



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) Michael J. Higgs and Eslerita F. Albiento  
Address 76 Barr Crescent  
Brampton, ON L6Z 3E1  
Phone # 416 268-0442, 416 268 0443 Fax # \_\_\_\_\_  
Email mhiggs@rogers.com

2. Name of Agent N/A  
Address \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_  
Email \_\_\_\_\_

3. Nature and extent of relief applied for (variances requested):  
0.54 m driveway width extension  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Why is it not possible to comply with the provisions of the by-law?  
Family needed a little bit of extra space for parking.  
and its costly to remove the existing pavers  
\_\_\_\_\_  
\_\_\_\_\_

5. Legal Description of the subject land:  
Lot Number 26  
Plan Number/Concession Number 43M-537  
Municipal Address 76 Barr Crescent, Brampton, ON L6Z 3E1

6. Dimension of subject land (in metric units)  
Frontage 15.47 m  
Depth 40.06 m / 43.57 m  
Area 636.59 sq. m

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:

<u>Two story detached dwelling</u>			
First Floor	42' x 36'	1,512 sq'	12.8m x 11m = 140.8 sqm
2nd "	32 x 36'	1,152 sq'	9.7m x 11m = 106.7 sqm
<hr/>			
Shed	8' x 12'	96 sq'	2.4m x 3.66m = 8.8 sqm

PROPOSED BUILDINGS/STRUCTURES on the subject land:

NA

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	6.36 M
Rear yard setback	20.9 M
Side yard setback	1.22 M North
Side yard setback	1.85 M South

PROPOSED

Front yard setback	6.36 M
Rear yard setback	20.9 M
Side yard setback	1.22 M
Side yard setback	1.85 M

10. Date of Acquisition of subject land: Nov 22 - 2012

11. Existing uses of subject property: Single Family Dwelling

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: 1986

15. Length of time the existing uses of the subject property have been continued: 1986 - 2024 / 40 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 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]  
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON  
THIS 4th DAY OF SEPTEMBER, 2024  
2nd DAY OF OCTOBER

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, ESTERITA RUBIENITO, 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 2 DAY OF

Oct, 2024

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

[Signature]  
Signature of Applicant or Authorized Agent

[Signature]  
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: R1B(2)-278 Residential

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.

Angelo Barbato  
Zoning Officer

October 1, 2024  
Date

DATE RECEIVED Oct 2, 2024

✓

**PERMISSION TO ENTER**

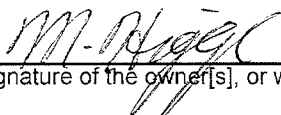
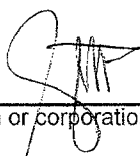
To: The Secretary-Treasurer  
Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

LOCATION OF THE SUBJECT LAND: 76 Barr Crescent, Brampton, ON L6Z 3E1

I/We, Michael J. Higgs and Esclita F. Albiento  
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 6th day of September, 2024

   
(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**



**PART 2 (SURVEY REPORT)**  
 REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS: NONE  
 ADDITIONAL COMMENTS: NOTE THE LOCATION OF THE STONE WALKWAY ALONG THE NORTHWEST LIMIT, THE WOODEN RETAINING WALLS ALONG THE NORTHWEST AND SOUTHEAST LIMITS AND THE FENCES ALONG THE PERIMETER OF THE SUBJECT PROPERTY.  
 THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS

**BEARING NOTE**  
 BEARINGS ARE ASTROMOMIC AND ARE REFERRED TO THE NORTH WESTERLY LIMIT OF LOT 26 AS SHOWN ON PLAN 43M-537 HAVING A BEARING OF N 46° 03' 15" E.

**ELEVATION NOTE**  
 ELEVATIONS AS SHOWN HEREIN ARE LOCAL AND ARE REFERRED TO TEMPORARY BENCHMARK MANGHOLE RM LOCATED ALONG BARR CRESCENT HAVING AN ASSUMED ELEVATION OF 99.87 METRES.

