

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **RAJA RAEES NAWAZ AND NAHEED KOSER** 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 Lot 5, Concession 4 WHS, municipally known as **8921 MISSISSAUGA ROAD**, Brampton;

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

1. To permit a minimum lot width of 6.98 metres whereas the by-law requires a minimum lot width of 45 metres for lots having an area of 5 hectares or less;
2. To permit a building height of 12.0m (39.37 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.);
3. To permit a garage door height of 3.0m (9.84 ft.) whereas the by-law permits a maximum garage door height of 2.4m (7.87 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, February 16, 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.

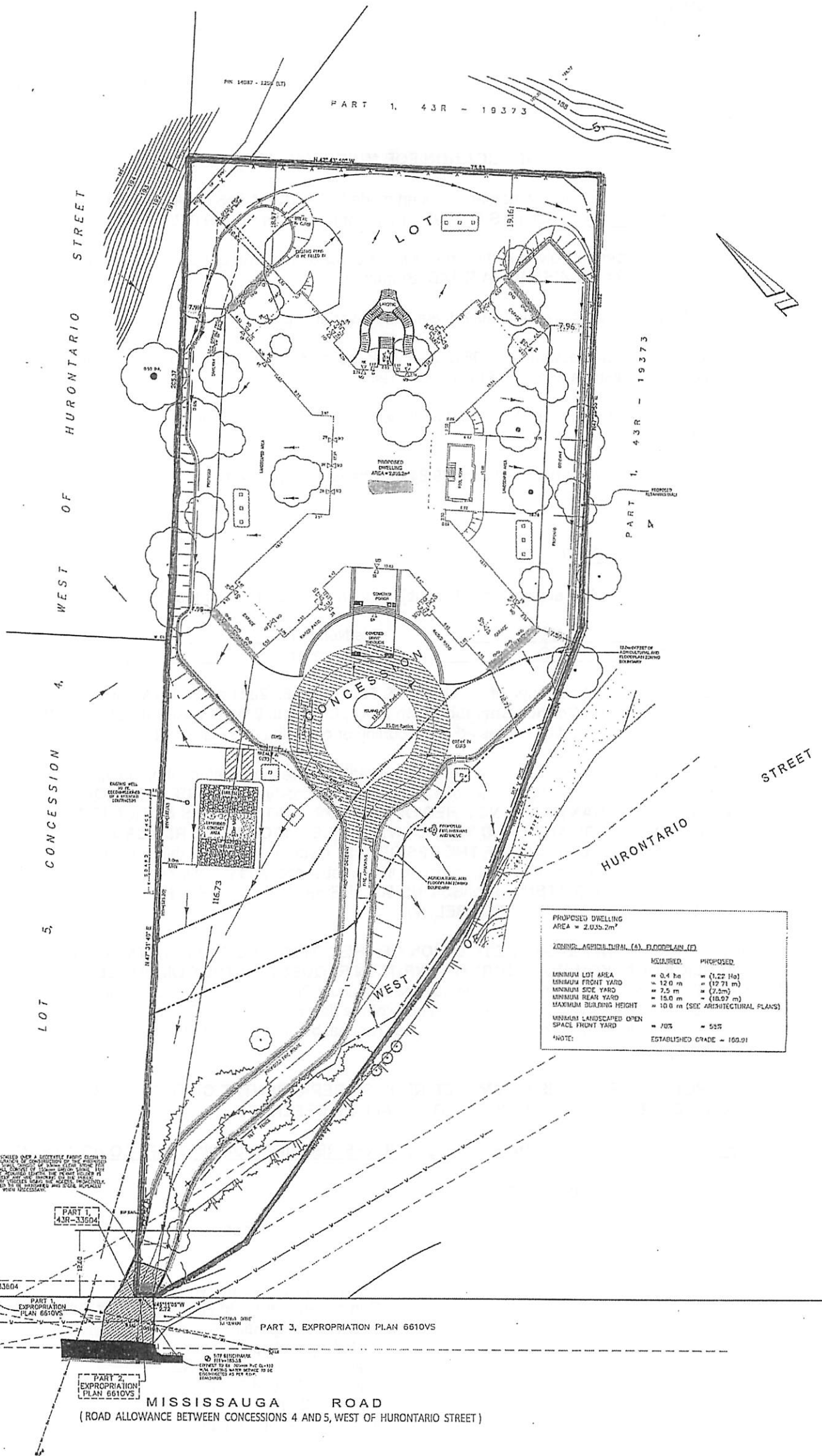
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 4th day of February, 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



