



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)** Pauly Jacob & Ancy Paul
Address 38 FIDELITY AVE, BRAMPTON, ON, L7A 2S5

Phone # +1 4168237428 **Fax #** _____
Email paulyjacob@yahoo.com

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

Phone # +1 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 0.05m 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 312
Plan Number/Concession Number M1511
Municipal Address 38 FIDELITY AVE, BRAMPTON, ON, L7A 2S5

6. **Dimension of subject land (in metric units)**
Frontage 12.68 M
Depth 25.00 M
Area 317.00 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: 122.11 sqm
 Gross Floor Area: 241.51 sqm,
 No. of Levels: 2
 Width: 13.02 m
 Length: 10.79 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 4.2 M
 Rear yard setback 7.74 M
 Side yard setback 1.21 M
 Side yard setback 0.67 M

PROPOSED

Front yard setback 4.2 M
 Rear yard setback 7.74 M
 Side yard setback 0.05M
 Side yard setback 0.67 M

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: 2010

15. Length of time the existing uses of the subject property have been continued: 6 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 _____ |

Shivraj

Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton
THIS 27th DAY OF Feb, 2024.

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, Shivraj Tarika, OF THE Town OF Halton Hill
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 27 DAY OF
February 2024

Shivraj Tarika

Signature of Applicant or Authorized Agent

Clara Van
Clara Van
a Commissioner, etc.,
Province of Ontario,
A Commissioner etc. for the Corporation of the
City of Brampton

Submit by Email

Expires September 20, 2026
FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: R1C-1122

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

Connor Cowan
Zoning Officer

2023-11-24
Date

DATE RECEIVED February 27, 2024

Date Application Deemed Complete by the Municipality *Clara*

PERMISSION TO ENTER

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

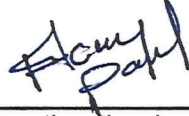
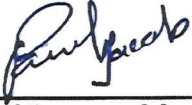
LOCATION OF THE SUBJECT LAND: 38 Fidelity Avenue

I/We, Pauly Jacob & Ancy Paul

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 16 day of November, 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

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: 38 Fidelity Avenue



I/We, Pauly Jacob & Ancy Paul
please print/type the full name of the owner(s)

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

SMIVANG 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 16 day of November, 2023.

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

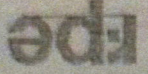
(where the owner is a firm or corporation, please print or type the full name of the person signing.)

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

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.

THIS REPORT WAS PREPARED FOR
 MATYARY HOMES
 AND THE UNDERSIGNED ACCEPTS NO
 RESPONSIBILITY FOR USE BY OTHER PARTIES
 © RADY-PENTEK & EDWARD SURVEYING LTD. 2002

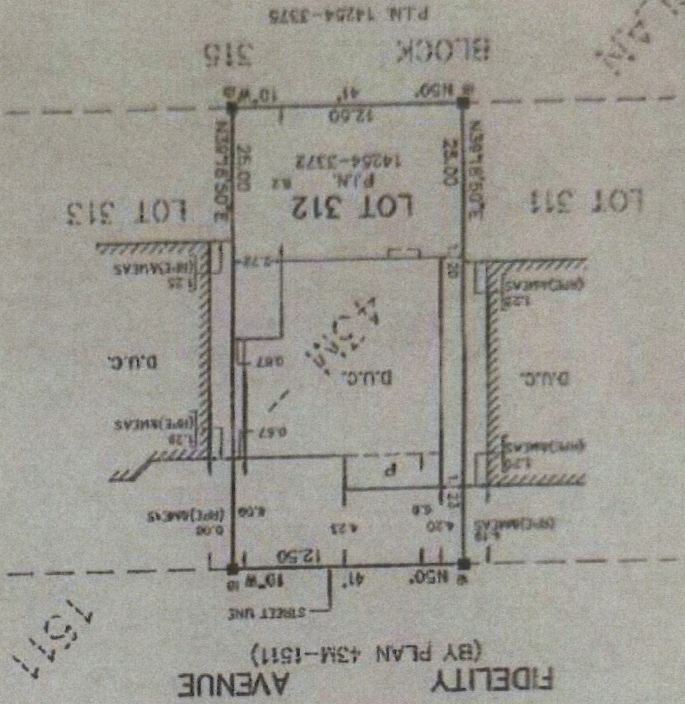
RADY-PENTEK & EDWARD SURVEYING LTD.
 ONTARIO LAND SURVEYORS
 465 WILSON AVENUE, DOWNSVIEW, ONTARIO
 TEL. (416) 633-5000 FAX (416) 633-5001
 E-MAIL: rpe@surveyprogers.com
 DRAWN: V.K.
 CAD FILE 1511-312
 JOB NO. 02-025



