



**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MANISH KAPOOR AND NAMRATA KAPOOR** under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 113, Plan 43M-1523 municipally known as **2 JANUARY COURT**, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

1. To permit a driveway having a width of 10.66m (34.97 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.);
2. To permit an existing accessory structure (shed) to be located in an exterior side yard whereas the by-law does not permit an accessory structure within an exterior side yard;
3. To permit an existing accessory structure (shed) having a side yard setback of 0.47m (1.54 ft.) and a side yard setback of 0.55m (1.80 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure from all nearest property lines;
4. To permit an existing accessory structure (gazebo) having a gross floor area of 18.4 sq. m (198.06 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m. (161.5 sq. ft.) for an individual accessory structure;
5. To permit two (2) existing accessory structures (shed and gazebo) having a combined gross floor area of 26.9 sq. m (289.55 sq. ft.) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.).

**OTHER PLANNING APPLICATIONS:**

The land which is subject of this application is the subject of an application under the Planning Act for:

Plan of Subdivision: NO  
Application for Consent: NO

File Number: \_\_\_\_\_  
File Number: \_\_\_\_\_

The Committee of Adjustment has appointed **TUESDAY, January 5, 2021 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

**IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT.** This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

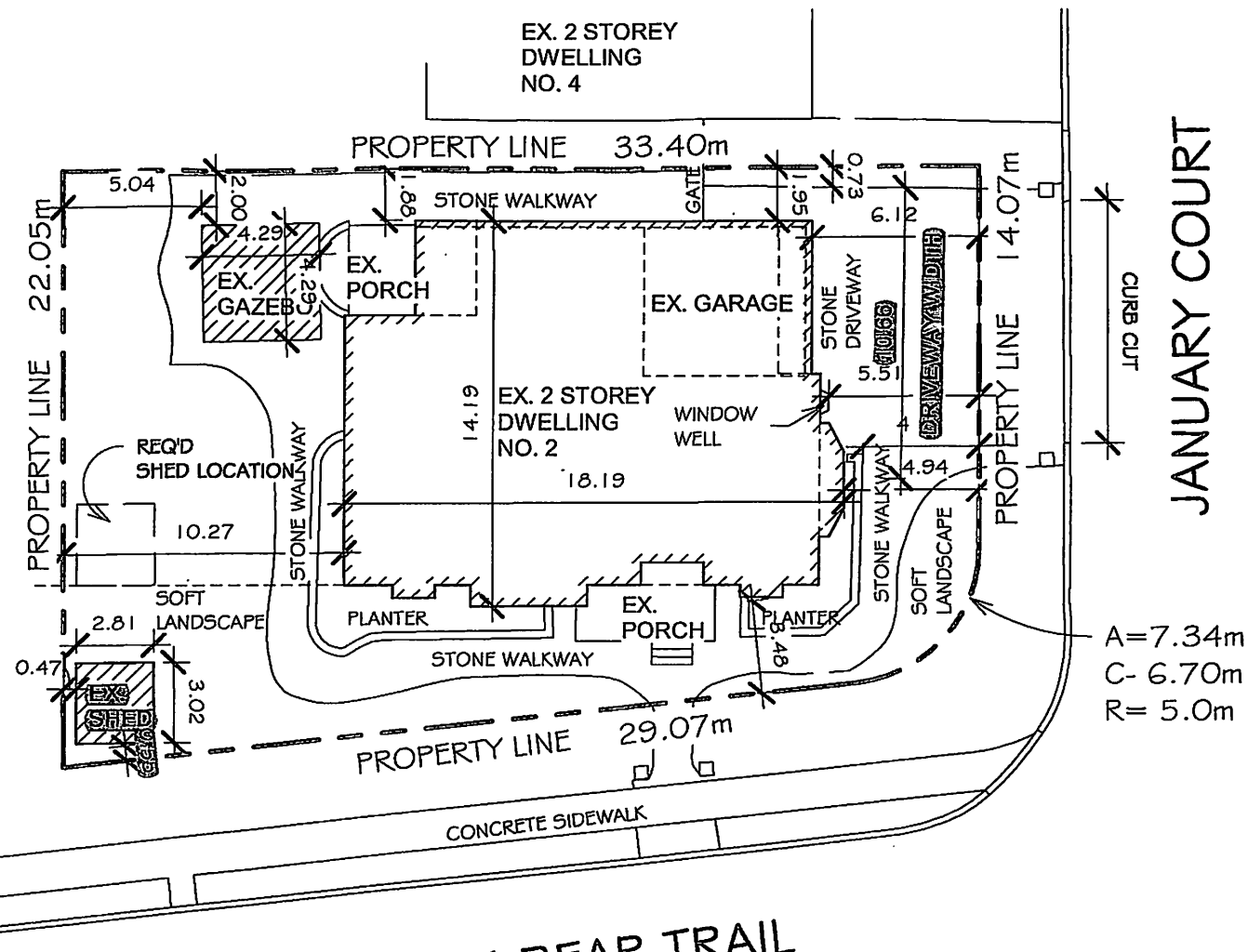
**PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC**

