertical bicycle stackers for 100% of bicycle parking spaces whereas the site-specific zoning by-law permits the use of vertical bicycle stackers for a maximum of 50% of bicycle parking spaces.\*

**Notes**

\*Vertical Bicycle Stackers are located in the underground parking garage and are therefore not depicted on the plan.

SCALE 1:750  
OCTOBER 2, 2020

**GSAI**  
Glen Schnarr & Associates Inc.



Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically during the COVID-19 Emergency

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

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

**How to Participate in the Hearing:**

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, November 5, 2020.**
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm, Friday, November 6, 2020.**
  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **November 6, 2020.** City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or <http://video.isilive.ca/brampton/live.html>.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to [cityclerksoffice@brampton.ca](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.





October 9, 2020

Our File: 776-007

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

A-2020-0115

Attention: Jeanie Myers, Legislative Coordinator and Secretary-Treasurer

**Re: Application for Minor Variance  
Daniels Choice Mount Pleasant Corporation  
10, 20, 30 & 40 Lagerfeld Drive  
Block 4, Plan 43M-1927  
City of Brampton**

Glen Schnarr & Associates Inc. ("GSAI") is the planning consultant for Daniels Choice Mount Pleasant Corporation who are the owners of the above-noted property. We are pleased to submit a Minor Variance application in support of the proposed development. The property is currently subject to Site Plan application file SP18-002.00.

The subject property is municipally addressed as 10, 20, 30 and 40 Lagerfeld Drive in the City of Brampton and is legally described as Block 4, Plan 43M-1927. The site is located on the northeast corner of Bovaird Drive West and Lagerfeld Drive. The property is a total of 0.83 ha (2.05 ac) in size and is currently vacant. The subject property has a frontage of approximately 134m (439.6 ft) on Bovaird Drive West and approximately 72 m (236.2 ft) on Lagerfeld Drive. Adjacent land uses include a commercial plaza and residential uses to the south on the opposite side of Bovaird Drive West, a parking and bus terminal area associated with the Mount Pleasant GO Train Station to the north and east, and vacant lands intended for future mixed use development to the west.

The subject property is designated "Residential" in *Schedule A – General Land Use Designations* of the City of Brampton Official Plan which permits a full range of residential uses and complementary uses such as commercial uses. The subject property is further designated "Communities" and identified within a "Gateway Mobility Hub" in *Schedule 1 - City Concept* of the Official Plan. *Schedule 1 – City Concept* further identifies Bovaird Drive West as a "Primary Intensification Corridor".

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



The subject property is designated “Mixed Use Node” in *Schedule SP 44(a) –Land Use Plan* of the Fletchers Meadow Secondary Plan (Area 44). *Schedule SP 44(a)* also identifies the area surrounding the Mount Pleasant GO Train Station adjacent to the subject property as “GO Transit Special Policy Area 1” which overlaps with the boundaries for the subject property. The property is further subject to the Fletcher’s Meadow Block Plan Sub-Area 44-1 (Mount Pleasant Village Block Plan Area 44-1), which similarly designates the property for “Mixed Use”.

Within Zoning By-law 270-2004, the subject property is zoned *Residential Apartment A – Section 3527 (R4A-3527)*, which permits residential apartments as well as institutional uses and mixed-use development. Mixed-use development, according to the provisions of *R4A-3527* permits ground floor non-residential uses including a range of commercial and institutional uses within a residential apartment building. The subject property forms part of an area bounded by Lagerfeld Drive to the north, Bovaird Drive West to the south, the Natural Heritage System area to the west (adjacent to Mississauga Road) and the Mount Pleasant GO Train Station to the east that was subject to an Ontario Municipal Board decision, dated July 10, 2017 (OMB Case No. PL160478 and PL160479). This OMB decision established the above noted site-specific zoning provisions for the property.

### **THE PROPOSED DEVELOPMENT**

The proposed development consists of 2 apartment buildings located along Bovaird Drive West and 2 stacked townhouse blocks located interior to the site which overall generates a total of 444 residential units. The proposed apartment buildings have heights of 26 and 6 storeys and contain 302 rental units and 106 condominium units, respectively. The 26-storey apartment building is located on the east portion of the subject property, adjacent to the GO Train Station. Interior to the site, two 3-storey stacked townhouse blocks are proposed which contain a total of 36 units. The proposed development has a floor space index of 3.9.

The subject property has two accesses on Lagerfeld Drive and Bovaird Drive West via a private road which separates the proposed apartment buildings and townhouse blocks. A network of pedestrian walkways is provided within the site to ensure convenient pedestrian connectivity between buildings and access to the broader area and GO transit station. A total of 491 parking spaces are provided including 424 residential parking spaces and 67 visitor parking spaces. Of the residential parking spaces, 20 are accessible parking spaces. Of the visitor parking a total of 4 accessible parking spaces are provided. A total of three below grade parking levels are proposed to accommodate all of the required parking spaces. A limited number of short-term visitor parking are provided at grade.

A total of 236 bicycle parking spaces are proposed for the entire site which exceeds the minimum requirement of the Zoning By-law by 14 spaces. The proposed bicycle parking strategy can be characterized in Table 1 below.





Table 1. Proposed Bicycle Parking Supply Program

Horizontal Spaces		Vertical Space	
Bicycle Rack	Dena Plus & Felix System		Terra Wall Mount
	Lower Tier	Upper Tier	
14	139	78	5
Total Horizontal Bicycle Spaces: 153			
Total Vertical Bicycle Spaces: 83			
TOTAL BICYCLE SPACES: 236			

A mix of parking solutions are proposed including ground-level bicycle rack for short term parking, a wall mount for traditional vertical parking, and a custom Dena Plus & Felix bicycle storage system which combine horizontal and vertical spaces. The Dena Plus and Felix parking systems are described in detail in the Memorandum prepared by LEA Consulting enclosed with this submission. In summary, the system allows for two tiers of bicycle parking both in a horizontal position. Of the 231 parking spaces provided, 36% of the parking spaces are considered vertical (inclusive of the 5 wall-mounted spaces and the second tier of the Dena Plus and Felix parking systems).

The Zoning By-law currently does not recognize the Dena Plus and Felix bicycle parking system as horizontal parking. As such, a variance is proposed to permit the proposed bicycle parking program.

### **THE PROPOSED VARIANCES**

The following variances are required in order to permit the proposed development:

1. To permit a maximum building height of 26 storeys whereas the site-specific zoning by-law permits a maximum building height of 25.
2. To permit the use of vertical bicycle stackers for 100% of bicycle parking spaces whereas the site-specific zoning by-law permits the use of vertical bicycle stackers for a maximum of 50% of bicycle parking spaces.

### **PLANNING RATIONALE**

It is our opinion that the proposed variances satisfy the prescribed criteria outlined in Section 45 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended:

1. The proposed variances maintain the general intent of the Official Plan. The “Residential” designation of the subject property by the Official Plan permits a full range of residential forms including apartments and townhouse forms. The proposed variances do not jeopardize the intent or function of the subject property for residential uses.



The proposed variance for a maximum 26 storey height for the rental apartment building does not interfere with the intent for residential uses established by the Official Plan. The minor addition of one storey will maintain and enhance the intent of providing a strong built form edge along a “Primary Intensification Corridor”. In addition, it will contribute to the intensification objectives of the Official Plan and is appropriate for the site’s location within a “Gateway Mobility Hub” which is intended to accommodate greater density.

The proposed variance for bicycle stackers to not alter the primary use of the site for residential uses.

2. The proposed variances maintain the general intent of the Zoning By-law which is to support the implementation of a mixed use and transit supportive community.

Similarly, the proposed variances for maximum building height and bicycle stackers do not compromise the intended use of the site for the uses or built form prescribed by the *Residential Apartment A – Section 3527 (R4A-3527)* zone. The proposed development will continue to conform to the intent of the Zoning By-law for the subject site.

3. The proposed variances are desirable for the subject property as they will support the creation of a compact and transit-supportive community.

The proposed maximum building height of 26 storeys will facilitate a form of development that aligns with the intent of the Official Plan and Zoning By-law to accommodate an appropriate amount and distribution of density, height and massing that complements its location along a “Primary Intensification Corridor” and within a “Gateway Mobility Hub”.

The proposed variance for bicycle stackers is desirable to facilitate an efficient use of space in the underground garage and supports the compact and efficient use of the subject site as a whole. The Dena Plus and Felix system offers a custom solution for bicycle parking that maintains the required number of bicycle parking spaces and optimizes the use of underground space for multiple uses including unit storage lockers and bicycle parking. Both of which are desirable amenities for future households.

4. The proposed variances are minor in nature as they do not interfere with the intent of the subject property for residential uses as per the Official Plan and Zoning By-law and they serve to facilitate the most efficient site design and layout which has been refined following detailed review resulting from the associated Site Plan Application (SP18-002.00).

The proposed variance for a maximum building height of 26 storeys will maintain compliance with other provisions of the Zoning By-law including floor space index, setbacks, required parking rates and tower floor plate.

Similarly, the proposed variance for bicycle stackers does not impede the ability to provide the required number of bicycle parking on the site. Rather, a surplus in bicycle parking is





still proposed. As noted in Table 1 and the Memorandum prepared by LEA Consulting Ltd., the bicycle spaces of the lower tier of the proposed Dena Plus and Felix parking systems will function as standard horizontal spaces. As such, in terms of function, the number of bicycle spaces that are truly vertical in nature make up 37% of all spaces provided which aligns with the current zoning requirement which limits the proportion of vertical parking to 50%.

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

- One (1) completed Minor Variance application form with signed agent authorization and permission to enter forms;
- Twelve (12) copies of the Minor Variance Sketch, prepared by Glen Schnarr & Associates Inc dated October 2, 2020;
- Two (2) copies of an Architectural Package prepared by Core Architects, dated March 31, 2020 inclusive of:
  - Project Rendering
  - Project Statistics Page
  - Site Plan
  - Building Elevations
- Two (2) copies of an Underground Parking Context Plan package that illustrates the proposed location for the proposed underground bicycle parking systems;
- Two (2) copies of the Dena Plus System, Felix System and Terra Wall Mount product details;
- Two (2) copies of a Bicycle Parking Memorandum prepared by LEA Consulting Ltd., dated October 5, 2020;
- One (1) cheque in the amount of \$2,510.00 payable to the Treasurer, City of Brampton for Payment of the Minor Variance Application fee; and,
- One (1) USB with digital copies of the above noted materials.

We trust this meets the requirements for a complete application for Minor Variance. We look forward to your review and please do not hesitate to contact us if you require anything further or wish to clarify anything contained in this application.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

Arleigh Hack, MCIP, RPP  
Planner



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)** Daniels Choice Mount Pleasant Corporation  
**Address** 130 Queens Quay East, West Tower, 8th Floor  
Toronto, Ontario, M5A 0P6

**Phone #** 416.591.2914 **Fax #** \_\_\_\_\_  
**Email** dgrandilli@danielscorp.com

2. **Name of Agent** Glen Schnarr & Associates Inc. (attn: Arleigh Hack)  
**Address** Suite 700, 10 Kingsbridge Garden Circle  
Mississauga, Ontario, L5R 3K6

**Phone #** 905-568-8888 ext. 254 **Fax #** \_\_\_\_\_  
**Email** arleighh@gsai.ca

3. **Nature and extent of relief applied for (variances requested):**  
1. To permit a maximum building height of 26 storeys whereas the site-specific zoning by-law permits a maximum building height of 25.

2. To permit the use of vertical bicycle stackers for 100% of bicycle parking spaces whereas the site-specific zoning by-law permits the use of vertical bicycle stackers for a maximum of 50% of bicycle parking spaces.

4. **Why is it not possible to comply with the provisions of the by-law?**  
The proposed variances are proposed to facilitate the most efficient and optimized use of the subject lands. The site design has been refined through the Site Plan Approval process and has resulted in minor modifications that are not permitted or fully clarified by the zoning by-law.

5. **Legal Description of the subject land:**  
**Lot Number** \_\_\_\_\_  
**Plan Number/Concession Number** Plan 43M-1927  
**Municipal Address** 10, 20, 30 & 40 Lagerfeld Drive

Full Legal Description:  
 BLOCK 4, PLAN 43M1927 SUBJECT TO AN EASEMENT IN GROSS  
 OVER PT 7 PL 43R35230 AS IN PR2366810 SUBJECT TO AN  
 EASEMENT FOR ENTRY AS IN PR2389562 CITY OF BRAMPTON

6. **Dimension of subject land (in metric units)**  
**Frontage** 134 m on Bovaird Drive West and 72 m on Lagerfeld Drive  
**Depth** 60 m from Bovaird Drive West frontage  
**Area** 0.83 ha (2.05ac)

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 property is currently vacant.

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

The proposed development consists of 2 apartment buildings located along Bovaird Drive West and 2 stacked townhouse blocks located interior to the site which overall generates a total of 444 residential units. The proposed apartment buildings have heights of 26 and 6 storeys and contain 302 rental units and 106 condominium units, respectively. The 26-storey apartment building is located on the east portion of the subject property, adjacent to the GO Train Station. Interior to the site, two 3-storey stacked townhouse blocks are proposed which contain a total of 36 units

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 There are no existing buildings on the subject property.

Rear yard setback

Side yard setback

Side yard setback

**PROPOSED**

Front yard setback Frontage to Bovaird Drive West: 2.3m

Rear yard setback Rear yard setback varies. Building C is 7.1m, Building B is 8.1m and Building D is a max of 45m.

Side yard setback From Lagerfeld Drive: 1.5m

Side yard setback From east property boundary: 11.8m

10. Date of Acquisition of subject land: April 13, 2018
11. Existing uses of subject property: The property is designated for residential uses but is currently vacant with shoring and excavation activity ongoing.
12. Proposed uses of subject property: Residential, mixed use
13. Existing uses of abutting properties: Residential, commercial and transit (GO station)
14. Date of construction of all buildings & structures on subject land: All buildings are anticipated to be completed by October 2023
15. Length of time the existing uses of the subject property have been continued: Shoring and excavation commenced in August 2020. Historically the property has been vacant prior to its purchase in 2018.
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: Subdivision File  
File # 21T-10022B

Status Approved (Plan 43M-1927)

18. Has a pre-consultation application been filed?

Yes ☒ No ☐

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☒ No ☐ Unknown ☐

If answer is yes, provide details:

File # <u>A19-144</u>	Decision <u>Approved</u>	Relief <u>Multiple variances</u>
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

Glen Schnarr & Associates Inc. (attn: Arleigh Hack)

Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton  
THIS 13 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, Arleigh Hack, OF THE City OF Toronto  
IN THE \_\_\_\_\_ OF \_\_\_\_\_ SOLEMNLY DECLARE THAT

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

DECLARED BEFORE ME AT THE

City OF Mississauga  
IN THE Region OF \_\_\_\_\_  
Peel THIS 8th DAY OF  
October, 2020

Signature of Applicant or Authorized Agent

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

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R4A-3527

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

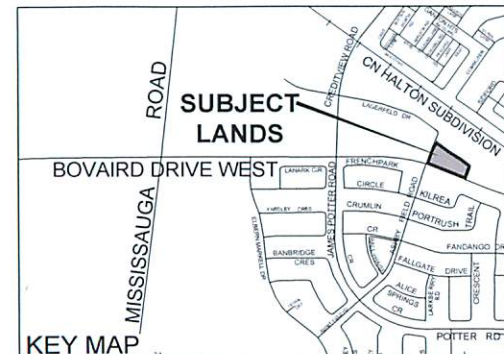
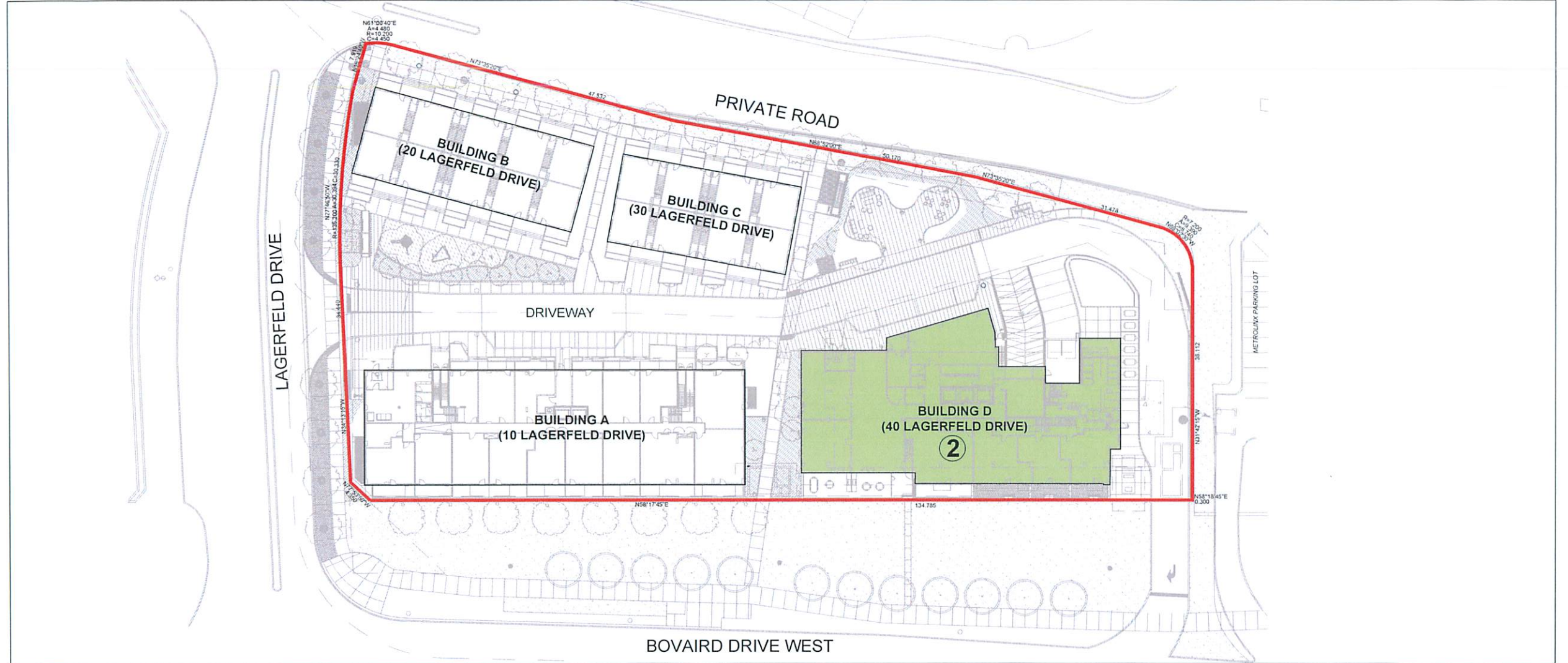
Zoning Officer

October 15, 2020

Date

DATE RECEIVED OCTOBER 13, 2020

Revised 2020/01/07



**COMMITTEE OF ADJUSTMENT  
MINOR VARIANCE SKETCH PLAN  
DANIELS CHOICE MOUNT  
PLEASANT CORPORATION  
10, 20, 30, & 40 LAGERFELD DRIVE**

BLOCK 4, PLAN 43M-1927  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL

Subject Lands - 0.83ha (2.05ac)

**Required Variances:**

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**Notes**

\*Vertical Bicycle Stackers are located in the underground parking garage and are therefore not depicted on the plan.



SCALE 1:750  
OCTOBER 2, 2020

**GSAI**  
Glen Schnarr & Associates Inc.





FILE NUMBER A19-144

HEARING DATE AUGUST 20, 2019

APPLICATION MADE BY DANIELS CHOICE MOUNT PLEASANT CORPORATION

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW 270-2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION FOR THE FOLLOWING VARIANCE(S):

1. To permit stacked townhouse dwellings;
2. To permit a maximum setback of 45m (147.64 ft.) to a private road;
3. To permit a minimum building height of 3 storeys;
4. To permit a maximum floor space index of 4.5;
5. To permit a maximum tower floor plate size of 860m<sup>2</sup>;
6. To permit a minimum ground floor height of 3.0m (9.84 ft.);
7. To permit a minimum setback of 0.8m (2.62 ft.) from Bovaird Drive West to a hydro transformer;
8. To permit a minimum 1.4m (4.60 ft.) landscape open space buffer between a driveway and a private street.

