

Received / Revised

OCT 22 2024

Committee of Adjustment

Flower City



brampton.ca

For Office Use Only
(to be inserted by the Secretary-Treasurer
after application is deemed complete)

FILE NUMBER: A18-148

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) CHRISTINE HAYE-CALLAGHAN

Address 70 COMMODORE DR, BRAMPTON, ONT, L6X0S6

Phone # 4166599667

Fax # _____

Email CHAYE061@GMAIL.COM

2. Name of Agent _____

Address _____

Phone # _____

Fax # _____

Email _____

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

To permit an interior side yard setback of .21m (3.94ft) to the exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94ft)

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

The contractor that was hired defrauded me and went ahead and cut the side door below grade as opposed to the permit requirements of above grade.

5. Legal Description of the subject land:

Lot Number 229L

Plan Number/Concession Number PLAN M1751

Municipal Address 70 COMMODORE DR BRAMPTON ONT L6X0S6

6. Dimension of subject land (in metric units)

Frontage 29.53

Depth 88.58

Area 2616

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 ☐

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.)

DECK

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Existing semi-detached home

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

Rear yard setback

Side yard setback

Side yard setback 1.21m

PROPOSED

Front yard setback

Rear yard setback

Side yard setback

Side yard setback .21m

10. Date of Acquisition of subject land: June 24, 2011
11. Existing uses of subject property: RESIDENTIAL
12. Proposed uses of subject property: RESIDENCE
13. Existing uses of abutting properties: _____
14. Date of construction of all buildings & structures on subject land: 2009
15. Length of time the existing uses of the subject property have been continued: 2009
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?

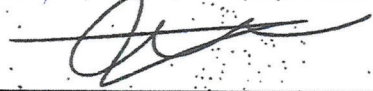
Yes ☐ No ☒

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 # A18-148	Decision STAYED WITH DECISION	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____



Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY _____ OF BRAMPTON

THIS 13th ^{35th} DAY OF SEPTEMBER ^{October} 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, CHRISTINE HOYE-CALLAGHAN 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

Region CITY OF BRAMPTON

IN THE REGION OF

PEEL THIS 25 DAY OF

OCT 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: _____

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.

Zoning Officer

Date

DATE RECEIVED Oct 25, 2024

Date Application Deemed
Complete by the Municipality

VL

Revised 2022/02/17

Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2
coa@brampton.ca

LOCATION OF THE SUBJECT LAND: _____

I/We, _____
please print/type the full name of the owner(s)

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

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 _____ day of _____, 20____.

(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.

PERMISSION TO ENTER

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

LOCATION OF THE SUBJECT LAND: 70 COMMODORE DR BRAMPTON ONT L6X0S6

I/We, CHRISTINE HAYE-CALLAGHAN

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 25th day of September, 2024.

