



Principals

Michael Gagnon
Lena Gagnon
Andrew Walker
Richard Domes

March 27, 2023

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

Attention: Ms. Jeanie Myers, Secretary-Treasurer, Committee of Adjustment

**Subject: Formal Response to Comments
Consent to Sever and Minor Variance Applications
93 John Street, City of Brampton
Part of Lot 44, Plan BR-6, and Part of Lot 43, Plan BR-2
City Files: B-2022-0014, 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, seeking relief from the Zoning By-law in order to permit the development of one (1) semi-detached dwelling which would occupy both the Retained and Severed lands.

Response to Correspondence

Our office has had an opportunity to review the correspondence prepared by Purva Singh to the Committee of Adjustment dated October 19, 2022 (see attached **TAB 1**), and offer the following comments and observations. For ease of reference, the numbering of the paragraphs below correspond to the marked-up paragraphs of the letter in **TAB 1**.

1. This comment is noted.
2. The purpose of the Application is a severance of the subject site to create two (2) lots, to accommodate one (1) 2-storey semi-detached dwelling. The Planning Act allows for Committee of Adjustment Applications to be filed seeking relief from Zoning By-law provisions. The subject Application has been filed in accordance with Planning Act regulation and City of Brampton protocols. In our opinion, the subject Applications (B-2022-0014, A-2022-0320, and A-2022-0321) meets the

GAGNON 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

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four (4) tests of the Planning Act for a Consent to Sever and Minor Variance Applications.

3. The proposed side yard, front yard and rear yard setbacks between the proposed dwelling and the shared property line meets the current Zoning By-law requirement. In our opinion, the subject Applications (B-2022-0014, A-2022-0320, and A-2022-0321) meets the four (4) tests of the Planning Act for a Consent to Sever and Minor Variance Applications.
4. The proposed semi-detached dwelling will be used for residential purposes. With regard to parking and noise, the Registered Owner have assured us that they will comply with municipal ordinances.
5. The required parking as per the Zoning By-law for the proposed semi-detached dwelling is accommodated on the property.
6. With regard to garbage, the Registered Owner have assured us that they will comply with municipal ordinances.
7. The semi-detached dwelling is proposed to be 2-storeys in height, complying with the Zoning By-law performance standards.
8. The semi-detached dwelling is proposed to be 2-storeys in height, complying with the Zoning By-law performance standards. In addition, as previously noted, the side yard setback between the proposed dwelling and the property line complies with Zoning By-law performance standards.
9. Our office has worked collaboratively with City Planning and Heritage staff. The proposed semi-detached dwelling aligns with the policies of the Central Area and Medium Density designations of the City of Brampton Official Plan and Downtown Brampton Secondary Plan.
10. In our opinion, the subject Applications (B-2022-0014, A-2022-0320, and A-2022-0321) meets the four (4) tests of the Planning Act for a Consent to Sever and Minor Variance Applications.
11. In our opinion, the subject Applications (B-2022-0014, A-2022-0320, and A-2022-0321) meets the four (4) tests of the Planning Act for a Consent to Sever and Minor Variance Applications.
12. The semi-detached dwelling is proposed to be 2-storeys in height, complying with the Zoning By-law performance standards. The Planning Act allows for Committee of Adjustment Applications to be filed seeking relief from Zoning By-law provisions. The subject Application has been filed in accordance with Planning Act regulation and City of Brampton protocols.
13. In our opinion, the Consent to Sever and Minor Variance Applications meet the four (4) tests of the Planning Act, including Minor in nature.



14. This comment is noted.

We trust that the responses and clarifications contained herein are satisfactory. Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Anthony Sirianni'.

Anthony Sirianni, B.A.
Planning Associate

cc. **Gagandeep Singh Gill, Client**
A. Walker, Gagnon Walker Domes Ltd.
M. Gagnon, Gagnon Walker Domes Ltd.

APPENDIX 1

Dated: October 19, 2022

Jeanie Myers
Secretary – Treasurer
City of Brampton Committee of Adjustment
City Clerk's Office, Brampton City Hall
2 Wellington Street West
Brampton ON L6Y 4R2

Jeanie.myers@brampton.ca
cityclerksoffice@brampton.ca

Dear Ms. Myers,

RE: Objection to Application for Minor Variance – File # A-2022-0320 and A-2022-0321 and B-2022-0014.

