

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **MUKESH TAKKIAR AND SUPPRIYA TAKKIAR** 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 289, Plan M-817 municipally known as **37 ATKINS CIRCLE**, Brampton;

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

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit an interior side yard setback of 0.10m (0.33 ft) to the exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard width of 1.2m (3.97 ft) on one side and 0.9m (2.96 ft) on the other side;
3. To permit an existing accessory structure (shed) having a setback of 0.18m (0.60 ft) to the nearest lot line whereas the by-law requires a minimum setback of 0.6m (1.97 ft) to the nearest lot line for an accessory structure.

OTHER PLANNING APPLICATIONS:

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

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

The Committee of Adjustment has appointed **TUESDAY, May 30, 2023 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 an Ontario Land 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 Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

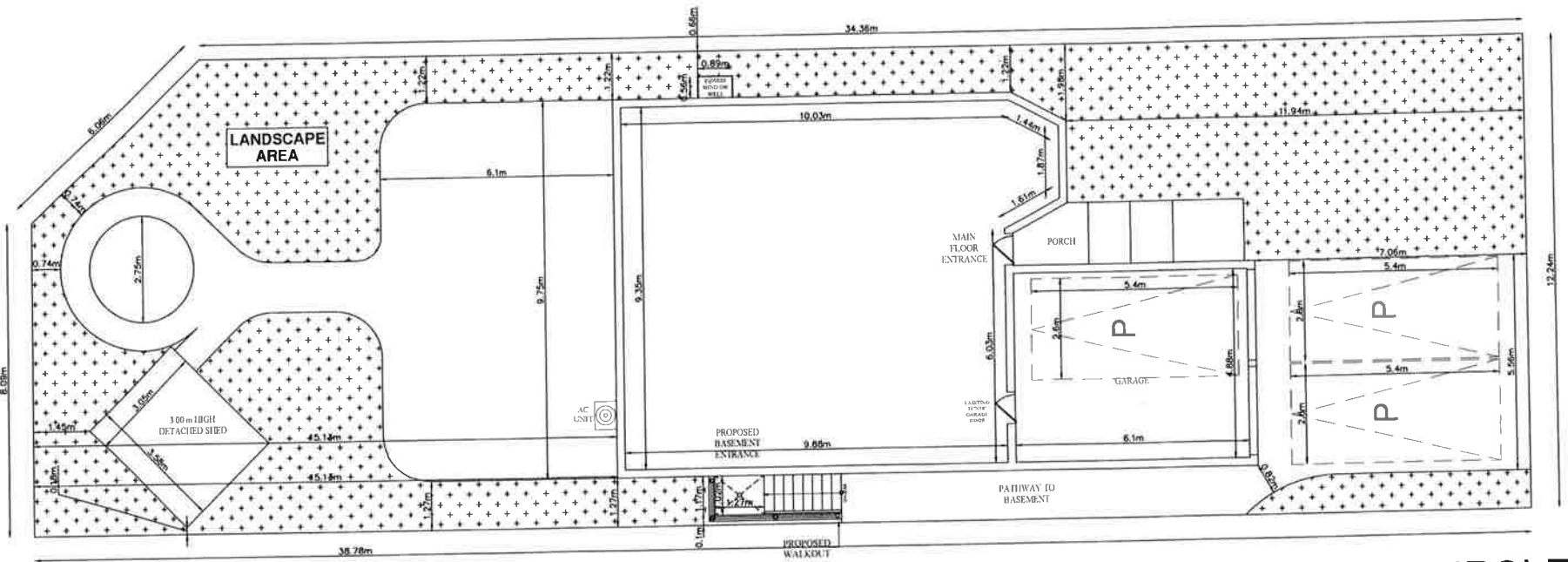
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 18th Day of May, 2023.

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

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



SITE PLAN
SCALE 3/32"=1'-0"

37 ATKINS CIRCLE

GENERAL NOTES

DO NOT SCALE DRAWINGS
 PROPERTY RIGHTS RETAINED BY
 BG CONSTRUCTION DESIGN
 ANY REPRODUCTION IN WHOLE OR IN PART
 UNDER THE RULES AND BY-LAWS OF THE
 CORPORATION IS STRICTLY FORBIDDEN
 ANY REPRODUCTIONS MUST BE
 AUTHORIZED BY
 ALL DRAWINGS ARE IN METRIC SCALE

SCOPE OF WORK

**PROPOSAL TO CONSTRUCT
 SECONDARY UNIT AND
 BELOW GRADE ENTRANCE
 FROM SIDE YARD.**

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.