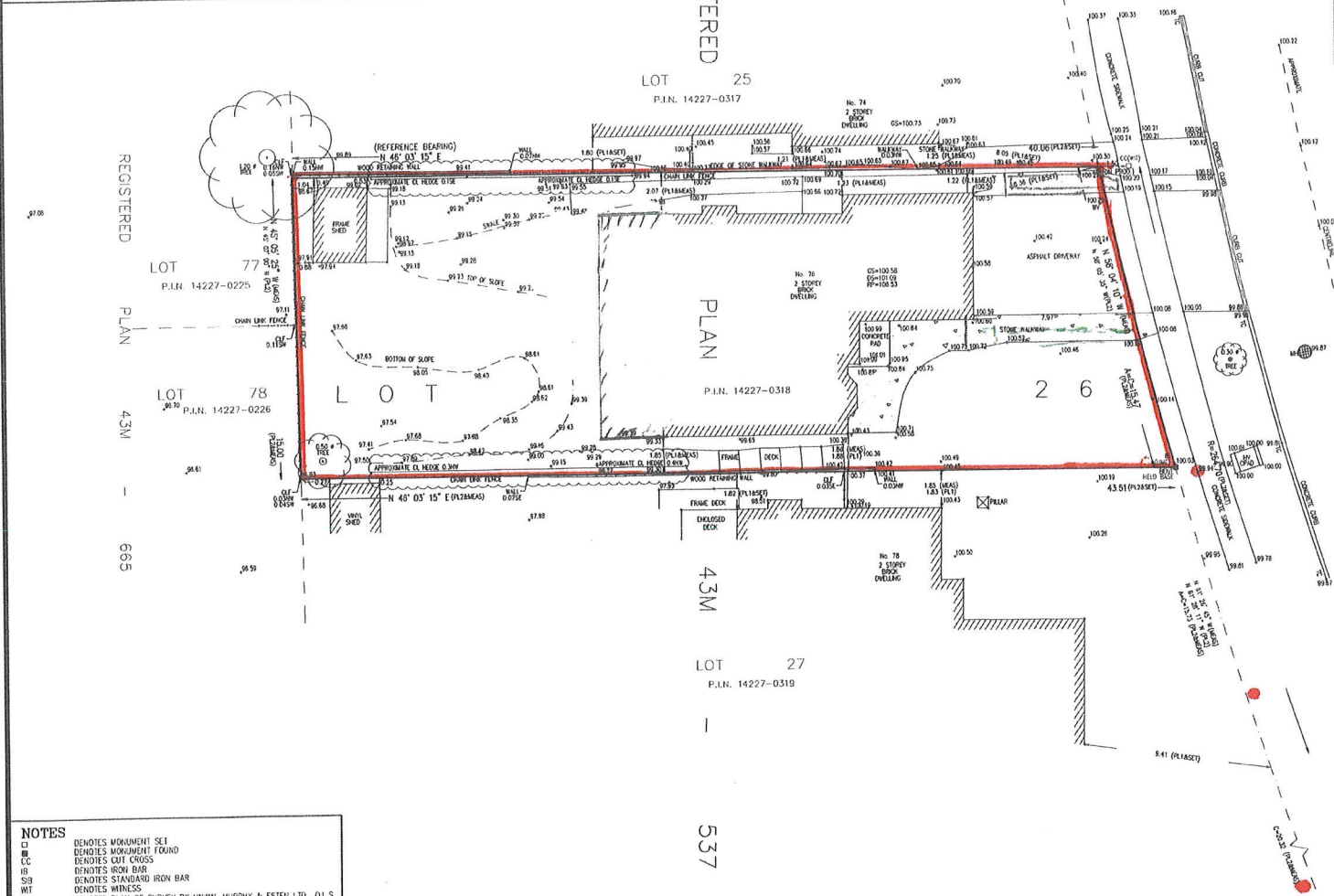
THIS PLAN WAS PREPARED FOR MICHAEL HIGGS AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

**SURVEYOR'S REAL PROPERTY REPORT AND TOPOGRAPHY OF**  
**PART 1,**  
**PLAN OF LOT 26,**  
**REGISTERED PLAN 43M-537**  
**CITY OF BRAMPTON**  
**REGIONAL MUNICIPALITY OF PEEL**

