

APPLICATION # A-2022-0320
WARD 3

DEFERRED APPLICATION FOR MINOR VARIANCE

WHEREAS an **amended** application for minor variance has been made by **MEHNA AUTO SALES 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 43, Plan BR-2, Part 4, Plan 43R-13441 municipally known as **93 JOHN STREET**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) for construction of a new semi-detached dwelling in conjunction with the proposed severed lot under Consent Application B-2022-0014:

1. To permit a semi-detached dwelling whereas the by-law does not permit a semi-detached dwelling within an R1B zone;
2. To permit a minimum lot area of 290 square metres whereas the by-law requires a minimum lot area of 450 square metres;
3. To permit a minimum lot width of 7.90 metres whereas the by-law requires a minimum lot width of 15 metres;

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

Plan of Subdivision: NO
Application for Consent: YES

File Number: _____
File Number: B-2022-0014

The Committee of Adjustment has appointed **TUESDAY, March 28, 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 9th Day of March, 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

LEGEND

PROPERTY
BOUNDARY

MINOR
VARIANCES

JOHN STREET

ZONING BY-LAW MATRIX		
CURRENT ZONING DESIGNATION:		
RESIDENTIAL SINGLE DETACHED B - (R1B)		
Description	Required	Provided
Minimum Interior Lot Area	0.04 ha (0.11ac) 450m²	0.029 ha (0.073ac) 295m²
Minimum Interior Lot Width	15m	7.93m
Minimum Front Yard Depth	6.0m	6.0m
Minimum Interior Side Yard Width	1.2m for 1st Storey or part thereof plus 0.6m for each additional storey or part thereof	1.20m (west) 1.20m (east)
Minimum Rear Yard Depth	7.5m	16.24m
Maximum Building Height	8.5m	TBD
Building Gross Floor Area (excluding 18m² of garage area per dwelling)	n/a	184m² (1,980ft²)
Minimum Landscaped Open Space	60% of the minimum front yard of an interior lot	62%

MINOR VARIANCES

1.

To permit a semi-detached dwelling unit whereas the Zoning By-law does not permit a semi-detached dwelling unit within an R1B zone;

2.

To permit a minimum lot area of 290m² whereas the Zoning By-law requires a minimum lot area of 450m²; and

3.

To permit a minimum lot width of 7.90m for an interior lot whereas the Zoning By-law requires a minimum of 15.0m for an interior lot.

MINOR VARIANCE PLAN

SEVERED LANDS - LOT 2

PROPOSED SEMI-DETACHED LOT

93 JOHN STREET, CITY of BRAMPTON

P.N.: 22.2994.00	Date: January 4, 2023
Scale: N.T.S	Revised:
Drawn By: D.S.	File No.: PN 2994 Concept Plan

Gagnon Walker Domes
Professional Engineers 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 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 **March 28, 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, March 23, 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, March 23, 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, March 23, 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, March 23, 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.



Principals

Michael Gagnon
Lena Gagnon
Andrew Walker
Richard Domes

January 4, 2023

**Corporation of the City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2**

Attn: Jeanie Myers – Secretary Treasurer, Committee of Adjustment

**Re: Committee of Adjustment
Consent to Sever and Minor Variance Applications
Supplementary Cover Letter
93 John Street, City of Brampton
Part of Lot 44, Plan BR-6, and Part of Lot 43, Plan BR-2
City Files: A-2022-0320 and A-2022-0321
(GWD File: 22.2994.00)**

Dear Jeanie:

Gagnon Walker Domes Ltd. (GWD) represents Mehna Auto Sales Inc. (Gagandeep Singh Gill), the Registered Owner of 93 John Street in the City of Brampton (hereinafter referred to as the subject site).

Concurrent with the Consent to Sever Application for the subject site, two (2) associated Committee of Adjustment Minor Variance Applications were submitted to the City of Brampton on September 27, 2022, seeking relief from the Zoning By-law in order to permit the development of two (2) new single detached residential dwellings on both the Retained and Severed lands.

On October 25, 2022, in consultation with City of Brampton Planning Staff, Committee of Adjustment Applications B-2022-0014, A-2022-0320, and A-2022-0321 were deferred by the Committee of Adjustment to no later than the last Committee of Adjustment Hearing of January 2023. In working with City Staff, the minor modifications made to the proposal necessitated the reissuance of the Public Notice. The deferral allowed for sufficient time for this to occur.