**QUALIFICATION INFORMATION
 REQUIRED UNLESS DESIGN IS EXEMPT
 UNDER DIV.C32.5.1 OF THE BUILDING CODE.**

SHIVANG TARIKA 106440
 NAME SIGNATURE BCIN

SHIVANG TARIKA

NO	REVISION / ISSUE	DATE

SITE PLAN

CITY : BRAMPTON

37 ATKINS CIRCLE

EXISTING DWELLING

PROJECT	SHEET A1
MAR 2023	
SCALE 3/32"=1'-0"	

Under the authority of the Emergency Management and Civil Protection Act and the Municipal Act, 2001, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both in-person and electronically).

**Electronic/Hybrid Hearing Procedures
How to get involved in the Hybrid Hearing**

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **May 30, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

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, May 25, 2023.**

- Advance registration for applicants, agents and other interested persons is required by one or two options:
 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, May 25, 2023.**
 2. To participate in-person, please email the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, May 25, 2023.**
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or in-person. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Thursday, May 25, 2023.** City staff will contact you and provide you with further details.

You will be contacted by the City Clerk's Office before the hearing date to confirm your attendance. Confirmation of in-person attendance will be subject to any in-person capacity limits that may be in place for Council Chambers at City Hall and prevailing public health orders and guidance.

- 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/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

NOTE Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

AMENDMENT LETTER

May 18, 2023

To: Committee of Adjustment
MUKESK AND SUPPRIYA TAKKIAR
LOT 289, PLAN M-817
A-2023-0126 – 37 ATKINS CIRCLE

Please amend application **A-2023-0126** 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 interior side yard;
2. To permit an interior side yard setback of 0.10m (0.33 ft) to the exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard width of 1.2m (3.97 ft) on one side and 0.9m (2.96 ft) on the other side;
3. To permit an existing accessory structure (shed) having a setback of 0.18m (0.60 ft) to the nearest lot line whereas the by-law requires a minimum setback of 0.6m (1.97 ft) to the nearest lot line for an accessory structure.



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)** Mukesh Takkiar & Supriya Takkiar
Address 37 Atkins Circle, Brampton, ON L6X4B6

Phone # +1 431 373 0003 **Fax #** _____
Email takkiarmukesh@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 0.1m to the below Grade Stairway and the required is 0.3m.

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 289
Plan Number/Concession Number M817
Municipal Address 37 Atkins Circle, Brampton, ON L6X4B6

6. **Dimension of subject land (in metric units)**
Frontage 12.24 M
Depth 38.77 M
Area 465.60 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.)

Ground Floor Area: 137.71 sqm
 Gross Floor Area: 104.43 sqm,
 No. of Levels: 2
 Width: 9.75 m
 Length: 11.71 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 11.93 M
 Rear yard setback 15.13 M
 Side yard setback 0.1 M
 Side yard setback 1.21 M

PROPOSED

Front yard setback 11.93 M
 Rear yard setback 15.13 M
 Side yard setback 0.1 M
 Side yard setback 1.21 M

10. Date of Acquisition of subject land: 2021

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: 2008

15. Length of time the existing uses of the subject property have been continued: 13 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 _____

Pontoni

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON
THIS 01 DAY OF MAY, 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, KUNWAR GAMBHIR, OF THE TOWN OF HALTON HILLS
IN THE REGION OF HALTON SOLEMNLY DECLARE THAT:

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

DECLARED BEFORE ME AT THE
City OF Brampton
IN THE Region OF
Peel THIS 1st DAY OF
May, 2023

Jeanie Cecilia Myers
a Commissioner, etc.,
Province of Ontario
for the Corporation of the
City of Brampton
Expires April 8, 2024.

jm.