SCALE 1:150  
 0 5 10 15m

C. WAHBA SURVEYING LTD.  
**METRIC**  
 DISTANCES AS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

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- NOTES**
- DENOTES MONUMENT SET
  - DENOTES MONUMENT FOUND
  - CC DENOTES CUT CROSS
  - IB DENOTES IRON BAR
  - SIB DENOTES STANDARD IRON BAR
  - WT DENOTES WITNESS
  - PL1 DENOTES PLAN OF SURVEY BY UNWIN, MURPHY & ESTEN LTD., O.L.S. DATED JAN. 13, 1955
  - PL2 DENOTES PLAN 43M-537
  - P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
  - N.S.W.E DENOTES NORTH, SOUTH, WEST, EAST
  - M.E.A.S. DENOTES MEASURED
  - (U.M.E) DENOTES UNWIN, MURPHY & ESTEN LTD., O.L.S.
  - (H.S.S) DENOTES H.M. TERTON LTD., O.L.S.
  - CPAD DENOTES CONCRETE PAD
  - HV DENOTES HYDRO VAULT
  - CLF DENOTES CHAIN LINK FENCE
  - TC DENOTES TOP OF CURB
  - RF DENOTES ROOF PEAK
  - DS/SS DENOTES DOOR/GARAGE SILL ELEVATION
  - MH DENOTES MANHOLE
  - CB DENOTES CATCH BASIN
  - WV DENOTES WATER VALVE
  - DT DENOTES DECIDUOUS TREE
  - PROD DENOTES PRODUCTION

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON THE 19th DAY OF NOVEMBER, 2020.

NOVEMBER 20, 2020  
 DATE

C. WAHBA SURVEYING LTD.  
 ONTARIO LAND SURVEYOR

DRAWN: CC  
 CHECKED: C.W.

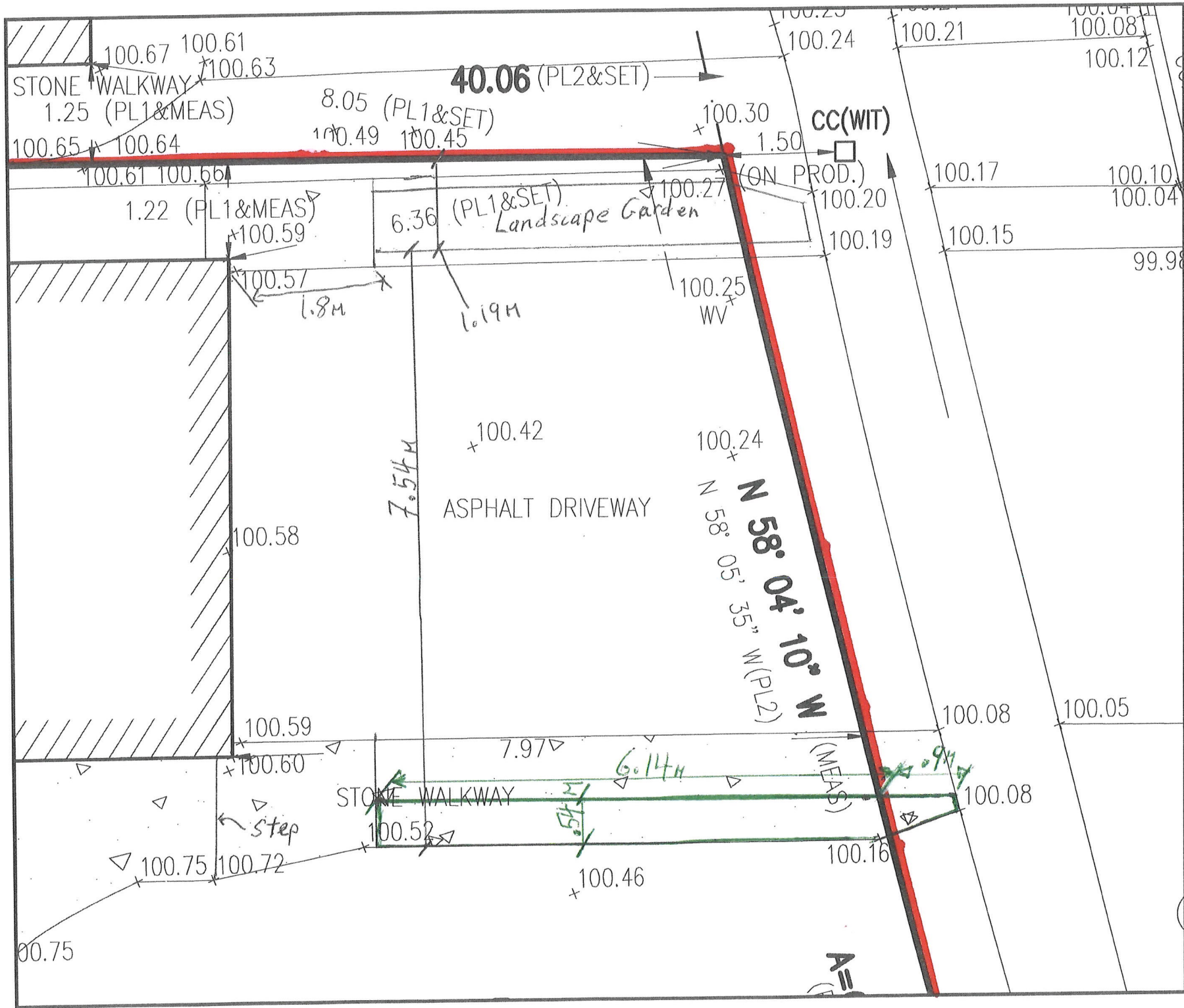
CAD FILE: 20-079-SRRP TOPO  
 PROJECT No. 20-079