ALL TIES TO CONCRETE FOUNDATION
 SCRAMBLES ARE GIRD AND ARE REFERRED TO THE
 SOUTHWEST LIMIT OF FOOTING AS SHOWN ON
 PLAN 43M-1511 HAVING A BEARING OF N30°41'10"W

ALL FOUND MONUMENTS BY RADY-PENTEK & EDWARD SURVEYING
 LTR, O.L.S.

NOTES
 ■ DENOTES MONUMENT FOUND
 @ DENOTES IRON BAR
 D.U.C. DENOTES DWELING UNDER CONSTRUCTION
 P.L.N. DENOTES PROPERTY IDENTIFIER NUMBER
 P DENOTES PORCH
 (RPE) DENOTES RADY-PENTEK & EDWARD SURVEYING LTD., O.L.S.



ONTARIO LAND SURVEYOR
 T. SMITH
 [Signature]

DATE *Sept 15 2002*

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
 WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND
 TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE DAY OF *Sept 15*, 2002

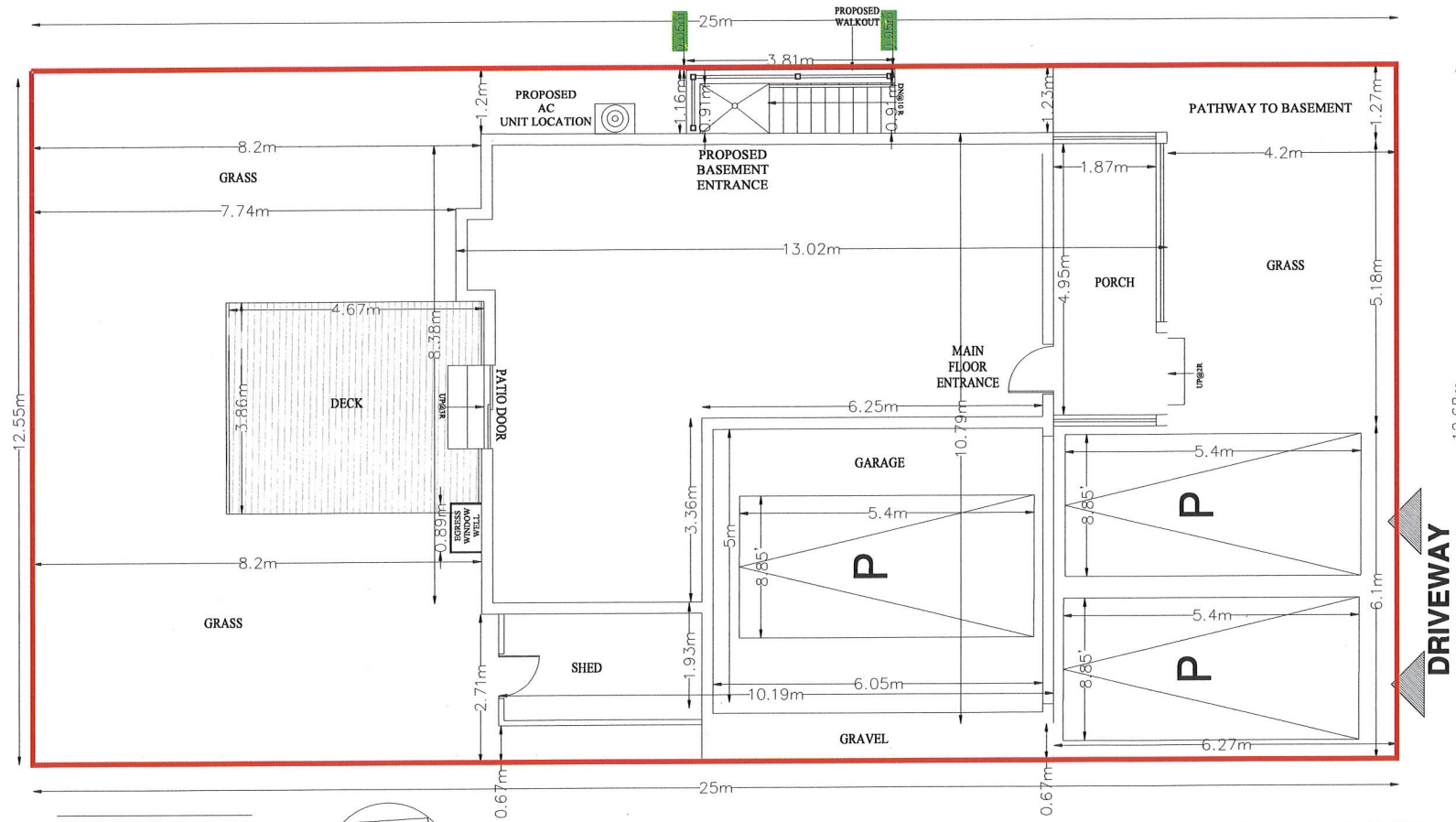
SURVEYOR'S CERTIFICATE

PART 2 (SURVEY REPORT)
 REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY'S NONE
 THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS

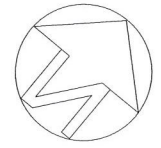


SCALE 1:300
 10m 5m 0 10m 20m 30m metres
 METRIC
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN
 BE CONVERTED TO FEET BY DIVIDING BY 0.3048
 RADY-PENTEK & EDWARD SURVEYING LTD., O.L.S.

SURVEYOR'S REAL PROPERTY REPORT
 PART 1
 PLAN OF LOT 312
 PLAN 43M-1511
 CITY OF BRAMPTON
 REGIONAL MUNICIPALITY OF PEEL



SITE PLAN
SCALE 1/8"=1'-0"



GROUND FLOOR AREA = 1315.01 SFT/122.11 SM
 GROSS FLOOR AREA = 2599.67SFT /241.51 SM
 LOT AREA = 3765.86 SFT / 349.8 SM

38 FIDELITY AVENUE

| | | |
|---|------------------|------|