Pontoni

Signature of Applicant or Authorized Agent

Submit by Email

Jeanie Myers
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: R1C, Mature Neighbourhood

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

L Barbuto
Zoning Officer

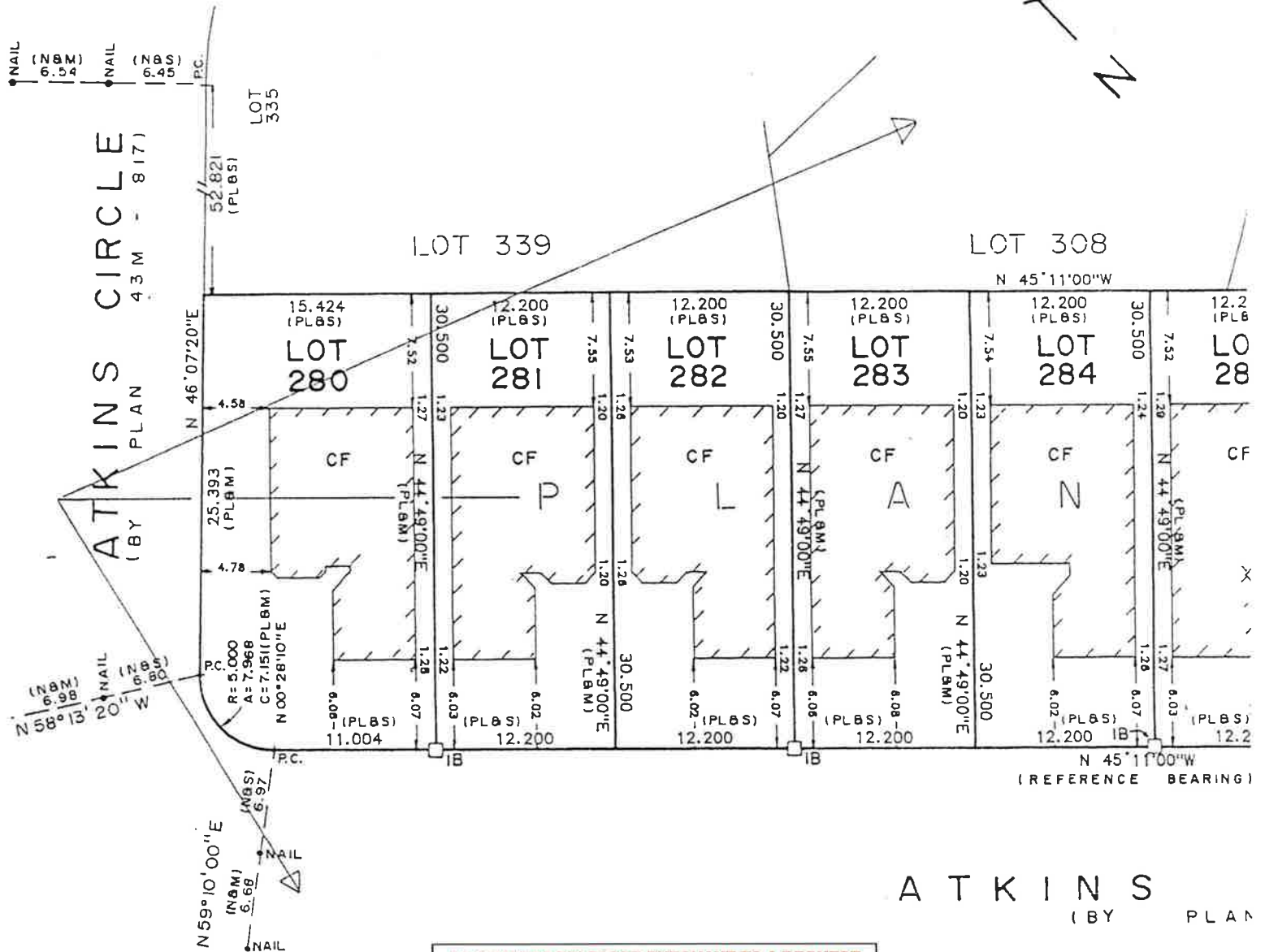
April 19, 2023
Date

DATE RECEIVED May 1, 2023

Date Application Deemed Complete by the Municipality _____

BUILDING LOCATION SURVEY OF
 LOTS 280 TO 290 INCLUSIVE
 PLAN 43M - 817
 CITY OF BRAMPTON
 REGIONAL MUNICIPALITY OF PEEL

SCALE 1:400



ATKINS
 (BY PLAN)

DOCUMENTS RELEASED PURSUANT TO A REQUEST
 UNDER THE
 MUNICIPAL FREEDOM OF INFORMATION AND
 PROTECTION OF PRIVACY ACT R.S.O. 1990c. M56
 COPYRIGHT ACT R.S., 1985, c. C-42 APPLIES TO THE
 USE AND REPRODUCTION OF THESE DOCUMENTS

