

FILE NUMBER: A-2024-0415

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

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)

PHUC THINH NGUYEN & TRANG THI THAO NGUYEN

Address

134 LARKSPUR RD, BRAMPTON, ONTARIO, L6R 2C5

Phone #

647 215 2735

Fax #

Email

tim13435@gmail.com
2.

Name of Agent

BAO TRUONG

Address

67 HUMBERSTONE CRES, BRAMPTON, L7A 4C1

Phone #

416 892 0407

Fax #

Email

baothaitruong0704@gmail.com
3.

Nature and extent of relief applied for (variances requested):

The homeowner is planning to apply for a second unit dwelling basement apartment for his property. He would like to propose to build the below grade entrance between the main wall and flankage lot line for privacy matter. We are hoping to get permission for a proposed exterior sideyard setback of 1.92 m to a stairway leading to a below grade entrance, whereas the by-law required a minimum exterior side yard setback of 3 m
4.

Why is it not possible to comply with the provisions of the by-law?

the best location for the below grade entrance will be from the exterior sideyard in order to maintain the privacy the rear yard for the main unit.
5.

Legal Description of the subject land:

Lot Number

LOT 80

Plan Number/Concession Number

PLAN M1262

Municipal Address

134 LARKSPUR RD ONTARIO, L6R 2C5
6.

Dimension of subject land (in metric units)

Frontage

11.08 m

Depth

34.48m

Area

469.99 sqm
7.

Access to the subject land is by:

Provincial Highway

Municipal Road Maintained All Year✓

Private Right-of-Way

Seasonal Road

Other Public Road

Water

0. 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:

SINGLE DETACHED TWO GARAGE HOUSE, UNFINISHED BASEMENT

GROSS FLOOR AREA: 491.22 m<sup>2</sup>

MAINFLOOR AREA 112.52 m<sup>2</sup>

SECOND FLOOR AREA:152.42m<sup>2</sup>

THERE ARE 2 STOREYS, 34.48m LONG, m WIDE

PROPOSED BUILDINGS/STRUCTURES on the subject land:

1. 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 6.26 M

Rear yard setback 8.64M

Side yard setback 1.24 M

Side yard setback 3.34 M

PROPOSED

Front yard setback NO CHANGE TO THE EXISTING SETBACK

Rear yard setback NO CHANGE TO THE EXISTING SETBACK

Side yard setback NO CHANGE TO THE RIGHT SIDEYARD SETBACK

Side yard setback 1.92 M

0. Date of Acquisition of subject land: May 2005
1. Existing uses of subject property: SINGLE UNIT DWELLING
2. Proposed uses of subject property: TWO UNIT DWELLING
3. Existing uses of abutting properties: SINGLE UNIT DWELLING
4. Date of construction of all buildings & structures on subject land: May 2005
5. Length of time the existing uses of the subject property have been continued: 19 years

16. (a) What water supply is existing/proposed?

Municipal

☒

Well

Other (specify)

- (b) What sewage disposal is/will be provided?

Municipal

☒

Septic

Other (specify)

- (c) What storm drainage system is existing/proposed?

Sewers

☒

Ditches

Swales

Other (specify)

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 of an application for minor variance? ever been the subject

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

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



Signature of Applicant(s) or Authorized Agent

DATED AT THE city OF Brampton  
THIS 4th DAY OF Nov, 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.

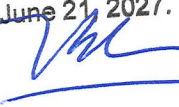
I, Bao Truong, OF THE city OF Brampton.  
IN THE Region OF Peel SOLEMNLY DECLARE THAT:

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 4 DAY OF  
NOV, 2024

  
A Commissioner etc.

Valerie Low  
a Commissioner, etc.,  
Province of Ontario,  
for the Corporation of the  
City of Brampton.  
Expires June 21, 2027.



Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation:

R1C-305

Present Zoning By-law Classification:

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

Shiza Athar  
Zoning Officer

2024/10/08  
Date

DATE RECEIVED

Nov 4, 2024  
VL

**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: 134 LARKSPUR RD, BRAMPTON, ONTARIO, L6R 2C5



I/We, PHUC THINH NGUYEN & TRANG THI THAO NGUYEN  
please print/type the full name of the owner(s)

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

BAO TRUONG  
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 03 day of OCTOBER, 2024.

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

THINH PHUC NGUYEN & TRANG THI THAO NGUYEN  
(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.**

**PERMISSION TO ENTER**

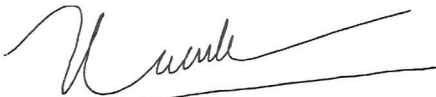
To: The Secretary-Treasurer  
Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

LOCATION OF THE SUBJECT LAND: 134 LARKSPUR RD, BRAMPTON, ONTARIO, L6R 2C5

I/We, PHUC THINH NGUYEN & TRANG THI THAO NGUYEN  
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 03 day of OCTOBER, 2024.