285 Vaughan Valley Blvd. Woodbridge ON L4H3B5 Tel.905-851-1300 www.wahbasurveying.com



ASSOCIATION OF ONTARIO  
 LAND SURVEYORS  
 PLAN SUBMISSION FORM  
 2137175

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR  
 In accordance with Regulation 1026, Section 29(3)



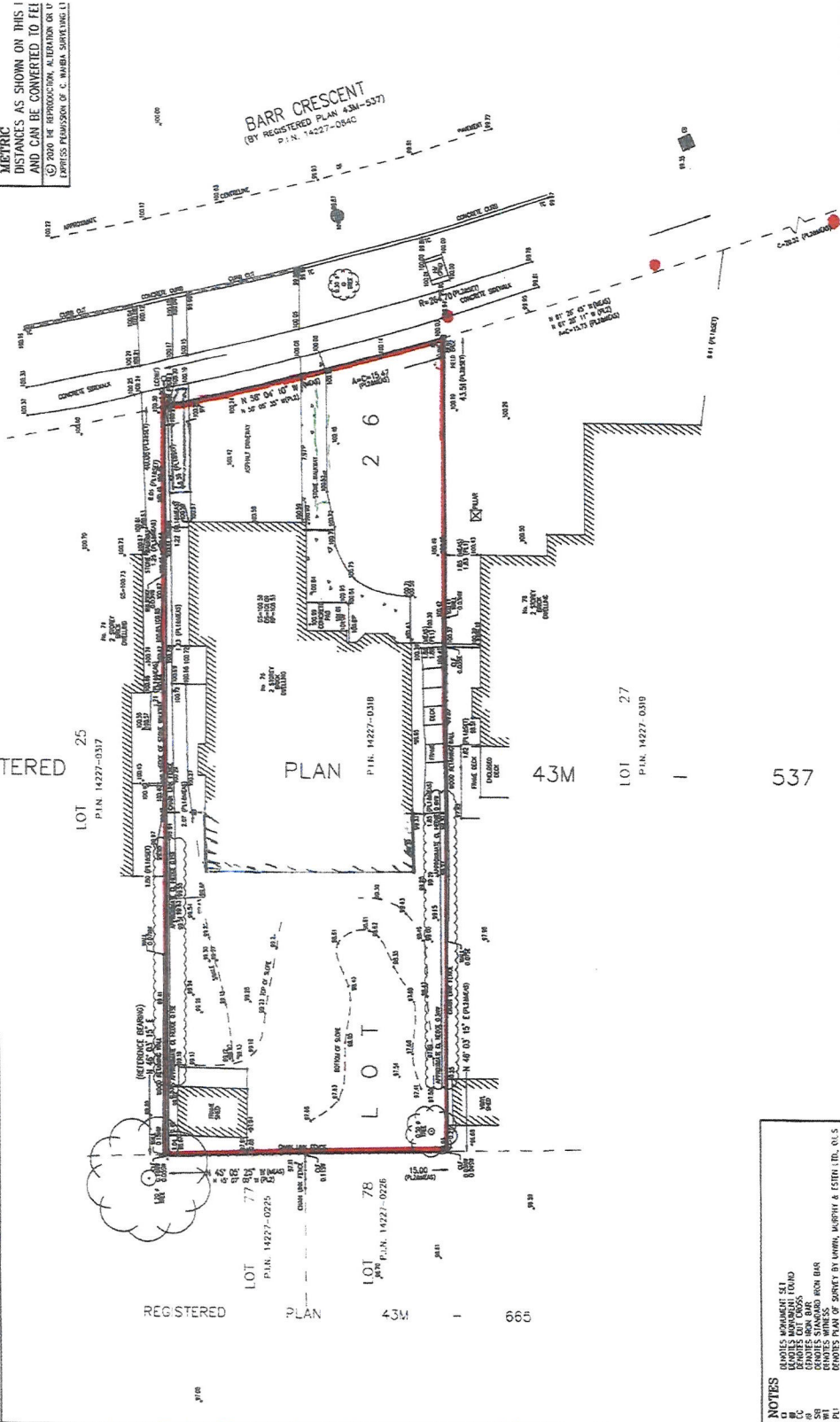
**SURVEYOR'S REA AND TOPOGRAPH PART 1 PLAN OF LOT 2 REGISTERED PL. CITY OF BRAMP REGIONAL MUNICIPALITY**  
 SCALE 1:160  
 C. WABSA SURVEYING LTD.  
 METRIC  
 DISTANCES AS SHOWN ON THIS PLAN CAN BE CONVERTED TO FEET AND CAN BE CHANGED TO METRIC BY THE REPRODUCTION ALTERNATE OR BY EXPRESS PERMISSION OF C. WABSA SURVEYING LTD.

**PART 2 (SURVEY REPORT)**  
 THIS PLAN IS A REPRODUCTION OF THE ORIGINAL SURVEY PLAN AND TOPOGRAPHIC PLAN. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.  
 THIS PLAN DOES NOT CONSTITUTE A GUARANTEE OF ACCURACY OR A WARRANTY OF ANY KIND.

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THIS PLAN WAS PREPARED FOR MORTAL USES AND THE UNDERSIGNED ACCEPTS HIS RESPONSIBILITY FOR USE BY OTHER PARTIES.