LEGEND

- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- PL DENOTES PLAN 43M - 817
- DENOTES FOUND TEMPORARY WITNESS MONUMENT BY P. SALNA CO. LTD., O.L.S.
- M DENOTES MEASURED
- N DENOTES NOTES BY P. SALNA CO. LTD., O.L.S.
- S DENOTES SET

C DENOTES CALCULATED

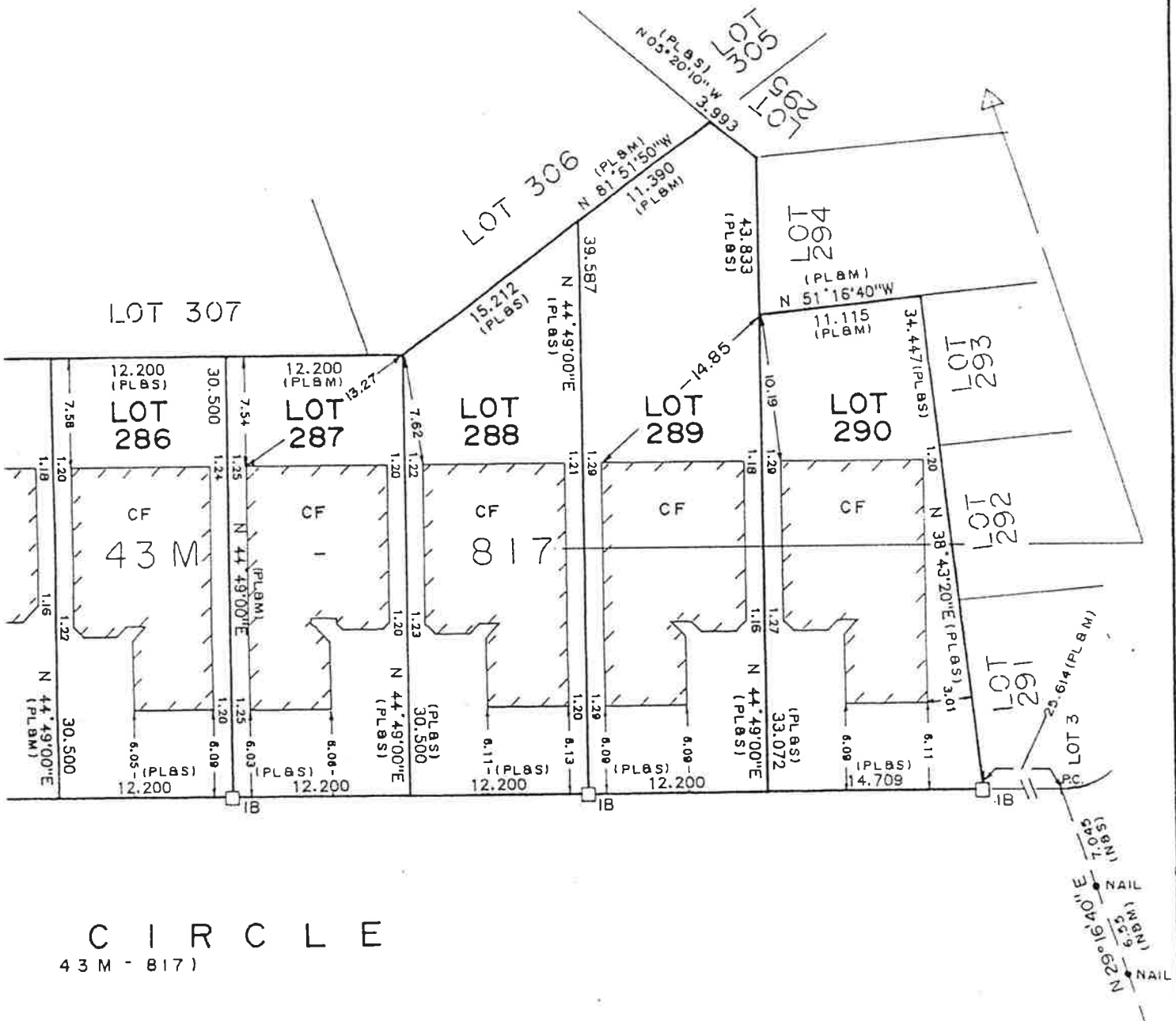
NOTES

BEARINGS ARE AST
 ARE DERIVED FROM
 LIMIT OF ATKINS CI
 AS SHOWN ON REGI
 PLAN 43M - 817
 HAVING A BEARING

AL 20

METRIC

MEASUREMENTS SHOWN ON THIS PLAN ARE IN METRES AND MAY BE CONVERTED TO FEET BY DIVIDING BY 0.3048



CIRCLE
43 M - 817)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 30th DAY OF AUG., 1988