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

PHUC THINH NGUYEN & TRANG THI THAO NGUYEN

(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**



LARKSPUR RD

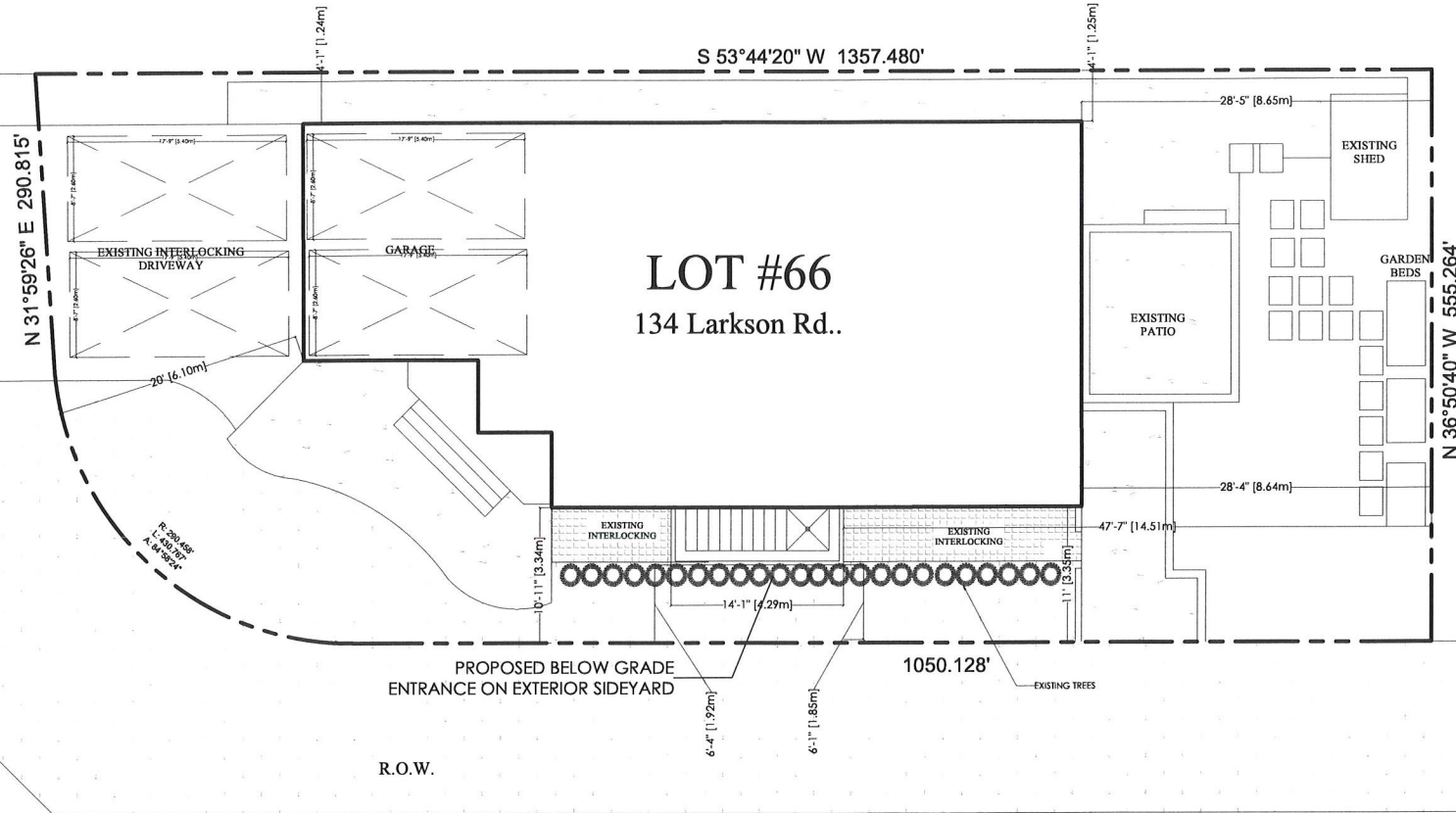
CONCRETE SIDEWALK

R.O.W.

R.O.W.

CONCRETE SIDEWALK

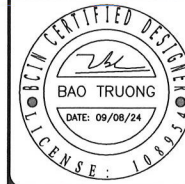
RIBBON DR.



