

FILE NUMBER: A-2023-0346

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)** Gourav Kapoor
Address 3 Elmcrest Dr. Brampton. ON. L6Y5T7

Phone # +1 204 293 1578 **Fax #** _____
Email gouravkapoor754@gmail.com

2. **Name of Agent** Shivang Tarika
Address 106 Morningside Dr. Georgetown. L7G0M2. ON

Phone # 4168212630 **Fax #** _____
Email shivang@relysolution.com

3. **Nature and extent of relief applied for (variances requested):**
A. To Propose an exterior stairway leading to a below grade entrance in the required interior side yard.
B. Proposed Interior side Yard Set back is 0.11m to the below Grade Stairway and the required is 1.21m.

4. **Why is it not possible to comply with the provisions of the by-law?**
The owner of the property wants to build a second dwelling unit to manage his mortgage. However to provide a second dwelling unit the entrance has to be below the grade which is not possible on rear yard and the other side of the property due to insufficient space and privacy reason. So the only space where owner can construct the entrance is the side of the property. The entrance is designed in such a way that it doesn't block the passage to

5. **Legal Description of the subject land:**
Lot Number 132
Plan Number/Concession Number M1896
Municipal Address 3 Elmcrest Dr, Brampton, ON, L6Y5T7

6. **Dimension of subject land (in metric units)**
Frontage 14.12M
Depth 27.61M
Area 342.89SQM

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.)

Ground Floor Area: 148.20SQM
Gross Floor Area:399.74SQM
No. of Levels: 2
Width:9.98M
Length:14.84

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	3.01M
Rear yard setback	6.87M
Side yard setback	0.66M
Side yard setback	1.30M

PROPOSED

Front yard setback	3.01M
Rear yard setback	6.87M
Side yard setback	0.66M
Side yard setback	0.11M

10. Date of Acquisition of subject land: 2016
11. Existing uses of subject property: Residential - Single Dwelling Unit
12. Proposed uses of subject property: Residential - Two Dwelling Unit
13. Existing uses of abutting properties: Residential
14. Date of construction of all buildings & structures on subject land: 2019
15. Length of time the existing uses of the subject property have been continued: _____

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 3rd DAY OF November, 2023

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

I, Shivang Tarina, OF THE Town OF Hutton Hills
IN THE Region OF Hutton SOLEMNLY DECLARE THAT:

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

DECLARED BEFORE ME AT THE

City OF Brampton

IN THE Region OF

Peel THIS 3rd DAY OF

November, 2023.

[Signature]
A Commissioner etc.

Gagandeep Jaswal
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton
Expires September 20, 2026

[Signature]

Signature of Applicant or Authorized Agent

[Submit by Email](#)

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1F-2135

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

John C. Cabral

Zoning Officer

2023-10-25

Date

DATE RECEIVED

November 3, 2023

Date Application Deemed
Complete by the Municipality

VL

APPOINTMENT AND AUTHORIZATION OF AGENT

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

LOCATION OF THE SUBJECT LAND: 3 Elmcrest Dr

I/We, Gourav Kapoor
please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject lands, hereby authorize

Shivang Tarika
please print/type the full name of the agent(s)

to make application to the **City of Brampton Committee of Adjustment** in the matter of an application for **minor variance** with respect to the subject land.

Dated this 19 day of October, 2023.

Gourav Kapoor
(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

(where the owner is a firm or corporation, please print or type the full name of the person signing.)

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

NOTE: Unit owners within a Peel Standard Condominium Corporation are to secure authorization from the Directors of the Condominium Corporation in a form satisfactory to the City of Brampton, prior to submission of an application. Signatures from all Members of the Board of Directors are required.

PERMISSION TO ENTER

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

LOCATION OF THE SUBJECT LAND: 3 Elmcrest Dr

I/We, Gourav Kapoor
please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject land, hereby authorize the Members of the City of Brampton Committee of Adjustment and City of Brampton staff members, to enter upon the above noted property for the purpose of conducting a site inspection with respect to the attached application for Minor Variance and/or consent.

Dated this 19 day of October, 2023.

(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

(where the owner is a firm or corporation, please print or type the full name of the person signing.)

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION



J.D. BARNES LIMITED,
disclaims any liability as to the current accuracy of
the contents of this survey, which is 8 year(s)
old and advise that no reliance can be placed on the
current accuracy of the contents hereon.