DATED at Brampton Ontario, this 10th day of December, 2020.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer  
Committee of Adjustment, City Clerk's Office,  
Brampton City Hall  
2 Wellington Street West,  
Brampton, Ontario L6Y 4R2  
Phone: (905)874-2117  
Fax: (905)874-2119  
[jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca)

EX. 2 STOREY  
DWELLING  
NO. 21



JANUARY COURT



## LEGAL DESCRIPTION

LOT 113  
PLAN 43M-1523

## SITE STATISTICS

LOT AREA	674.32 SM
GROUND FLOOR	192.09 SM
SECOND FLOOR	209.75 SM
GFA	401.84 SM

A=7.34m  
C= 6.70m  
R= 5.0m

① Site Plan  
1 : 250

BLACK BEAR TRAIL

DRIVEWAY WIDTH AMENDED DECEMBER 9, 2020

**JOHN SIBENIK**  
ARCHITECTURAL TECHNOLOGIST  
24 Ovida Ave., Toronto  
Ontario M9B 1E1  
Tel. (416) 236-2809; Cell (416) 729-8497  
Email: john.sibenik@sympatico.ca

Project:  
**Driveway Widening to Kapoor  
Residence**  
2 January Court  
Brampton, ON L6Y 5L4

## Site Plan

Project no. 2020-39	<b>A101</b>
Date October 2020	
Drawn by J.S.	
Checked by J.S.	
Scale 1 : 250	

Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically during the COVID-19 Emergency

**Electronic Hearing Procedures**  
**How to get involved in the Virtual Hearing**

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committees are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

**How to Participate in the Hearing:**

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Friday, December 18, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm, Friday, December 18, 2020**.
  - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Friday, December 18, 2020**. City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at:  
<https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or  
<http://video.isilive.ca/brampton/live.html>.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca). If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, [www.brampton.ca](http://www.brampton.ca). By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



## AMENDMENT LETTER

December 9, 2020

To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE  
MANISH AND NAMRATA KAPOOR  
LOT 113, PLAN 43M-1523  
A-2020-0137 – 2 JANUARY COURT  
WARD 6**

---

Please **amend** application **A-2020-0137** to reflect the following:

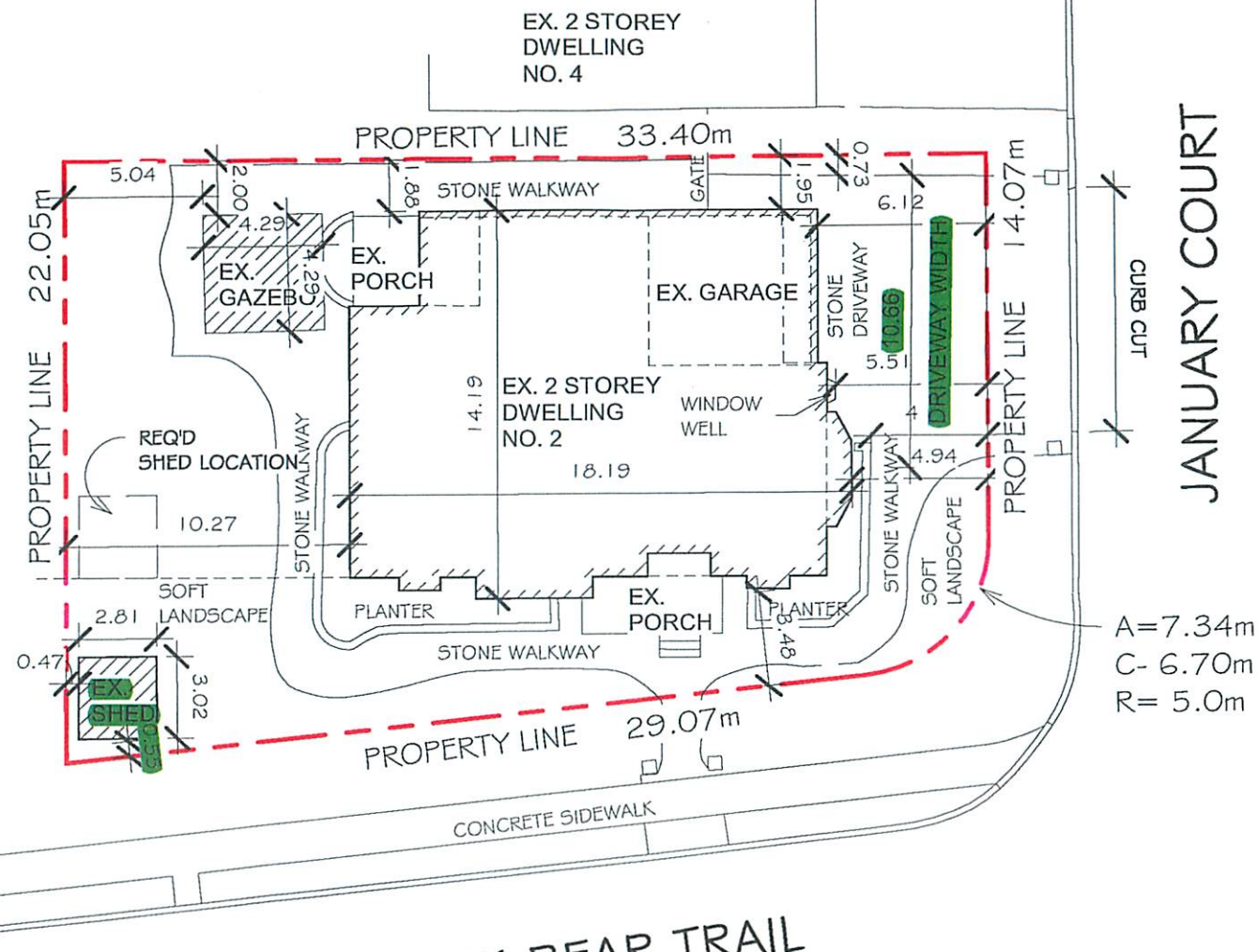
1. To permit a driveway having a width of 10.66m (34.97 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.);
2. To permit an existing accessory structure (shed) to be located in an exterior side yard whereas the by-law does not permit an accessory structure within an exterior side yard;
3. To permit an existing accessory structure (shed) having a side yard setback of 0.47m (1.54 ft.) and a side yard setback of 0.55m (1.80 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure from all nearest property lines;
4. To permit an existing accessory structure (gazebo) having a gross floor area of 18.4 sq. m (198.06 sq. ft.) whereas the by-law permit a maximum gross floor area of 15 sq. m. (161.5 sq. ft.) for an individual accessory structure;
5. To permit two (2) existing accessory structures (shed and gazebo) having a combined gross floor area of 26.9 sq. m (289.55 sq. ft.) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.)