PROPOSED DWELLING AREA = 2,035.2m ²		
ZONING: AGRICULTURAL (A), FLOORPLAN (F)		
	REQUIRED	PROPOSED
MINIMUM LOT AREA	= 0.4 ha	= (1.22 ha)
MINIMUM FRONT YARD	= 12.0 m	= (12.71 m)
MINIMUM SIDE YARD	= 7.5 m	= (7.2m)
MINIMUM REAR YARD	= 15.0 m	= (15.07 m)
MAXIMUM BUILDING HEIGHT	= 10.0 m	(SEE ARCHITECTURAL PLANS)
MINIMUM LANDSCAPED OPEN SPACE FRONT YARD	= 70%	= 55%
NOTE:		ESTABLISHED GRADE = 100.01

MISSISSAUGA ROAD
(ROAD ALLOWANCE BETWEEN CONCESSIONS 4 AND 5, WEST OF HURONTARIO STREET)

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, February 11, 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 Thursday, February 11, 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 **Thursday, February 11, 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.

AMENDMENT LETTER


February 4, 2021

To: Committee of Adjustment

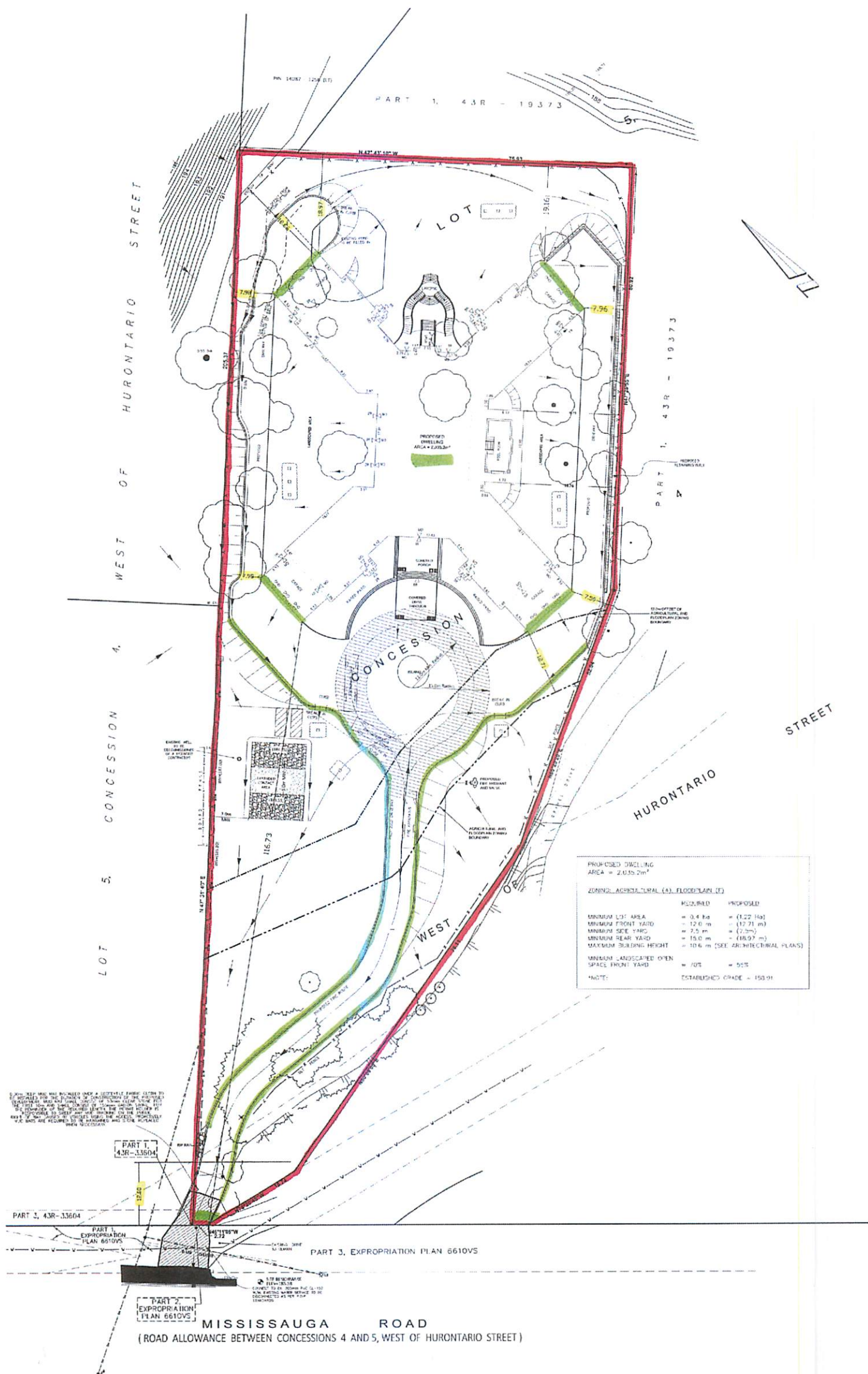
**RE: APPLICATION FOR MINOR VARIANCE
RAJA RAEES NAWAZ AND NAHEED KOSER
PART OF LOT 5, CONCESSION 4 WHS
A-2020-0167 – 8921 MISSISSAUGA ROAD
WARD 4**

