

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **GURJEET KOUR** 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 Part of Block C, Plan M-41, Parts 135, 135A, Plan 43R-2916, municipally known as **38 HINDQUARTER COURT**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s):

1. To permit an exterior stairway constructed below established grade between the main wall of a dwelling and a flankage lot line and within the required exterior side yard as shown on Schedule C – Section 128 of the by-law whereas the by-law does not permit an exterior stairway constructed below the established grade between the main wall of the dwelling and a flankage lot line or within the required exterior side yard.

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 26, 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.

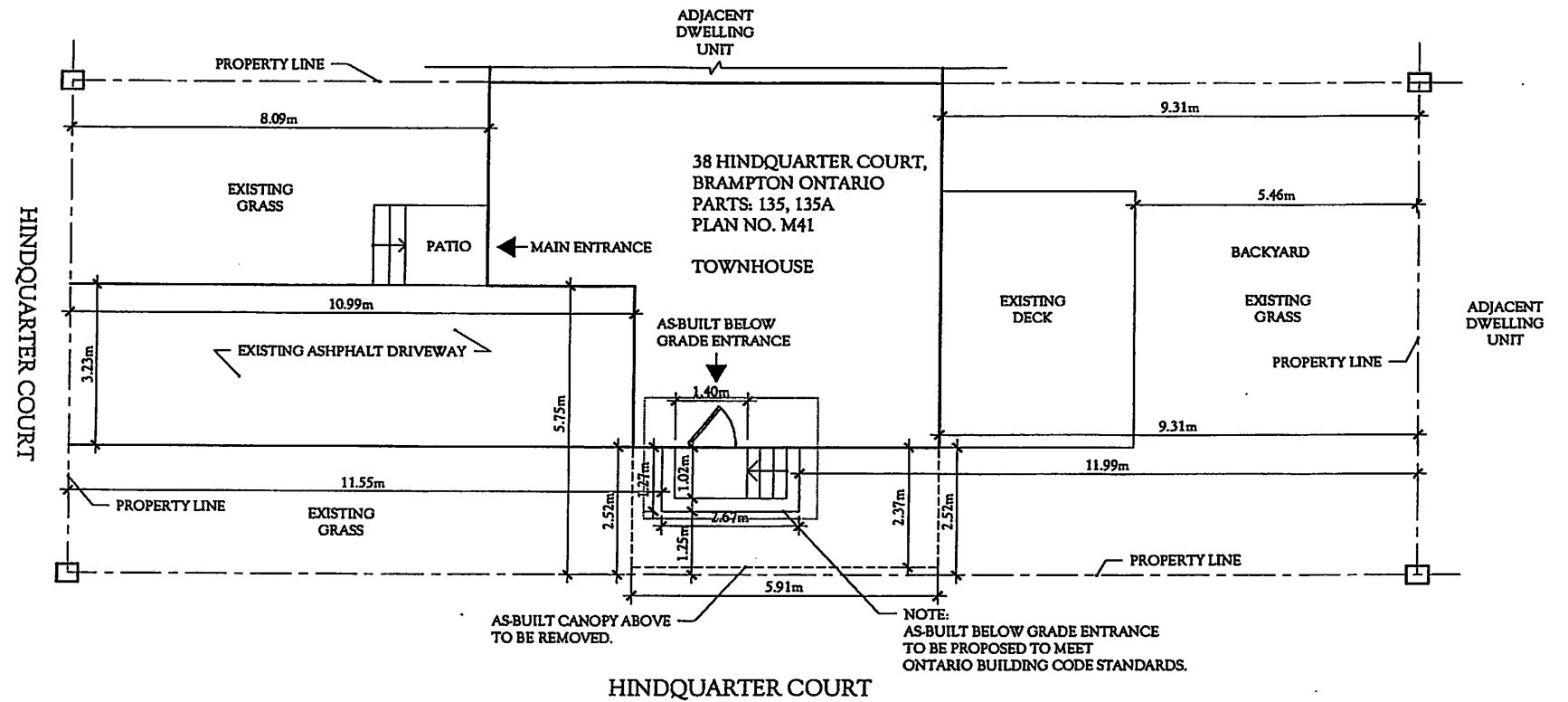
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 14th day of January, 2021.