**John Sibenik**  
Digitally signed by John Sibenik  
DN: C=CA,  
E=john.sibenik@sympatico.ca,  
O=JS Design, CN=John  
Sibenik  
Date: 2020.12.09  
10:34:53-05'00'

---

Applicant/Authorized Agent

EX. 2 STOREY  
DWELLING  
NO. 21



## LEGAL DESCRIPTION

LOT 113  
PLAN 43M-1523

## SITE STATISTICS

LOT AREA	674.32 SM
GROUND FLOOR	192.09 SM
SECOND FLOOR	209.75 SM
GFA	401.84 SM

① Site Plan  
1 : 250

DRIVEWAY WIDTH AMENDED DECEMBER 9, 2020



24 Ovida Ave., Toronto  
Ontario M9B 1E1  
Tel. (416) 236-2809; Cell (416) 729-8497  
Email: john.sibenik@sympatico.ca

Project:

Driveway Widening to Kapoor  
Residence  
2 January Court  
Brampton, ON L6Y 5L4

## Site Plan

Project no. 2020-39	A101
Date October 2020	
Drawn by J.S.	Scale 1 : 250
Checked by J.S.	



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

FILE NUMBER: A-2020-0137

*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) MANISH and NAMRATA KAPOOR  
Address 2 JANUARY COURT  
BRAMPTON, ON  
L6Y 5L4  
Phone # 905 890-4999 Fax # \_\_\_\_\_  
Email mk@kapoorlaw.ca

2. Name of Agent JOHN SIBENIK  
Address 24 OVIDA AVE  
TORONTO, ON  
M9B 1E1  
Phone # 416 729-8497 Fax # \_\_\_\_\_  
Email john.sibenik@sympatlco.ca

3. Nature and extent of relief applied for (variances requested):  
RELIEF FOR DRIVEWAY WIDENING IN THE AMOUNT OF 10.24m WHEREAS 9.14m IS THE MAXIMUM ALLOWED  
EXISTING SHED LOCATED 0.55m FROM THE PROPERTY LINE & WITHIN THE EXTERIOR SIDE YARD BY  
THE PREVIOUS OWNER; WHEREAS THE REQUIREMENT IS TO LOCATE THE SHED IN THE REAR YARD

4. Why is it not possible to comply with the provisions of the by-law?  
DRIVEWAY & SHED CONSTRUCTED BY THE PREVIOUS OWNER WITHOUT THE BENEFIT OR APPROVAL FROM  
THE CITY

5. Legal Description of the subject land:  
Lot Number 113  
Plan Number/Concession Number 43M-1523  
Municipal Address 2 JANUARY COURT

6. Dimension of subject land (in metric units)  
Frontage 14.07m  
Depth 33.40m  
Area 674.32sm

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.)

DWELLING- GROUND FLOOR AREA 192.09, GFA 401.84 SM, STOREYS 2, WIDTH 14.19, LENGTH 18.19,  
SHED - AREA 8.55, WIDTH 3.02, LENGTH 2.81, HEIGHT 3.0m  
GAZEBO : AREA 18.44, WIDTH 4.29, LENGTH 4.29, HEIGHT 3.0m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

N/A

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 DWELLING

Front yard setback	4.94m		
Rear yard setback	10.27m	0.47m	5.04m
Side yard setback	3.48m	0.55m	
Side yard setback	1.88m		2.0m

PROPOSED

Front yard setback	
Rear yard setback	
Side yard setback	
Side yard setback	

10. Date of Acquisition of subject land: JUNE 6, 2017
11. Existing uses of subject property: RESIDENTIAL
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: CIRCA 2000
15. Length of time the existing uses of the subject property have been continued: ESTIMATED 20 YEARS
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 _____

John Smith  
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON  
THIS 23 DAY OF Nov., 20 20

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, JOAN SIBENIK, OF THE CITY OF TORONTO  
IN THE PROV. OF ONTARIO 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 23rd DAY OF  
November, 2020

Jeanie Cecilia Myers,  
a Commissioner, etc.,  
Province of Ontario,  
for the Corporation of the  
City of Brampton.  
Expires April 8, 2021.