MONUMENTATION USED TO
RE-ESTABLISH THE
BOUNDARIES OF THE LOTS
SHOWN ARE REFERENCE
POINTS 4, 5 & 8
WHICH ARE ON RECORD WITH
J.D. BARNES LIMITED

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN SHOWING
LOTS 132 AND 133
REGISTERED PLAN 43M-1896
CITY OF BRAMPTON

REGIONAL MUNICIPALITY OF PEEL

SCALE 1 : 250



J. D. BARNES LIMITED
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METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PART 2 - SURVEY REPORT

- DESCRIPTION
LOTS 132 AND 133 - REGISTERED PLAN 43M-1896
- REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY
LOT 132 IS SUBJECT TO AN EASEMENT AS IN PR2518569.
LOT 132 IS TOGETHER WITH AN EASEMENT AS IN PR2697577.
LOT 133 IS TOGETHER WITH AN EASEMENT AS IN PR2704078.
- ADDITIONAL REMARKS
PLAN PREPARED FOR ROYALCLIFF HOMES.

NOTES

BEARINGS ARE GRID AND ARE REFERRED TO THE NORTHWESTERN LIMIT OF
LOT 133 AS SHOWN ON REGISTERED PLAN 43M-1896,
HAVING A BEARING OF N38°43'30"E.

- DENOTES SURVEY MONUMENT SET
- IB DENOTES IRON BAR
- DUC DENOTES DWELLING UNDER CONSTRUCTION
- P DENOTES PORCH
- G DENOTES GARAGE

ALL BUILDING TIES ARE TAKEN TO CONCRETE FOUNDATION

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN
ACCORDANCE WITH THE SURVEYS ACT, THE
SURVEYORS ACT AND THE REGULATIONS MADE
UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE 17th DAY
OF DECEMBER, 2014.

DATE May 22 '15
THOMAS J. SALB
ONTARIO LAND SURVEYOR

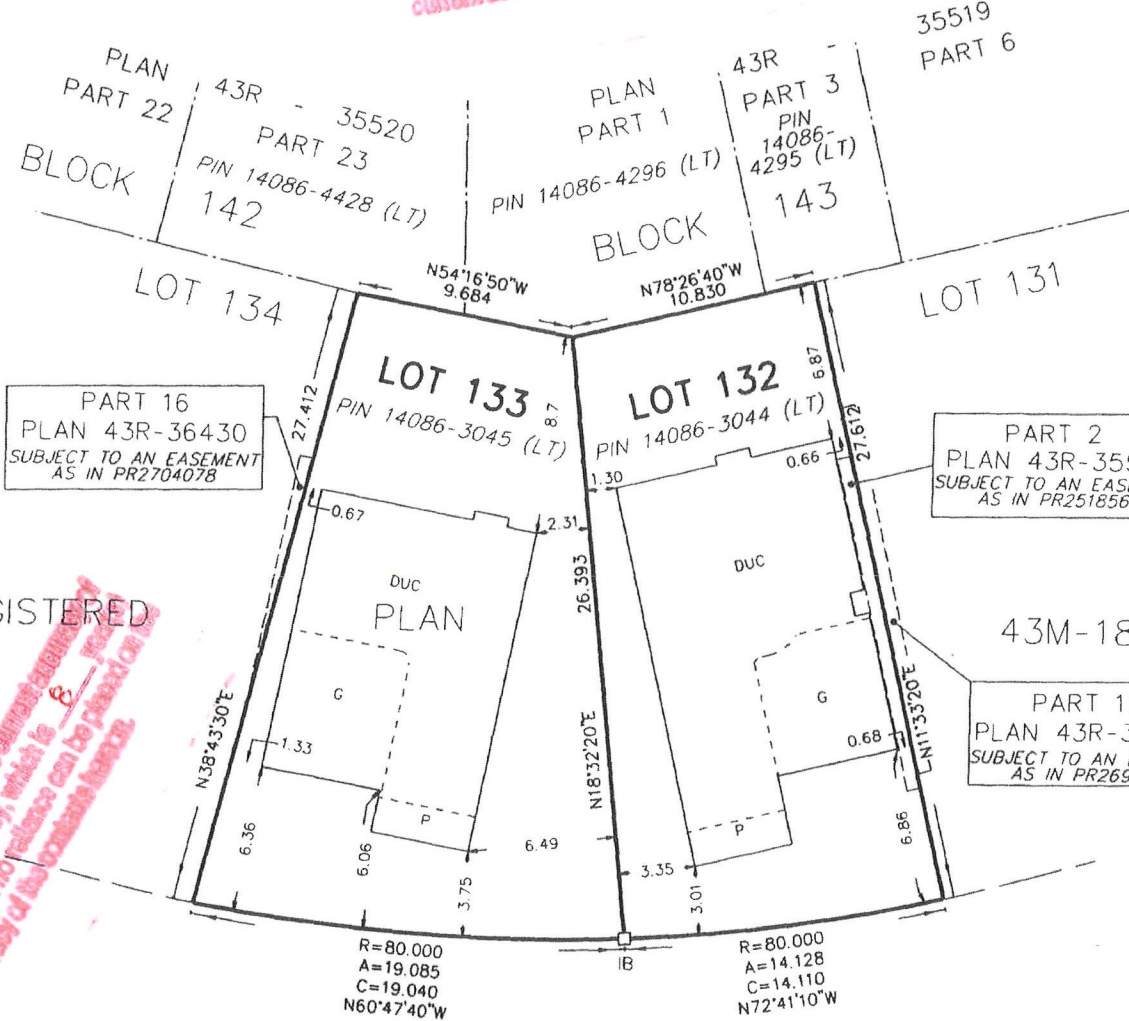
ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
1935989

THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29(3).

J.D. BARNES
LAND INFORMATION SPECIALISTS
30 WEBSTER AVE SUITE 101 MILTON ONT L7T 4E1
T: (905) 875-0955 F: (905) 875-9936 www.jdbarnes.com

CE	DRAWN
	CHECKED
	DATED:
01/05/2015	
	Ref. No

12-30-391-00-132

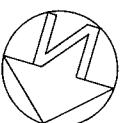


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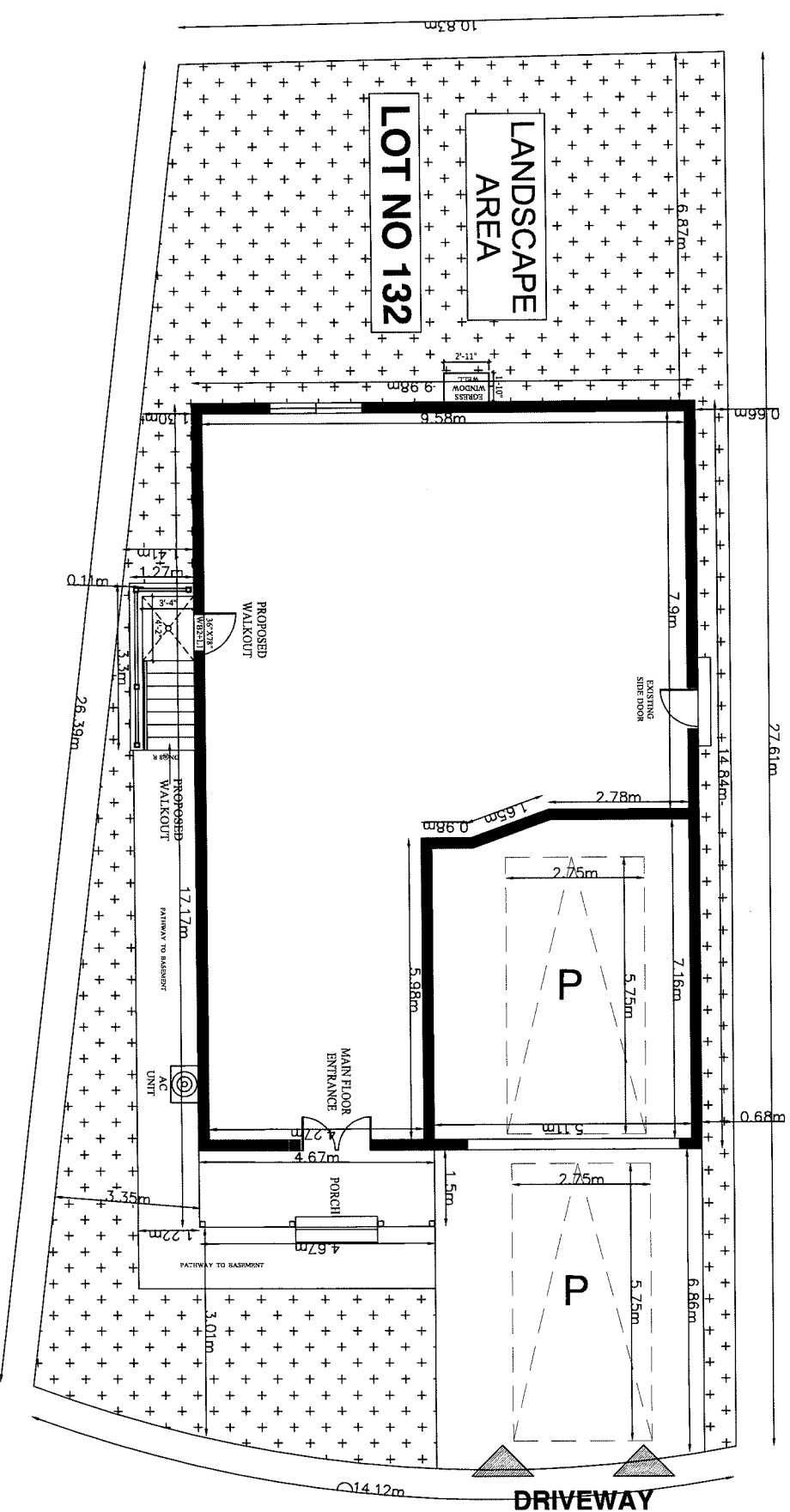
ELMCREST DRIVE
(DEDICATED BY REGISTERED PLAN 43M-1896)