General Notes

**IRVI**  
DESIGN

Company name:  
IRVI DESIGN  
67 HUMBERSTONE  
CRESCENT, BRAMPTON  
ON, L7A 4C1  
(416)892-0407  
COMPANY REG. NUMBER:  
125140

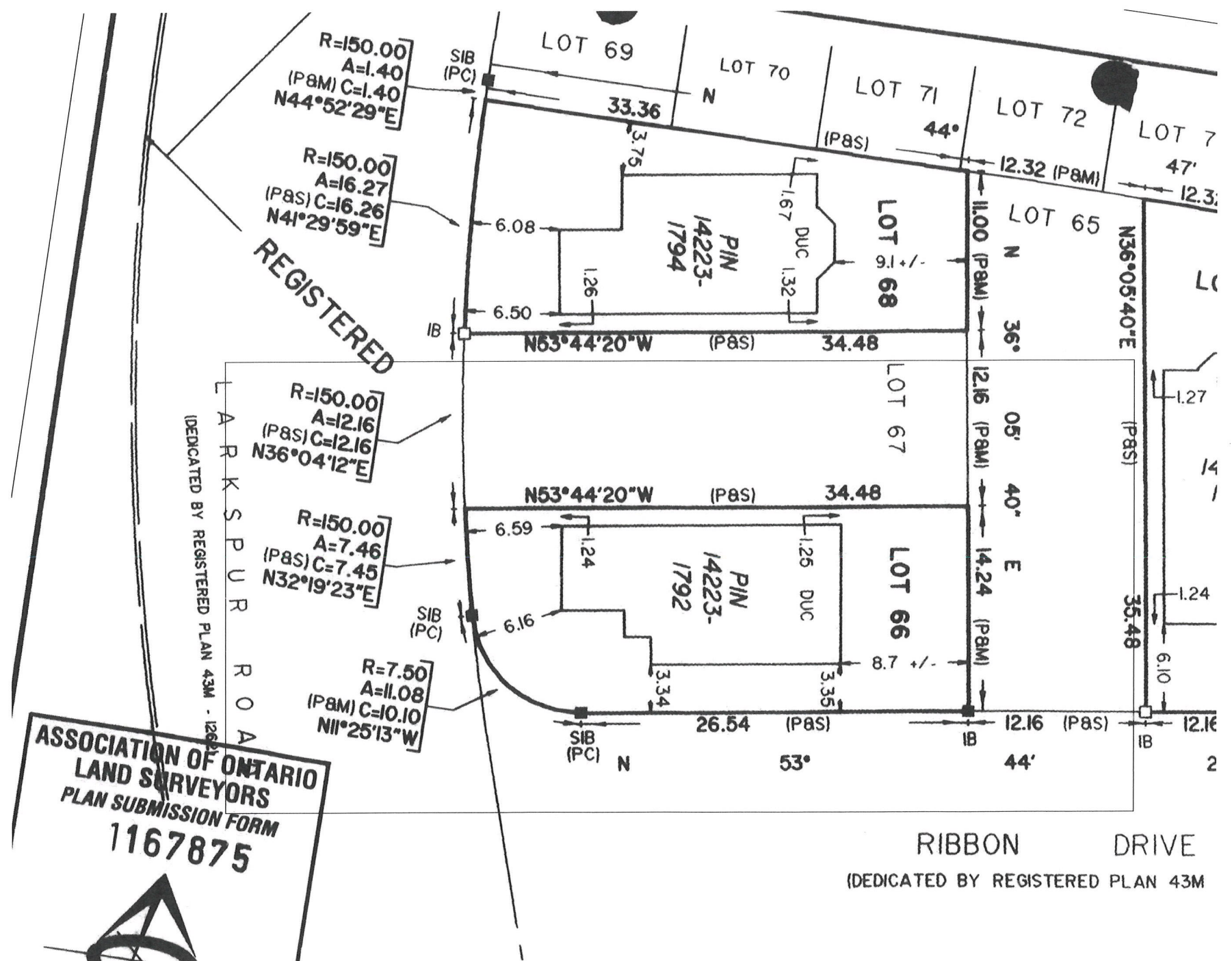


The undersigned has reviewed and takes responsibility for the design and has the qualifications and meets the requirement set out in the Ontario Building Code to be a designer.