CHRISTINE CALLAGHAN

(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**

Received / Revised

OCT 22 2024

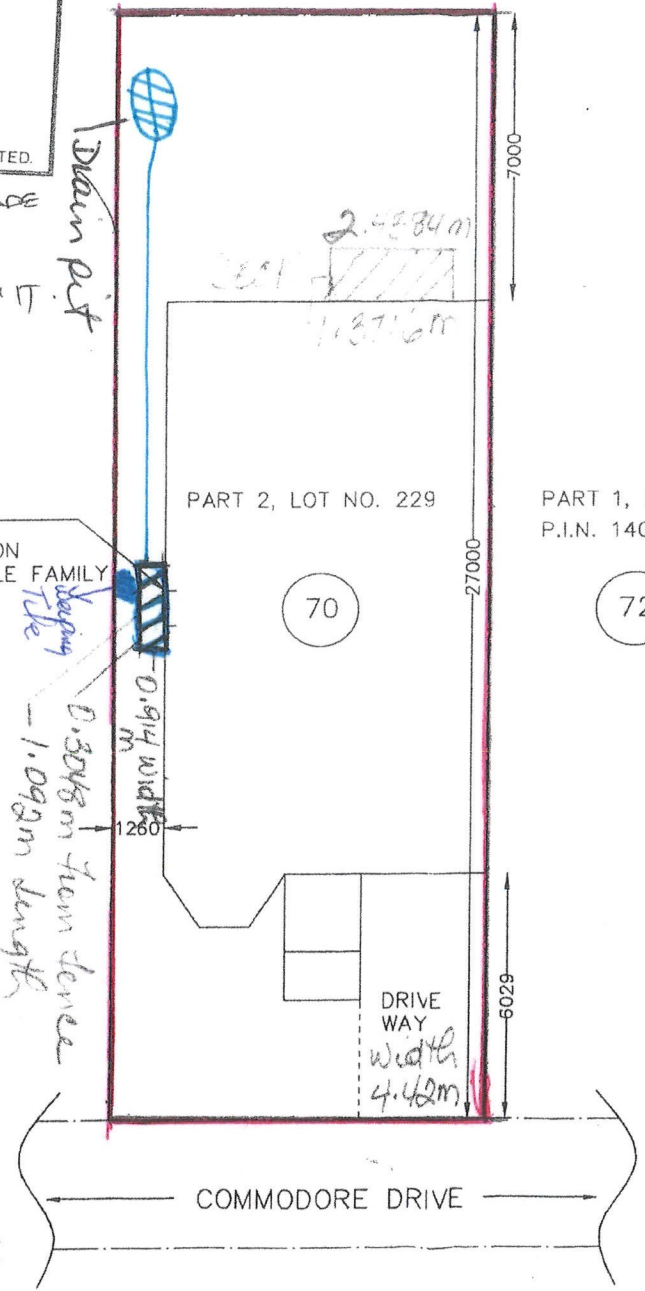
Committee of Adjustment



1. POST PERMIT CARD IN A CONSPICUOUS PLACE 7 FEET ABOVE GRADE AT BUILDING SITE.
2. APPROVED DRAWINGS MUST BE KEPT ON SITE AT ALL TIMES.
3. IT IS MANDATORY THAT YOU CALL FOR REQUIRED INSPECTIONS 24 HRS. IN ADVANCE.
4. FAILURE TO COMPLY WITH SENTENCE 1 TO 3 WILL RESULT IN STOP WORK ORDERS BEING POSTED.

REVIEWED AS A DOOR AT GRADE IN SIDE YARD. WORK NOT INDICATED REQUIRES A PERMIT.

CITY OF BRAMPTON
BUILDING DIVISION
REVIEWED BY: D. GRAHAM
MAY 15 2018
ATTACHED NOTES ARE PART OF REVIEWED DRAWINGS. ALL WORK MUST COMPLY WITH CODE.



PART 1, LOT NO. 229
P.I.N. 14094-3437

Permit: 18-123935 (00104PM)
Address: 70 Commodore Drive
File: 17151 Lot 229L

FILE COPY

SITE PLAN FOR 70 COMMODORE DRIVE
(SCALE 1:125)

DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF V.A. ARCHITECT INC., THE COPYRIGHT BEING RESERVED TO THEM.

NO REPRODUCTION MAY BE MADE WITHOUT THE PERMISSION OF V.A. ARCHITECT INC., AND WHEN MADE, MUST BEAR ITS NAME. ALL PRINTS TO BE RETURNED.

THIS DRAWING MUST NOT BE SCALED.

THE CONTRACTOR IS TO VERIFY DIMENSIONS AND DATA NOTED HERE IN WITH CONDITIONS ON THE SITE AND IS HELD RESPONSIBLE FOR REPORTING ANY DISCREPANCY TO V.A. ARCHITECT INC., FOR ADJUSTMENT OR CORRECTIONS.

THIS DRAWING IS NOT TO BE USED FOR BUILDING PURPOSE UNTIL SEALED AND SIGNED BY THE CONSULTANT.

V.A. ARCHITECT INC.
UNIT 201,
57 VILLAGE CENTRE PLACE,
MISSISSAUGA, ON.
Phone: 416-432-1419
Email: vaainc@gmail.com

STAMP

02	2018-05-01	ISSUED FOR PERMIT - APPROVAL
01	2018-04-30	ISSUED FOR CLIENT'S - APPROVAL

REVISIONS/ISSUED

DRAWING TITLE:

SITE PLAN

PROJECT TITLE:

70 COMMODORE DRIVE, BRAMPTON, ONTARIO.

PROJECT NO:

2018-21

DATE: 2018-04-25

CHECKED:

SCALE: 1:125

DRAWING NO: A100

Received / Revised

OCT 22 2024

Committee of Adjustment

September 12, 2024

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

Dear Secretary-Treasurer:

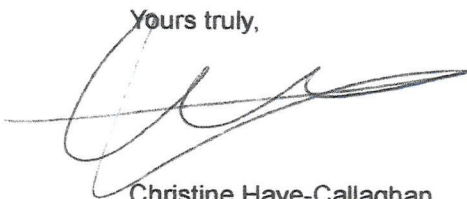
Please note that this application is a continuation of a previous application A18-148 filed on August 31, 2018 with the Committee meeting on October 2, 2018. All the previous documents that were submitted then have been re-submitted with this new application that I was told via email dated August 21, 2024 must be re-submitted.

The case was Stayed with the condition that an Engineer report be submitted to determine if the Grading would be affected by my request.

Please note that a Certificate of Final Inspection was issued on January 29, 2021 for the basement.

If you have any further questions or concerns please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'Christine Haye-Callaghan', written over a horizontal line.