(NORTHEAST CORNER OF BOVAIRD DRIVE WEST & LAGERFIELD DRIVE – BLOCK 4, PLAN 43M-1927)

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

**SEE SCHEDULE “A” ATTACHED**

**REASONS:**

This decision reflects that in the opinion of the Committee:

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

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

MOVED BY: D. Doerfler

SECONDED BY: D. Colp

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 20TH DAY OF AUGUST, 2019

**NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE SEPTEMBER 9, 2019**

I, JEANIE MYERS, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

[Signature]  
SECRETARY-TREASURER  
COMMITTEE OF ADJUSTMENT



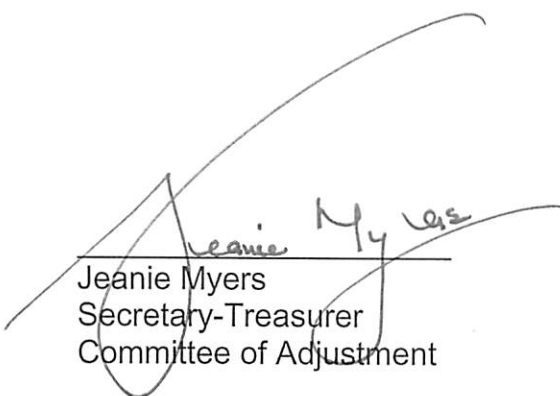
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

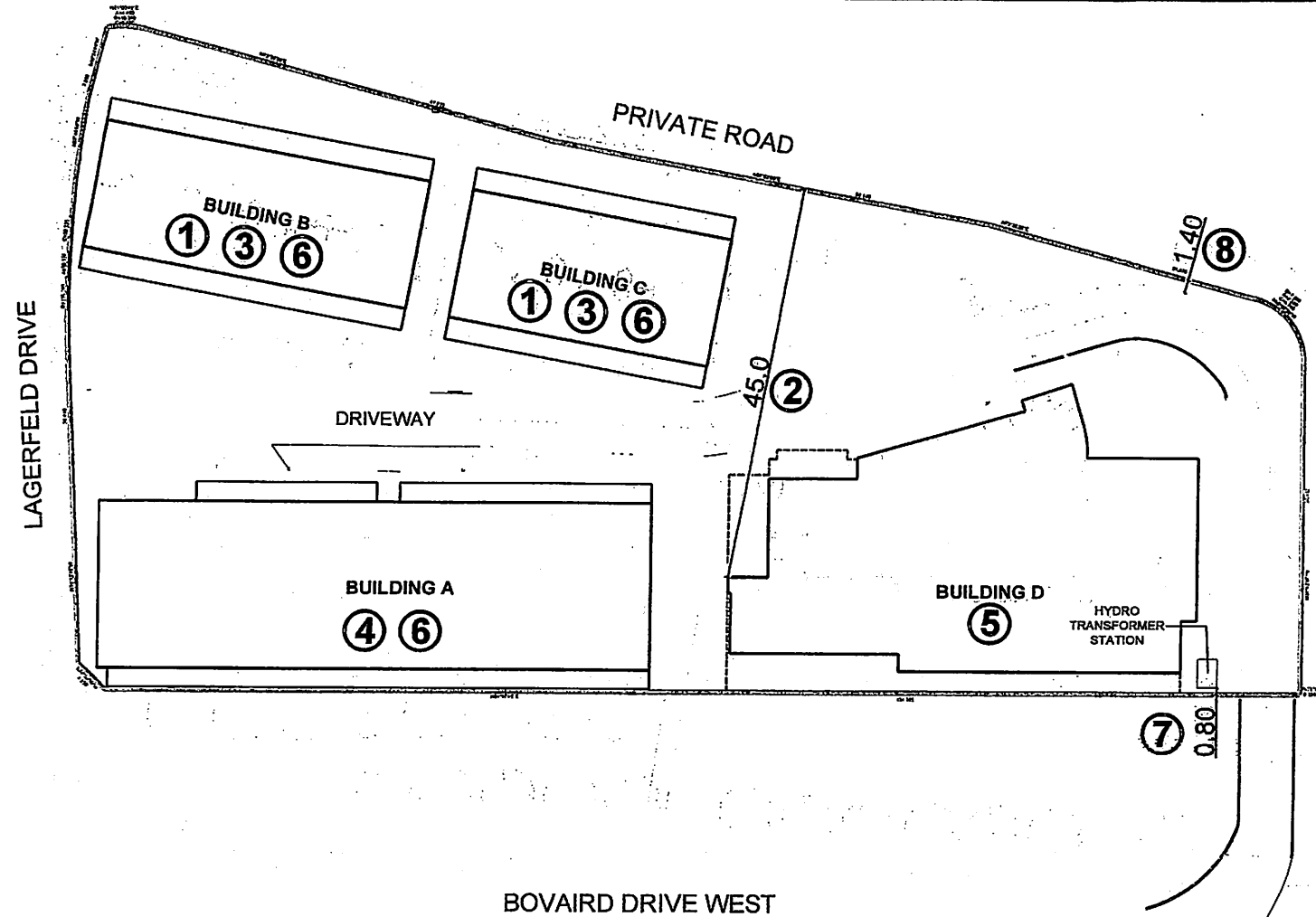
APPLICATION NO: **A19-144**

DATED: **AUGUST 20, 2019**

Conditions:

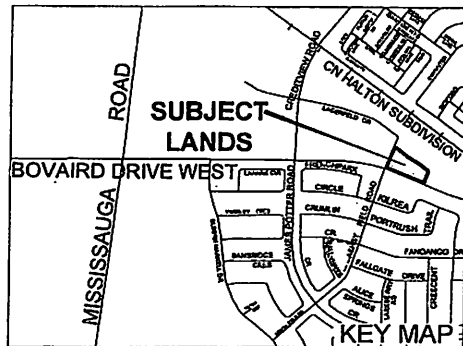
1. That Variances 1, 3, and 6 shall only be permitted within an area bound by the Private Street to the North, Lagerfeld Drive to the West, a 30m setback from the Private Street to the South, and an 80m setback from Lagerfeld Drive to the East;
2. That Variances 2 and 5 shall only apply to Building "D" as shown on the sketch attached to the Public Notice;
3. That the extent of Variances 7, and 8 be limited to that shown on the sketch attached to the Public Notice; and,
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

  
Jeanie Myers  
Secretary-Treasurer  
Committee of Adjustment



### Required Variances:

1. To permit stacked townhouse dwellings that may be separated by a common rear wall and do not have rear yards whereas the site-specific zoning by-law does not permit stacked townhouse dwellings.
2. To permit a maximum setback of 45m from a private road whereas the site-specific zoning by-law requires a maximum 7.5m setback.
3. To permit a minimum building height of 3 storeys whereas the site-specific zoning by-law requires a minimum building height of 6 storeys.
4. To permit a maximum floor space index of 4.5 whereas the parent zoning by-law requires a maximum floor space index of 1.0.
5. To permit a maximum tower floor plate size of 860m<sup>2</sup> whereas the site-specific zoning by-law requires a maximum tower floor plate size of 800m<sup>2</sup>.
6. To permit a minimum ground floor height of 3.0m whereas the site-specific zoning by-law requires a minimum ground floor height of 4.5m.
7. To permit a minimum setback of 0.8m from Bovaird Drive West for a hydro transformer station whereas the site-specific zoning by-law requires any structure to be setback a minimum of 1.5m from Bovaird Drive West.
8. To permit a minimum of 1.4m landscape buffer between a driveway and a private street whereas the site-specific zoning by-law requires minimum landscape buffer of 1.5m.



### COMMITTEE OF ADJUSTMENT MINOR VARIANCE SKETCH PLAN DANIELS CHOICE MOUNT PLEASANT CORPORATION

BLOCK 4, PLAN 43M-1927  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL

 Subject Lands - 0.83ha (2.05ac)



SCALE 1:750  
JULY 23, 2019

**GSAI**  
Glen Schnarr & Associates Inc.



**BLOCK 4**  
10, 20, 30 & 40 LAGERFELD DRIVE

DATE/TIME PRINTED: 2020-06-22 3:49:26 PM

1	ISSUE FOR PERMIT	MARCH 31, 2020
2	ISSUE FOR PERMIT	MAY 18, 2019
3	ISSUE FOR PERMIT	MAY 13, 2019
4	ISSUE FOR PERMIT	JUNE 14, 2018
5	ISSUE FOR PERMIT	JULY 17, 2018
NO	REVISIONS	DATE

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**COREARCHITECTS**  
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TORONTO, ON CANADA M5A 0P6  
T +1 416 343 0400 • F +1 416 343 0401  
INFO@COREARCHITECTS.COM  
WWW.COREARCHITECTS.COM

DANIELS CHOICE MOUNT  
PLEASANT COORPORATION

**BLOCK 4**  
10, 20, 30 & 40 LAGERFELD DRIVE  
BRAMPTON, ON

DRAWN  
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JULY 2018  
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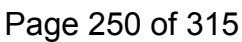
PROJECT NO.  
18-118  
DRAWING NO.  
A.00



COMPONENT LIST		SHEET NUMBER
SHEET NAME		
COVER PLATE	A 10	
CONCRETE FLOOR	A 11	
CONCRETE SLAB, 200 THICK	A 12	
CONCRETE	A 13	
STEEL	A 14	
REINFORCING BARS	A 15	
LEVEL	A 16	
FOUNDATION	A 17	
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<p><b>DANIEL'S CHOICE MOUNT          PLEASANT CORPORATION</b></p>	
<p><b>BLOCK 4          10, 20 &amp; 40 LAGERFELD DRIVE</b></p>	
<p>BIRMINGHAM, OH</p>	
<p>CITY SITE PLAN NUMBER - 1314-002-000</p>	
<p>DATE: 07/15/2018</p>	
<p>SCALE: 1"=30'</p>	
<p>DATE: JULY 2018</p>	
<p>TITLE: BUILDING STATISTICS          &amp; DRAWING LIST</p>	
PROJECT NO	DRAWING NO
16-118	A.100

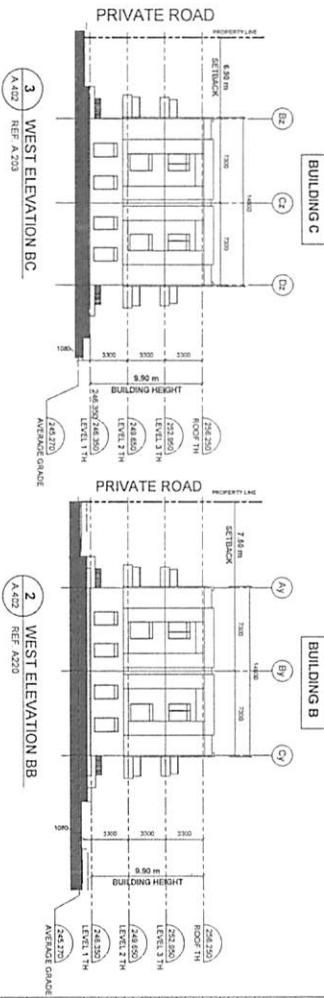
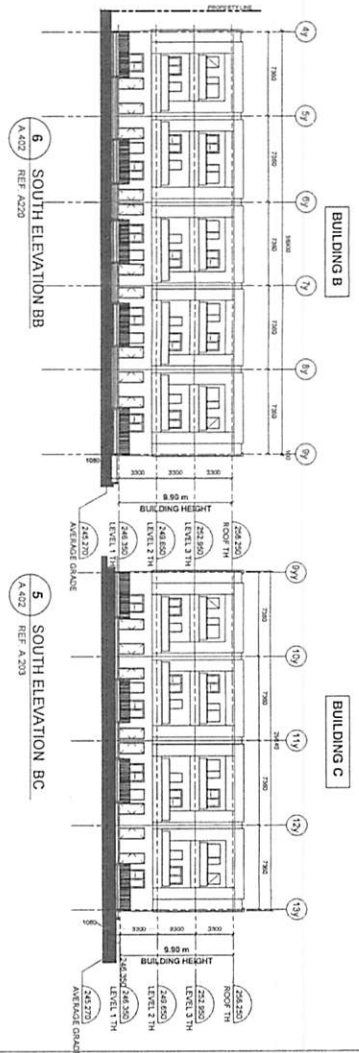




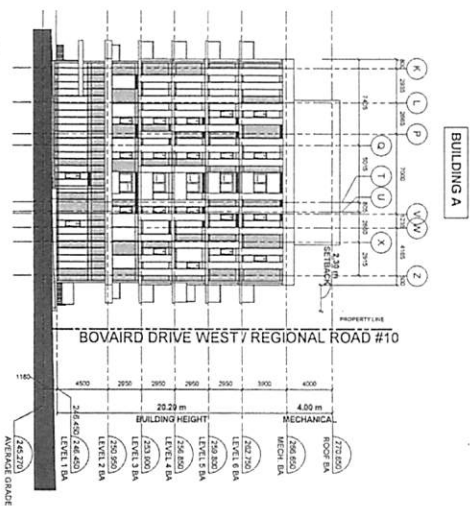




4 WEST ELEVATION BD  
A.402 / REF. A.225

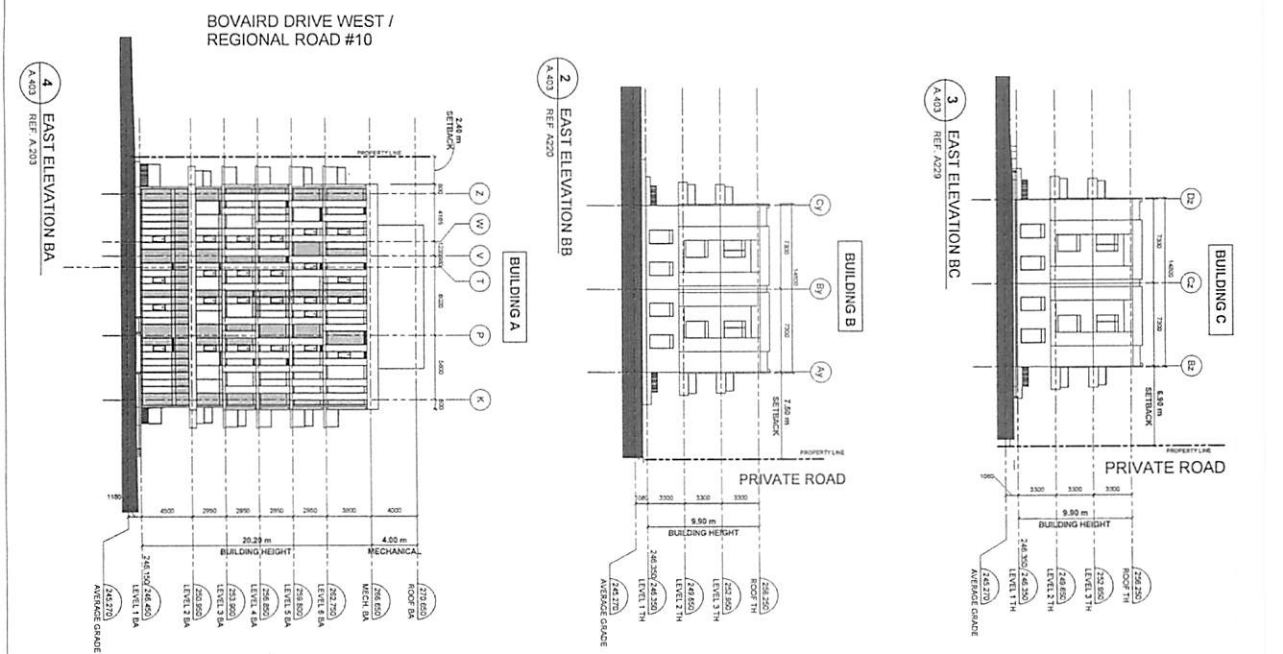


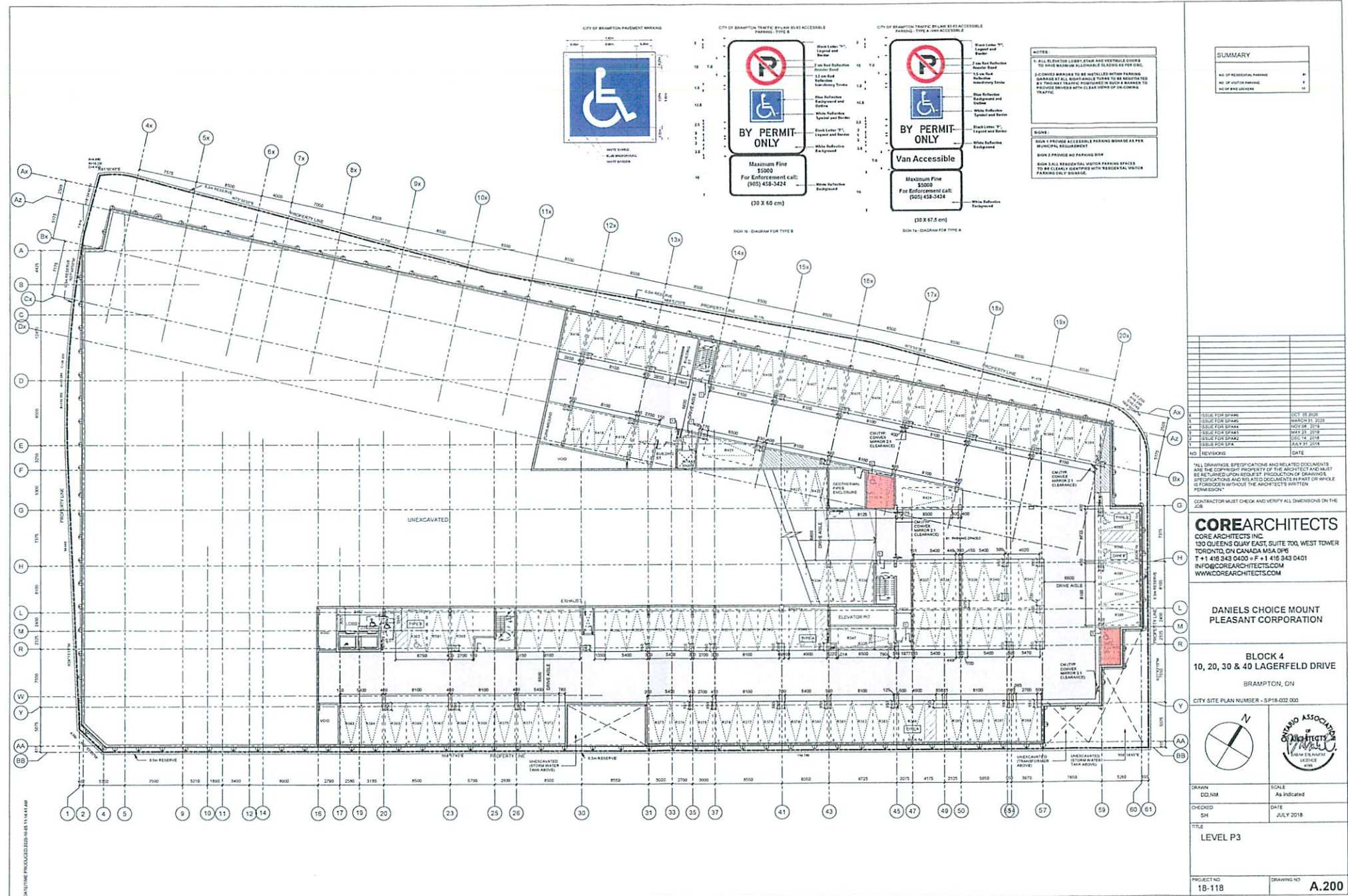
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A.402 / REF. A.214