Further discussion was had with City of Brampton Planning and Heritage Staff on November 7, 2022 regarding the above-mentioned Committee of Adjustment Applications. The Consent to Sever and Minor Variance Plans have been updated to reflect the following:

CAGNON WALKER DOMES LTD.

7685 Hurontario Street, Suite 501 • Brampton ON Canada L6W 0B4 • P: 905-796-5790
www.gwdplanners.com • Toll Free: 1-855-771-7266

**CONFIDENTIALITY
CAUTION**

This document is Consultant-Client privileged and contains confidential information intended only for person(s) named above. Any distribution, copying or disclosure is strictly prohibited. If you have received this document in error, please notify us immediately by telephone and return the original to us by mail without making a copy.



1. A 2.50m Road Widening;
2. A 2-storey Semi-Detached Dwelling is now proposed which is to occupy both the Severed and Retained Lands with a G.F.A of approximately 184m² (1,980 ft²) and an approximate height of 8.5m;
3. The proposed Semi-Detached Dwelling has been shifted slightly southward on the subject site;
4. An Interior Lot Area of 0.029 ha (0.073 ac); and
5. A Minimum Rear Yard Depth of 16.24 m (53.28 ft).

The requested variances for both Minor Variance Applications have been amended as follows:

1. To permit a semi-detached dwelling unit whereas the Zoning By-law does not permit a semi-detached dwelling unit within an R1B zone;
2. To permit a minimum lot area of 290m² whereas the Zoning By-law requires a minimum lot area of 450m²; and
3. To permit a minimum lot width of 7.90m for an interior lot whereas the Zoning By-law requires a minimum of 15.0m for an interior lot.

As discussed with City of Brampton Planning and Heritage Staff on November 7, 2022, a Scoped Heritage Impact Assessment is well underway and will be submitted in support of Committee of Adjustment Applications B-2022-0014, A-2022-0320, and A-2022-0321 under separate cover.

Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

Yours truly,

A handwritten signature in black ink, reading 'Anthony Sirianni'.

Anthony Sirianni, B.A.,
Associate Planner

c.c.: **Gagandeep Singh Gill, Client**
Andrew Walker, Gagnon Walker Domes Ltd.
Michael Gagnon, Gagnon Walker Domes Ltd.