Please **amend** application **A-2020-0167** to reflect the following:

1. To permit a minimum lot width of 6.98 metres whereas the by-law requires a minimum lot width of 45 metres for lots having an area of 5 hectares or less;
2. To permit a building height of 12.0m (39.37 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.);
3. To permit a garage door height of 3.0m (9.84 ft.) whereas the by-law permits a maximum garage door height of 2.4m (7.87 ft.);



Applicant/Authorized Agent



PART 1, 43R - 19373

WEST OF HURONTARIO STREET

LOT 5 CONCESSION 4

STREET

HURONTARIO

LOT

CONCESSION

WEST

PROPOSED DWELLING AREA = 2,035.2m ²		
ZONING: AGRICULTURAL (A) FLOODPLAIN (F)		
	PLANNED	PROPOSED
MINIMUM LOT AREA	= 3.4 Ha	= (1.22 Ha)
MINIMUM FRONT YARD	= 12.0 m	= (17.71 m)
MINIMUM SIDE YARD	= 7.5 m	= (7.30 m)
MINIMUM REAR YARD	= 15.0 m	= (18.97 m)
MAXIMUM BUILDING HEIGHT	= 10.6 m	(SEE ARCHITECTURAL PLANS)
MINIMUM LANDSCAPED OPEN SPACE FRONT YARD	= 70%	= 95%
NOTE:	ESTABLISHED GRADE = 150.91	

5. THE LOT AND THE ROAD ALLOWANCE UNDER A CONCESSION ARE NOT TO BE USED FOR THE PURPOSES OF CONSTRUCTION OF THE PROPOSED DWELLING, AND THE ROAD ALLOWANCE IS TO BE USED FOR THE PURPOSES OF THE CONCESSION. THE ROAD ALLOWANCE IS TO BE USED FOR THE PURPOSES OF THE CONCESSION. THE ROAD ALLOWANCE IS TO BE USED FOR THE PURPOSES OF THE CONCESSION.

PART 1, 43R-33604

PART 1, 43R-33604

PART 1, EXPROPRIATION PLAN 6610VS

PART 3, EXPROPRIATION PLAN 6610VS

PART 2, EXPROPRIATION PLAN 6610VS

MISSISSAUGA ROAD

(ROAD ALLOWANCE BETWEEN CONCESSIONS 4 AND 5, WEST OF HURONTARIO STREET)

Planning Justification Report

Committee of Adjustment Minor Variance

Raja Raees Nawaz & Naheed Koser

8921 Mississauga Road

A-2020-0167

Attention: Committee of Adjustment

Date: December 22, 2020

INTRODUCTION

Empire Design Company has been retained by the owners of 8921 Mississauga Road to provide a planning justification report for the proposed construction of a new single family home. The owners of this property have granted me permission to proceed with this application.