Christine Haye-Callaghan
Site Home Owner

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

Dear Secretary-Treasurer:

Re: Application to the Committee of Adjustment for a Minor Variance pursuant to the *Planning Act* (the "Act"), for the property municipally known as 70 Commodore Drive in the City of Brampton

I, Christine Haye-Callaghan, am the owner of the property municipally known as 70 Commodore Drive (the "Site") in the City of Brampton. The site is located in the southwest corner of Williams Parkway and Valleyway Drive. The Site is designated "Residential" pursuant to the City of Brampton Official Plan, as amended, (the "Official Plan"). The Site is zoned "R2A-1318" pursuant to the City of Brampton Zoning By-laws (the "By-law").

Application Purpose

The purpose of this application is to permit the completion of the installation of a below grade side door entrance to a semi-detached dwelling. The proposed side door installation will permit entry and exit into the dwelling in addition to the use of the front door. The side door entrance is for personal use which will support transporting items in and out the dwelling and permitting a family member the ability to access the dwelling with minimal effort in light of her disability. The remainder of the dwelling will remain unchanged and no alterations to the dwelling's height are proposed.

Relief Requested

The Site is subject to the By-law. Therefore, the following is the variance for which I am seeking approval:

1. By-law No. R2A Section 1318 - The lands designated R2A-SECTION 1318 on Schedule A to the by-law shall be subject to the following requirements and restrictions:

(7) Minimum Interior Side Yard Width: 1.2 metres, except along the common wall lot line where the setback may be zero metres.

The by-law requires a minimum distance of 1.2 metres in between dwellings and the proposed variance results in a setback of 0.305.

I believe the variance requested meets the four tests of Section 45(1) of the *Planning Act* which must be satisfied in order for the Committee to approve the application. The requested variance meets the tests for the following reasons:

1. The variance maintains the general intent and purpose of the Zoning By-law

The Site is zoned R2A-1318 in the City of Brampton which permits a semi-detached dwelling. The variance will simply permit minor modifications to allow for a slightly below grade side entrance door which will not adversely impact surrounding uses or the adjacent property. The variance results in a setback of 0.305 while the By-law requires a minimum distance of 1.2 metres; this setback represents a minor difference. There are also no obstructions or privacy issues that arise as a result of the variance requested. The Site will maintain proper drainage while ensuring access to the rear yard in case of an emergency. The general intent of the zoning by-law is to prevent the foregoing problems, therefore, it is my opinion that the variance maintains the general intent of the zoning By-law.

2. The variance meets the general intent and purpose of the Official Plan

As per the Official Plan, the Site is designated as 'Residential'. In this designated residential area, the installation of a side entrance door is permitted, therefore, the variance requested is not a marked departure from the intent and purpose of the Official Plan. Where required distances stipulated in the By-law cannot be met, a minor variance can be considered based on site specific considerations. The variance requested meets the general intent and purpose of the 'Residential' designation as the Site will continue to exist as a residential dwelling and the basement of the dwelling will continue to be for personal use. For the reasons noted above, it is my opinion that the variance requested continues to maintain the general intent and purpose of the Official Plan.

3. The variance is desirable for the appropriate development or use the land

The proposed variance enhances the use of the property. It also promotes efficient use of the property because a side entrance door will allow for effortless access to the basement of the Site for members of dwelling that require it. A side door entrance, with the variance requested, is appropriate in the circumstances because from a planning and public interest perspective there is no resulting negative impact and the side door installation reflects a sound design.

4. The variance is minor in nature

The variance requested is minor in size, importance and impact as it is only a setback of 0.305. The existing lot size remains the same as an expansion or change to the structural design of the Site is not the intent of this application; the cumulative effect of the requested variance is very minor.

Conclusion

Based on all the factors described above, I believe that the requested variance meets the four tests of the Act, and that the requested variance represents good planning.

Please refer to the Committee of Adjustment application for more specific details regarding the variance.

Please find enclosed the following materials:

- One (1) original copy of a fully completed and executed application form;
- Twelve (12) prints of a plan; and
- One (1) cheque payable to the Treasurer, City of Brampton in the amount of \$585.00 for the application fee.

I trust the forgoing sufficiently explains the variance requested. If you have any further questions or concerns please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'Christine Haye-Callaghan', written over a horizontal line.

Christine Haye-Callaghan
Site Home Owner

Zoning Non-compliance Checklist

Received / Revised

A 18-0148

OCT 22 2024

File No.

A-2024-

Applicant: Christine Haye-Callaghan

Committee of Adjustment

Address: 70 Commodore

Zoning: R2A Section 1318

By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE			
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT/ SIDE / REAR	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 side yard.	1318.2
	To permit an interior side yard setback of .21 metres to a proposed exterior stairway leading to a below grade entrance.	Whereas the by-law requires a minimum interior side yard setback of 1.2 metres.	1318.2
PATH OF TRAVEL			
SIDE DOOR			
COVERAGE			
PARKING			
DRIVEWAY			
ACCESSORY STRUCTURE			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPE OPEN SPACE			
SCHEDULE 'C'			
FENCE HEIGHT			

Rose Bruno
Reviewed by Zoning

October 22, 2024
Date