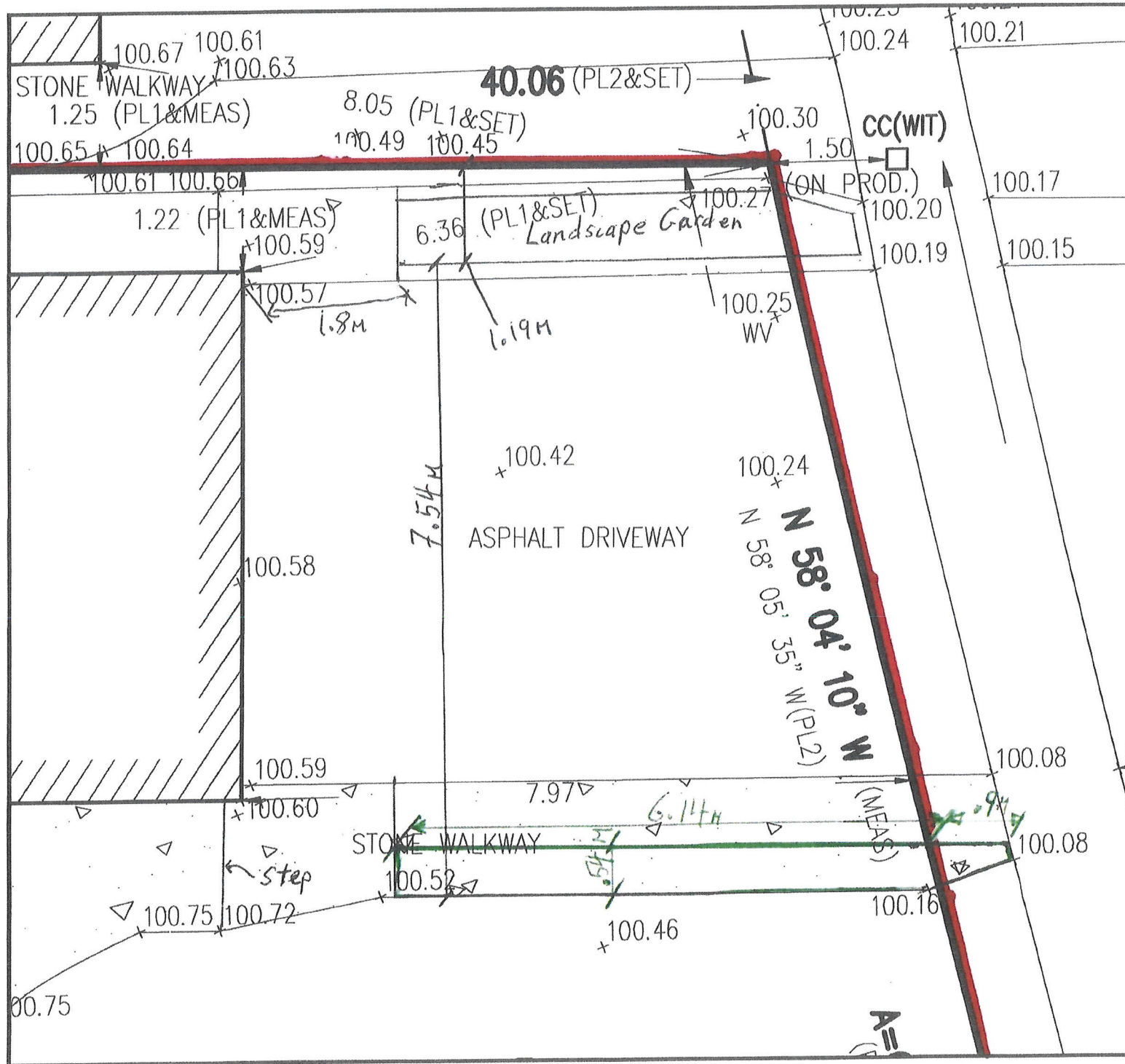
DRAWN: CC  
 CAD FILE: 20-019-SRPP-1070  
 285 Vaughan Valley Blvd, Woodbridge ON L4H

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1 THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS REGULATION AND THE LAND METERS ACT AND THE RECORDS MADE UNDER THEM.  
 2 THE SURVEY WAS COMPLETED ON THE 19th DAY OF NOVEMBER 2020.