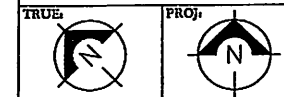
Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

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



1 SITE PLAN
A101 / SCALE 1:100

NOTES:



PROJECT TITLE:

38 HINDQUARTER COURT

DRAWING TITLE:

SITE PLAN

SCALE:

1:100

DATE:

2021/01/12

DESIGNED BY:

SINGH D.
MARTINS R.

REVISION:

0

PROJECT NO.

-

SHEET NO.

A-101

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:

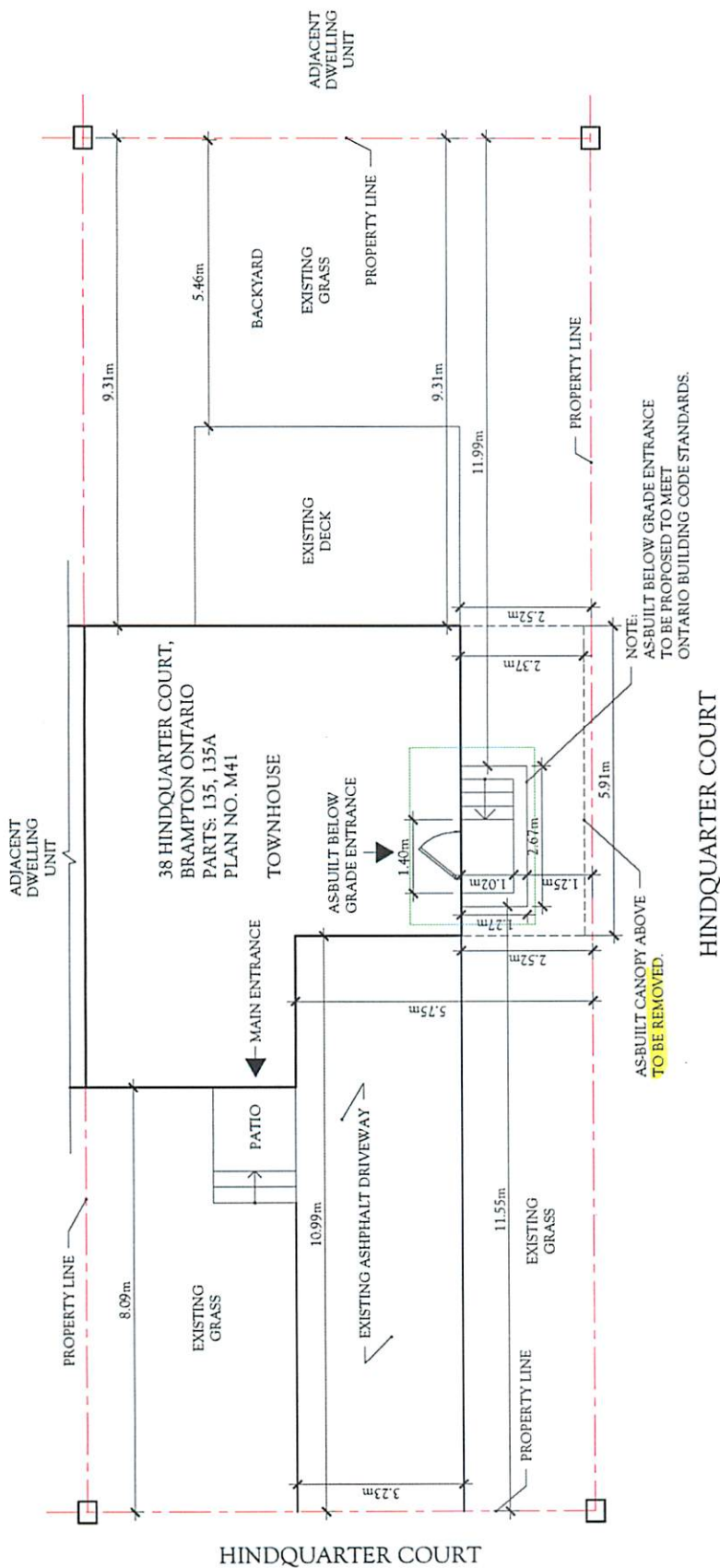
- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, January 21, 2021**.
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm, Friday, January 22, 2021**.
 - 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, January 22, 2021**. 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 or 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. 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.

