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OCT 2 2 2024

Committeee of Adjustment

Flower City



For Office Use Only		
ed by the Secre	tary-Treasurer	
after application is deemed complete)		
A18	-014	8
	d by the Secre	d by the Secretary-Treasurer

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 <u>Planning Act</u> , 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 AgentAddress				
	Phone # Fax #				
3.	Nature and extent of relief applied for (variances requested): To permit an interior side yard setback of .21m (3.94ft) to the exterior stainway leading to a				
	below grade entrance wheras 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: Seasonal Road Provincial Highway Seasonal Road Municipal Road Maintained All Year Other Public Road Private Right-of-Way Water				

8. Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> 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

 Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in <u>metric units</u>)

	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	of subject land:	June 24, 2011		
11.	Existing uses of sub	ject property:	RESIDENTIAL		
12.	Proposed uses of su	ibject property:	RESIDENCE		
13.	Existing uses of abu	tting properties:	•		
14.	Date of construction	of all buildings & strue	ctures on subject	t land: <u>2009</u>	
15.	Length of time the ex	xisting uses of the sub	ject property hav	e been continued:	2009
16. (a)	What water supply is Municipal	s existing/proposed?]]	Other (specify)		
(b)	What sewage dispos Municipal Septic	sal is/will be provided?]]			
(c)	What storm drainage Sewers 2 Ditches 3 Swales 3	e system is existing/pro]]			

	-3-
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 Z
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 DECISIC Relief File # Decision Relief File # Decision Relief
	Signature of Applicant(s) or Authorized Agent
DA	ATED AT THE CITY OF BRAMPTON
() TH	HIS 13th JST DAY OF SEPTEMBER UCH 2024
IN TH ALL OF BELIEV OATH. DECLAF	PPLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE DRATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED. I. UNITION AND THE CORPORATION'S SEAL SHALL BE AFFIXED. I. UNITION AND THE CORPORATION'S SEAL SHALL BE AFFIXED. I. UNITION AND THE CORPORATION'S SEAL SHALL BE AFFIXED. I. UNITION AND THE CORPORATION'S SEAL SHALL BE AFFIXED. I. UNITION AND THE CORPORATION'S SEAL SHALL BE AFFIXED. I. UNITION AND THE CORPORATION'S SEAL SHALL BE AFFIXED. I. UNITION AND THE CORPORATION'S SEAL SHALL BE AFFIXED. I. UNIT OF LINE AND AND THE SOLEMNLY DECLARE THAT: THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY ING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER RED BEFORE ME AT THE Valerie Low A Commissioner, etc., Province of Ontario, MOF DAY OF III THIS 25 DAY OF
00	T, 20,
	A Commissioner etc.
	FOR OFFICE USE ONLY
	FOR OFFICE USE ONLY Present Official Plan Designation:
	Present Official Plan Designation:
	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
	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.

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

LOCATION OF THE SUBJECT LAND:

IWe,

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	-CALL	AGHAN
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please print/type the full name of the owner(s)

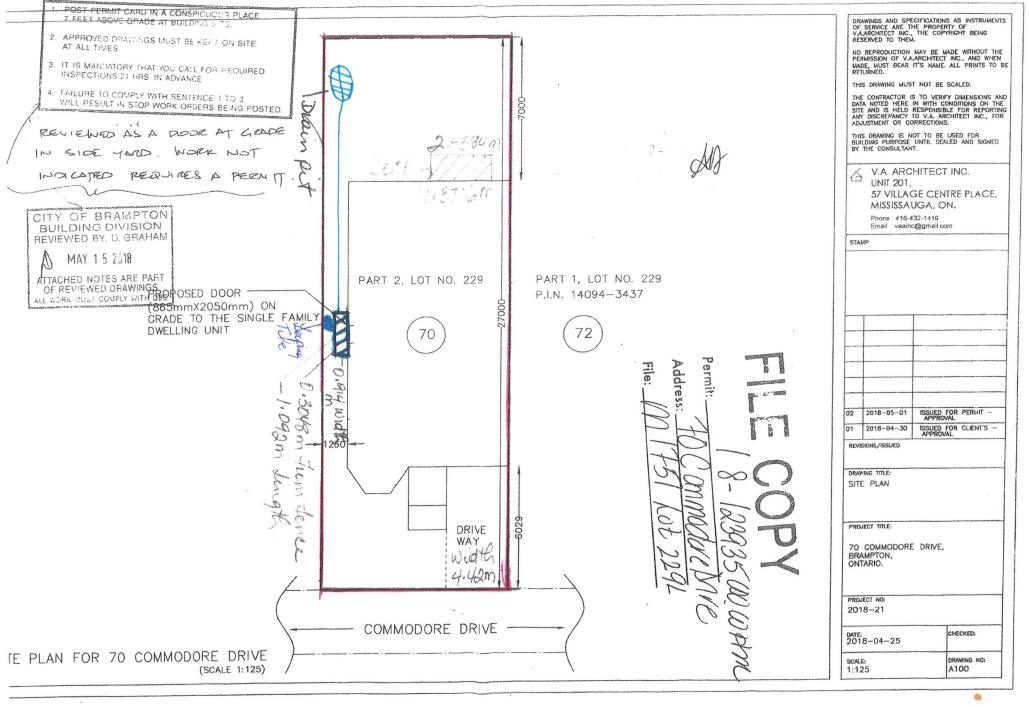
the undersigned, being the registered owner(s) of the subject land, hereby authorize the Members of the City of Brampton Committee of Adjustment and City of Brampton staff members, to enter upon the above noted property for the purpose of conducting a site inspection with respect to the attached application for Minor Variance and/or consent.