| 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 REAR 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. C3.2.5.1 OF THE BUILDING CODE | | |
| SHIVANG TARIKA | 106440 | |
| NAME | SIGNATURE | BCIN |
| <i>SHIVANG TARIKA</i> | | |
| NO | REVISION / ISSUE | DATE |
| | | |
| BASEMENT PLAN | | |
| CITY : BRAMPTON | | |
| 38 FIDELITY AVENUE | | |
| EXISTING DWELLING | | |
| PROJECT | SHEET | |
| NOV 2023 | A1 | |
| SCALE 1/8"=1'-0" | | |

Zoning Non-compliance Checklist

File No.
A-2024-0058

Applicant: Shivang Tarika
 Address: 38 Fidelity Ave
 Zoning: R1C-1122
 By-law 270-2004, as amended

| Category | Proposal | By-law Requirement | Section # |
|--|--|--|-----------|
| USE | | | |
| LOT DIMENSIONS AREA / DEPTH / WIDTH | | | |
| BUILDING SETBACKS FRONT / SIDE / REAR | | | |
| BUILDING SIZE | | | |
| BUILDING HEIGHT | | | |
| COVERAGE | | | |
| 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 |
| ACCESSORY STRUCTURE SETBACKS | To permit an interior side yard setback of 0.05m to a proposed exterior stairway leading to a below grade entrance | whereas the by-law requires a minimum setback of 0.3m to an exterior stairway leading to a below grade entrance in the interior side yard provided that a continuous side yard width of no less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling. | 10.23.2 |
| ACCESSORY STRUCTURE SIZE / HEIGHT | | | |
| MULTIPLE ACCESSORY STRUCTURES | | | |
| DRIVEWAY WIDTH | | | |
| LANDSCAPED OPEN SPACE | | | |
| ENCROACHMENTS | | | |
| TWO-UNIT DWELLING | | | |
| SCHEDULE "C" | | | |
| OTHER – DECK | | | |

Connor Cowan

Reviewed by Zoning

2023-11-24

Date