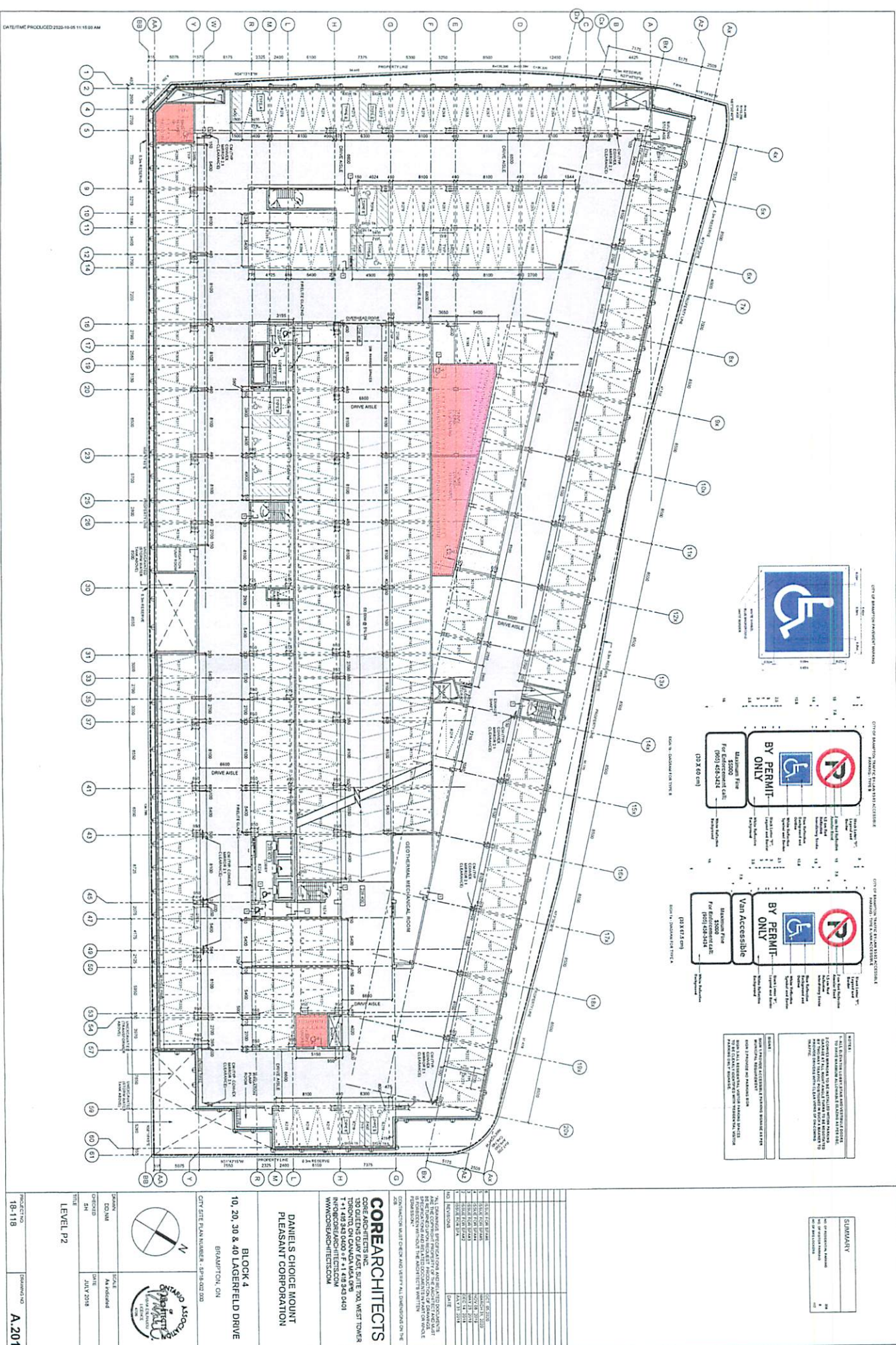
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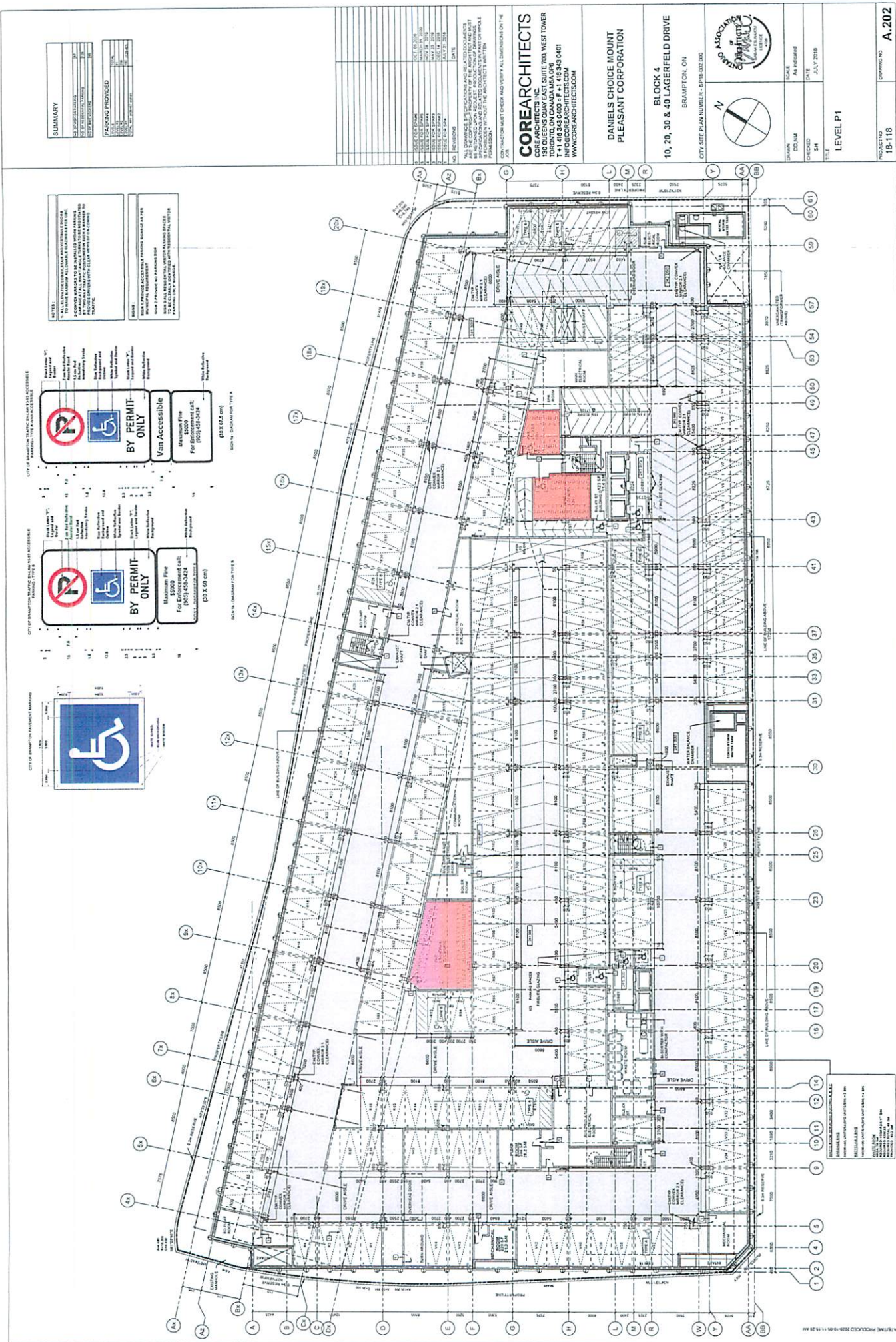












**SUMMARY**

PROJECT NO.	18-118
DATE	JULY 2018
BY	AI RESHAR
CHECKED	SH
TITLE	LEVEL P1

**PARKING PROVIDED**

TYPE	STANDARD	PERMITS	PERMITS
STANDARD	10	PERMITS	10
PERMITS	10	PERMITS	10
PERMITS	10	PERMITS	10

**NOTES**

1. ALL PARKING SPACES SHALL BE ACCESSIBLE TO ALL VEHICLES, INCLUDING BUT NOT LIMITED TO, BICYCLES, STROLLERS, AND WHEELCHAIRS.
2. PARKING SPACES SHALL BE MAINTAINED IN A CLEAN AND SAFE CONDITION.
3. PARKING SPACES SHALL BE MAINTAINED IN A CLEAN AND SAFE CONDITION.
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**COREARCHITECTS**  
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 130 QUEENS QUAY EAST, SUITE 200 WEST TOWER  
 TORONTO, ONTARIO M5E 1B5  
 TEL: 416-593-9401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

**DANIELS CHOICE MOUNT**  
 PLEASANT CORPORATION

**BLOCK 4**  
 10, 20, 30 & 40 LAGERFELD DRIVE  
 BRAMPTON, ON



**REVISIONS**

NO.	DATE	DESCRIPTION
1	2018-07-01	ISSUED FOR PERMIT

**PROJECT INFORMATION**

PROJECT NO.	18-118
DRAWING NO.	A.202





## MEMORANDUM

October 5, 2020

Reference No.: 19015

**TO:** Daniel Grandilli / Development Coordinator / The Daniels Choice Mount Pleasant Corporation

**FROM:** Tony Chiu, Anatole V. Kung, Amelia Crichton / LEA

**CC:** Kenneth Chan / LEA

**RE:** Block 4 – Bicycle Parking Variance

This memorandum provides the review of the vertical and horizontal bicycle parking supply for the proposed mixed-use development of Mount Pleasant Village – Block 4 (Bovaird Drive & Lagerfeld Drive) in the City of Brampton. By way of background, LEA submitted the following reports to the City of Brampton for the proposed development:

- ▶ Transportation Impact Study (TIS), May 2019; and
- ▶ TIS Addendum Letter, September 2019 – To address June 2019 TIS comments, and provide additional queuing analysis for the northbound movements at the Lagerfeld Drive & Metrolinx Driveway (Signalized Intersection - GO entrance).

Since the completion of the September 2019 TIS Addendum Letter, a minor change to the site plan has occurred with respect to the number of dwelling units. This memorandum was prepared in support of a minor variance to the bicycle parking requirement regarding the mix of horizontal and vertical spaces. The subject site is exploring options to add storage lockers to the underground parking garage. In doing so, these storage lockers will encroach on the proposed bicycle parking areas. As the storage lockers will reduce the amount of space available for bicycle parking area, the development plan is seeking to increase the vertical bicycle parking supply to maintain the minimum requirement. The current system is vertical in nature; however its unique design allows for horizontal parking. This letter will discuss the current bicycle system that is proposed and compare it other indoor bicycle parking systems in the Greater Toronto Area (GTA) to determine if it is sufficient.

### 1 PROPOSED DEVELOPMENT

The updated number of residential units is compared to values applied in the September 2019 addendum as summarized in **Table 1-1**.



Table 1-1: Site Statistic Comparison

Building	Land Use	TIS Addendum (September 2019)	Current Proposal (September 2020)	Net Change
A	1-Bedroom	66	70	+4
	2-Bedroom	38	36	-2
	3-Bedroom	0	0	0
	<b>Total</b>	<b>104</b>	<b>106</b>	<b>+2</b>
B	1-Bedroom	10	10	0
	2-Bedroom	10	10	0
	3-Bedroom	0	0	0
	<b>Total</b>	<b>20</b>	<b>20</b>	<b>0</b>
C	1-Bedroom	8	8	0
	2-Bedroom	8	8	0
	3-Bedroom	0	0	0
	<b>Total</b>	<b>16</b>	<b>16</b>	<b>0</b>
D	1-Bedroom	141	149	+8
	2-Bedroom	145	149	+4
	3-Bedroom	4	4	0
	<b>Total</b>	<b>290</b>	<b>302</b>	<b>+12</b>
<b>TOTAL ALL:</b>		<b>430</b>	<b>444</b>	<b>+14</b>

The proposed development will consist of a total of 444 residential units, which is fourteen (14) units more compared to the previous value applied with the TIS and the September 2019 Addendum Letter.

## 2 BICYCLE PARKING

### 2.1 ZONING BY-LAW REQUIREMENTS

The bicycle parking requirements under R4A-3527 of Zoning By-Law 270-2004 as well as the proposed bicycle parking supply are summarized in **Table 2-1**.

Table 2-1: Bicycle Parking Supply

Land Use	Units	Min. Rate (spaces/unit)	Min. Requirement	Proposed Supply
Residential	444	0.50 spaces/unit	222	236

The proposed development will provide a total of 236 bicycle parking spaces, which exceeds the minimum By-Law requirement. The proposed bicycle supply will provide opportunity and encourage future residents to use other modes of transportation.

### 2.2 VERTICAL AND HORIZONTAL SPACE REQUIREMENT

Under this By-Law, the proposed supply is subject to the following additional requirements and restrictions:

*s) Bicycle Parking*

*ii) Maximum of 50% of the required bicycle parking may be vertical spaces, and the rest must be horizontal spaces*





## MEMORANDUM

Reference No.: 19015

It is understood that a change to the underground bicycle parking areas is now being pursued. The space previously designated for bicycle parking is proposed to be transformed into residential storage space. As a result, the overall bicycle parking area will be reduced.

In order to meet the by-law bicycle parking requirement, a custom design bicycle parking system is proposed for the subject site.

Common bicycle parking systems are designed as either single spaces with a horizontal or vertical orientation. ParkAid has created a custom design that maximizes the efficiency of bicycle parking to a confined space. Although the design can be considered vertical stacking stations, the design integrates horizontal and vertical parking spaces as shown in **Figure 1**.

**Appendix A** shows the custom design parking system with Dena Plus and Felix parking systems and examples of proposed bicycle room layouts. These parking systems are similar in design, the Dena Plus features two lower tier spaces whereas the Felix system provide one. The lower tier is a horizontal space. The upper tier orients a bicycle horizontally but adds a vertical component. Therefore, the custom design parking systems can be considered to have a horizontal and vertical parking space component. In addition, a supplement supply of Terra Wall Mount spaces has been provided in some areas, here the bicycles are parked in a vertical position. In applying this notion that the custom bicycle parking system includes both horizontal and vertical spaces, total parking supply by parking orientation can be calculated. summarizes the proposed bicycle supply by orientation.

**Table 2-2** provides a more detailed breakdown of the proposed bicycle supply.

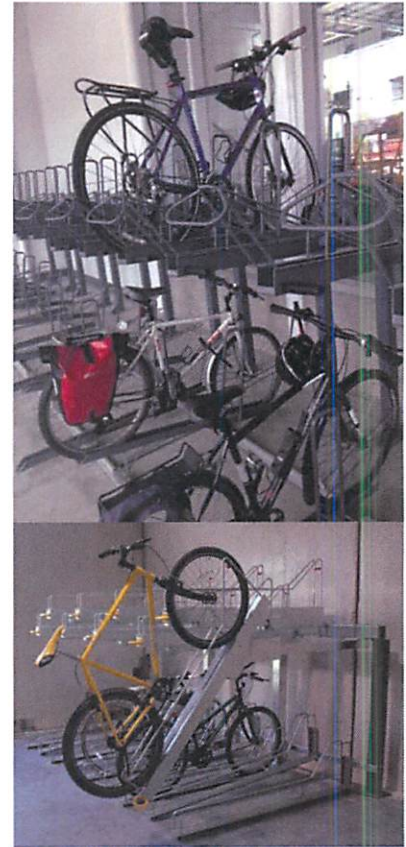


Figure 1: Similar Parking Systems



Table 2-2: Horizontal and Vertical Bicycle Parking Supply

Area	Proposed Bicycle Parking Supply			
	Horizontal Spaces		Vertical Spaces	
	Bicycle Rack	Dena Plus & Felix Systems Lower Tier	Upper Tier	Terra Wall Mount
Ground Floor				
-	14	0	0	0
Parking Level 1				
B	0	46	15	0
C	0	18	11	0
Parking Level 2				
D	0	12	8	5
F	0	47	32	0
Parking Level 3				
H	0	10	7	0
I	0	6	5	0
Subtotal	14	139	78	5
TOTAL	236			

A total of 236 parking spaces are proposed for the entire site which exceed the zoning by-law requirement by 14 spaces. 14 surface horizontal parking spaces are proposed exterior to the building to accommodate short term parking. The remaining 222 spaces are situated in the underground parking structure.

ParkAid's design comprises of 217 spaces with 78 fully vertical and 139 spaces with horizontal access. In addition, five (5) vertical spaces are proposed as wall mounted parking spaces. Thus, only a total of 83 vertical spaces (37% of the total supply) will be fully vertical. The remainder will be vertical in nature with horizontal access.







### 2.3 TYPICAL BICYCLE PARKING INFRASTRUCTURE

LEA reviewed the bicycle parking infrastructure of other multi-storey developments to understand the uniqueness of the varying design. As stated above, current bicycle parking furniture is designed with ample spatial clearance while inserting or removing a bicycle from a parking space.

Table 2-3 illustrates several examples of different bicycle parking furniture available at other residential development.



Table 2-3: Example Bicycle Parking Infrastructure in the Area

Example and Approximate Location	
<p>Bay St and College St, Toronto</p> 	<p>Downtown Apartment, Toronto</p> 
<p>Condominium, Downtown Toronto</p> 	<p>Condominium, Richmond Hill</p> 
<p>Kelowna, BC</p> 	<p>Detroit, Michigan</p> 

As seen in the above table, there is a variety of different bike system in use. These designs are of an earlier design and shows the variety of different designs.

The proposed bicycle parking system (Dena Plus) differs with respect to how bicycles are placed adjacent to another. The lower tier includes the feature where a bicycle space is horizontally offset from the other. This unique feature provides spatial separation with adjacent bicycle pedals and handlebars. Bicycles can be inserted or removed from a parking spot without impact the adjacent bicycle. The proposed bicycle design provides an opportunity to introduce a new method to include horizontal parking spaces to a vertical system



## MEMORANDUM

Reference No.: 19015

in a confined space. Thus, it is our opinion that the proposed bicycle parking structure provides a mix of horizontal and vertical parking spaces that can suit the By-law requirement.

### 3 CONCLUSIONS

This memo has been prepared to review the vertical and horizontal bicycle parking supply based on updated site statistics and revised minimum bicycle parking requirement. Whereas typical bicycle parking spaces permit one horizontal or vertical orientated bicycle, the proposed custom bicycle parking system, although vertical in nature, incorporates a horizontal parking position. The custom system follows an improved design that take advantage of offsetting parking position, thereby conserving bicycle parking space. Thus, it is in our opinion that the proposed parking systems sufficiently meets the by-law for vertical and horizontal parking space mix.

:ac/ak

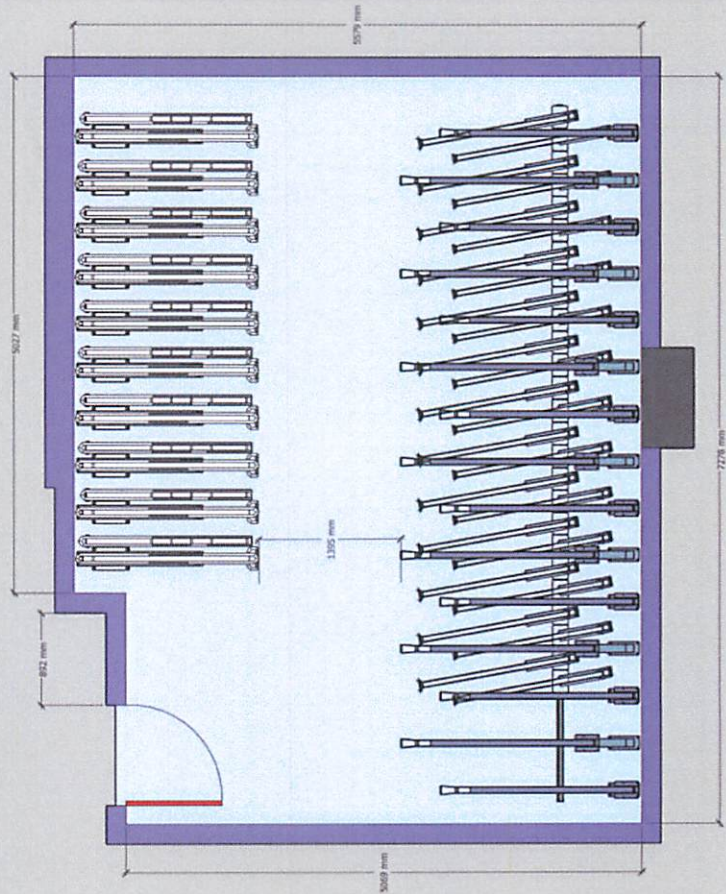
Encl: Appendix A: Example Bicycle Parking Layouts

# APPENDIX A

## Proposed Bicycle Parking Systems

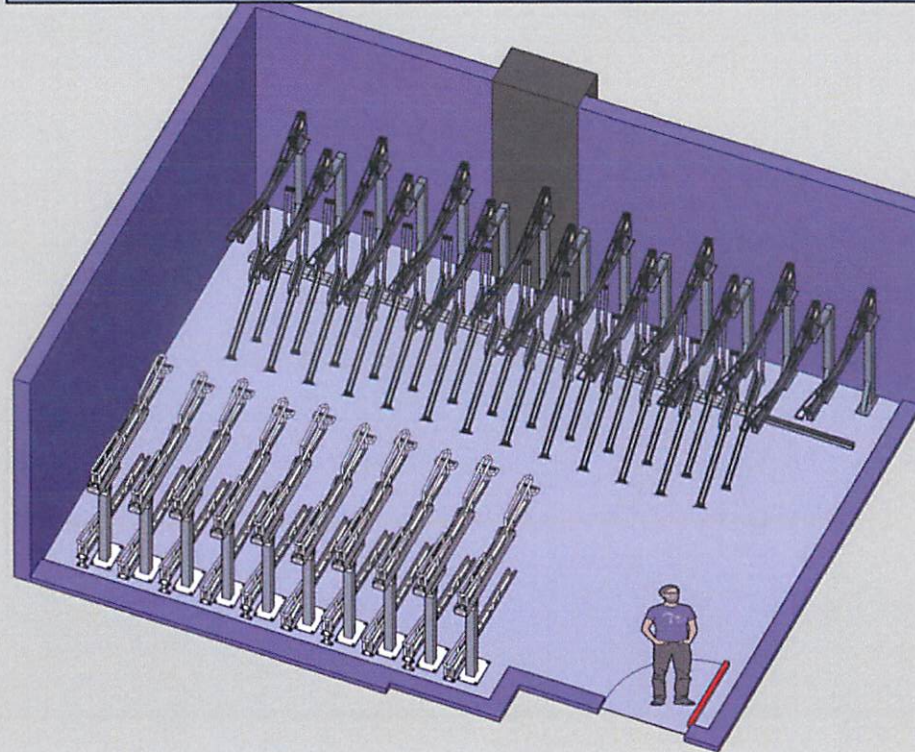


**Total of 61 Bicycle Parking Spaces:**  
 15 Dena Plus Top Bicycle Parking Spaces.  
 26 Dena Plus Bottom Bicycle Parking Spaces.  
 10 Felix Top Bicycle Parking Spaces.  
 10 Felix Bottom Bicycle Parking Spaces.