① My name is Purva Singh and I am the resident of 89 John Street, Brampton ON L6Y 1Z4, the immediate neighbour to 93 John Street. This letter is in regards to the Notice/Application of Minor Variance for the Property 93 John Street, Brampton ON.

I would like to understand the nature of the variance as described in the Application/Notice.

② From the details mentioned in the Letter/Application, it does not seem like an Application for Minor Variance, as all the variation suggestions/ permits for the same are above and beyond what the City By-laws permits and limitations, which make them **Major** in nature.

③ This proposed variance is NOT minor for the main reason that it is too large and too important to be considered minor as the said variation will have a significant impact on the neighbouring properties especially my immediate property/house as it will be the most affected.

④ Further to this, I would also like to understand the 2 separate units/ two (2) individual lots from the existing lot, as proposed for variation, will be used for what purposes? The existing residential structure, right now, has been rented out to new students/ immigrants (mainly young male adults) who have no consideration of the neighbours and how they conduct themselves while parking in the designated area, coming in late night with loud music, loud conversations and trespassing on my property trying & assisting to park on their side of the property in the middle of the night. I believe as per the By-law, they are not to stuff and park 3 cars in the area around the left side of the house. They are not even mindful of the neighbours property, parking mindlessly crushing the flowers, plants and grass as they park. Even after telling them numerous times, things have not changed.

⑤ Keeping this behaviour in mind, if 2 separate units/ two individual lots are constructed from the existing lot, which I firmly believe will be rented out, where, and how will the parking work so

as to not be a constant botheration / nuisance to all the neighbours in vicinity especially the immediate neighbours. As of right now, there have been problems with the existing renters, if this variation is allowed, there will NO peaceful enjoyment for the neighbours, especially the immediate neighbours. As of the given situation, where one cannot determine how many people are renting the existing structure, I suspect that once the variation is allowed, the units will become rooming houses, the occupancy ratio would increase considerably and the parking will be chaotic, without any tabs.

6 The property is littered with garbage around it and I believe the home owners have been served with Notices twice to clean up the front and the backyard for unkempt garden.

7 Furthermore, the construction of the Third floor as proposed in the Application will also affect the light, air and the privacy of the area around my property, as the windows will be slammed with a three-story structure next to them. I am not sure at this point if this existing structure will be taken down and two (2) new will be created, but if they will be, then the space between the properties will be shortened with the structure slammed into our face with no privacy left at all and all light blocked to my home from the windows facing 93 John Street.

8 The primary issue among other objections to this variance is the loss of sunlight, air, privacy, views, spacing and openness around the house and openness of the area, which will result from the three-storey structure that will be slammed in our face, because of insensitive increase in mass, height and bulk of the proposed development/structures.

9 The other related issues will be access, parking, traffic and noise, among other issues of related to the general area around the property, whereby the development is incompatible with the established built form and character of the neighbourhood, which is a downtown area and holds a character to itself, with heritage house around the vicinity and the erection of a three-storey structure will destroy and erode the aesthetics of the downtown area and this street.

10 It is understood that the intent and purpose of a zoning by-law is to prescribe the front, rear and side yard setbacks, building size, height and use. Clearly the proposed variations are against and beyond the Zoning By-Law permits and limitations.

11 It is clearly implied and further understood that the applicant thinks that the variance is desirable and immensely profitable financially, but the issue here is whether it is desirable from a planning and public interest perspective, and how it will affect the immediate neighbours and should not be in the sole interest of the applicant. The proposed development/variation is not compatible with the existing houses in the neighbourhood with respect to size, structure, and the Brampton downtown heritage & character and that of the neighbourhood as well.

12 In light of the above issues and objections, I would request that the residents should be able to rely upon the municipalities former zoning policies and it is a breach of trust when they are diminished by allowing such major variations. It would be a matter to be considered whether

some part of the proposed structure can be reduced in mass or height to minimize the impact on my (neighbouring) home.

13

As a Brampton resident and a Tax-paying citizen, I strongly oppose the allowance of this variance, as it is not minor but a major one.

14

I would appreciate if the above-mentioned issues are considered and looked into prior to taking any decisions.

Thank you.

Sincerely,

Purva Singh

Purva Singh