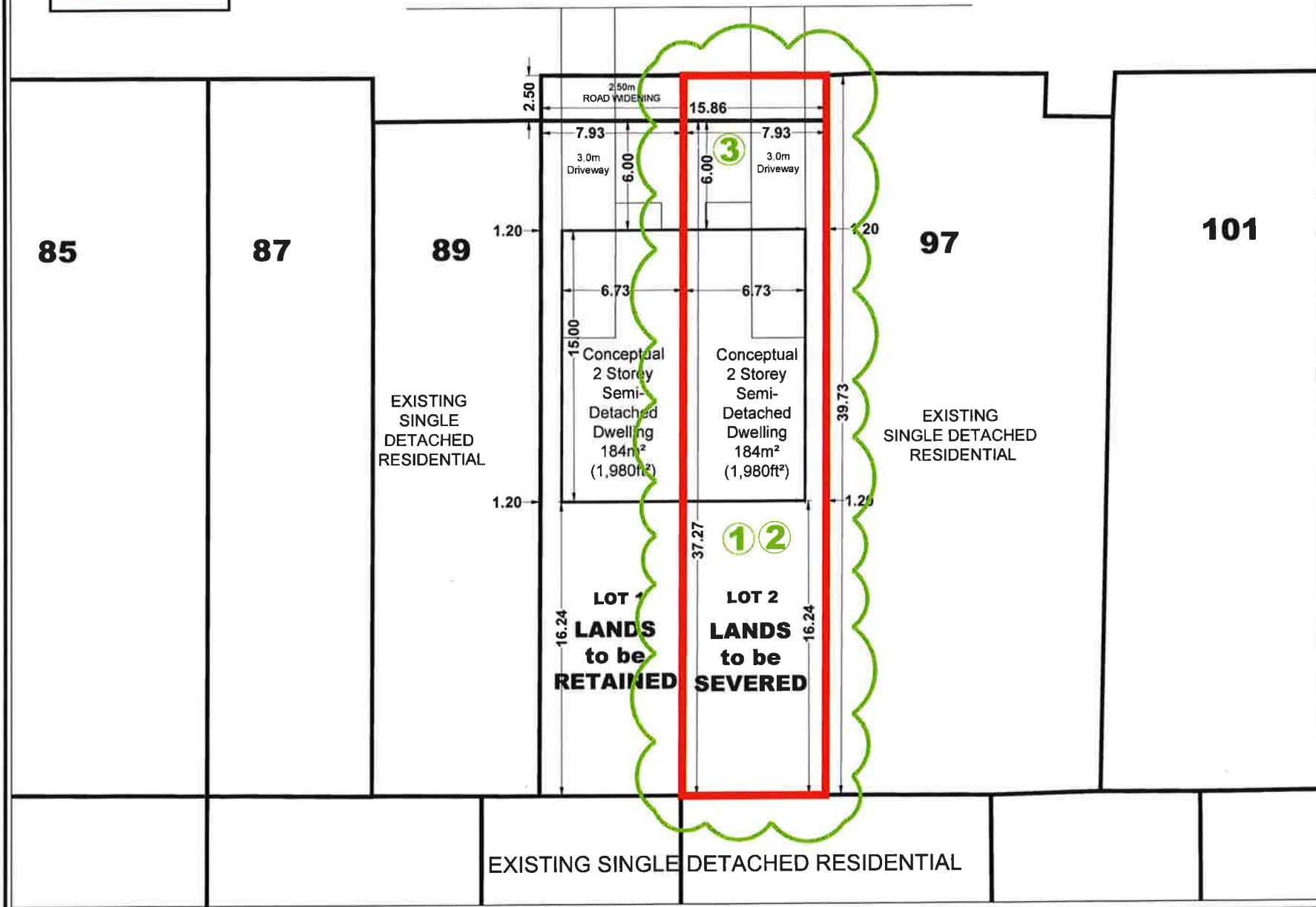
LEGEND

PROPERTY
BOUNDARY

1-3

MINOR
VARIANCES

JOHN STREET



ZONING BY-LAW MATRIX		
CURRENT ZONING DESIGNATION:		
RESIDENTIAL SINGLE DETACHED B - (R1B)		
Description	Required	Provided
Minimum Interior Lot Area	0.04 ha (0.11ac) 450m ²	0.029 ha (0.073ac) 295m ²
Minimum Interior Lot Width	15m	7.93m
Minimum Front Yard Depth	6.0m	6.0m
Minimum Interior Side Yard Width	1.2m for 1st Storey or part thereof plus 0.6m for each additional storey or part thereof	1.20m (west) 1.20m (east)
Minimum Rear Yard Depth	7.5m	16.24m
Maximum Building Height	8.5m	TBD
Building Gross Floor Area (excluding 18m ² of garage area per dwelling)	n/a	184m ² (1,980ft ²)
Minimum Landscaped Open Space	60% of the minimum front yard of an interior lot	62%

- MINOR VARIANCES
1.

To permit a semi-detached dwelling unit whereas the Zoning By-law does not permit a semi-detached dwelling unit within an R1B zone;
2.

To permit a minimum lot area of 290m² whereas the Zoning By-law requires a minimum lot area of 450m²; and
3.

To permit a minimum lot width of 7.90m for an interior lot whereas the Zoning By-law requires a minimum of 15.0m for an interior lot.

MINOR VARIANCE PLAN
SEVERED LANDS - LOT 2
PROPOSED SEMI-DETACHED LOT
93 JOHN STREET, CITY of BRAMPTON

P.N.: 22.2994.00

Date: January 4, 2023

Scale: N.T.S

Revised:

Drawn By: D.S.