PLOTTED 22/05/2015 G:\12-30-391-00\Spr\SRPR-391-132-133.dgn

SCALE 1/8"=1'-0"



3 ELMCREST DR



DO NOT SCALE DRAWINGS
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ANY REPRODUCTIONS MUST BE
AUTHORIZED BY
ALL DRAWINGS ARE IN METRIC SCALE

PROPOSAL TO CONSTRUCT SECONDARY UNIT

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

REQUIRED UNLESS DESIGN IS EXEMPT
UNDER DIV. C3.2.5.1 OF THE BUILDING CODE

SHIVANG TARIKA	106440
NAME	SIGNATURE
	BCIN

SAMANG TAFIKA

NO	REVISION / ISSUE	DATE

CITY : BRAMPTON

3 ELMCREST DR

EXISTING DWELLING

PROJECT	SHEET A1
JULY 2023	
SCALE 3/16"=1'-0"	



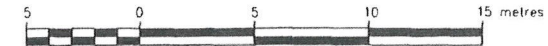
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DATE May 22 '15

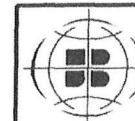
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LIMITED

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46 WELLINGTON WAY SUITE 401 MILTON ONT L7T 4C1
T: (905) 875-0955 F: (905) 875-0956 www.jdbarnes.com

SEARCHING
PLANNING
DRAWING
GIS

CE	DRAWN
	CHECKED
	DATED
01/05/2015	
	Ref. No

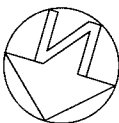
12-30-391-00-132

ELMCREST DRIVE
(DEDICATED BY REGISTERED PLAN 43M-1896)