DATE: NOV. 06, 1988

R. Salna
R. SALNA
ONTARIO LAND SURVEYOR

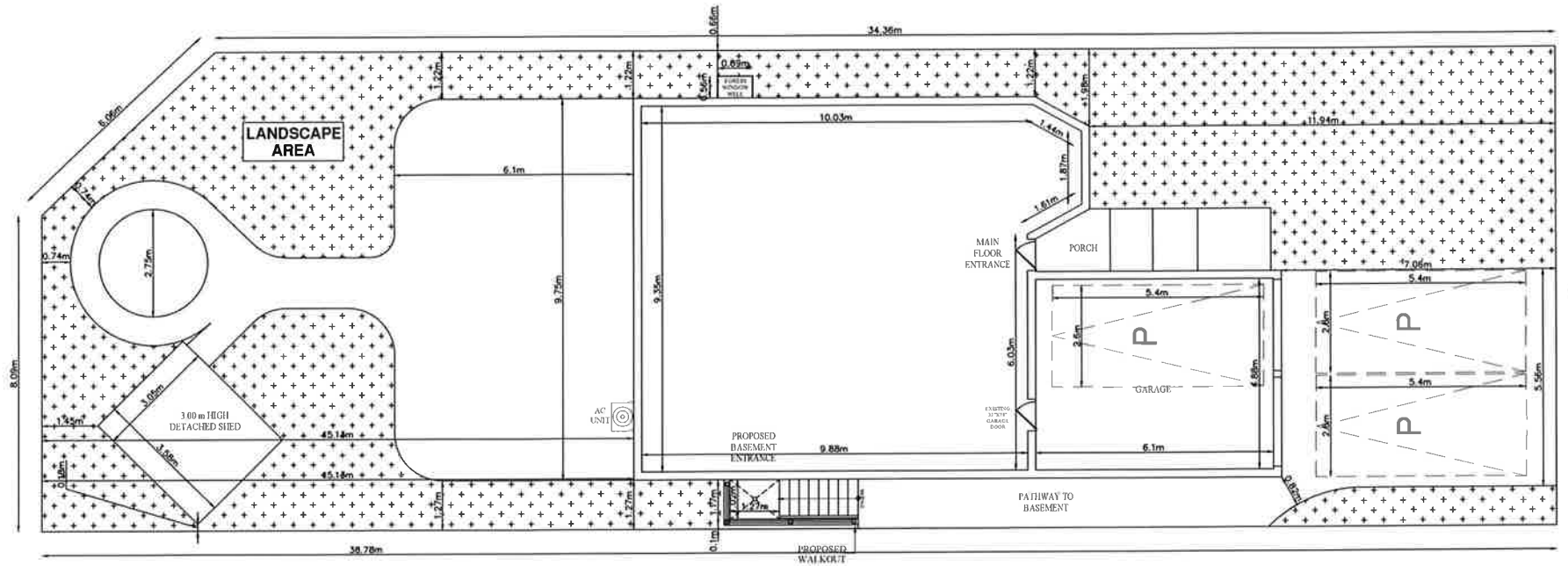
P. SALNA COMPANY LTD.

ONTARIO LAND SURVEYORS
10225 YONGE STREET
RICHMOND HILL, ONTARIO
L4C-3B2

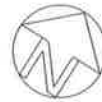
PHONE: 884-3988

FILE: 88-55

NOMIC AND
E NORTH EAST
CLE
ERED
45°11'00" W



SITE PLAN
SCALE 3/32"=1'-0"



37 ATKINS CIRCLE

GENERAL NOTES

DO NOT SCALE DRAWINGS
PROPERTY RIGHTS RETAINED BY:
BG CONSTRUCTION DESIGN
ANY REPRODUCTION IN WHOLE OR IN PART
UNDER THE RULES AND BY-LAWS OF THE
CORPORATION IS STRICTLY FORBIDDEN.
ANY REPRODUCTIONS MUST BE
AUTHORIZED BY
ALL DRAWINGS ARE IN METRIC SCALE

SCOPE OF WORK

PROPOSAL TO CONSTRUCT
SECONDARY UNIT AND
BELOW GRADE ENTRANCE
FROM SIDE YARD.

