## APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by PARTH SHAH AND HINAL PARTH SHAH 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 65, Plan M-1114, Part 16, Plan 43R-20429 municipally known as 4 RAIN LILY LANE, Brampton;

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

1. To permit a below grade entrance on a lot containing a quattroplex whereas the by-law only permits a below grade entrance in a single detached, semi detached or townhouse dwelling;
2. To permit a side yard setback of 1.29 m ( 4.23 ft ) to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.8 m ( 5.91 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: $\quad$ NO | File Number: |  |
| :--- | :--- | :--- |
| Application for Consent:_nO | NO | File Number: |

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 this 16th 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: $(905) 874-2119$
eeanie.myers@brampton.ca


BRAMPTON
Flower City

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 inperson and electronically).

## Electronic/Hybrid Hearing Procedures <br> 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 ieanie.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 inperson. 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.

## AMENDMENT LETTER

March 14, 2023
To: Committee of Adjustment
RE: PARTH SHAH AND HINAL PARTH SHAH
PART OF LOT 65, PLAN M-1114
PART 16, PLAN 43R-20429
A-2023-0051 - 4 RAIN LILY LANE

Please amend application A-2023-0051 to reflect the following:

1. To permit a below grade entrance on a lot containing a quattroplex whereas the bylaw only permits a below grade entrance in a single detached, semi detached or townhouse dwelling;
2. To permit a side yard setback of $1.29 \mathrm{~m}(4.23 \mathrm{ft}$.) to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.8 m ( 5.91 ft .).


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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, City of Brampton.

| APPLICATION <br> Minor Variance or Special Permission <br> (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 Owners)

BARTH SHAH \& BINAL BARTH SHAH
Address 04 RAIN LILY LANE, BRAMPTON, ON LGR 152

| Phone \# |  |  |
| :--- | :--- | :--- |
| Email | +1.647.717.8136 <br> shahparthk1989@gmail.com | Fax\# $\quad$ |

2. Name of Agent Salman Ellahi

Address 126 BURNHAMTHORPE ROAD EAST. OAKVILLE, L6H OX.

| Phone \# |  |  |
| :--- | :--- | :--- | :--- |
| Email | Falman@shafeinc.com | Fax |

Email salman@shafeinc.com
3. Nature and extent of relief applied for (variances requested):

To create a below grade entrance in right side yard where set back of 1.8 required as per by law. we have only 1.2 m set back.
$\qquad$
4. Why is it not possible to comply with the provisions of the by-law?

In current zoning by laws below grade side yard is allowed with 1.8 M set back. we have only 1.29 m set back.
$\qquad$
$\qquad$
5. Legal Description of the subject land:

Lot Number 65
Plan Number/Concession Number 43M-1114 RP 43R20429 PART 16
Municipal Address 04 RAIN LILY LANE, BRAMPTON. ON L6R 1S2
6. Dimension of subject land (in metric units)

Frontage 10.72 M
Depth 21.65 M \& 20.53
Area 225.64 SM
7. Access to the subject land is by:

Provincial Highway


## Seasonal Road

Municipal Road Maintained All Year
Private Right-of-Way

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 (dwellinq, shed, gazebo, etc.) 2 Storey quattroplex Dwelling unit

Basement Area: 54.43 SM
Main Floor Area: 74.97 SM
Second Floor Area: 74.97 SM
Total for Floors Above Grade: 149.94 SM

PROPOSED BUILDINGS/STRUCTURES on the subject land:
-single-Unit Dwelling Unit quattroplex

- below grade side yard enterance. entrance and exit for a finished basement.
$\qquad$

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 | 10.0 M |
| Rear yard setback | N/A |
| Side yard setback | N/A (left side) |
| Side yard setback | 2.58 (right side) |
| $\frac{\text { PROPOSED }}{\text { Front yard setback }}$ No Change in se |  |
|  |  |
| Rear yard setback | No Change |
| Side yard setback | No Change (left side) |
| Side yard setback | 1.29 (right side) |

10. Date of Acquisition of subject land: year 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: 1994
15. Length of time the existing uses of the subject property have been continued: 29 year
16. (a) What water supply is existing/proposed?
$\qquad$ Well
(b) What sewage disposal is/will be provided?

Municipal Other (specify) $\qquad$
Septic
nage system is existing/proposed?
What storm drainage system is existing/proposed?
Sewers
Ditches

$\qquad$
17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?
Yes $\square$ No $\boxtimes$

If answer is yes, provide details:
File \#

## Status

$\qquad$
18. Has a pre-consultation application been filed?
YesNo $\boxtimes$
19. Has the subject property ever been the subject of an application for minor variance?
Yes

No $\triangle$
Unknown $\quad \square$

If answer is yes, provide details:

| File \# | Decision | Relief |
| :---: | :---: | :---: |
| File \# | Decision | Relief |
| File \# | Decision | Relief |


| DATED AT THE | City | OF | Brampton |  |
| :--- | :--- | :--- | :--- | :--- |
| THIS 26 | DAY OF | February | 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.


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.










DOCUMERTS RELEASED PURSUANT TO A REQUEST UNDER THE
HUNICIPAL FREEDOM OF INFOR䀲ATION AND PROTECTION OF PRIVACY ACT R.S.O. 1990c. He56

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