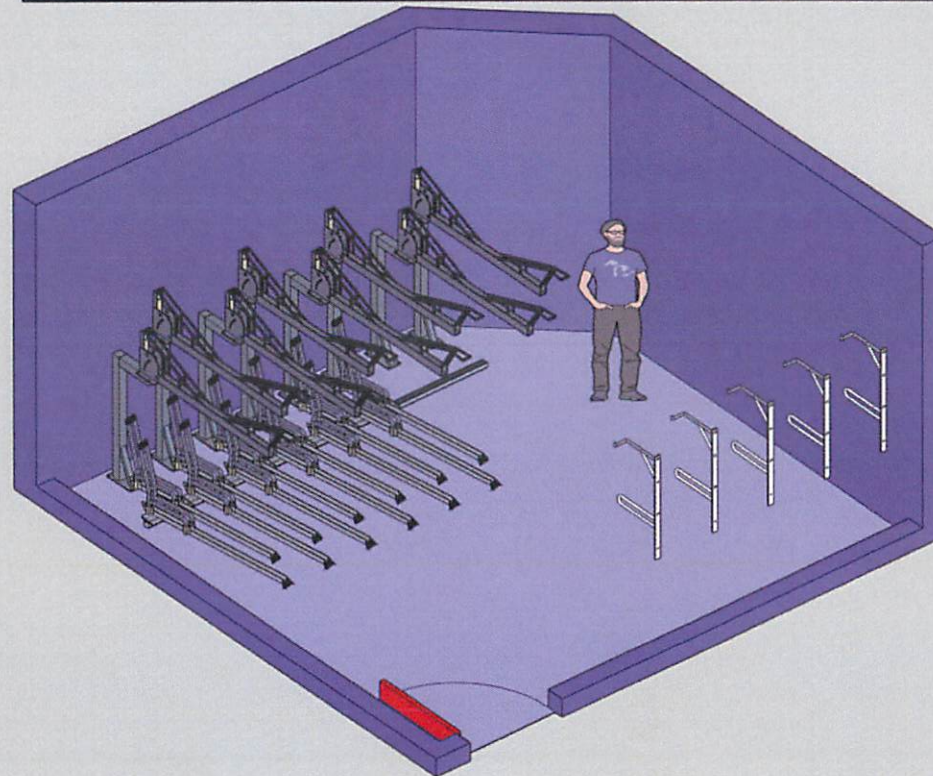
**Total of 61 Bicycle Parking Spaces:**  
15 Dena Plus Top Bicycle Parking Spaces.  
26 Dena Plus Bottom Bicycle Parking Spaces.  
10 Felix Top Bicycle Parking Spaces.  
10 Felix Bottom Bicycle Parking Spaces.



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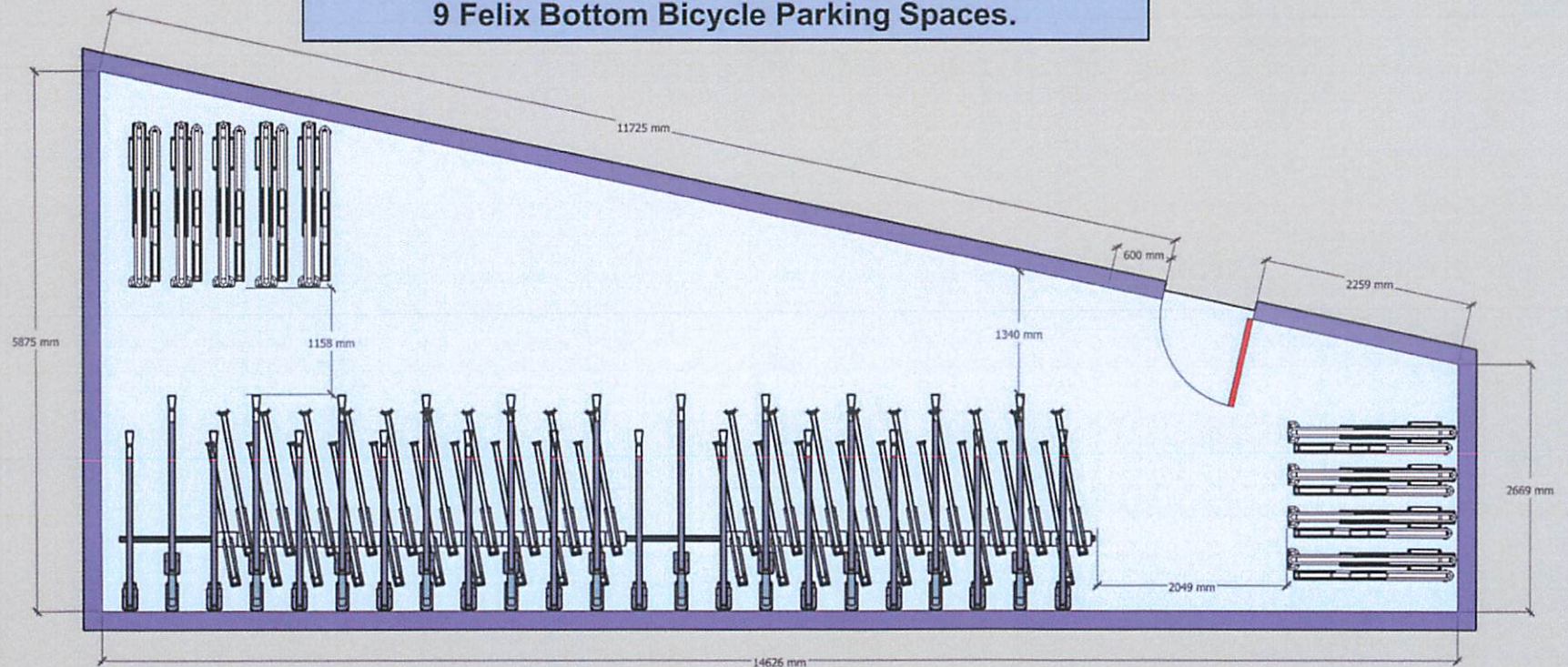
**Total of 25 Bicycle Parking Spaces:**  
**8 Dena Plus Top Bicycle Parking Spaces.**  
**12 Dena Plus Bottom Bicycle Parking Spaces.**  
**5 Terra Wall Mount Bicycle Parking Spaces.**



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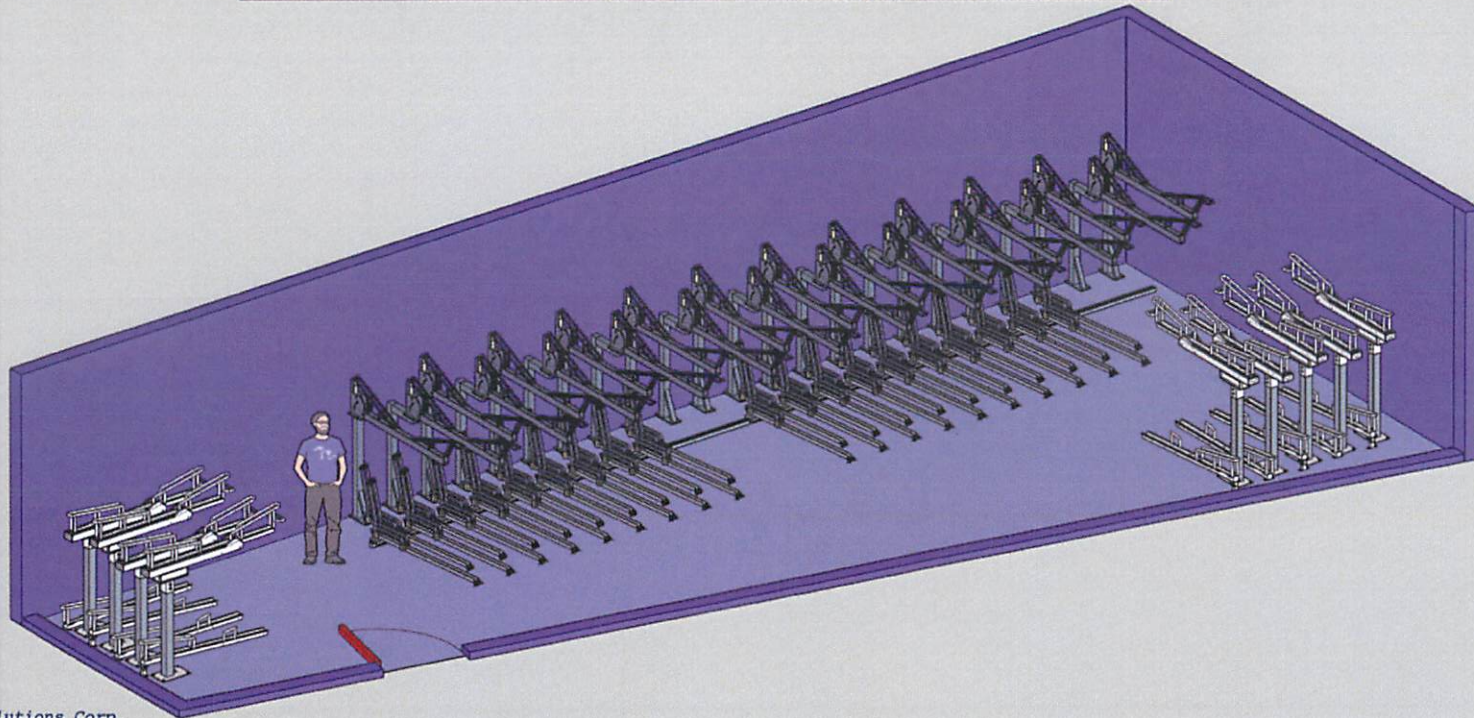
**Total of 79 Bicycle Parking Spaces:**  
**23 Dena Plus Top Bicycle Parking Spaces.**  
**38 Dena Plus Bottom Bicycle Parking Spaces.**  
**9 Felix Top Bicycle Parking Spaces.**  
**9 Felix Bottom Bicycle Parking Spaces.**



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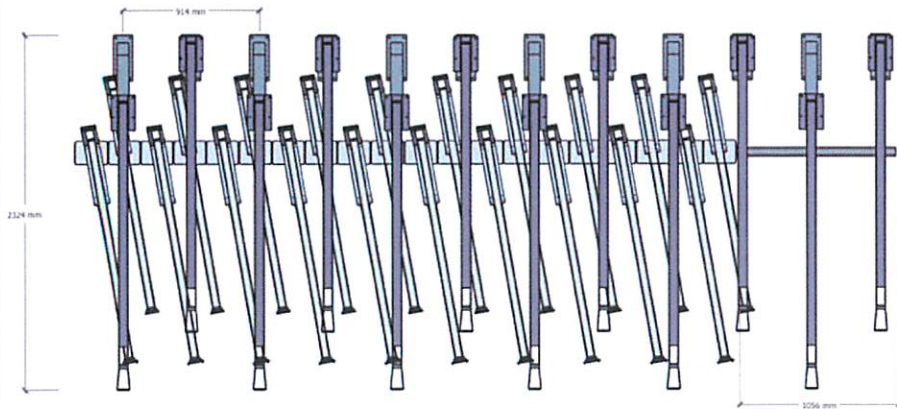
**Total of 79 Bicycle Parking Spaces:**  
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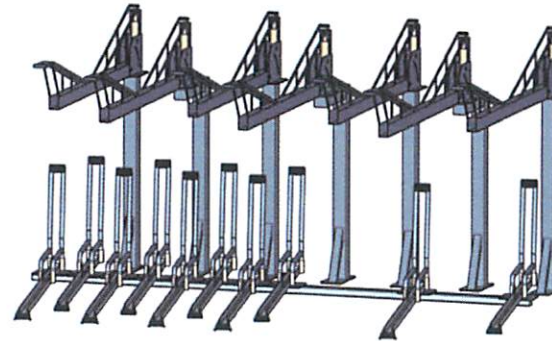
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## Top View



## 3D View



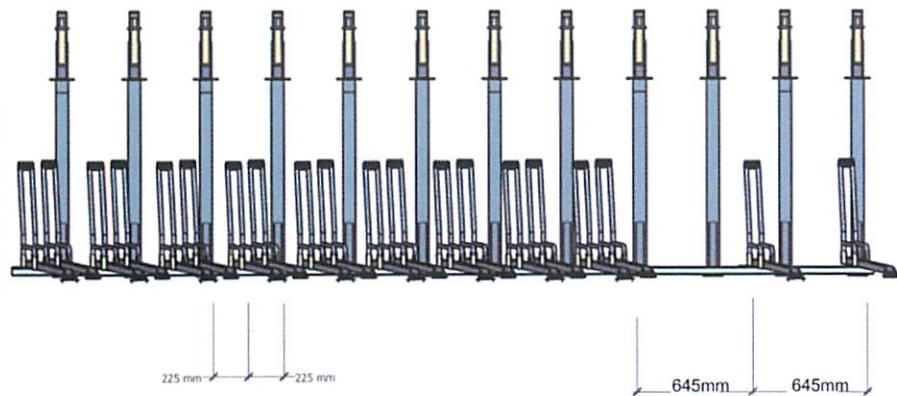
### Dena Plus

Made Of Painted Galvanized Steel And Aluminum.

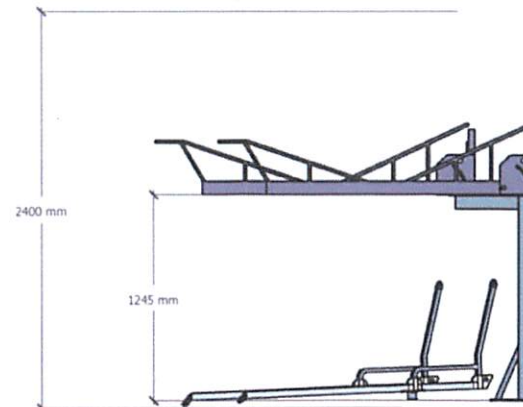
Equipped With A Pneumatic Mechanism For End-User Convenience.

Versatile Lower Track System For Increased Capacity.

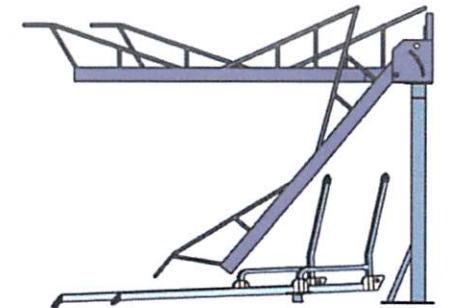
## Front View



## Side View



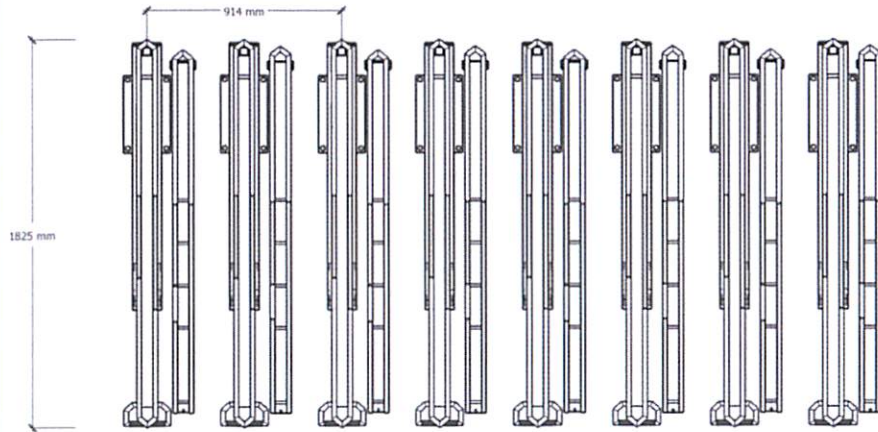
## Side View Lowered Rack



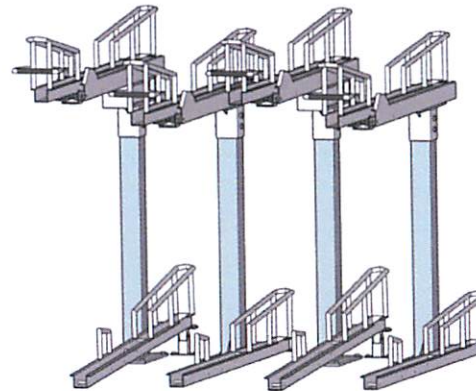
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# ParkAid

## Top View



## 3D View



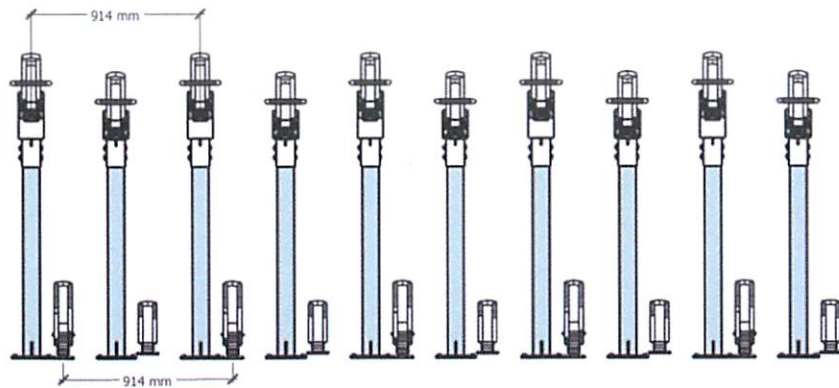
**Felix**

**Made Of Galvanized Steel.**

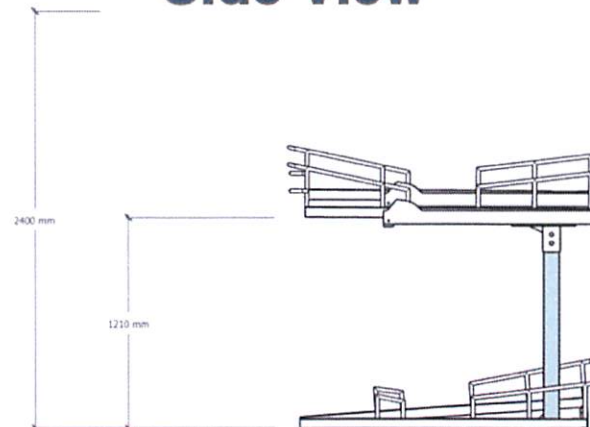
**Equipped With A Pneumatic  
Mechanism For End-User  
Convenience.**

**Compatible Lower Rack For  
Increased Capacity.**

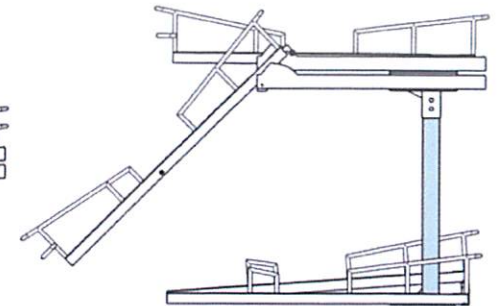
## Front View



## Side View



## Side View Lowered Rack

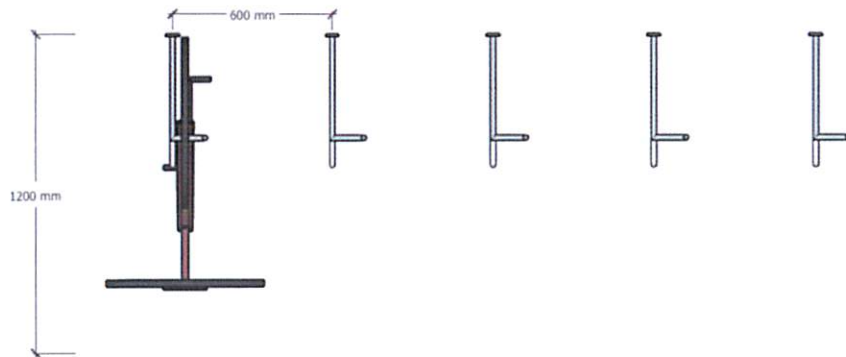


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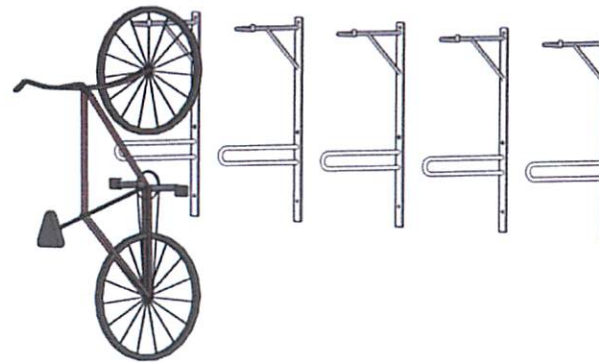
# ParkAid



## Top View



## 3D View



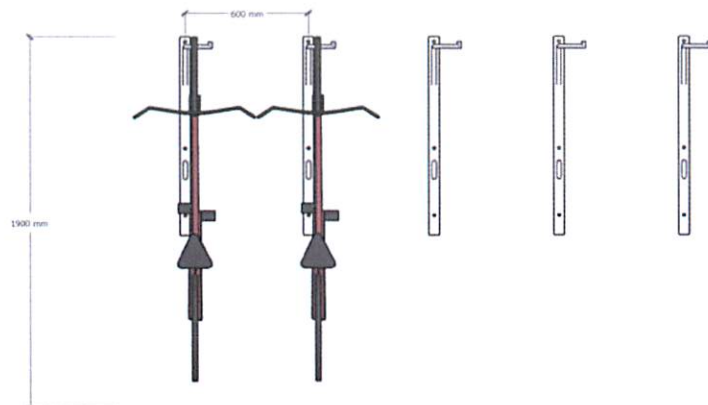
### Terra Wall Mount

(Leveled)

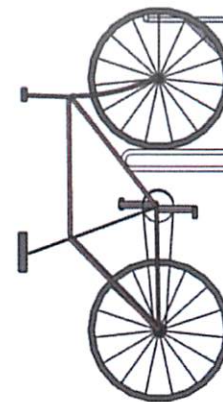
**Made Of High Performance  
Galvanized Steel.**

**On-Wall Vertical Bicycle  
Parking System.**

## Front View



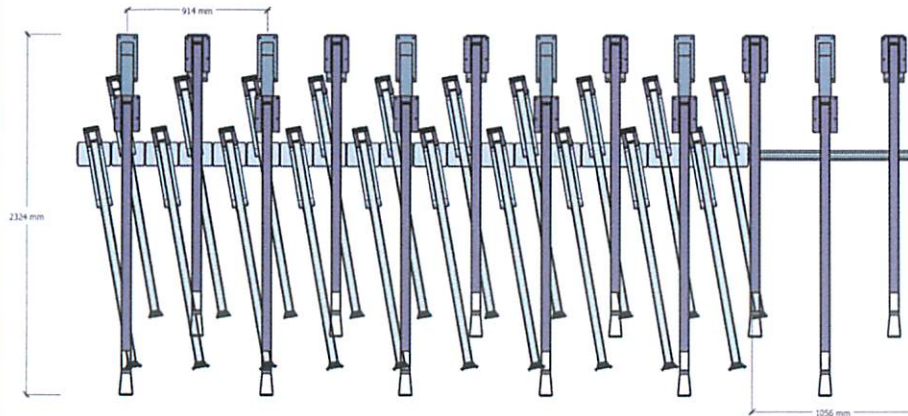
## Side View



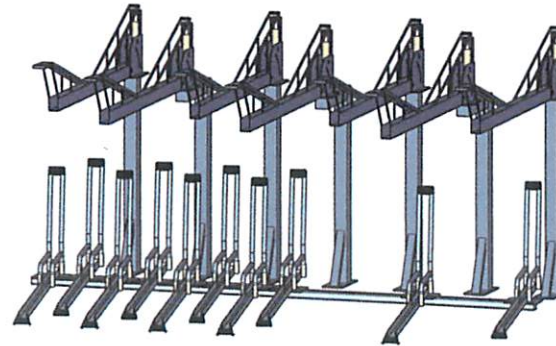
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# ParkAid

## Top View



## 3D View



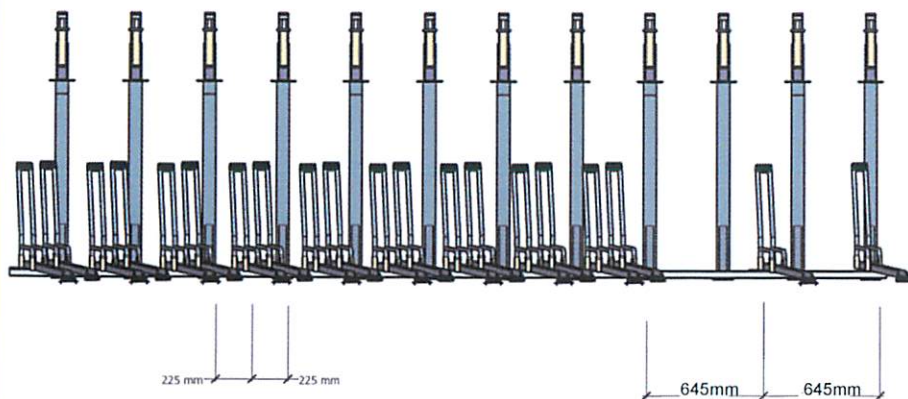
### Dena Plus

Made Of Painted Galvanized Steel And Aluminum.