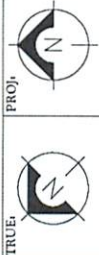
NOTES:

NOTE: NO A/C UNIT
LOCATED ON THE
PROPERTY



1 SITE PLAN
A.101/ SCALE 1:100

REVISED



RDA Designs
647.574.0270 / 647.518.3776
www.rdashdesigns.com
rdash.design@gmail.com

PROJECT TITLE:

38 HINDQUARTER COURT

DRAWING TITLE:

SITE PLAN

SCALE:

1:100

DATE:

2021/01/12

DESIGNED BY:

SINGH D.

MARTINS R.

REVISION:

0

PROJECT NO.

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SHEET NO.

A-101

Gurjeet Kaur
38 Hindquarter Court
Brampton, ON L6S 2C2

December 8th, 2020

Committee Of Adjustments
City Of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

A-2020-0160

**RE: Minor Variance Application for Side Entrance at 38 Hindquarter Court,
Brampton**

Dear Committee Members,

I am applying for a minor variance application at 38 Hindquarter Court, Brampton regarding an as-built below grade entrance on the side of a corner end-townhouse lot. We have attached all drawings and paperwork for our submission.

The reason we are having to apply is that according to current zoning by-law, when it comes to a corner lot, a below grade side entrance shall not be located between the main wall of a dwelling and a front of flankage lot line. However, when it comes to above grade side entrance, the side entrance is permit if a minimum distance of 1.2 metres to an interior side lot line is maintained. Also, Any steps or landings for such a door shall have a minimum distance 0.9 metres to an interior side lot line.

The said application is for requesting Minor Variance to an existing side entrance constructed by one of previous owners before 2012. The reason I am requesting a Minor Variance is because I feel that the side entrance is very safe and follows all other by-laws of the city except the one said above. The basis of my reasoning is as below:

1. The distance from the dwelling wall to lot line is >2.5 Meters (As opposed to 1.6 required for other dwellings)
2. The distance from the end of side stairs to the lot line is >1.2 Meters (As opposed to 0.9 Meters required)
3. Distance between property line and road is > 5 meters (16 feet) covered with grass and with no sidewalk. This provide ample space for escape in emergencies.
4. The below grade entrance is only 4 steps down and not a complete dug out entrance.
5. There is un-obstructed escape on all sides
6. The side road ends on a court with no regular traffic apart of the few houses of the court.

Please take a look at our application and let us know how to best move forward. Thank you for all your time and consideration on our proposal.

Sincerely,

Gurjeet Kour

Flower City



brampton.ca

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

FILE NUMBER: A-2020-0160

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)** Gurjeet Kour
Address 54 Parkside Drive, Brampton Ontario L6Y 2G9

Phone # 647-624-2943 **Fax #** _____
Email haramolsingh@gmail.com
2. **Name of Agent** Har Amol Singh
Address 54 Parkside Drive, Brampton Ontario L6Y 2G9

Phone # 647-624-2643 **Fax #** _____
Email haramolsingh@gmail.com
3. **Nature and extent of relief applied for (variances requested):**

Proposed Below Grade Entrance On Side Yard Facing A Street For A Corner House.
4. **Why is it not possible to comply with the provisions of the by-law?**

Because according to zoning by-law when it comes to a corner lot, a below grade is not actually permitted in any area between a main wall and a flankage lot line, meaning you cannot construct a below grade in the exterior side yard (between main wall and lot line abutting street).
5. **Legal Description of the subject land:**
Lot Number Part 135, 135A
Plan Number/Concession Number M41
Municipal Address 38 Hindquarter Court, Brampton Ontario L6S 2C2
6. **Dimension of subject land (in metric units)**
Frontage 9.63m
Depth 27.16m
Area 251.92m2
7. **Access to the subject land is by:**

Provincial Highway	<input type="checkbox"/>	Seasonal Road	<input type="checkbox"/>
Municipal Road Maintained All Year	<input checked="" type="checkbox"/>	Other Public Road	<input type="checkbox"/>
Private Right-of-Way	<input type="checkbox"/>	Water	<input type="checkbox"/>

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.)
Single Dwelling Unit (Corner End-Unit Townhouse). 105 sqm. total gross floor area.