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.

QUALIFICATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT
UNDER DIV. C.3.2.5.1 OF THE BUILDING CODE

SHIVANG TARIKA 106440
NAME SIGNATURE BCIN

SHIVANG TARIKA

NO	REVISION / ISSUE	DATE

SITE PLAN

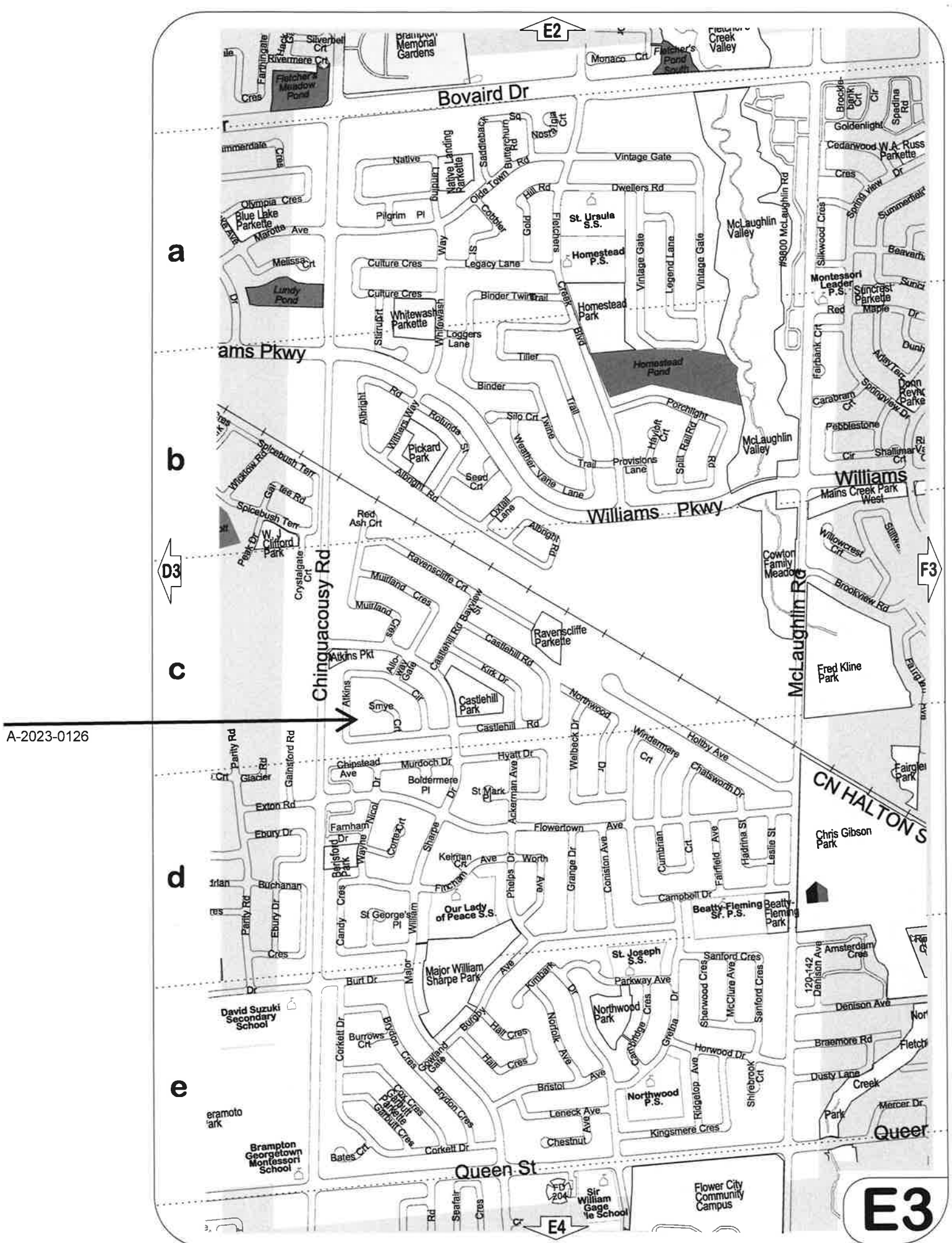
CITY : BRAMPTON

37 ATKINS CIRCLE

EXISTING DWELLING

PROJECT
MAR 2023
SCALE 3/32"=1'-0"

SHEET
A1



a

b

c

d

e

E2

F3

E4

E3

A-2023-0126