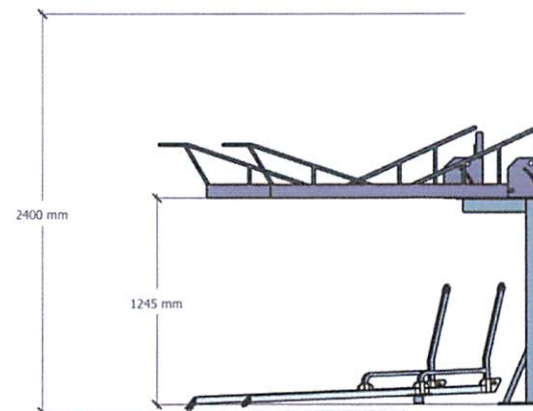
Equipped With A Pneumatic Mechanism For End-User Convenience.

Versatile Lower Track System For Increased Capacity.

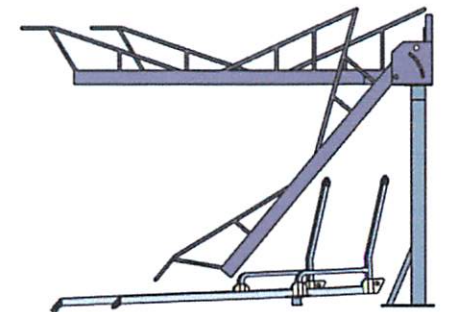
## Front View



## Side View



## Side View Lowered Rack

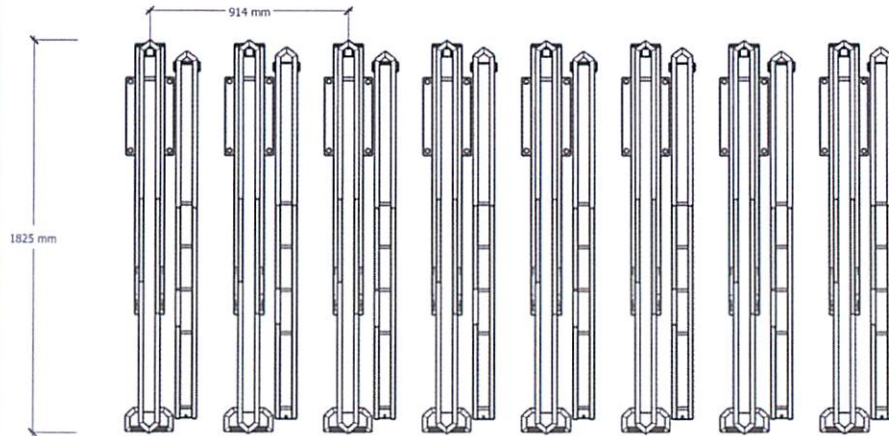


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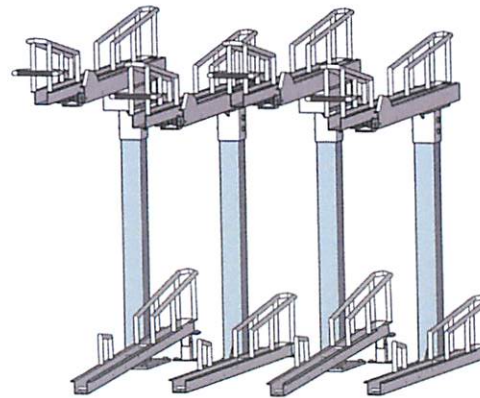
# ParkAid



## Top View



## 3D View



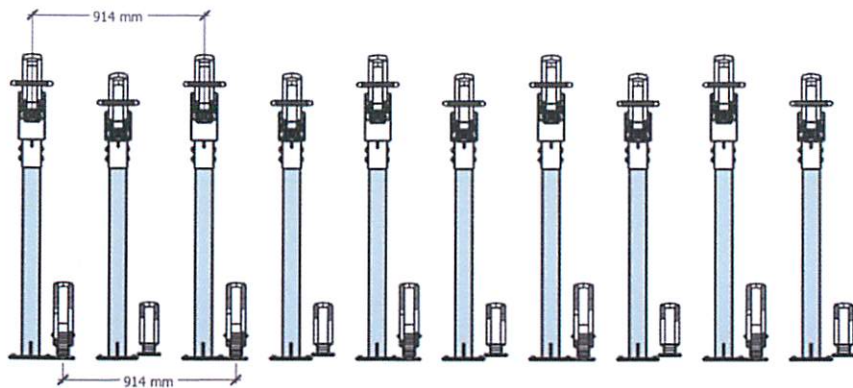
**Felix**

**Made Of Galvanized Steel.**

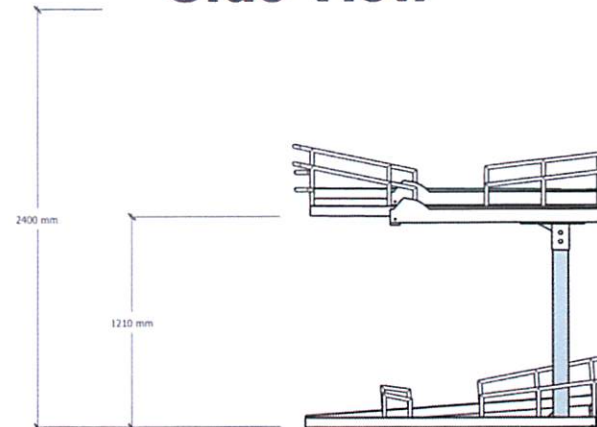
**Equipped With A Pneumatic  
Mechanism For End-User  
Convenience.**

**Compatible Lower Rack For  
Increased Capacity.**

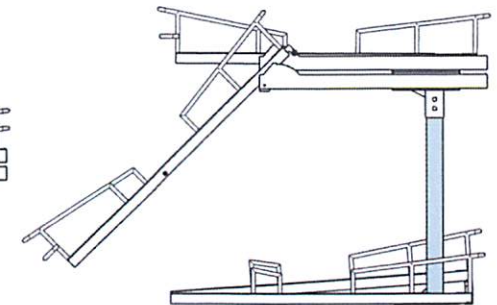
## Front View



## Side View



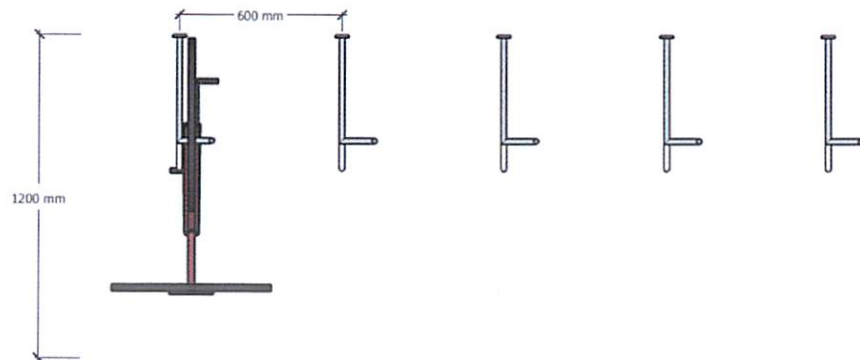
## Side View Lowered Rack



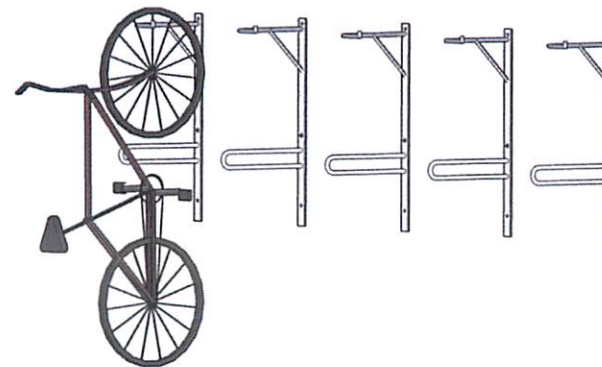
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# ParkAid

## Top View



## 3D View



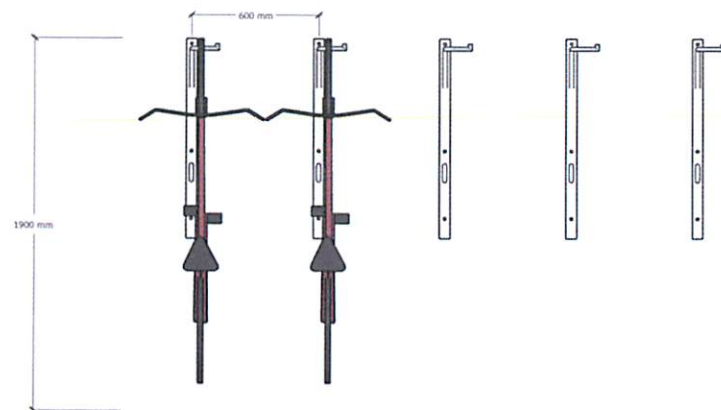
### Terra Wall Mount

(Leveled)

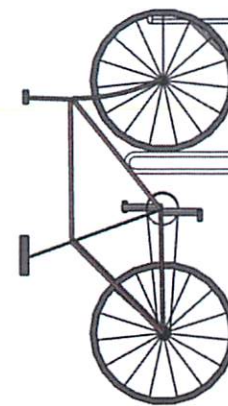
**Made Of High Performance  
Galvanized Steel.**

**On-Wall Vertical Bicycle  
Parking System.**

## Front View

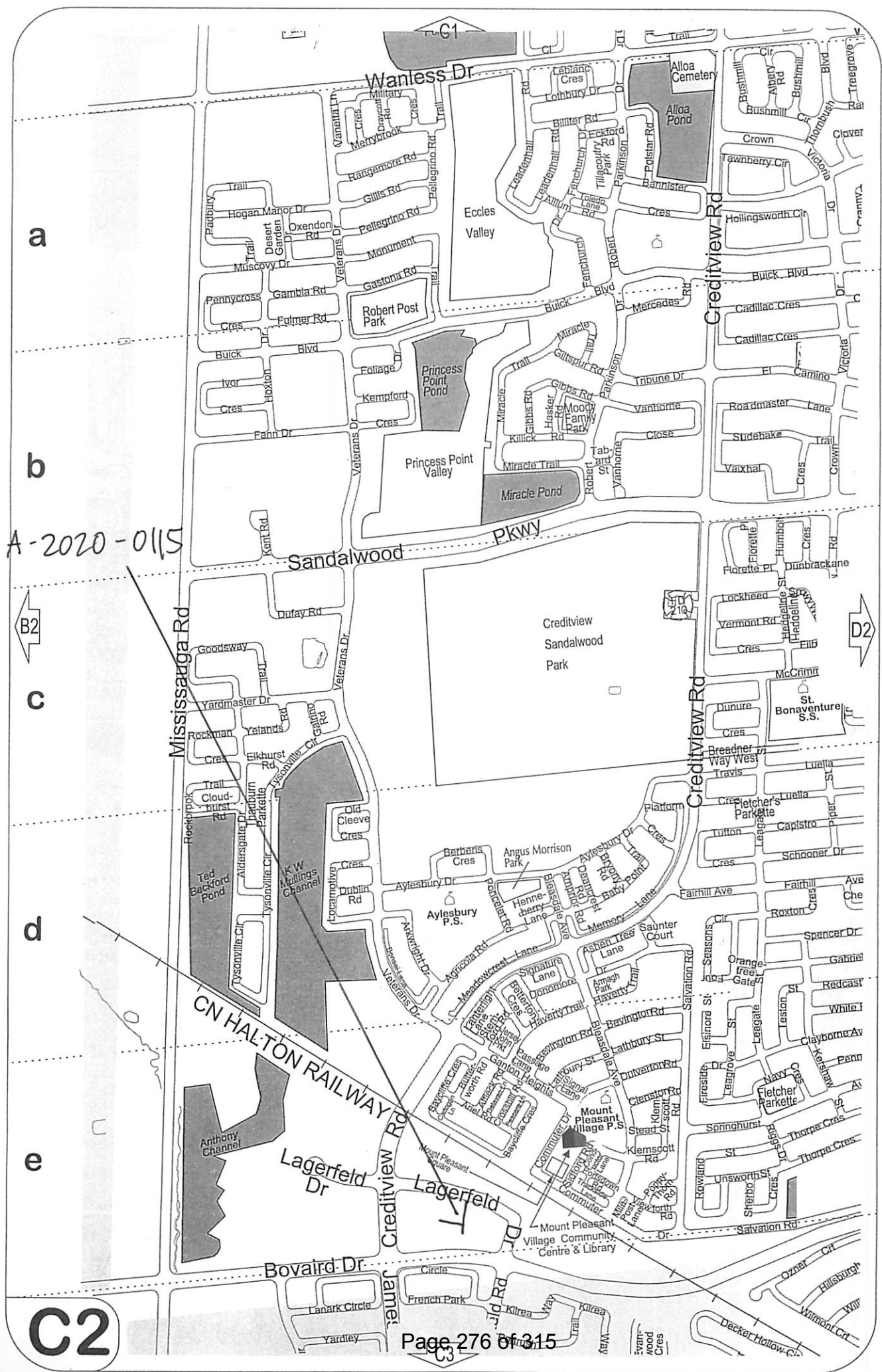


## Side View



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# ParkAid



a

b

c

d

e

A-2020-0115

C2



**Filing Date:** October 14, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0115

**Owner/  
Applicant:** Daniels Choice Mount Pleasant Corporation

**Address:** 10 Lagerfeld Drive

**Ward:** 6

**Contact:** Shelby Swinfield, Planner I, Development

---

### **Recommendations:**

That application A-2020-0115 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
  2. That the owner finalize site plan approval under City File SP18-002.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
  3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
- 

### **Background:**

#### Existing Zoning:

The property is zoned "Residential Apartment A – Special Section 3527 (R4A-3527)" according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a building height of 26 storeys whereas the by-law permits a maximum



building height of 25 storeys;

2. To permit 100% of the required bicycle parking to be vertical spaces whereas the by-law permits a maximum of 50% of the required bicycle parking to be vertical spaces and the rest must be horizontal spaces.

**Current Situation:**

1. Conforms to the Intent of the Official Plan

The subject property is designated 'Residential' in the Official Plan and designated 'Mixed Use Node' in the Fletcher's Meadow Secondary Plan (Area 44). The "Mixed Use Node" designation permits cluster and high density residential uses as part of the overall node. The requested increase in height is consistent with a high density residential form. Variance 2 is not considered to have significant impacts within the context of the Official Plan. 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 Apartment A – Special Section 3527 (R4A-3527)" according to By-law 270-2004, as amended.

Variance 1 is to permit a building height of 26 storeys whereas the by-law permits a maximum of 25 storeys. The intent of the by-law in regulating the maximum building height is to ensure that the construction of the apartment building is appropriate for the surrounding neighbourhood. The requested single storey increase is not anticipated to significantly impact the character of the proposed apartment building and will contribute positively to providing high density housing within the mixed use node. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is requested to permit 100% of the required bicycle parking to be vertical spaces whereas the by-law permits a maximum of 50% of the required bicycle parking to be vertical spaces and the rest must be horizontal spaces. The intent of the by-law in regulating the maximum permitted bicycle parking that can be vertical spaces is to ensure that the spaces are provided in an efficient and accessible manner. The property is currently subject to a site plan application, through which the provision of these spaces will be reviewed to ensure that they are provided in an accessible manner. As such, a condition of approval is recommended that the owner finalize site plan approval under City File SP18-002.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services. 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

Variances 1 is to permit an additional storey to be added to the proposed apartment building. This increase from 25 to 26 storeys is not considered to have a significant impact on the style of the apartment dwelling and will contribute positively to the

provision of high density housing for the City. Further, the property is subject to a site plan application, through the review of which any possible design impacts of the additional storey can be addressed. 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 all of the bicycle parking for the property to be provided in a vertical storage manner. This means of storage will help maximize and make more efficient the provision of bicycle parking while minimizing the draw on developable land for the property. Subject to the recommended conditions of approval, Variance 2 is considered to be desirable for the appropriate development of the property.

4. Minor in Nature

Variance 1 to permit 26 storeys whereas the by-law permits a maximum of 25 storeys represents a nominal increase that will not significantly impact the overall design of the building while allowing the provision of additional residential units. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 to permit 100% of bicycle parking to be provided vertically will facilitate the most efficient method of arranging bicycle parking for the property and is not anticipated to negatively impact the provision of bicycle parking. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I, Development

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MOHAMMAD ASEFI AND LAYMA ARBARI** 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 431, Plan 889 municipally known as **82 SUTHERLAND CRESCENT**, Brampton;

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

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

**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, November 10, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

**IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT.** This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

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

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

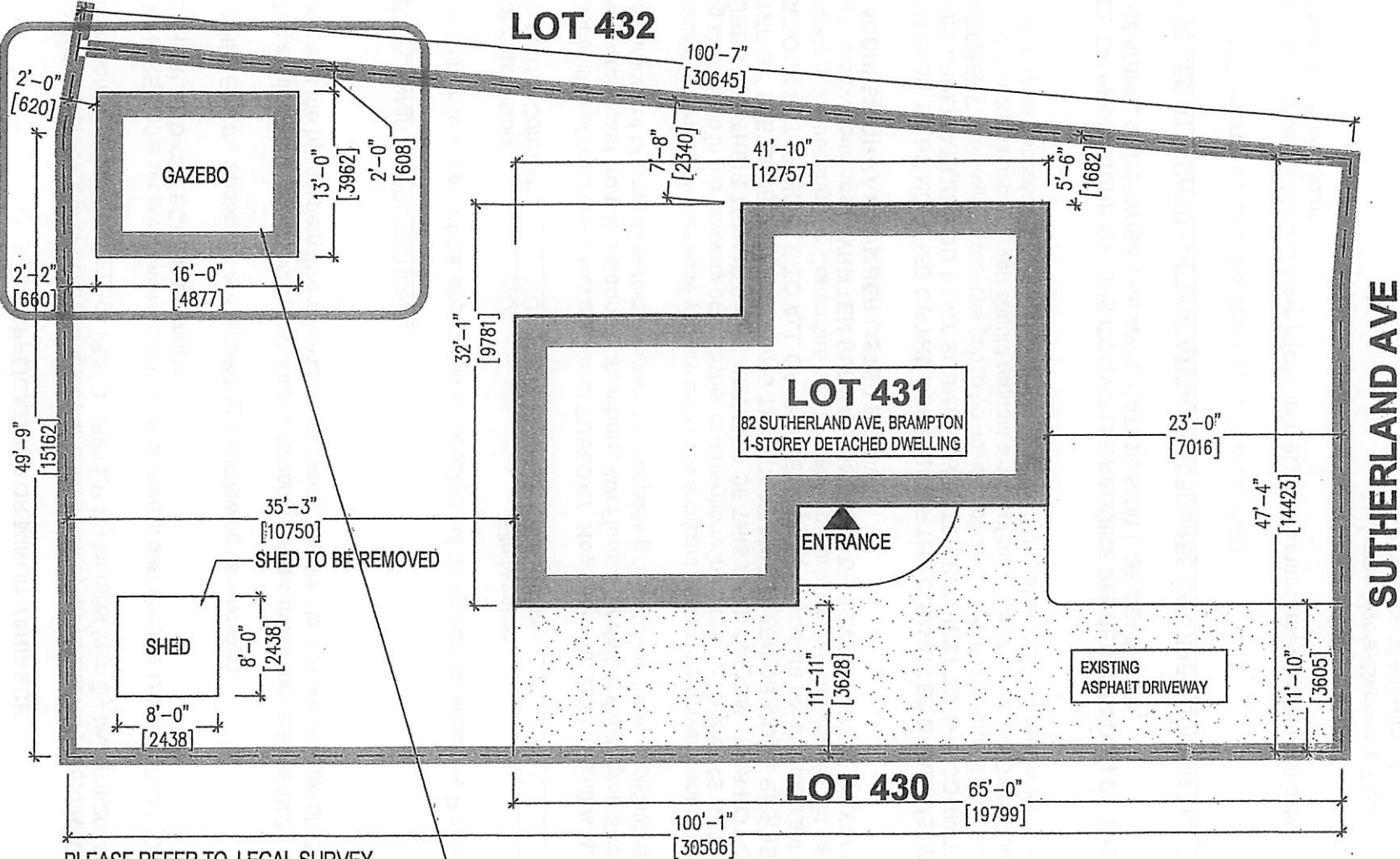
DATED at Brampton Ontario, this 29th day of October, 2020.