John Smith  
Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: \_\_\_\_\_

R1B-2729

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

Hothi S  
Zoning Officer

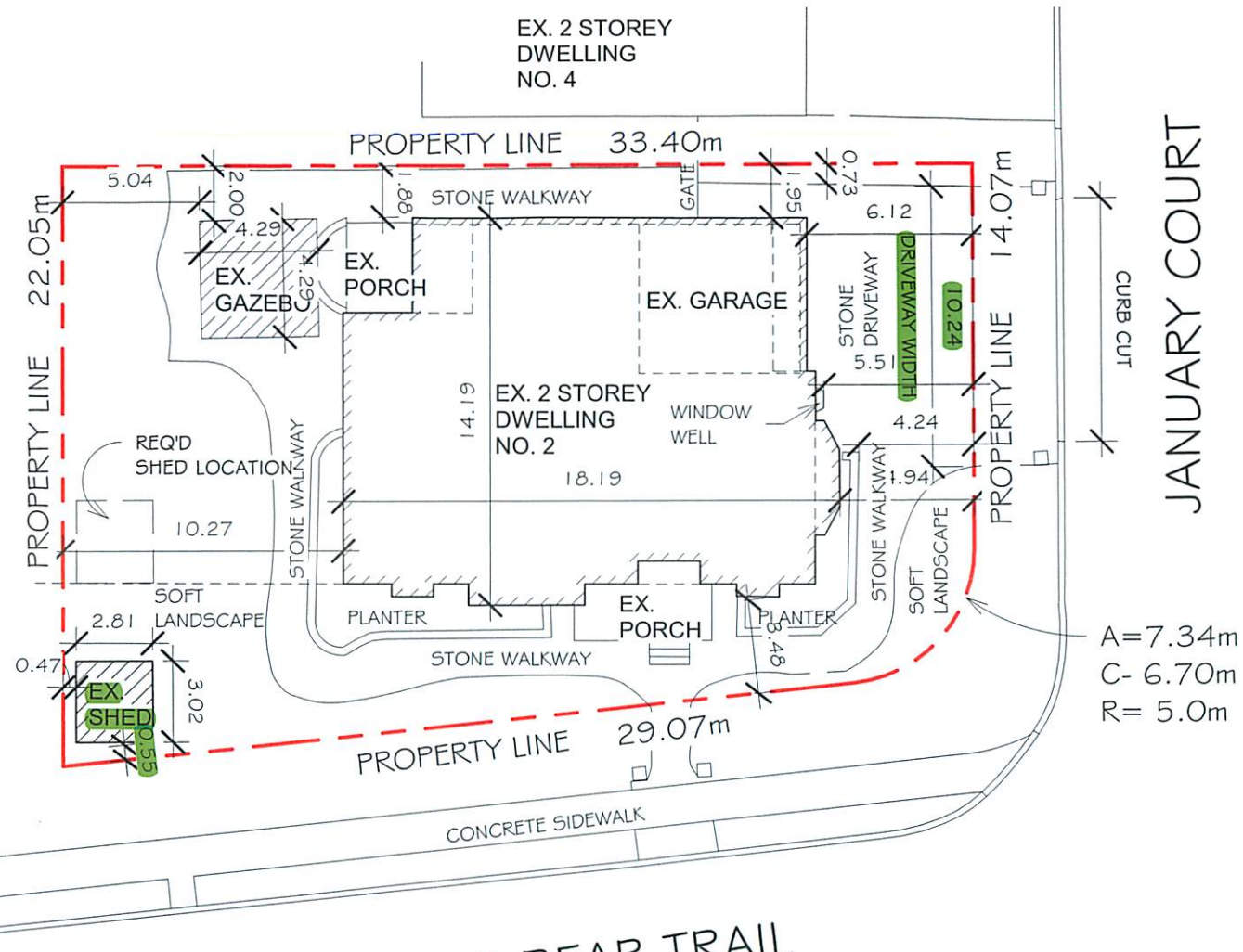
NOV. 23. 2020  
Date

DATE RECEIVED November 23, 2020

Date Application Deemed Complete by the Municipality November 24, 2020



EX. 2 STOREY  
DWELLING  
NO. 21