Our proposal reflects similarities of styling compared to the majority of the current existing dwellings within the surrounding neighborhood within a radius of 1 kilometer of our property. Due to the restrictions of the current zoning bylaw, we have found our proposed dwelling will not comply.

In this instance, the current zoning designation is listed as RHM1 under bylaw 204-2010.

We are seeking relief from the following:

- Insufficient lot frontage
- Excessive garage door height
- Excessive height to mid-point of roof
- Insufficient front yard landscape area

Our intent is to maintain the general purpose of the bylaws and adhere to the official plan guidelines set forth by the City of Brampton.

Based on the four tests of the Planning Act, testing for a minor variance, we have evaluated the requested variance against these tests, as follows:

1. Is the variance minor in nature?

The proposed variances will not adversely affect the adjacent properties nor decrease the visibility from the neighboring properties. Our proposed home will be constructed at a lower elevation height than the adjacent properties to the north and there are no residential dwellings to the south other than an open golf course. The drainage and grading patterns currently existing will only be slightly altered in order to maintain a proper drainage pattern around the perimeter of the house. The driveways with respect to their location, configuration and dimensions will not have any adverse drainage flows to the adjacent properties. They will be self-maintained on our own lot which will naturally drain off to the existing swales, proposed swales and down to the street line. We feel that our proposal is placed proportionally onto the existing lot which clearly meets the official plan and zoning bylaws.

Therefore, based on these facts, we feel this variance may be considered minor in nature.

2. Does the variance maintain the intent and purpose of the Official Plan?

This development will be compatible with the surrounding neighborhood of Huttonville when reviewing the existing built homes of the surrounding neighborhood within a 1 kilometer radius. This property in height, architectural character and styling, roof slopes and exterior materials will resemble the majority of homes previously approved within the neighborhood in close proximity to our lot. Based on the lot size, the scale of this home does not overwhelm the streetscape on Mississauga Road nor the adjacent neighbors, but enhances, in a way by defining the flat landscaped across from the north to the south. In fact, the existing tree lines across Mississauga Road mostly conceal the massing of the home from the street and the neighboring properties to the north.

We are in the opinion that this variance meets the intent and purpose of the Official Plan.

3. Does the variance meet the intent and purpose of the Zoning Bylaw?

Having noted the zoning bylaw designation, the insufficiency of the frontage is existing and beyond our control. The garage door height will not be visible from any direction as there are few residents on either side of our lot and the view is distracted by the tree line, as well, the angled walls reduce the massing of garage doors, plus the doors are set back further away. The height of the building will be partially concealed by the existing tree line fronting Mississauga Road. The lower pitch roof slopes will also help to deter the height. The landscape area in the front yard will not be noticeable due to the extent of the lot distance towards the street line from the front wall of the house and the tree clusters surrounding it. In fact, it will seem larger due to the sloped landscape escalating upwards towards the house.

Therefore, we feel this does not indicate or reflect over-development on the property and is still maintaining the general intent and purpose of the Zoning Bylaw.

4. Is the variance desirable for the appropriate development of the lands?

The Huttonville district has a vast collaboration of many different styles of homes with many different types of materials including stucco, brick, and siding elements. The neighborhood has a wide variety of home styles ranging from the existing small brick bungalows to larger 2-storey brick dwellings, including newly developed custom designed homes in the nearby area, as well as, mass production subdivisions. Undoubtedly, more redevelopment will follow along Mississauga Road which will engulf the larger lots with the existing smaller homes for new larger custom homes. Our intent is to blend this home into the characteristic of the neighborhoods by enriching the streetscape and also to the appeal of the City of Brampton's culture but not to overwhelm it. Hence the reason the house is placed closer to the rear of the lot with conservative roof slopes and is also maintaining all the existing trees surrounding it.

Therefore, based on having similar aspects in comparison to the neighboring homes, we believe this variance is currently desirable for the appropriate development of these lands.

PROPERTY LOCATION

The subject lands are located in the South East quadrant of Queen Street and Mississauga Road.

SURROUNDING LAND USES

All the lands within a 200M radius this property are all residential, agricultural, conservation and open space.

PROPOSAL

A proposed two-storey single family dwelling with attached garages and an enclosed pool area.