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)

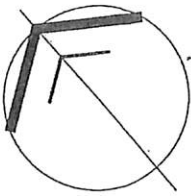
AS-BUILT GAZEBO AT REAR YARD

82 SUTHERLAND AVE, BRAMPTON



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

SCOPE OF COMMITTEE OF ADJUSTMENT APPLICATION:  
AS-BUILT GAZEBO



No.	Description	D

AS-BUILT GAZEBO AT REAR YARD  
82 SUTHERLAND AVE, BRAMPTON

Drawing by:  
NESTA DESIGN CO.  
48 COVEBANK CRESCENT  
BRAMPTON, ON, L6P 2Y1  
PHONE: 647-741-4552  
EMAIL: [amir@nestadesign.ca](mailto:amir@nestadesign.ca)

Checked by:

Drawn by:  
Date: 14/10/2020  
DRAWING NAME:  
SHEET NUMBER:  
SITE PLAN  
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 Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

**How to Participate in the Hearing:**

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, November 5, 2020.**
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm, Friday, November 6, 2020.**
  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **November 6, 2020.** City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at:  
<https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or  
<http://video.isilive.ca/brampton/live.html> .

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to [cityclerksoffice@brampton.ca](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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, City of Brampton.

**APPLICATION****Minor Variance or Special Permission**

(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law **270-2004**.

1. **Name of Owner(s)** MOHAMMAD ASEFI / LAYMA AKBARI  
**Address** 82 SUTHERLAND AVE, BRAMPTON ON L6V 2H7

**Phone #** (647) 573 6990

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

**Email** khalid.asefi@hotmail.com

2. **Name of Agent** ISMATULLAH AMIRI (NESTA DESIGN CO)  
**Address** \_\_\_\_\_

48 COVEBANK CRES, BRAMPTON - L6P 2Y1

**Phone #** 647-741-4552

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

**Email** amiri@nestadesign.ca

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

A RELIEF FROM ZONING BY LAW TO ALLOW AN AS-BUILT GAZEBO @ REAR YARD.

THE GAZEBO IS 19.32 M2 WHEREAS MAXIMUM ALLOWED SIZE FOR A SINGLE ACCESSORY

STRUCTURE IS 15 M2. COMBINED SIZE FOR MULTIPLE ACCESSORY STRUCTURE IS 20 M2.

THE AS-BUILT CONDITION OF THE GAZEBO IS 19.2 M2 WHICH EXCEEDS THE 15M2 HOWEVER IT IS WITHIN THE LIMIT SPECIFIED FOR COMBINED STRUCTURES.

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

THE ZONING BY LAW DOES NOT PERMIT GAZEBO STRUCTURE MORE THAN 15M2 WHEREAS THE AS-BUILT STRUCTURE IS 19.32 M2

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

**Lot Number** LOT 431

**Plan Number/Concession Number** PLAN M889 LOT 431 (Conflicting data between legal survey and city website)

**Municipal Address** 82 SUTHERLAND AVE, BRAMPTON

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

**Frontage** 14.98 M

**Depth** 30.48 M

**Area** 484.4 M2

7. **Access to the subject land is by:**

**Provincial Highway**

☐

**Municipal Road Maintained All Year**

☒

**Private Right-of-Way**

☐

**Seasonal Road**

☐

**Other Public Road**

☐

**Water**

☐

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

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

SINGLE FAMILY DWELLING 12.76 M X 9.78 M Area = 95.6 m<sup>2</sup>

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

AS-BUILT GAZEBO 4.877 M X 3.962 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 7.02 M

Rear yard setback 10.75 M

Side yard setback (INTERIOR) 1.68 M

Side yard setback (INTERIOR) 3.63 M

**PROPOSED**

Front yard setback N/A

Rear yard setback 0.6 M

Side yard setback 0.6M

Side yard setback N/A

10. Date of Acquisition of subject land: 2017
11. Existing uses of subject property: RESIDENTIAL
12. Proposed uses of subject property: RESIDENTIAL
13. Existing uses of abutting properties: RESIDENTIAL
14. Date of construction of all buildings & structures on subject land: 1969
15. Length of time the existing uses of the subject property have been continued: RESIDENTIAL SINCE CONSTRUCTION
16. (a) What water supply is existing/proposed?  
Municipal ☒ Other (specify) \_\_\_\_\_  
Well ☐
- (b) What sewage disposal is/will be provided?  
Municipal ☒ Other (specify) \_\_\_\_\_  
Septic ☐
- (c) What storm drainage system is existing/proposed?  
Sewers ☒ Other (specify) \_\_\_\_\_  
Ditches ☐  
Swales ☐

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

Yes ☐ No ☒

If answer is yes, provide details: File # \_\_\_\_\_ Status \_\_\_\_\_

18. Has a pre-consultation application been filed?


Yes ☐ No ☒

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

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

  
Signature of Applicant(s) or Authorized Agent

DATED AT THE \_\_\_\_\_ CITY \_\_\_\_\_ OF \_\_\_\_\_ BRAMPTON \_\_\_\_\_  
THIS 14th 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, ISMATULLAH AMIRI, OF THE CITY OF BRAMPTON

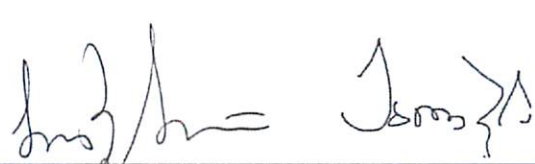
IN THE REGION OF PEEL SOLEMNLY DECLARE THAT:

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

DECLARED BEFORE ME AT THE

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

  
A Commissioner etc.

  
Signature of Applicant or Authorized Agent

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

FOR OFFICE USE ONLY

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

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

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

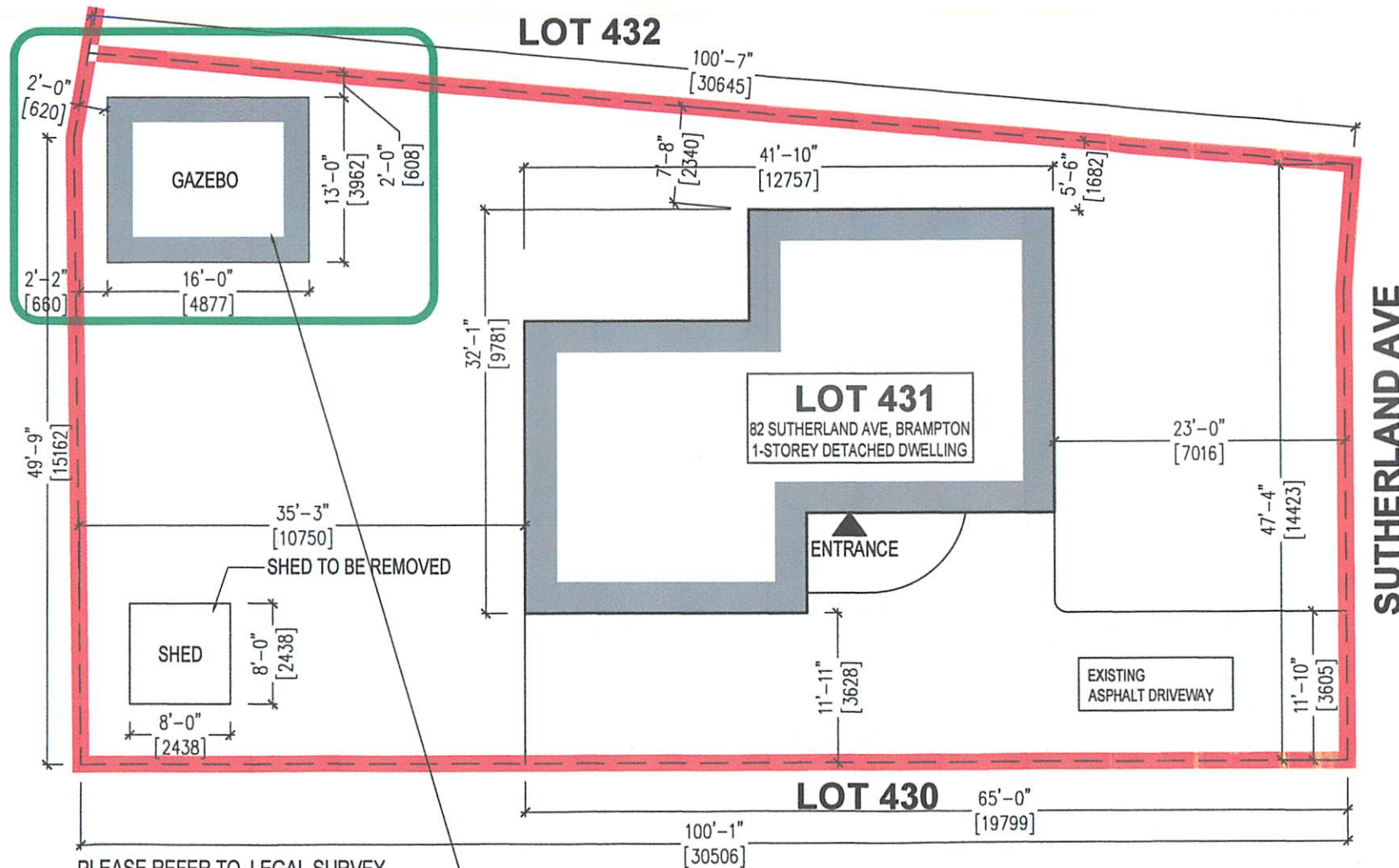
OCT. 14. 2020  
Date

DATE RECEIVED October 14, 2020



# AS-BUILT GAZEBO AT REAR YARD

82 SUTHERLAND AVE, BRAMPTON



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

**SCOPE OF COMMITTEE  
OF ADJUSTMENT  
APPLICATION:  
AS-BUILT GAZEBO**



No.	Description	Date

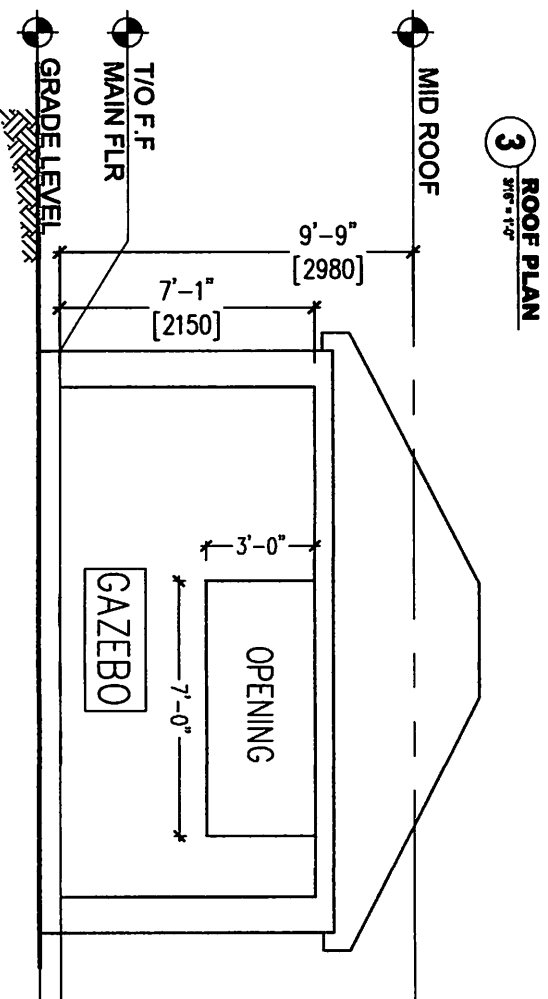
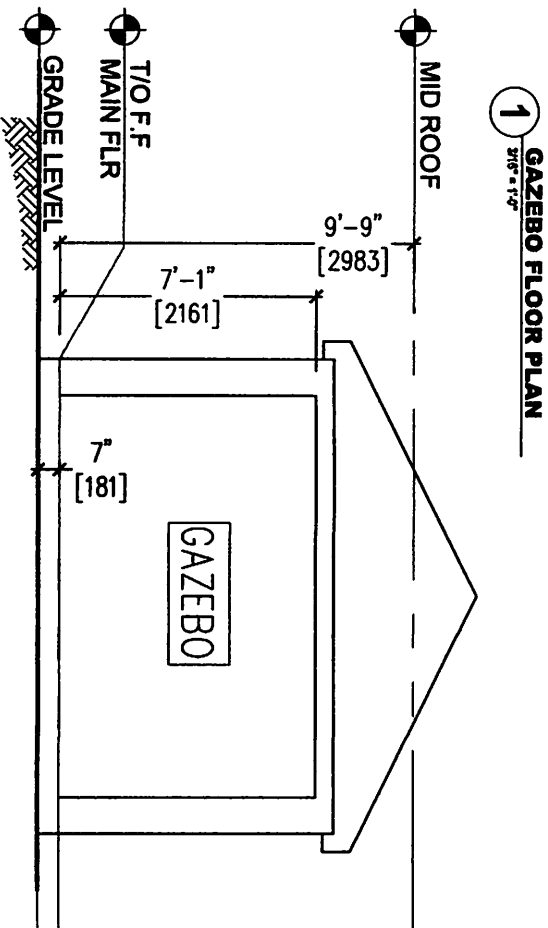
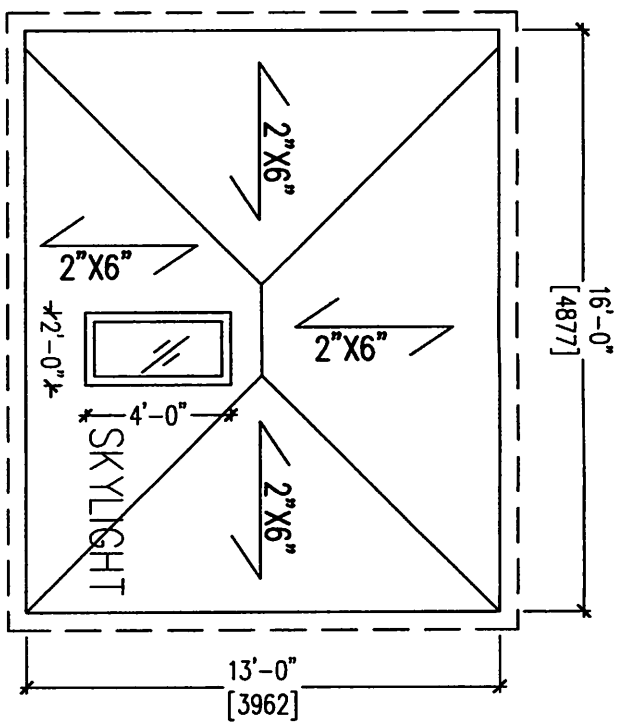
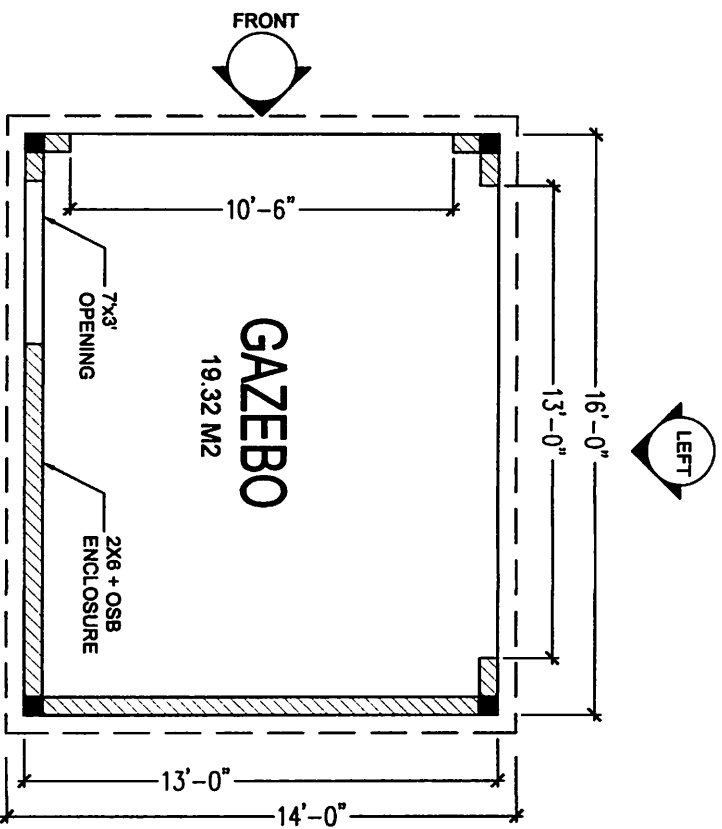
**AS-BUILT  
GAZEBO AT  
REAR YARD**

82 SUTHERLAND  
AVE, BRAMPTON

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

Checked by:

Drawn by  
Date 14/10/2020  
DRAWING NAME  
**SITE PLAN**  
SHEET NUMBER  
**A1**



No.	Description	Date

AS-BUILT  
GAZEBO AT  
REAR YARD  
82 SUTHERLAND  
AVE, BRAMPTON

Drawing by:  
NESTA DESIGN CO.  
48 COVERBANK CRESCENT  
BRAMPTON, ON L6P 2Y1  
PHONE: 947.741-4552  
EMAIL: [enrth@nestadsgroup.ca](mailto:enrth@nestadsgroup.ca)

Checked by:

Drawn by:  
Date: 14/10/2020  
Drawing Name: SITE PLAN  
Sheet Number: A2

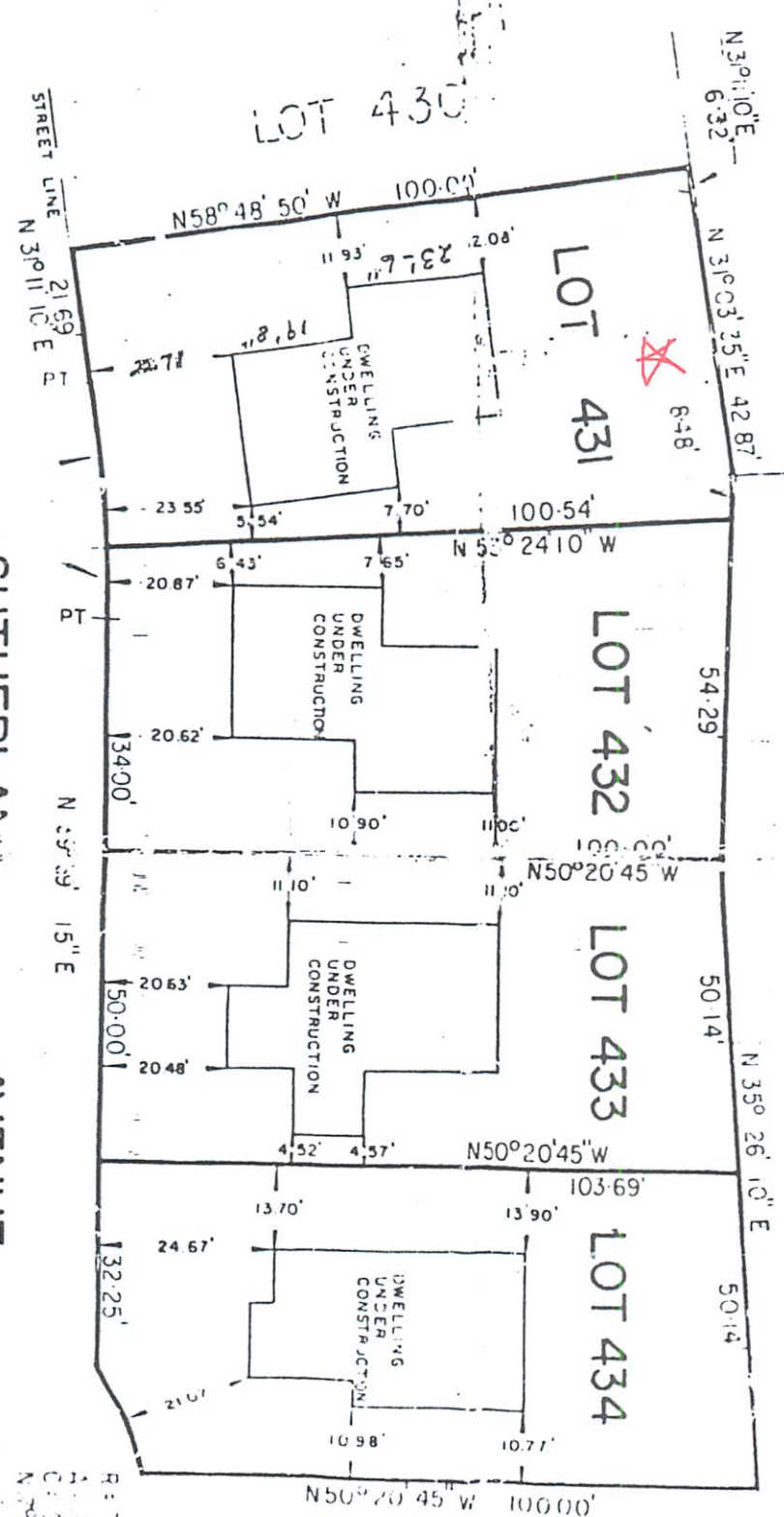
157-4033

PLAN OF SURVEY OF LOTS 431, 432, 433 AND 434 REGISTERED PLAN 889

J. ROYAN  
82 SUTHERLAND AVE.  
BRAMPTON ONT  
L6V-2H7  
LOT #431

SCALE 1" = 30'