## LEGAL DESCRIPTION

LOT 113  
PLAN 43M-1523

## SITE STATISTICS

LOT AREA	674.32 SM
GROUND FLOOR	192.09 SM
SECOND FLOOR	209.75 SM
GFA	401.84 SM

A=7.34m  
C= 6.70m  
R= 5.0m

1 Site Plan  
1 : 250

BLACK BEAR TRAIL



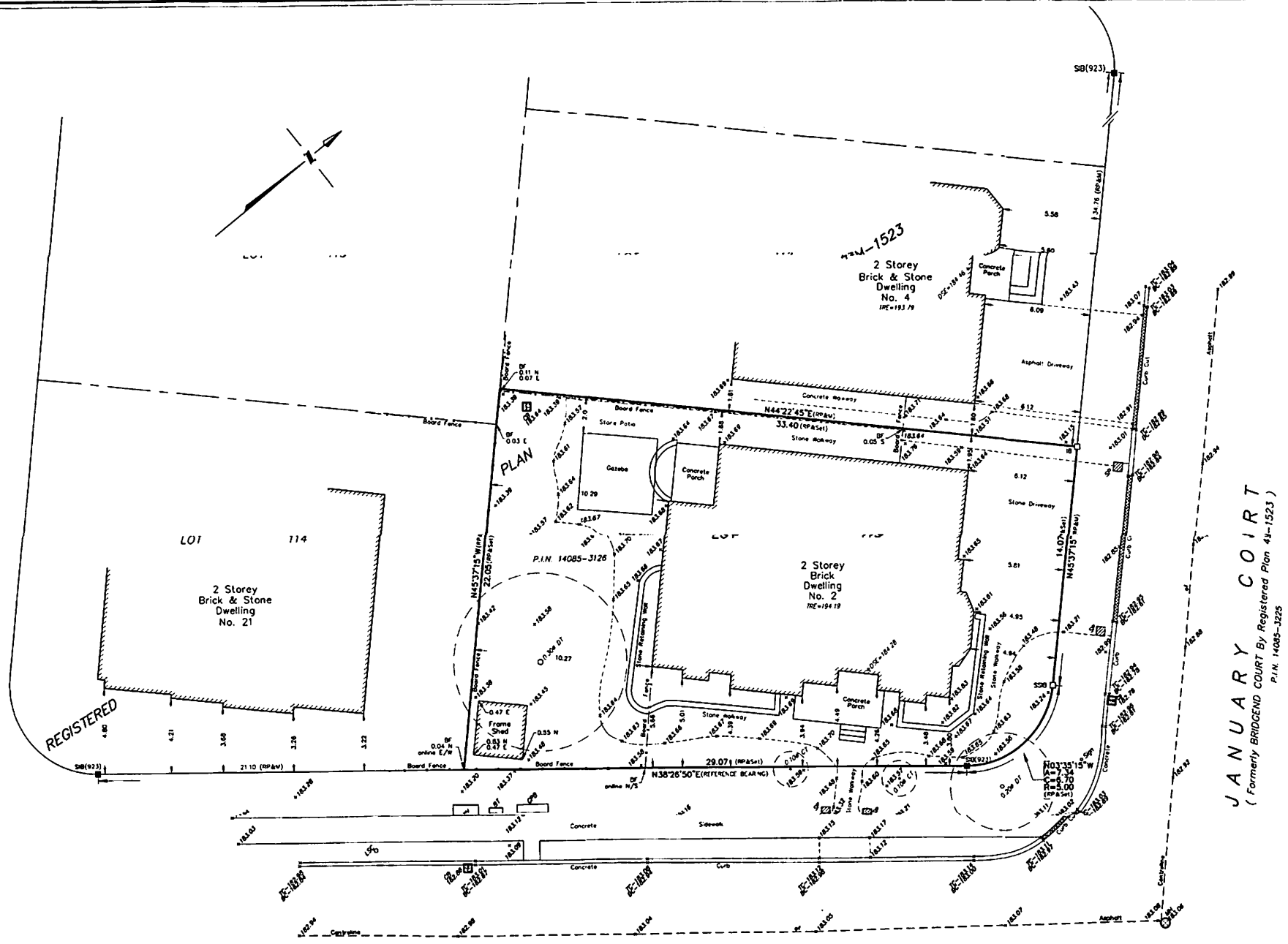
24 Ovida Ave., Toronto  
Ontario M9B 1E1  
Tel. (416) 236-2809; Cell (416) 729-8497  
Email: john.sibenik@sympatico.ca