File No.: PN 2994 Concept Plan

Flower City



brampton.ca

FILE NUMBER: A-2022-0320

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) Mehra Autosales Inc.
Address 21 Possession Crescent
Brampton, Ontario, L6P 4K3
Phone # _____ Fax # _____
Email gaganent@att.net

2. Name of Agent Gagron Walter Dinos (tr.)
Address 21 Queen Street East, Suite 500
Brampton, Ontario L6W 3P1
Phone # (905) 796-5190 Fax # _____
Email gsiranni@guidplanners.com

3. Nature and extent of relief applied for (variances requested):
① To permit a minimum lot area of 310m²
② To permit a minimum lot width of 7.90m for an interior lot
③ To permit a minimum interior side yard width of 1.20m above the first storey
④ To permit a maximum building height of 10.6m

4. Why is it not possible to comply with the provisions of the by-law?
① The Zoning By-law requires a minimum lot area of 450m²
② The Zoning By-law requires a minimum of 15.0m for an interior lot
③ The Zoning By-law requires 1.20m for the first storey or part thereof plus 0.60m for each additional storey or part thereof
④ The Zoning By-law permits a maximum building height of 8.5m

5. Legal Description of the subject land:
Lot Number PT. Lot 43
Plan Number/Concession Number BR-2
Municipal Address 93 John Street

6. Dimension of subject land (in metric units)
Frontage 15.85m
Depth 39.73m
Area 0.063 ha

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

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

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

One (1) 2-Storey single detached residential dwelling with an approximate GFA of 158 m² (1,700 ft²)

PROPOSED BUILDINGS/STRUCTURES on the subject land:

One (1) new 3-Storey single detached residential dwelling with a GFA of 218 m² (2,347 ft²)

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 0.88m (to porch) / 2.92m (to house)
Rear yard setback 27.3 m
Side yard setback 2.89 m (west)
Side yard setback 6.05 m (east)

PROPOSED

Front yard setback 6.0 m (to house)
Rear yard setback 18.94 m
Side yard setback 1.2 m
Side yard setback 1.2 m

10. Date of Acquisition of subject land: January 31, 2022
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: 1980's
15. Length of time the existing uses of the subject property have been continued: 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 # B-2022-0014 Status CONCURRENT

18. Has a pre-consultation application been filed?

Yes ☐ No ☒

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

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

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

Anthony Sinianni
Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ OF _____

THIS _____ DAY OF _____, 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, Anthony Sinianni, OF THE Region OF Halton
IN THE Town OF Halton Hills 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 Burlington
IN THE CC OF _____
THIS 27 DAY OF _____, 2022

A Commissioner etc.

Anthony Sinianni
Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1B, Mature Neighbourhood