LOT 437 LOT 436 LOT 435 LOT 434 LOT 433 LOT 432



SUTHERLAND AVENUE

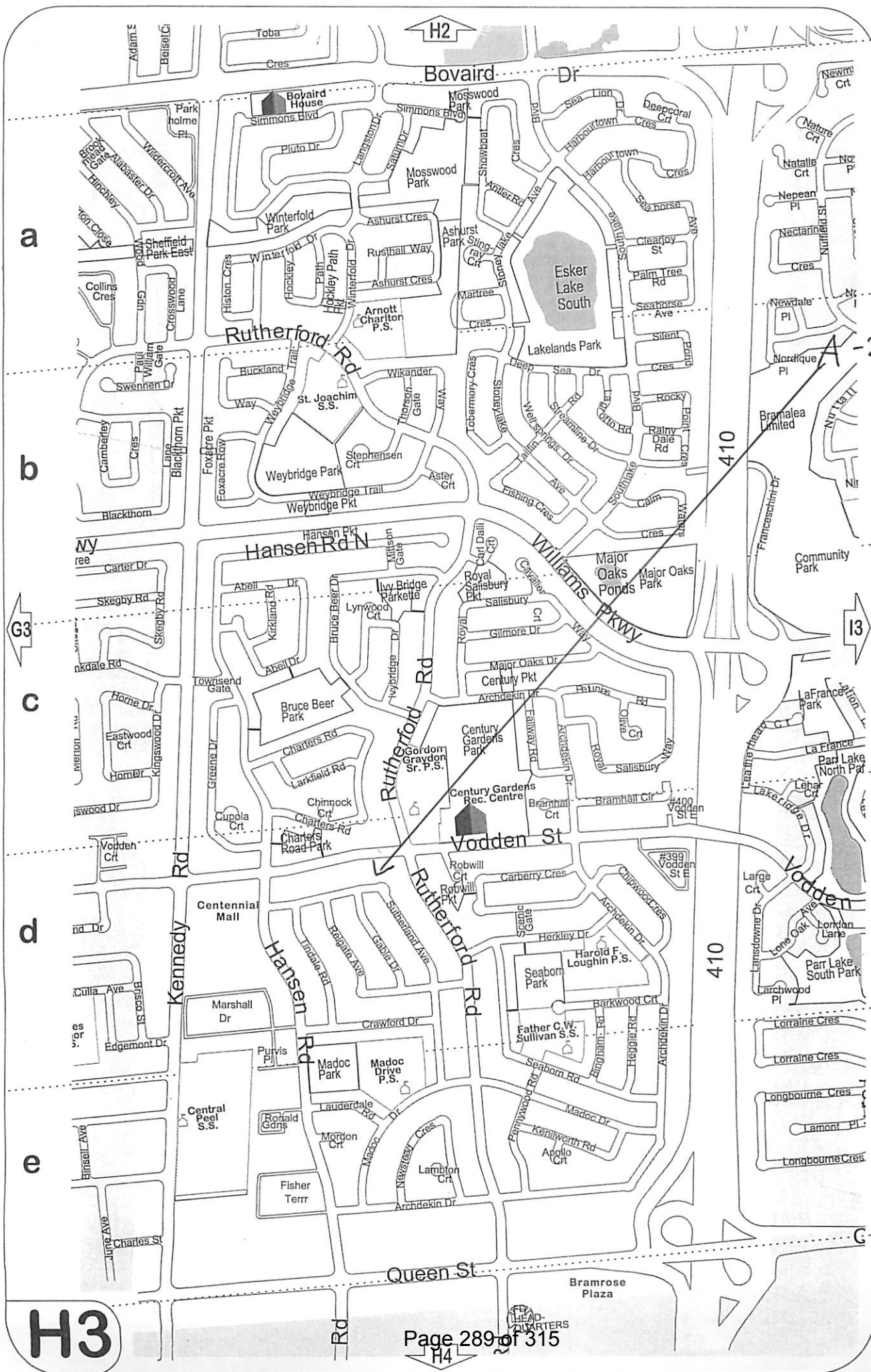
DATE DEC 11, 1970  
A=26.44'  
C=26.43'  
N 33°53'30" E  
R=280.00'  
A-C=14.94'  
N 38°07'30" E

H.J. Reinthaler  
ONTARIO LAND SURVEYOR

SCHAEFFER & REINTHALER  
ONTARIO LAND SURVEYORS  
465 WILSON AVE. DOWNSVIEW, ONT  
635-5423

DOCUMENTS RELEASED PURSUANT TO A REQUEST  
UNDER THE  
MUNICIPAL FREEDOM OF INFORMATION ACT  
PROTECTION OF PRIVACY ACT R.S.O. 1996, c. 186  
COPYRIGHT ACT R.S. 1985, c. C-42 APPLIES TO THE  
USE AND REPRODUCTION OF THESE DOCUMENTS





A-2020-0117



**Filing Date:** October 14, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0117

**Owner/  
Applicant:** MOHAMMAD ASEFI AND LAYMA AKBARI

**Address:** 82 Sutherland Avenue

**Ward:** 1

**Contact:** Shelby Swinfield, Planner I, Development

---

**Recommendations:**

That application A-2020-0117 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That roof drainage from the accessory structure shall flow onto the applicant's property;
3. That drainage on adjacent properties shall not be adversely affected;
4. That the gazebo remain of an open style construction and shall not be enclosed;
5. That the applicant obtain a building permit for the gazebo 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;
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 "Residential Single Detached B (R1B)" according to By-law 270-2004, as amended.

**Requested Variance:**

The applicant is requesting the following variance:

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

**Current Situation:**

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

The property is designated "Residential" in the Official Plan and "Low Density Residential" in the Brampton Flowertown Secondary Plan (Area 6). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

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

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

The requested variance is to permit an existing accessory structure (gazebo) having a gross floor area of 19.32 sq. m (207.96 sq. ft.) whereas the by-law permits an individual accessory structure to a maximum size of 15 sq. m (161.46 sq. ft.). The intent of the by-law in regulating the maximum permitted size of an accessory structure is to ensure that the outdoor space for the property is not dominated by structures and that the structure remains ancillary to the primary residential dwelling. The gazebo structure is of an open style construction and contributes positively to the outdoor amenity space for the property. A condition of approval is recommended that the structure remain of an open style construction and not be enclosed. Subject to the recommended conditions of approval, the requested variance is considered to maintain the intent of the Zoning By-law.

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

The requested variance is intended to facilitate an existing gazebo structure in the rear yard of the residential property. The structure is in compliance with side and rear yard required setbacks, and additionally conditions of approval are recommended that drainage from the roof of the structure flow onto the applicant's property and that drainage on adjacent properties is not impacted to ensure the structure does not negatively impact drainage patterns on adjacent properties. Further, the structure contributes positively to the use of the outdoor amenity space for the property. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

**4. Minor in Nature**

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

represents an increase in floor area of 4.32 sq. m. (46.5 sq. ft.) which does not detract significantly from the outdoor amenity space for the property. A condition of approval is recommended that the owner obtain a building permit within 60 days of the final date of the Committee's decision to ensure that the structure is in accordance with the Ontario Building Code. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I, Development



**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **UMBRIA DEVELOPERS 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 Block 34, Plan 43M-2086 municipally known as **39-41 ALLEGRO DRIVE AND 60-62 HASHMI PLACE**, Brampton;

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

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

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, November 10, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

**IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT.** This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

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

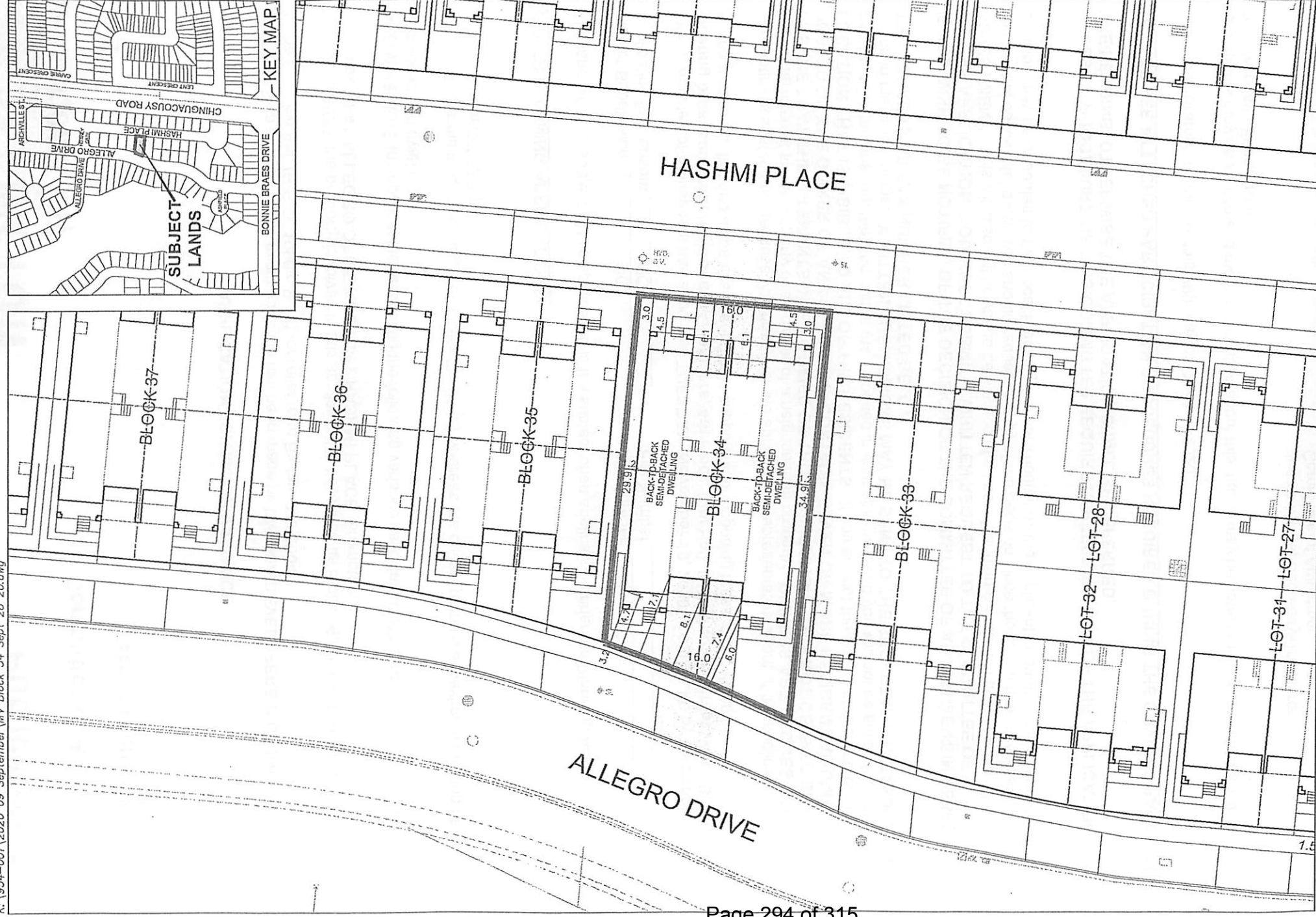
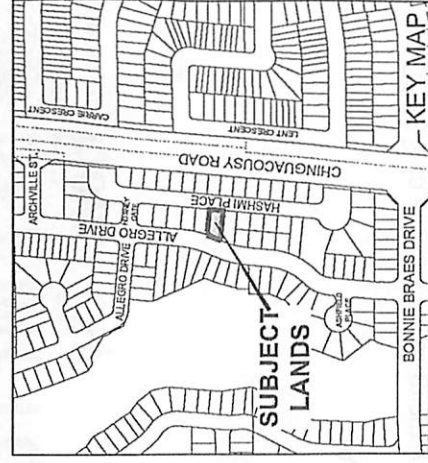
**PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC**

DATED at Brampton Ontario, this 29th day of October, 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)





COMMITTEE OF ADJUSTMENT  
MINOR VARIANCE SKETCH  
UMBRIA DEVELOPERS INC.

BLOCK 34, PLAN 43M-2086  
CITY OF BRAMPTON,  
REGIONAL MUNICIPALITY OF PEEL

**REQUIRED VARIANCE:**

TO ALLOW A MAXIMUM BUILDING HEIGHT OF 11.9 METRES WHEREAS 11.5 METRES IS PERMITTED.



**Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically during the COVID-19 Emergency**

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

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

**How to Participate in the Hearing:**

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, November 5, 2020.**
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm, Friday, November 6, 2020.**
  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **November 6, 2020.** City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or <http://video.isilive.ca/brampton/live.html>.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to [cityclerksoffice@brampton.ca](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.

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October 21, 2020

Refer to File: 954 001

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

A-2020-0118

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

**Re: Applications for Minor Variance  
Umbria Developers Inc.  
39-41 Allegro Drive and 60-62 Hashmi Place  
Block 34, Plan 43M-2086  
City of Brampton**

Please accept our Application for Minor Variance for the above-noted property on behalf of the owner, Umbria Developers Inc. The property is municipally known as 39-41 Allegro Drive and 60-62 Hashmi Place, legally described as Block 34, Plan 43M-2086. The property is generally located west of Chinguacousy Road and south of Queen Street West.

The subject property represents a block intended for 4 back-to-back semi-detached dwellings on a recently registered plan of subdivision. The block is subject to a future Exemption from Part Lot Control Application to divide the block for each semi unit. The property has been rough-graded and is currently vacant. The related subdivision is under construction for municipal services.

Due to grading constraints to accommodate side entrances for the units, the elevation of the main floor is required to be slightly higher which increases the overall height of the building. The proposed building height is 11.9 metres whereas the maximum permitted height is 11.5 metres. As such we are requesting the following variance:

1. To allow a maximum building height of 11.9 metres whereas 11.5 metres is permitted.

In our opinion, the proposed variances meet the prescribed criteria to authorize a minor variance under Section 45 of the Planning Act:



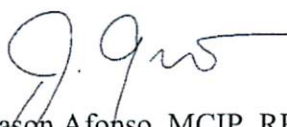
- 1) The proposed variance conforms to the Official Plan as the property is designated "Medium Density 2 Residential" in the Credit Valley Secondary Plan which permit back-to-back semi-detached dwellings. The proposed variance will continue to implement the housing form permitted by the Official Plan;
- 2) The proposed variance meets the intent of the Zoning By-law as the lands are zoned "R2E-7.5-2897" which permit back-to-back semi-detached dwellings. The proposed variance will continue to implement the housing form permitted by the Zoning By-law;
- 3) The proposed variance is minor in nature as the proposed 11.9-metre building height is generally consistent with the building height permitted for the adjacent back-to-back dwellings and would not create adverse impacts on the streetscape; and
- 4) The proposed variance is appropriate and desirable as the proposed 11.9-metre building height would allow the developer to maintain the house design and square-footage, as sold/purchased.

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

- A completed Application for Minor Variance form including the Appointment and Authorization of Agent and Permission to Enter forms;
- The Minor Variance Sketch Plan, as prepared by Glen Schnarr & Associates Inc. dated September 28, 2020; and
- The Building Elevation Plan, as prepared by Cassidy + Company, dated June 2020.

We will coordinate payment of the required Application fee with you by appointment. We trust this completes the Application for Minor Variance. Please feel free to contact the undersigned if you have any questions or require more information.

Yours very truly,  
GLEN SCHNARR & ASSOCIATES INC.

  
Jason Afonso, MCIP, RPP  
Senior Associate

c. S. Kamal, Umbria Developers Inc.





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)

Umbria Developers Inc. (Attn: Syed Kamal)

Address

37 Hawkridge Trail, Brampton, ON L6P 2T4

Phone #

647 220 9355

Fax #

Email

syed28@hotmail.com

2.

Name of Agent

Glen Schnarr & Associates Inc. (Attn: Jason Afonso)

Address

700-10 Kingsbridge Garden Circle, Mississauga ON L5R 3K6

Phone #

416 315 3284

Fax #

Email

jasona@qsai.ca

3.

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

1. To allow a maximum building height of 11.9 metres whereas 11.5 metres is permitted.

4.

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

The additional building height is required in order to accommodate a side entrance.

5.

Legal Description of the subject land:

Lot Number

Block 34

Plan Number/Concession Number

43M-2086

Municipal Address

39-41 Allegro Drive and 60-62 Hashmi Place

6.

Dimension of subject land (in metric units)

Frontage

16.0 m

Depth

29.9 m

Area

516.3 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.)

Vacant

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

Back-to-Back Semi-Detached Dwellings
Ground Floor Area per dwelling: 50 m <sup>2</sup>
3 Storeys / Height: 11.9 m
Dimensions per dwelling: 6.75 m x 10.45 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	N/A
Rear yard setback	
Side yard setback	
Side yard setback	

**PROPOSED**

Front yard setback	4.5 metres
Rear yard setback	0.0 metres
Side yard setback	1.2 metres
Side yard setback	1.2 metres

10. Date of Acquisition of subject land: 2016

11. Existing uses of subject property: Vacant Residential / Under Construction

12. Proposed uses of subject property: Back-to-back Semi-Detached Residential

13. Existing uses of abutting properties: Future Back-to-back Semi-Detached Residential

14. Date of construction of all buildings & structures on subject land: N/A

15. Length of time the existing uses of the subject property have been continued: Vacant since 2019

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

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

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

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

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

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

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

Yes ☒ No ☐

If answer is yes, provide details: File # 21T-17002B Status Registered

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

J. Amorim  
Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Mississauga

THIS 25th DAY OF September, 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, Jason Amorim, OF THE City OF Mississauga  
IN THE Region OF Peel SOLEMNLY DECLARE THAT

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

DECLARED BEFORE ME AT THE

City OF Mississauga

IN THE Region OF

Peel THIS 28th DAY OF  
September, 20 20

J. Amorim  
Signature of Applicant or Authorized Agent

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

[Signature]  
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R2E - 2897

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

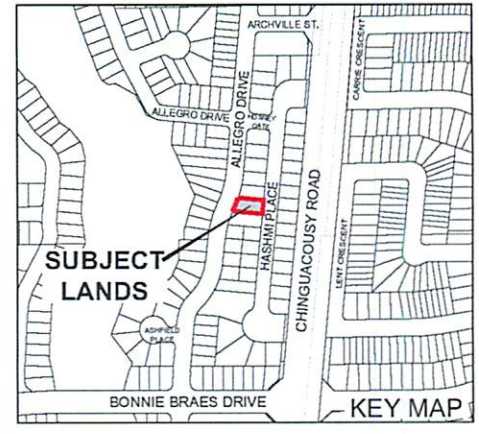
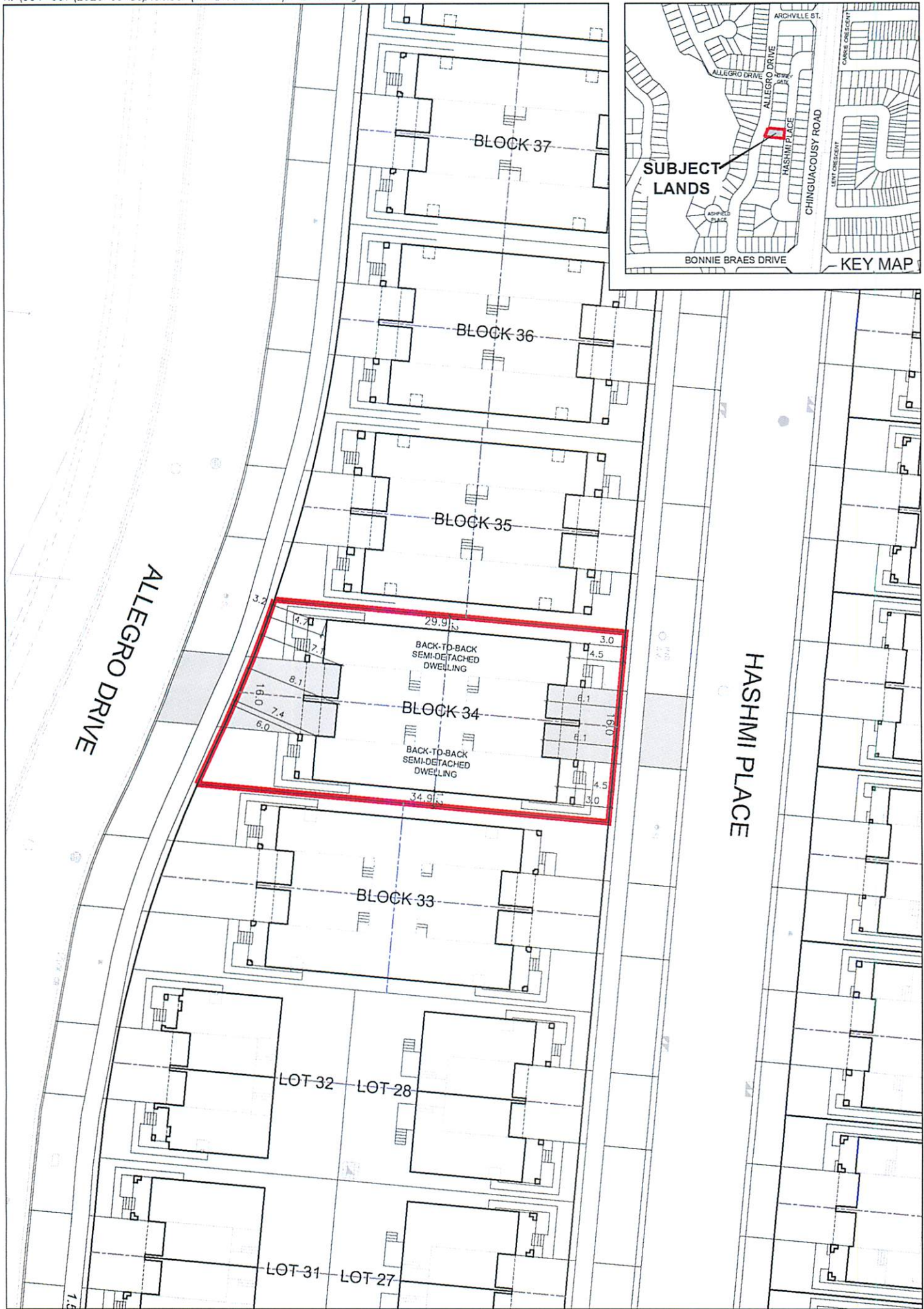
OCT. 21. 2020  
Date

DATE RECEIVED

October 21, 2020

Revised 2020/01/07





COMMITTEE OF ADJUSTMENT  
MINOR VARIANCE SKETCH  
UMBRIA DEVELOPERS INC.