Project:

Driveway Widening to Kapoor  
Residence  
2 January Court  
Brampton, ON L6Y 5L4

## Site Plan

Project no. 2020-39	A101
Date October 2020	
Drawn by J.S.	
Checked by J.S.	
Scale 1 : 250	



SURVEYOR'S REAL PROPERTY REPORT - PART 1  
PLAN OF  
LOT 113  
REGISTERED PLAN 43M-1523  
CITY of BRAMPTON  
Regional Municipality of Peel  
SCALE 1 : 150  
YOUNG & YOUNG SURVEYING  
(ETOBICOKE 2008) INC.  
© COPYRIGHT 2020

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

**BEARING NOTE**  
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE  
NORTH LINE OF BLACK BEAR TRAIL, HAVING A BEARING OF

**ELEVATION NOTE**  
ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE  
CITY OF BRAMPTON BENCHMARK NO. 042050213 HAVING A  
PUBLISHED ELEVATION OF 196.25 METRES.

- LEGEND**
- DENOTES SURVEY MONUMENT SET
  - SURVEY MONUMENT FOUND
  - RP REGISTERED PLAN 43M-1523
  - N.S.E.W. NORTH, SOUTH, EAST, WEST
  - M MEASURED
  - CC CUT CROSS
  - SB STANDARD IRON BAR
  - SSB SHORT STANDARD IRON BAR
  - IB IRON BAR
  - WT WITNESS
  - P.I.N. PROPERTY IDENTIFIER NUMBER
  - TC TOP OF CURB
  - BC BOTTOM OF CURB
  - TRE TOP OF ROOF ELEVATION
  - DSE DOOR SILL ELEVATION
  - BF BOARD FENCE
  - WH WHOLE
  - CB CATCH BASIN
  - HV HYDRO VAULT
  - BT BELL TELEPHONE
  - CPB CANADA POST BOX
  - SP STONE PILLAR
  - DT DECIDUOUS TREE
  - CT CONIFEROUS TREE
  - (923) TARIASIOX, WHELLAN, O.L.S.

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
2135531

THIS PLAN IS NOT VALID  
UNLESS IT IS AN ENCLOSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
IN ACCORDANCE WITH  
REGULATION 1028, SECTION 20(3).