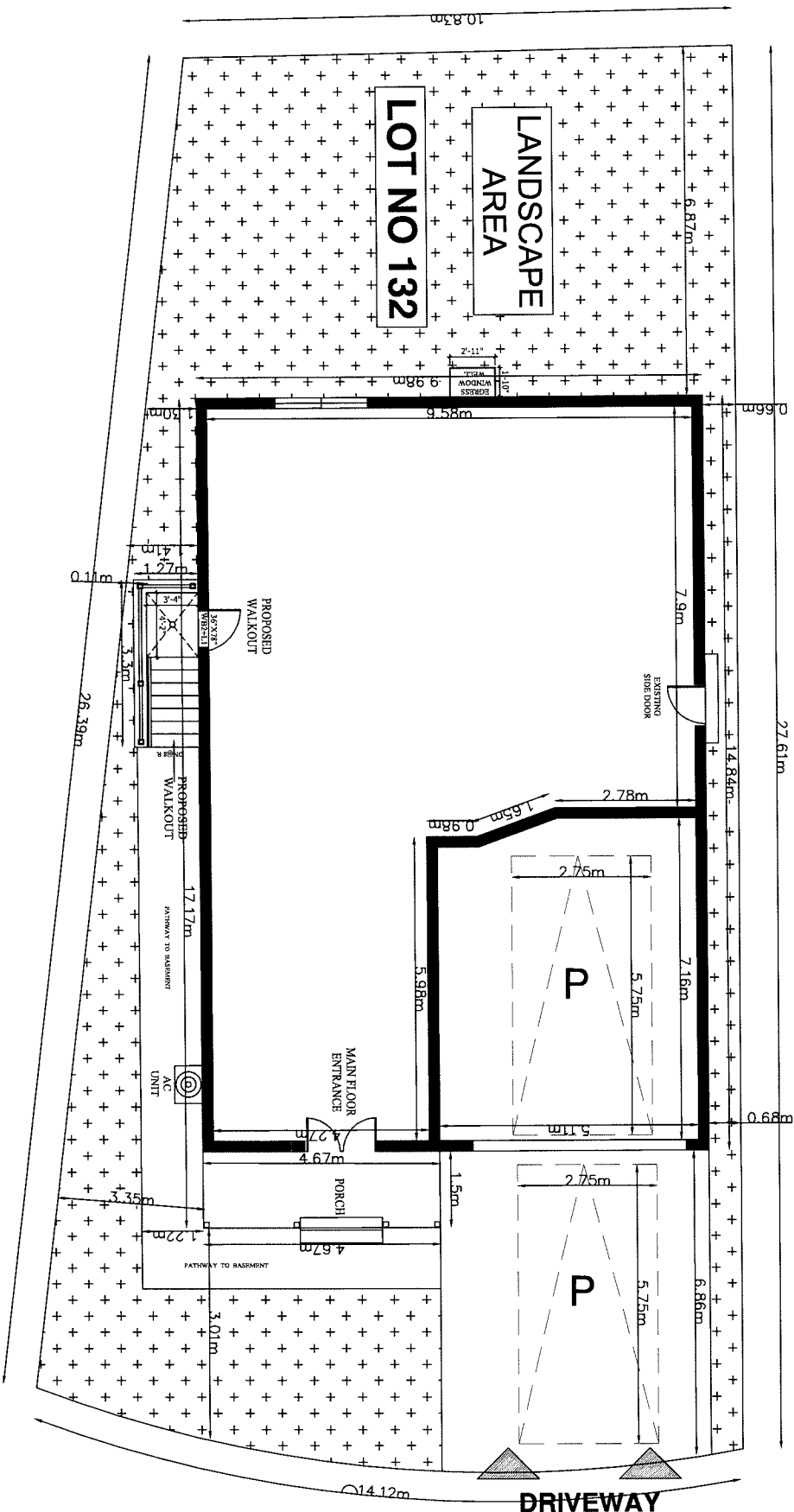
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SITE PLAN

SCALE 1/8"=1'-0"



3 ELMCREST DR



GENERAL NOTES

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SCOPE OF WORK

PROPOSAL TO CONSTRUCT
SECONDARY UNIT

THE UNDERSIGNED HAS REVIEWED AND
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AND HAS THE QUALIFICATIONS AND
MEETS THE REQUIREMENTS SET OUT
IN THE ONTARIO BUILDING CODE
TO BE A DESIGNER

QUALIFICATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT
UNDER DIV. C3.2.3 OF THE BUILDING CODE

SIRIYANG TARIKA 106440
NAME SIGNATURE DCIN

SIRIYANG TARIKA

NO	REVISION / ISSUE	DATE

SITE PLAN

CITY : BRAMPTON

3 ELMCREST DR

EXISTING DWELLING

PROJECT SHEET

JULY 2023

SCALE 3/16"=1'-0"

A1

Zoning Non-compliance Checklist

File No.
A-2023-0346

Applicant: Gourav Kapoor
Address: 3 Elmcrest Dr, Brampton, ON, L6Y5T7
Zoning: R1F-2135
By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE			
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BELOW GRADE ENTRANCE	To permit a proposed exterior stairway leading to a below grade entrance in a required side yard.	Whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard.	10.23.1
SETBACKS	To permit an interior side yard setback of 0.11m to a proposed exterior stairway leading to a below grade entrance	Whereas the by-law requires a minimum side yard setback of 0.6m provided that the combined total for both side yards on an interior lot is 1.8m.	13.5.2
BUILDING HEIGHT			
OUTSIDE STORAGE			
LOT COVERAGE			
DRIVEWAY			
FENCE HEIGHT			
ACCESSORY STRUCTURE HEIGHT			
ACCESSORY STRUCTURE SETBACK			
DRIVEWAY WIDTH			
LANDSCAPE OPEN SPACE			
GARAGE DOOR HEIGHT			

John C. Cabral
Reviewed by Zoning

2023-10-25
Date