No.	Revision/Issue	Date

Project Name and Address:  
SECOND UNIT DWELLING  
BASEMENT APARTMENT  
BELOW GRADE ENTRANCE  
ON THE EXTERIOR  
SIDEYARD  
134 LARKSPUR RD  
BRAMPTON

Drawing name:	Sheet
SITE PLAN	A02
Date: 09/08/2024	
Scale: 1/8" = 1'-0"	



ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
1167875

General Notes

Company name  
IRVI DESIGN  
67 HUMBERSTONE  
CRESCENT, BRAMPTON  
ON, L7A 4C1  
(416)892-0407

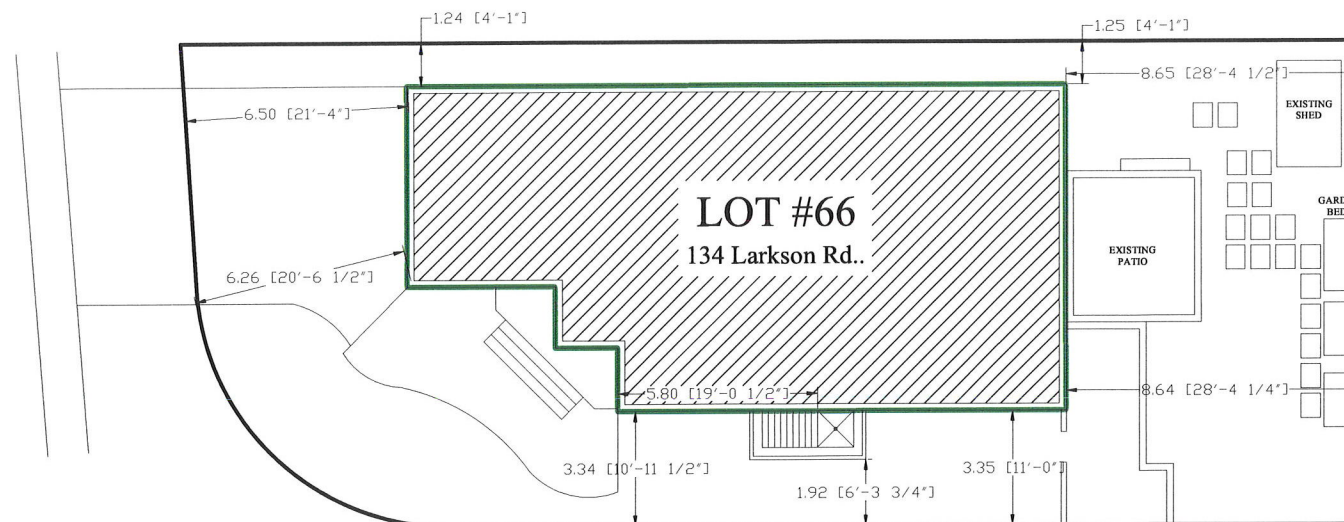
Company Reg. Number  
125140

The undersigned has reviewed and takes responsibility for the design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

No.	Revision/Issue	Date

Project Name and Address  
SECOND UNIT DWELLING  
BASEMENT APARTMENT  
BELOW GRADE ENTRANCE  
BETWEEN MAINFLOOR  
AND FLANKAGE LOT LINE  
134 LARKSPUR RD,  
BRAMPTON

Drawing name	Sheet
SURVEY	A01
Date 09/20/2024	
Scale 1:400	



General Notes



Company name:

IRVI DESIGN  
67 HUMBERSTONE  
CRESCENT, BRAMPTON  
ON, L7A 4C1  
(416)892-0407

COMPANY REG. NUMBER:

125140



The undersigned has reviewed and takes responsibility for the design and has the qualifications and meets the requirement set out in the Ontario Building Code to be a designer.

No.	Revision/Issue	Date

Project Name and Address:

SECOND UNIT DWELLING  
BASEMENT APARTMENT  
BELOW GRADE ENTRANCE  
BETWEEN MAINFLOOR  
AND FLANKAGE LOT LINE  
134 LARKSPUR RD,  
BRAMPTON

Drawing name:

SITE PLAN

Date:

09/20/2024

Scale:

1:150

Sheet:

A02



# Zoning Non-compliance Checklist

File No.  
A-2024--0415

Applicant: Bao Truong  
Address: 134 Larkspur Rd  
Zoning: R1C-305  
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 exterior side yard,	whereas the by-law does not permit exterior stairways constructed below established grade in the required exterior side yard.	10.23.1
	To permit a proposed exterior side yard setback of 1.85m to a stairway leading to a below grade entrance,	whereas the by-law requires a minimum exterior side yard setback of 3.0m.	13.1.2 (f)
ACCESSORY STRUCTURE SETBACKS			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
GARAGE WIDTH			
LANDSCAPED OPEN SPACE			
ENCROACHMENTS			
TWO-UNIT DWELLING			
SCHEDULE "C"			
OTHER – DECK			

Shiza Athar

Reviewed by Zoning

2024/10/08

Date