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 8TH DAY OF

SEPTEMBER 18, 2020  
DATE

CHRIS BRESHEWICZ  
ONTARIO LAND SURVEYOR

THIS PLAN WAS PREPARED FOR MANISH KAPOOR

**PART 2 - SURVEY REPORT**

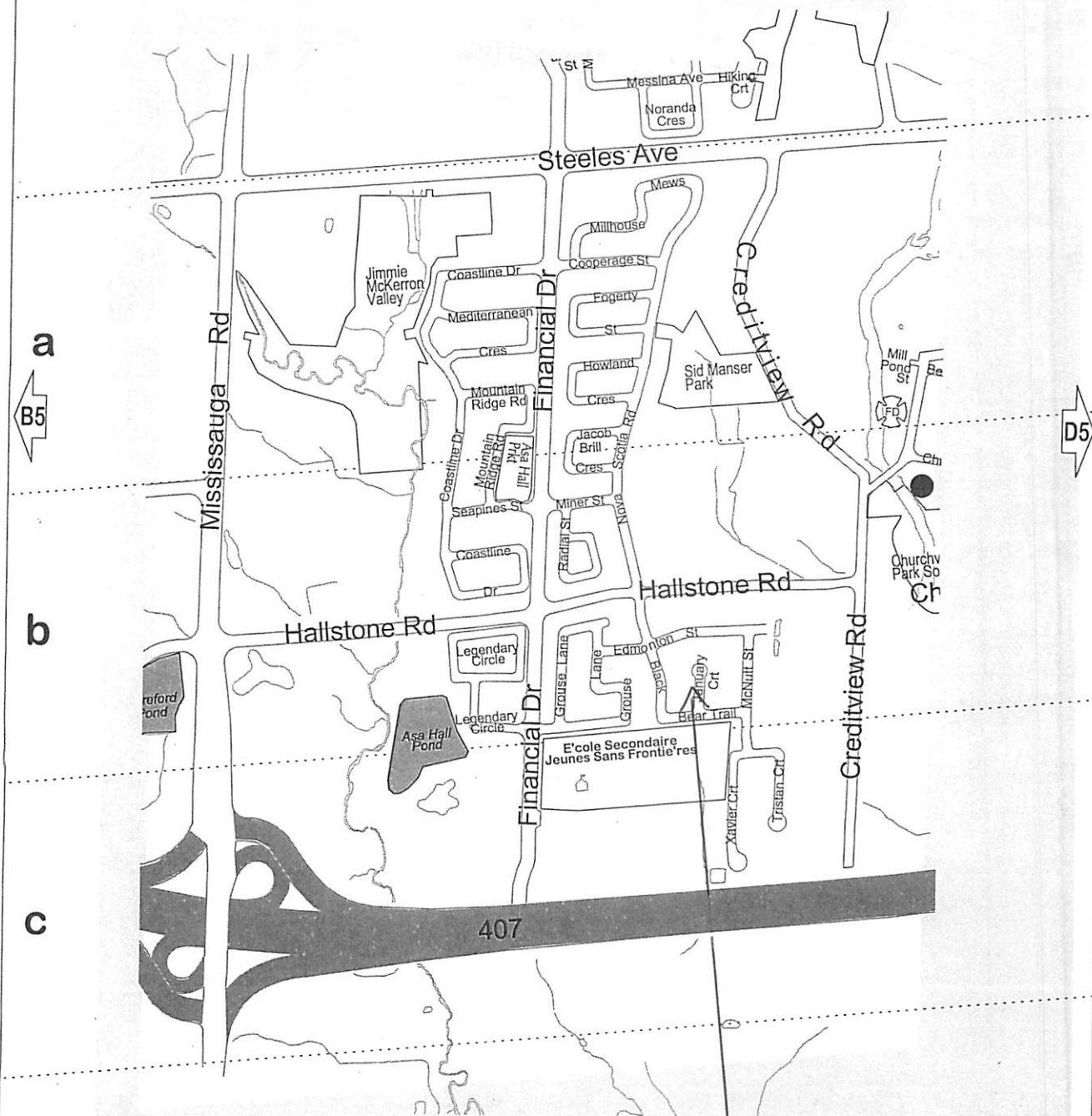
- PLEASE NOTE LOCATION OF FENCES AND OVERHEAD WIRES
- REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY: NONE
- THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS

**YOUNG & YOUNG**  
SURVEYING (ETOBICOKE 2008) INC.

310 North Queen St., Unit 102, Toronto ON M5C 5K4  
Tel: (416) 821-2878 • Fax: (416) 821-3380  
E-MAIL: info@youngandyoung.ca

DRAWN: DCJ CHECKED: C.B. PROJECT 20-T10476

C4



A-2020-0137

C5