Dated this 25th day of	September	, 20 <u>24</u>
	Λ	1 1
CHRISTINE CALLAGHAN	11-1-	
(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



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Committeee 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,

L

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.

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:

2. 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 forgoing 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.

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,

Christine Haye-Callaghan Site Home Owner

Zoning Non-compliance Checklist

Received / Revised

A 18-0148 File No. A-2024-

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Applicant:Christine Haye-CallaghanAddress:70 CommodoreZoning:R2A Section 1318By-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



Sprouts Engineering Inc. 2003 – 38 Joe Shuster Way Toronto, ON, M6K 0A5 Ph: (437)-223-8098 Russelsprouts2020@outlook.com

November 15, 2024 Project Number: 24-0032

City of Brampton – Committee of Adjustment 2 Wellington Street West Brampton, ON, L6Y 4R2

Building Permit 18 123935 000 00 HM – 70 Commodore Dr. – Grading Review

To Whom it May Concern,

Ms. Christine Callaghan retained Sprouts Engineering Inc. to review her residence's constructed side yard entrance at 70 Commodore Dr. in the City of Brampton.

Based on the as-built topographic survey prepared by Pearson + Pearson dated October 11, 2024, it is our opinion that the constructed side yard entrance is in general conformity with the City's lot grading criteria and will not adversely impact any adjacent properties.

In closing, thank-you for your continued consideration and assistance. Should you have any questions or concerns, please feel free to contact the undersigned.

Yours Truly

Sprouts Engineering Inc.



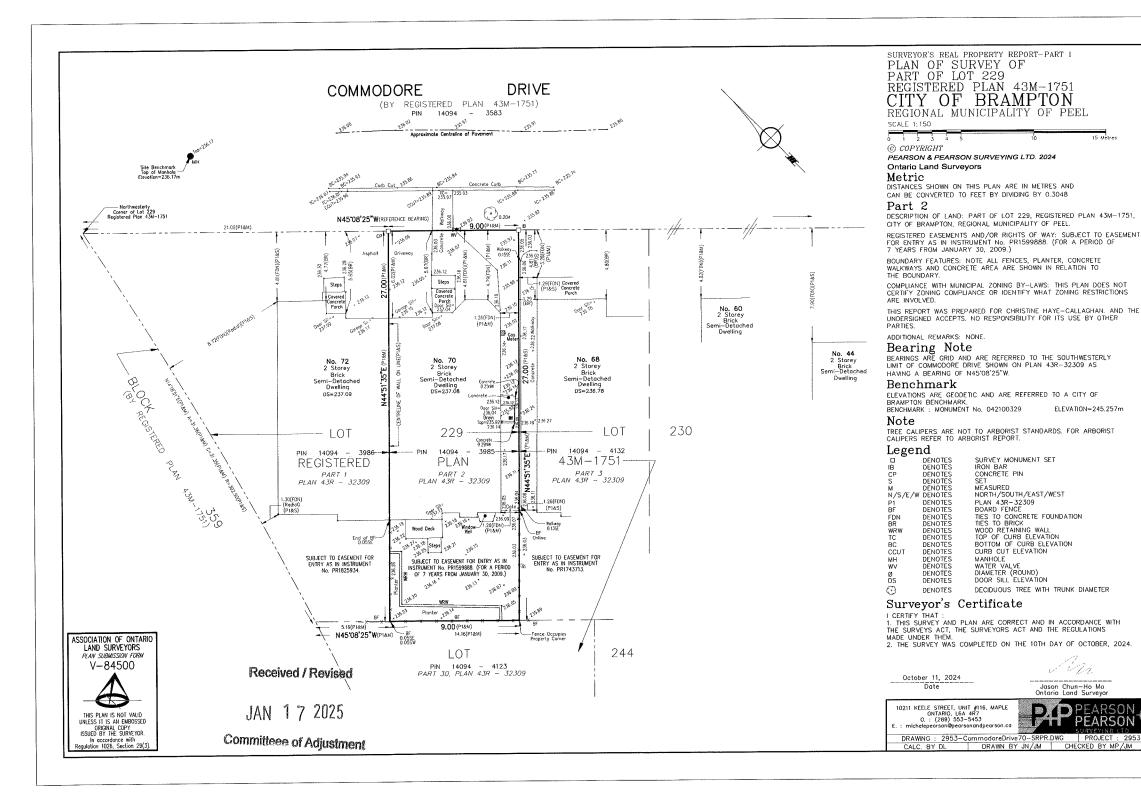
Russel Mailloux, P.Eng Principal

Encl.