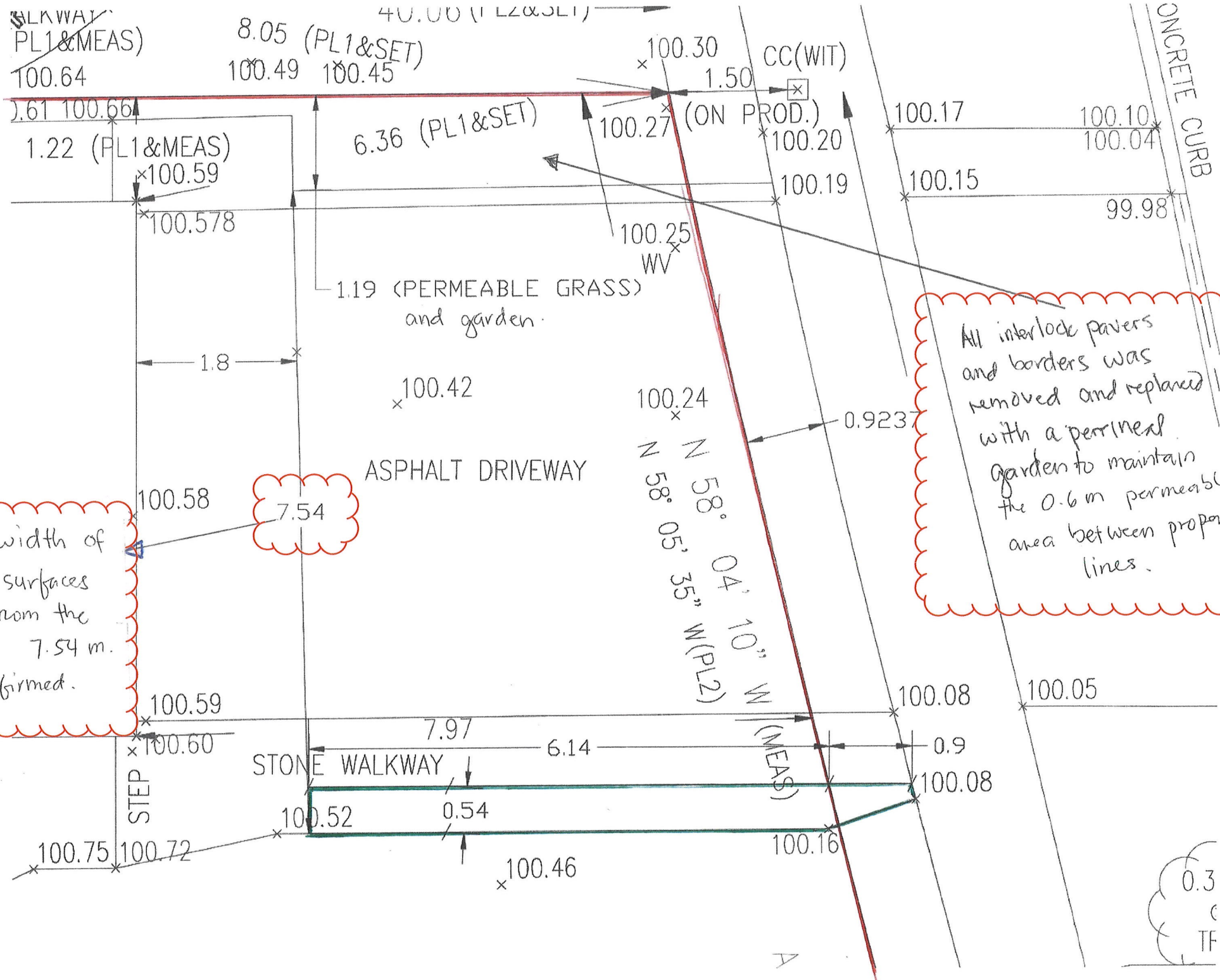
NOVEMBER 20, 2020  
 DATE

**NOTES**  
 DENOTES MONUMENT SET  
 D DENOTES CONCRETE TOWER  
 E DENOTES ELEVATION  
 F DENOTES FENCE  
 G DENOTES GROUND  
 H DENOTES HIGH WATER  
 I DENOTES IRON BAR  
 J DENOTES JOINT  
 K DENOTES KITCHEN  
 L DENOTES LOT  
 M DENOTES METRE  
 N DENOTES NORTH  
 O DENOTES OAK  
 P DENOTES PAVEMENT  
 Q DENOTES QUARTER  
 R DENOTES RAILROAD  
 S DENOTES SAND  
 T DENOTES TANK  
 U DENOTES UTILITY  
 V DENOTES VALVE  
 W DENOTES WALL  
 X DENOTES WINDOW  
 Y DENOTES YARD  
 Z DENOTES ZONE









total width of all hard surfaces 1.8 m from the wall is 7.54 m. is confirmed.