PROPOSED BUILDINGS/STRUCTURES on the subject land:
Below Grade Entrance On Side Yard.

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	8.09m
Rear yard setback	9.31m
Side yard setback	2.62m
Side yard setback	

PROPOSED

Front yard setback	11.55m
Rear yard setback	11.99m
Side yard setback	1.25m
Side yard setback	

10. Date of Acquisition of subject land: April 30th 2019
11. Existing uses of subject property: Single Unit Dwelling
12. Proposed uses of subject property: Single Unit Dwelling
13. Existing uses of abutting properties: Single Unit Dwelling
14. Date of construction of all buildings & structures on subject land: Before 2012 (Previous Owner)
15. Length of time the existing uses of the subject property have been continued: 8 Years Or More
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 _____

Gurjeet Kaur
Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ City _____ OF _____ Brampton
THIS 12 DAY OF December, 2020.

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, Han Anmol Walia, 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 16th DAY OF
December, 2020
Jeanie Myers
A Commissioner etc.

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

Gurjeet Kaur
Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: R3A(4)-128 and MN

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

[Signature]
Zoning Officer

December 18, 2020
Date

DATE RECEIVED December 16, 2020

Date Application Deemed Complete by the Municipality December 18, 2020

MINOR VARIANCE APPLICATION FOR BELOW GRADE ENTRANCE
38 HINDQUARTER COURT, BRAMPTON, ONTARIO

DRAWING LIST:

SURVEY

A101 - SITE PLAN

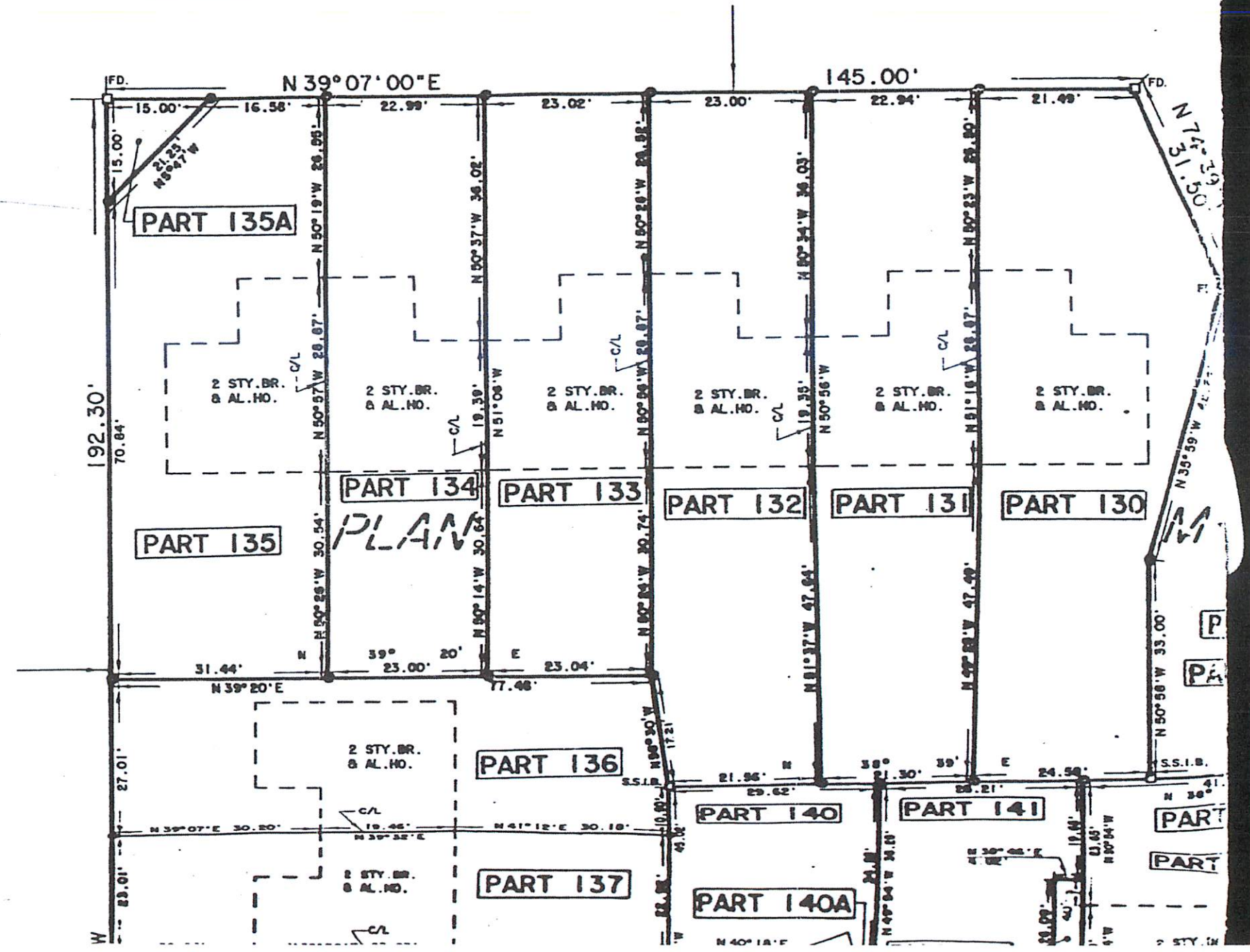
A201 - RIGHT ELEVATION

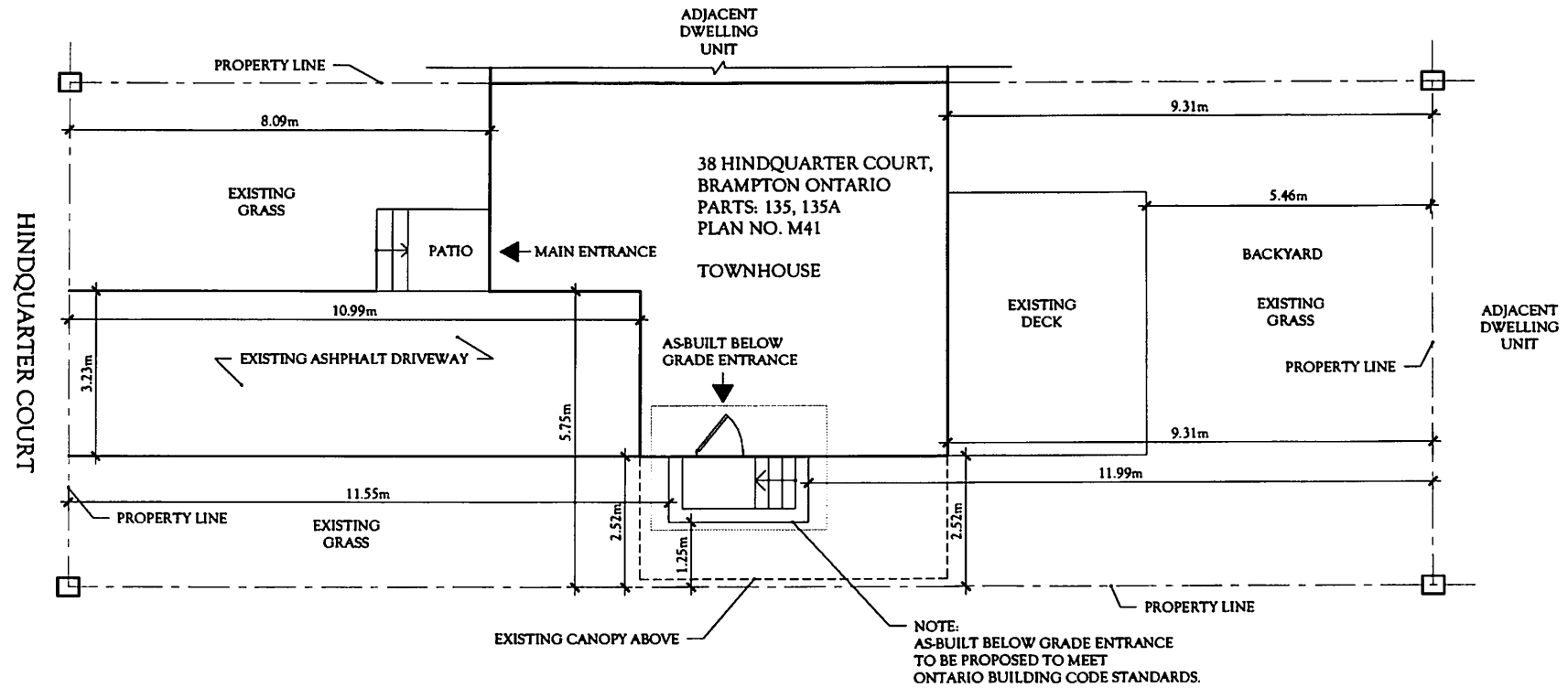
HINDQUARTER

COURT

COURT

QUARTER

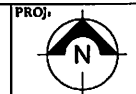




HINDQUARTER COURT

1 SITE PLAN
A101 SCALE 1:100

NOTES:



RDA Designs
647-574-0220 / 647-518-3376
www.rdachdesigns.com
rdarch.designs@gmail.com

PROJECT TITLE:

38 HINDQUARTER COURT

DRAWING TITLE:

SITE PLAN

SCALE:

1:100

DATE:

2020/12/06

DESIGNED BY:

SINGH D.
MARTINS R.

REVISION:

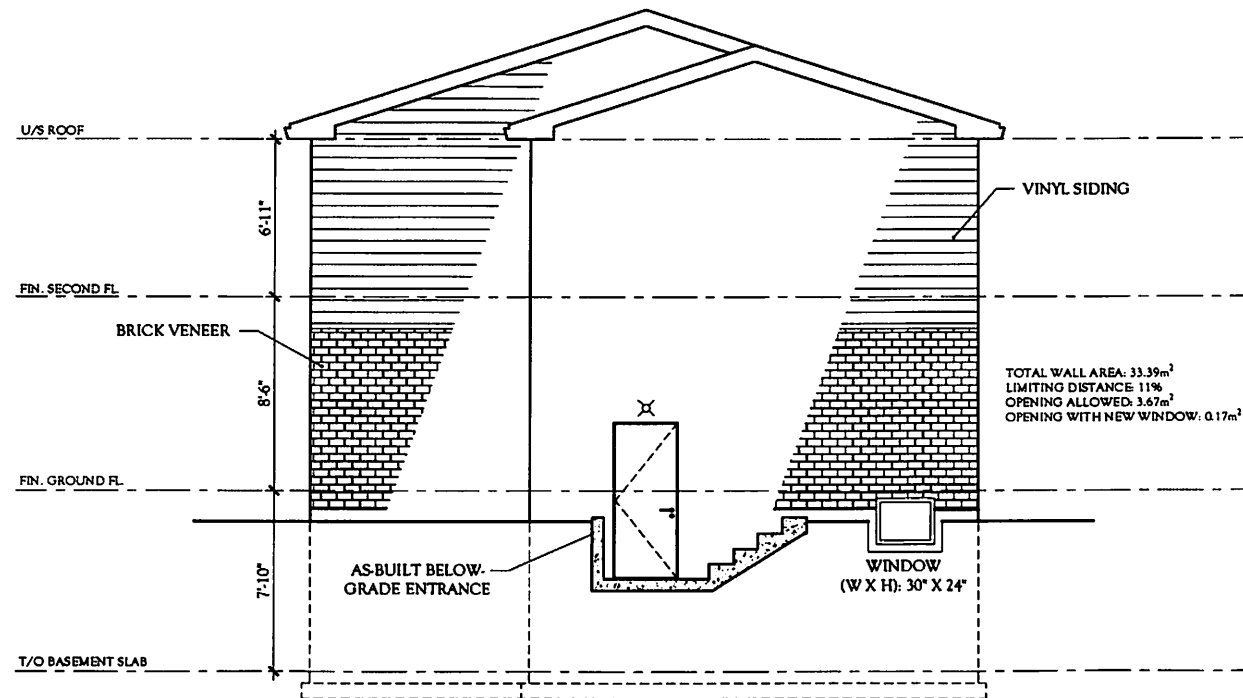
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PROJECT NO.

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SHEET NO.

A-101



1 FLANKAGE ELEVATION
 A201 SCALE 1:75

NOTES:



PROJECT TITLE:

38 HINDQUARTER COURT

DRAWING TITLE:

FLANKAGE ELEVATION

SCALE:

1:75

DATE:

10/20/12/06

DESIGNED BY:

SINGH D.
 MARTINS R.

REVISION:

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PROJECT NO.

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SHEET NO.

A-201