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

L Barbutto
Zoning Officer

September 27, 2022
Date

DATE RECEIVED September 27, 2022

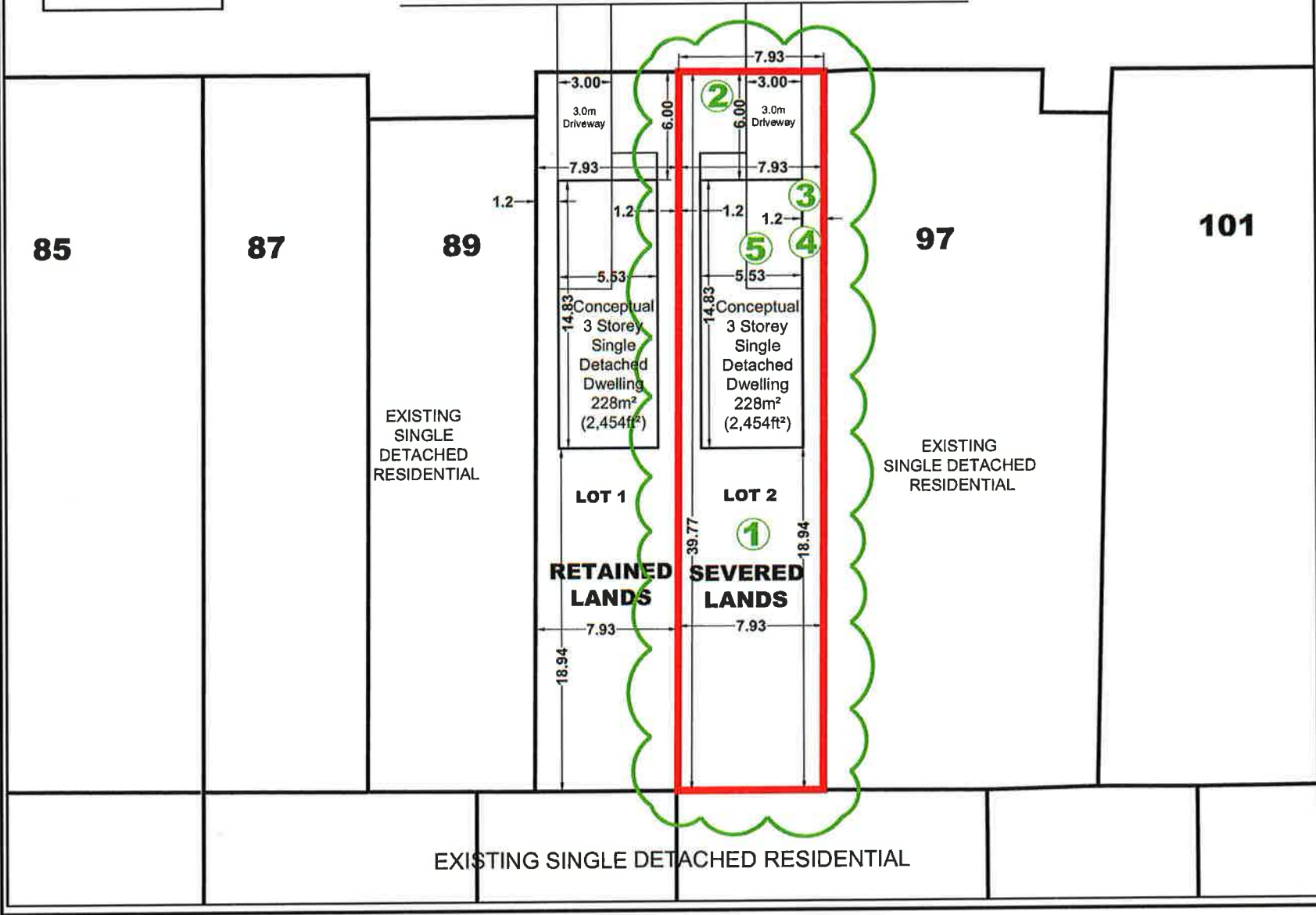
LEGEND

PROPERTY
BOUNDARY

1-4

MINOR
VARIANCES

JOHN STREET



ZONING BY-LAW MATRIX - RESIDENTIAL SINGLE DETACHED B - (R1B) and SUBJECT to OLDER, MATURE NEIGHBOURHOODS		
Description	Required	Provided
Minimum Interior Lot Area	0.04 ha (0.11ac) 450m²	0.031 ha (0.077ac) 315m²
Minimum Interior Lot Width	15m	7.93m
Minimum Front Yard Depth	6.0m	6.0m
Minimum Interior Side Yard Width	1.2m for 1st Storey or part thereof plus 0.6m for each additional storey or part thereof	1.20m (west) 1.20m (east)
Minimum Rear Yard Depth	25% of the lot depth or 7.5m whichever is greater	18.94m
Maximum Building Height	8.5m (*10.6m)	10.6m
Maximum Lot Coverage	30%	26%
Building Area	n/a	228m² (2,454ft²)
Minimum Landscaped Open Space	60% of the minimum front yard of an interior lot	62%

*Residential Single Detached B - (R1B) Zoning Requirements

- MINOR VARIANCES
1.

To permit a minimum lot area of 310m² whereas the Zoning By-law requires a minimum lot area of 450m²;
2.

To permit a minimum lot width of 7.90m for an Interior lot whereas the Zoning By-law requires a minimum of 15.0m for an Interior lot.
3.

To permit an Interior side yard setback of 1.2 metres to the second storey whereas the by-law requires a minimum of 1.8 metres to the second storey;
4.

To permit an interior side yard setback of 1.2 metres to the third storey whereas the by-law requires a minimum of 2.4 metres to the third storey;
5.

To permit a maximum building height of 10.6m whereas the Zoning By-law permits a maximum building height of 8.5m.

MINOR VARIANCE PLAN
SEVERED LANDS - LOT 2
PROPOSED SINGLE DETACHED LOT
93 JOHN STREET, CITY of BRAMPTON

P.N.: 22.2994.00

Date: October 6, 2022

Scale: N.T.S

Revised:

Drawn By: D.S.

File No.: PN 2994 Concept Plan

21 Queen Street East
Suite 500
Brampton, ON
L6Y 3P1
P (905) 790 - 5790

GWD
Geomatics & Surveying
3601 Highway 7 East
Suite 310
Markham, ON
L3R 0M3
P (905) 477 - 6556

B-2022-0014
A-2022-0320
A-2022-0321

a

b

c

d

e

G4