All interlock pavers and borders was removed and replaced with a perennial garden to maintain the 0.6 m permeable area between property lines.

0.3  
TF

# Zoning Non-compliance Checklist

File No.

A-2024-0382

Applicant: Michael J. Higgs & Estelita F. Albiento

Address: 76 Barr Cres

Zoning: R1B(2)-278 Residential

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			
GFA			
TOWER SEPARATION			
BELOW GRADE ENTRANCE			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH	To permit a driveway width of 7.54m	whereas the by-law permits a maximum driveway width of 7.0m	10.9.1.B.1. c
LANDSCAPED OPEN SPACE			
ENCROACHMENTS			
PARKING			
SCHEDULE "C"			

Angelo Barbato  
Reviewed by Zoning

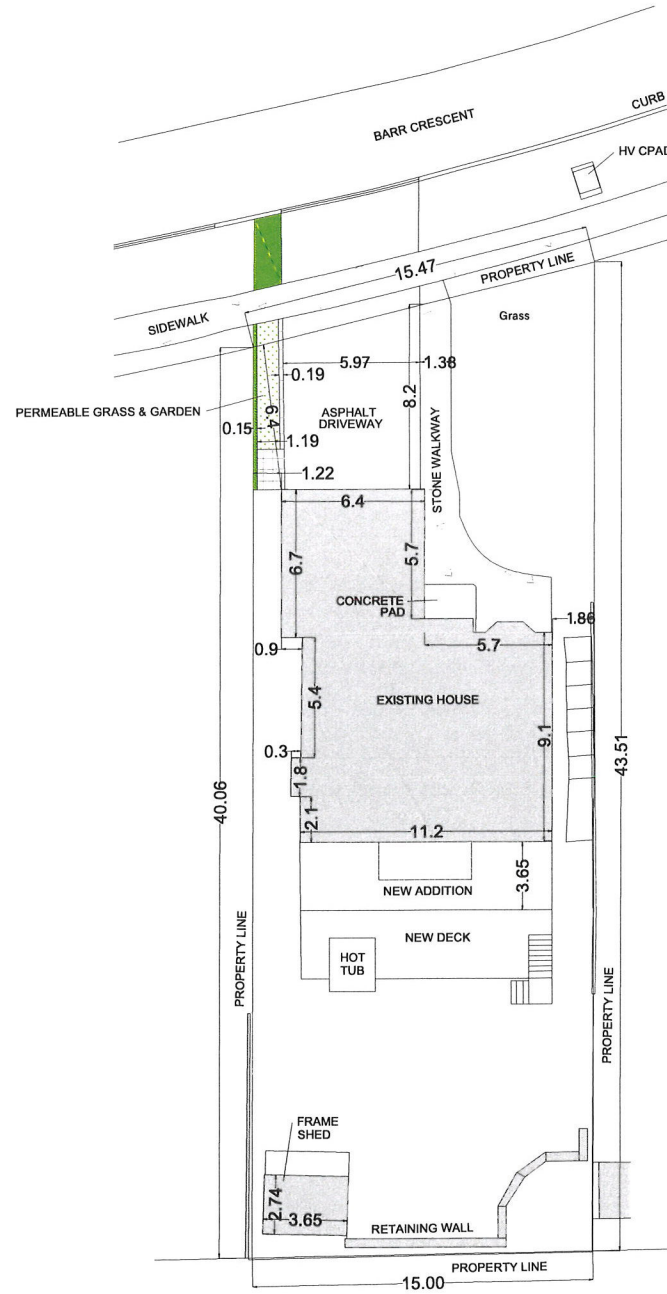
October 1, 2024  
Date

Received / Revised

NOV 20 2024

Committee of Adjustment

\*NOTE: FOR THE SCALE TO BE CORRECT SHEET MUST BE PRINTED ON 11" x 17"



NOTES:

SITE PLAN

**ADDRESS:**

76 BARR CRESCENT  
BRAMPTON, ON L6Z 3E1

LOT AREA: 640 SQ.M.

PLOT SIZE: 11" X 17"

WEBSITE: SITEPLANS.CA

DRAWING SCALE: 1:250