BLOCK 34, PLAN 43M-2086  
CITY OF BRAMPTON,  
REGIONAL MUNICIPALITY OF PEEL

**REQUIRED VARIANCE:**

TO ALLOW A MAXIMUM BUILDING HEIGHT OF 11.9 METRES WHEREAS 11.5 METRES IS PERMITTED.



SCALE 1:400  
SEPTEMBER 28, 2020

**GSAI**  
Glen Schnarr & Associates Inc.







A-2020-0118

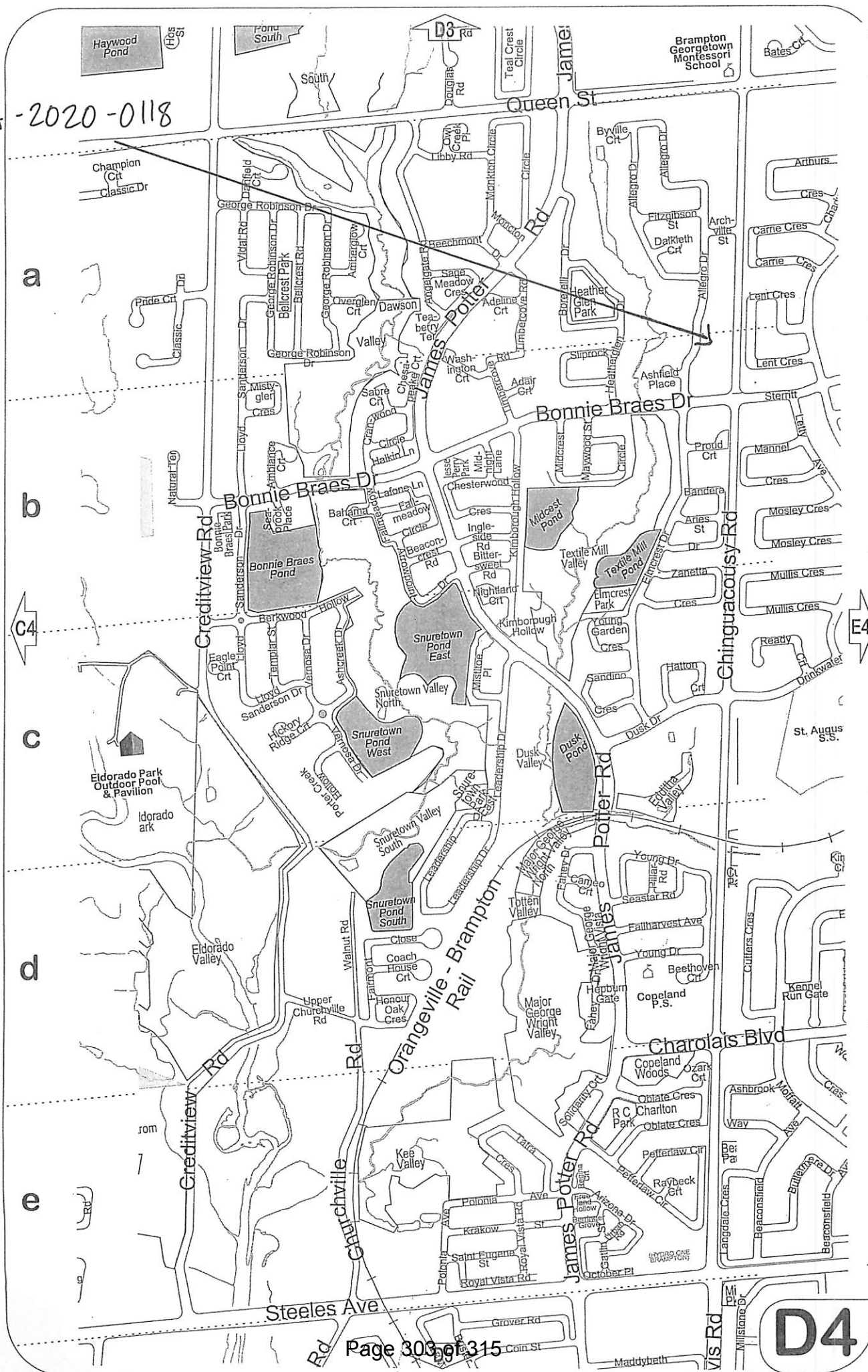
a

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D4

**Filing Date:** October 23, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0118

**Owner/  
Applicant:** UMBRIA DEVELOPERS INC.

**Address:** 39 Allegro Drive

**Ward:** 4

**Contact:** Shelby Swinfield, Planner I, Development

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**Recommendations:**

That application A-2020-0118 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 clause be included within the Agreement of Purchase and Sale for the advising of the variances affecting the property. In the event the property has been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser acknowledges and accepts the variance; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

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

The subject property are zoned "Residential Semi-Detached E-7.5 (R2E-7.5-2897)" according to By-law 270-2004, as amended.

**Requested Variance:**

The applicant is requesting the following variance:

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

## Current Situation:

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

The properties are designated "Residential" in the Official Plan and "Medium Density 2" in the Credit Valley Secondary Plan (Area 45). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

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

The intent of the by-law in regulating maximum building height is to ensure that the height of the dwelling is appropriate for the overall neighbourhood and the massing of the dwelling does not negatively impact adjacent dwellings. The proposed increased permitted height is consistent with adjacent dwellings of a similar built form and will contribute to a more uniform streetscape. 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 a result of an updated dwelling design proposed for the property. Adjacent properties on the street consist of back-to-back style semi-detached dwellings that are oriented differently on the lot than the proposed standard semi-detached dwellings. The proposed variances will facilitate the establishment of dwellings with a modest increase in height. 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 are reflective of a change in dwelling design. The variance is considered to represent modest relief from the zoning by-law to allow for a more uniform orientation and design of dwellings on the street. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I, Development





**DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **KERRY'S PLACE RESIDENTIAL SERVICES** 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 90, Plan 43M-702, municipally known as **58 NEWBURY CRESCENT**, Brampton;

AND WHEREAS the applicant is requesting the following:

1. To permit a Supportive Housing Facility (Group Home Type 1) whereas Interim Control By-law 286-2019 does not permit the proposed use;
2. To permit an interior side yard setback of 0.2m (0.65 ft.) to an existing accessory structure (shed) in the rear yard whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure from any lot line.

**OTHER PLANNING APPLICATIONS:**

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

Plan of Subdivision: NO  
Application for Consent: NO

File Number: \_\_\_\_\_  
File Number: \_\_\_\_\_

The Committee of Adjustment has appointed **TUESDAY, November 10, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

**IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT.** This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

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

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

DATED at Brampton Ontario, this 29th day of October, 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)

401 108 7-8-19  
E (PO)

NEWBURY

7.9m

A = 49.21  
R = 33.00  
C = 18.79

0.01%

Permethrin  
Landscaping

LOT 91

LOT 92

LOT 93

REGISTERED

LOT 94

LOT 3

## PLAN

07 89

43M -

LOT 88

702

NEWBURY CRESCENT

1 DEDICATED BY REGISTERED PLAN. 43M - 702)

J.D. BAINES, Surveyors - 1987

# SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
THE FIELD SURVEY REPRESENTED ON THIS PLAN  
WAS COMPLETED ON THE 11th DAY OF JUNE,  
1947

SURVEY MONUMENT FOUND.  
 SURVEY MONUMENT PLANTED  
 STAINLESS IRON BAR  
 INCH BAR  
 POINT OF SURVIVANCE  
 REGISTERED PLAN 424 - 702  
 IRELLINO UNDER CONSTRUCTION

NOTES: BEARINGS ARE ASTERISONS, AND ARE REFERRED TO THE NORTHEASTERLY LIMIT OF NEARBY OREBENT AS SHOWN ON REAR-PLATED PLAN 44M - 702, HAVING A BEARING OF N 30° 11' 00" E.

ALL BUILDING TIES ARE TAKEN TO CONCRETE FOUNDATION  
ALL ROUND SURVEY MEASUREMENTS SET BY J.D.BARNES LIMITED, BIRMINGHAM,  
CHILDRS NOTED OTHERWISE.

~~SECRET~~

FRANK J. MAURO  
Ohio State Supreme Court



DEAVIN MR: SA

CHECKED BY: PJB

SCALE 11 = 30'

[illegible]

**J. D. BATHES, Librarian, Surveyors**

**Кандидат в члены Политбюро ЦК КПСС**

॥ श्रीगणेशाय नमः ॥

Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically during the COVID-19 Emergency

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

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

#### How to Participate in the Hearing:

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, November 5, 2020.**
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm, Friday, November 6, 2020.**
  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **November 6, 2020.** City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or <http://video.isilive.ca/brampton/live.html>.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to [cityclerksoffice@brampton.ca](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:** February 4, 2020  
**Hearing Date:** November 10, 2020

**File:** A-2020-0022

**Owner/  
Applicant:** Kerry's Place Residential Services – Marc Kemerer

**Address:** 58 Newbury Crescent

**Ward:** 7

**Contact:** Shelby Swinfield, Development Planner

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

The property is zoned "Residential Semi-Detached A(2)– Special Section 187 (R2A(2)-187)" according to By-law 270-2004, as amended.

**Requested Variance:**

The applicant is requesting the following variances:

1. To permit a Supportive Housing Facility (Group Home Type 1) whereas Interim Control By-law 286-2019 does not permit the proposed use;
2. To permit an interior side yard setback of 0.2m (0.65 ft.) to an existing accessory structure (shed) in the rear yard whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure from any lot line.

**Current Situation:**

Staff understand that the applicant has submitted a request to defer the application to a future hearing date. Staff support the applicant's request to defer the application to whatever length or extent the Committee deems appropriate.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I, Development



## Myers, Jeanie

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**From:** Irene Bardakjian  
**Sent:** 2020/11/04 12:39 PM  
**To:** Myers, Jeanie  
**Subject:** [EXTERNAL]Kerry's Place Residential Services relief from by-law 270-2004 - 58 Newbury Crescent, Brampton.

A=2020-0022

Hello -

I am writing with respect to the proposed adjustment for the residential home at 58 Newbury Crescent by Kerry's Place Residential Services.

This is a quiet single family home neighborhood with many young families with young children. We are not in agreement with this proposal of a group home as it will jeopardize the safety and quiet enjoyment for all residents. Homes of this nature should not be allowed in private subdivisions where there are young families, schools and places of worship. In addition to jeopardizing the safety of the residents it will also reduce the value of our homes. These homes were purchased in this subdivision and a certain standard is expected by all. A group home is a detriment and should not be allowed. Thank you

Hagop Bardakjian and Irene Bardakjian  
89 Newbury Crescent, Brampton, Ontario



**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **SONEIL KIPLING 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 2 E.H.S. municipally known as **263 QUEEN STREET EAST**, Brampton;

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

1. To permit the temporary outside storage/parking of oversized motor vehicles (dump trucks) for a period of five (5) years whereas the by-law does not permit the use.

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, November 10, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

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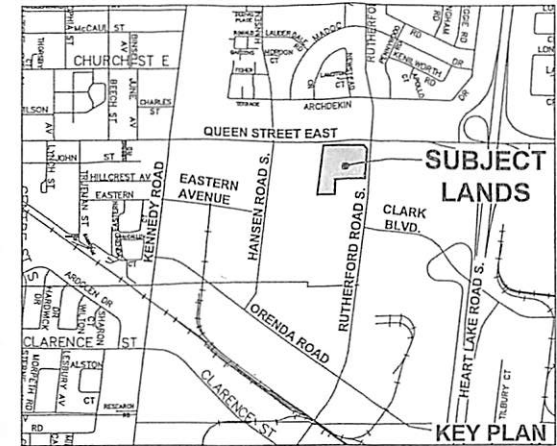
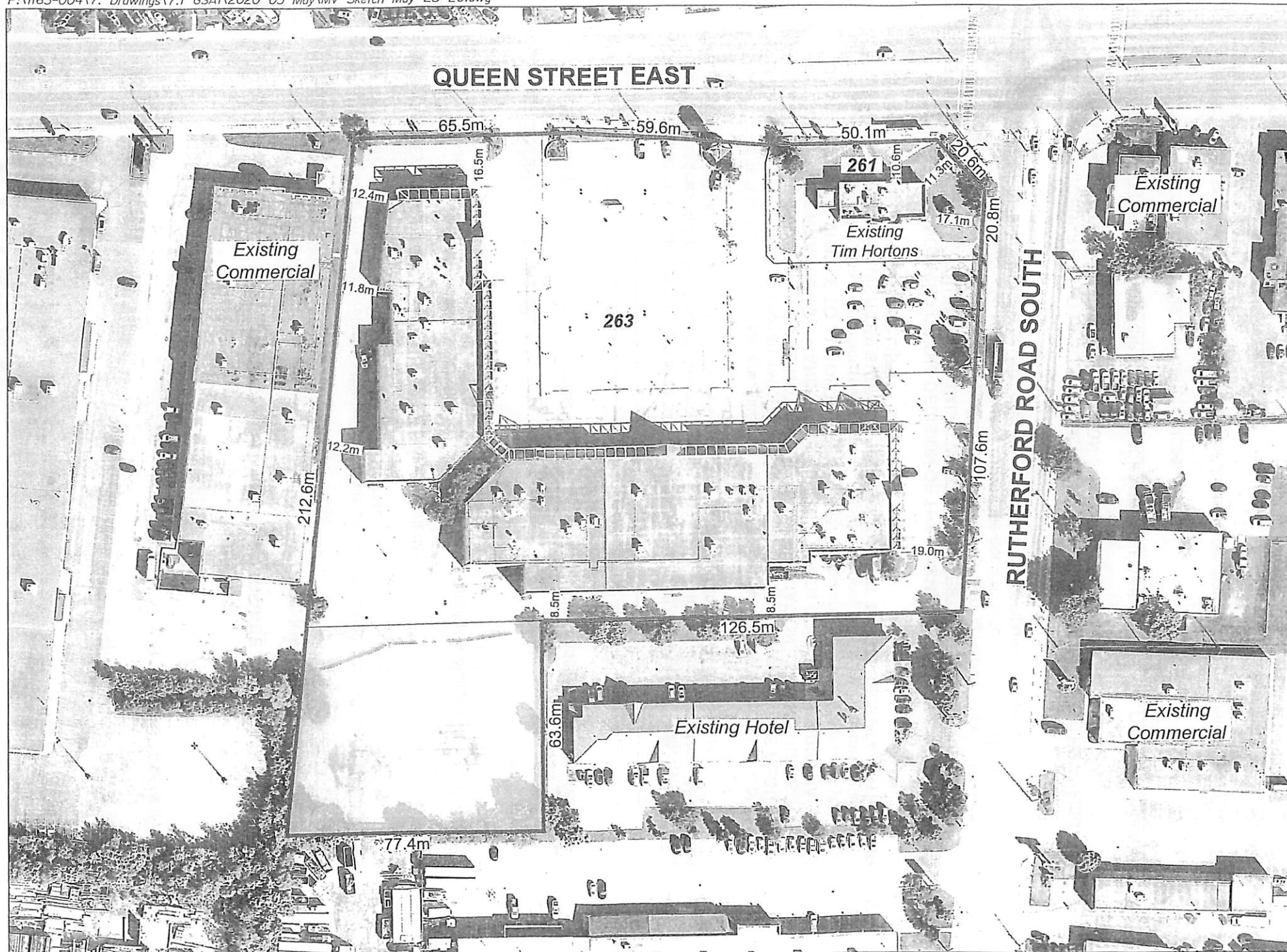
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this 29th day of October, 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)



## MINOR VARIANCE SKETCH SONEIL KIPLING INC.

261 & 263 QUEEN STREET EAST

PART LOT 5,  
CONCESSION 2 E.H.S. (CHING)  
PARTS 1, 4, PL 43R15-38  
CITY OF BRAMPTON  
REGION OF PEEL

— Subject Property: ±3.28ha (8.11ac)

### Required Variance:

To temporarily permit the parking of oversized vehicles on the site



Scale 1:1500  
May 28, 2020

**GSAI**  
Glen Schnarr & Associates Inc.



Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically during the COVID-19 Emergency

**Electronic Hearing Procedures**  
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**Filing Date:** July 27, 2020  
**Hearing Date:** November 10, 2020  
**File:** A-2020-0052  
**Owner/  
Applicant:** Soneil Kipling Inc. –Sarah Clark  
**Address:** 263 Queen Street East  
**Ward:** 3  
**Contact:** Shelby Swinfield, Planner I, Development

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**Recommendations:**

That application A-2020-0052 is not supportable.

---

**Background:**

This application was previously heard by Committee on September 9, 2020. Staff had recommended refusal of the application and the applicant requested a deferral to allow for time to meet with staff. The applicant met with Planning staff to discuss the application and staff's recommendation.

Existing Zoning:

The property is zoned "Queen Street Mixed Use Transition (QMUT)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit the temporary outside storage/parking of oversized motor vehicles (dump trucks) for a period of five (5) years whereas the by-law does not permit the use.

**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 intent of this designation is to facilitate the transition of the corridor to a higher-density, mixed-use, transit-oriented, bicycle and pedestrian-friendly corridor. The requested variance to permit the storage of dump trucks on the subject property for a temporary period of five years is not in line with the redevelopment goals of this designation. The requested variance does not maintain the general intent of the Official Plan.

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

The property is zoned “Queen Street Mixed Use Transition (QMUT)” according to By-law 270-2004, as amended. This recent zoning was enacted in 2019 to facilitate the redevelopment of existing lands along the Queen Street Corridor. The permitted uses of this zone were selected to encourage redevelopment of those lands to higher density, mixed use, transit oriented, bicycle and pedestrian friendly corridor as per the vision within the Official Plan. The intent of the zone is as a transition to the ultimate redevelopment for the Queen Street Corridor. It does not pre-zone the area but rather is intended to ensure that changes to existing buildings and uses bring them more in line with the ultimate redevelopment proposed in the area, as well as to not create conflicts with the ultimate redevelopment. A key part of the intent is to not allow uses that may not be compatible. The outdoor storage of oversized motor vehicles, in this case dump trucks, would not be appropriate or consistent with the objectives of this zone. The requested variance is not considered to maintain the intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variances proposes the outdoor storage of dump trucks on a rear portion of the property. This portion of the property directly abuts an existing hotel with little to no screening between the two properties. The proposed storage of dump trucks is not compatible with the adjacent hotel use from a visual or noise perspective. Further, the overall design of the property is that of a commercial plaza that is not necessarily intended to facilitate the movements of dump trucks in conjunction with commercial traffic. The requested variance is not considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The proposed outdoor storage use was specifically excluded from the recently enacted zoning to encourage the transition and redevelopment of the area. The proposed variance is not considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I, Development