70 Commodore Dr. Legal and Topographic Survey, Pearson + Pearson, October 11, 2024;

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JAN 1 7 2025 Committeee of Adjustment



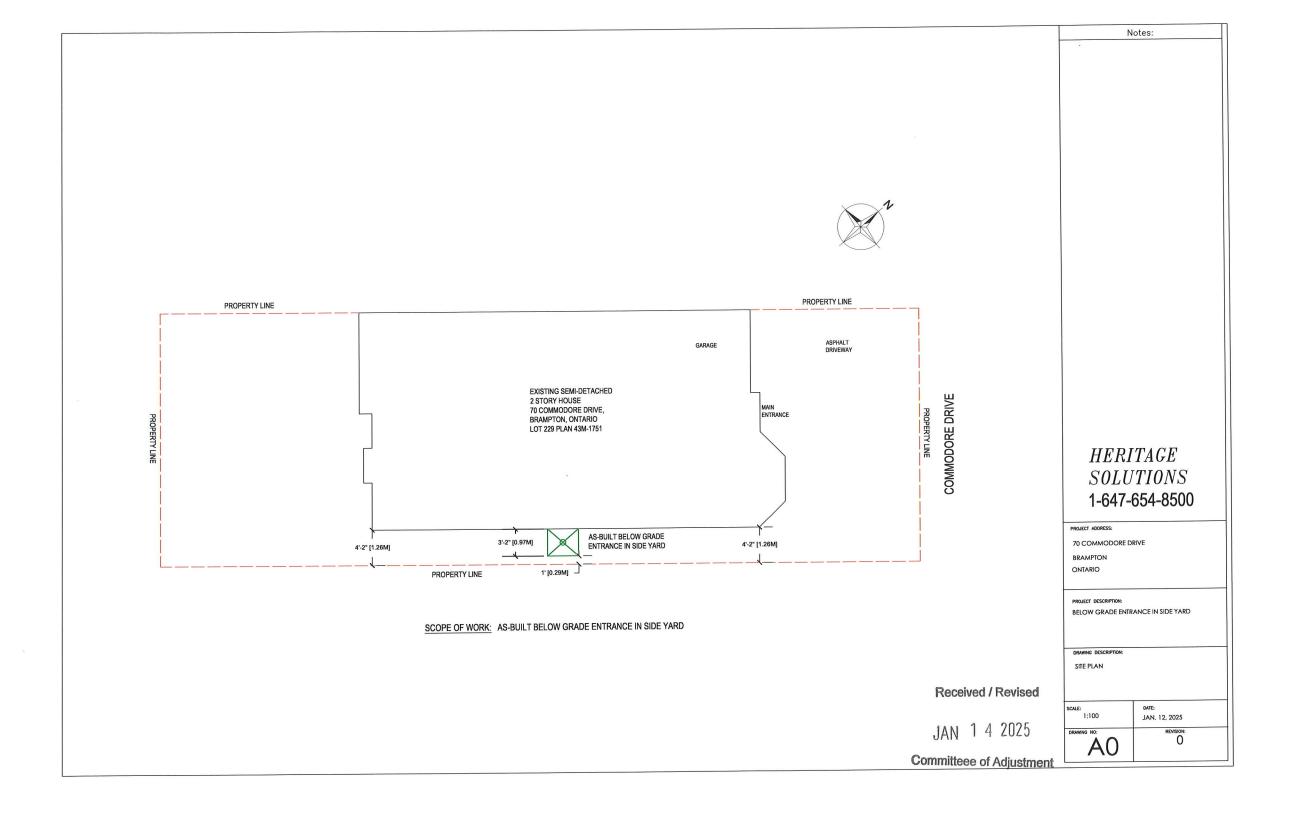
15 Matras

ELEVATION=245.257m

Joson Chun-Ho Mo Ontario Land Surveyor

PEARSON

PROJECT



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: 70 COMMODORE JR, BRAMPTON, ON, 16X056 I/We, the undersigned, being the registered owner(s) of the subject lands, hereby authorize ANJU Bhutani ______ 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 10th day of January ,2025 or where the owner is a firm or corporation, the signature of an officer of the owner.) (signature of the ownerst ChRISTINE CALLAGHAN (where the owner is a firm or corporation, please print or type the full name of the person signing.) TE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

Received / Revised

JAN 1 4 2025 Committeee of Adjustment