TECHNICAL DATA

Current zoning bylaw RHM1

CONCLUSIONS

The official plan allows these lands to remain as residential with an RHM1 zoning. The proposal for our use fits within these designations.

PHOTOS

See attached.

DOCUMENTS

See attached.

SUMMARY

We feel that all efforts have been considered to allow this proposal to be constructed without adversely affecting the neighboring properties.

We are hoping the committee finds this application minor and favorable and grants permission for relief to proceed with this development.

Peter Vozikas
Empire Design Company
416-500-8989

(Agent for owner)

A handwritten signature in black ink, appearing to read 'P. Vozikas', with a stylized flourish at the end.

FILE NUMBER: A-2020-0167

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) RAJA RAEES NAWAZ & NAHEED KOSER
Address 8845 CREDITVIEW RD, BRAMPTON, ON L6Y0X3

Phone # 289 400 2000 Fax # _____
Email TEHSEEN@HOTMAIL.COM

2. Name of Agent PETER VOZIKAS c/o EMPIRE DESIGN COMPANY
Address 5 NORTH RIDGE CRESCENT
GEORGETOWN ON L7G 6E7

Phone # 416-500-8989 Fax # _____
Email VOZIKKASS@HOTMAIL.COM

3. Nature and extent of relief applied for (variances requested):
- INSUFFICIENT FRONT YARD LANDSCAPE OF 3710.9 m² (7.60%)
- EXCESSIVE GARAGE DOOR HEIGHT OF 3.00 m
- INSUFFICIENT LOT FRONTAGE OF 2.72 m
- EXCESSIVE HEIGHT OF BUILDING OF 12.00 m

4. Why is it not possible to comply with the provisions of the by-law?
- REQUIRED FRONT YARD LANDSCAPE AREA = 4205.60 m² REQ (70%)
- MAXIMUM GARAGE DOOR HEIGHT PERMITTED = 2.40 m
- REQUIRED LOT FRONTAGE MINIMUM = 45.0 m
- REQUIRED MAXIMUM HEIGHT OF BUILDING = 10.60 m

5. Legal Description of the subject land:
Lot Number PT-5
Plan Number/Concession Number CONC. 4 WH3
Municipal Address 8921 MISSISSAUGA ROAD

6. Dimension of subject land (in metric units)
Frontage 2.72 m
Depth 205.37 m
Area 1.22 ha / 3.01 ac. / 12200.00 m²

7. Access to the subject land is by:
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 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.)

ONE STOREY FRAME SINGLE FAMILY DWELLING / 2 ACCESSORY GLASS GREENHOUSES
APPROX. 206.00 M² TO BE DEMOLISHED

PROPOSED BUILDINGS/STRUCTURES on the subject land:

TWO-STOREY SINGLE DETACHED DWELLING WITH (4) 3-CAR ATTACHED GARAGES, ENCLOSED ATTACHED POOL, SECOND DWELLING UNIT (NANNY SUITE)
APPROX. 20,500 SQ.FT (2648.5 M²) OF LIVING SPACE

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	64.09 M
Rear yard setback	90.00 M
Side yard setback	3.10 M
Side yard setback	10.56 M

PROPOSED

Front yard setback	116.73 m
Rear yard setback	18.97 m
Side yard setback	7.50 m
Side yard setback	7.50 m

10. Date of Acquisition of subject land: JUNE 18, 2019

11. Existing uses of subject property: RESIDENTIAL

12. Proposed uses of subject property: RESIDENTIAL

13. Existing uses of abutting properties: RESIDENTIAL / AGRICULTURAL / GREENBELT / OPEN SPACE

14. Date of construction of all buildings & structures on subject land: UNKNOWN

15. Length of time the existing uses of the subject property have been continued: 50+ 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 _____

Signature of Applicant(s) or Authorized Agent

DATED AT THE TOWN OF HALTON HILLS

THIS 22ND 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, PETER VOZIKAS, OF THE TOWN OF HALTON HILLS
IN THE REGION OF HALTON 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
December, 2020

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

Signature of Applicant or Authorized Agent

Jeanie Myers
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

(A) AGRICULTURAL

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

HOTHIS.

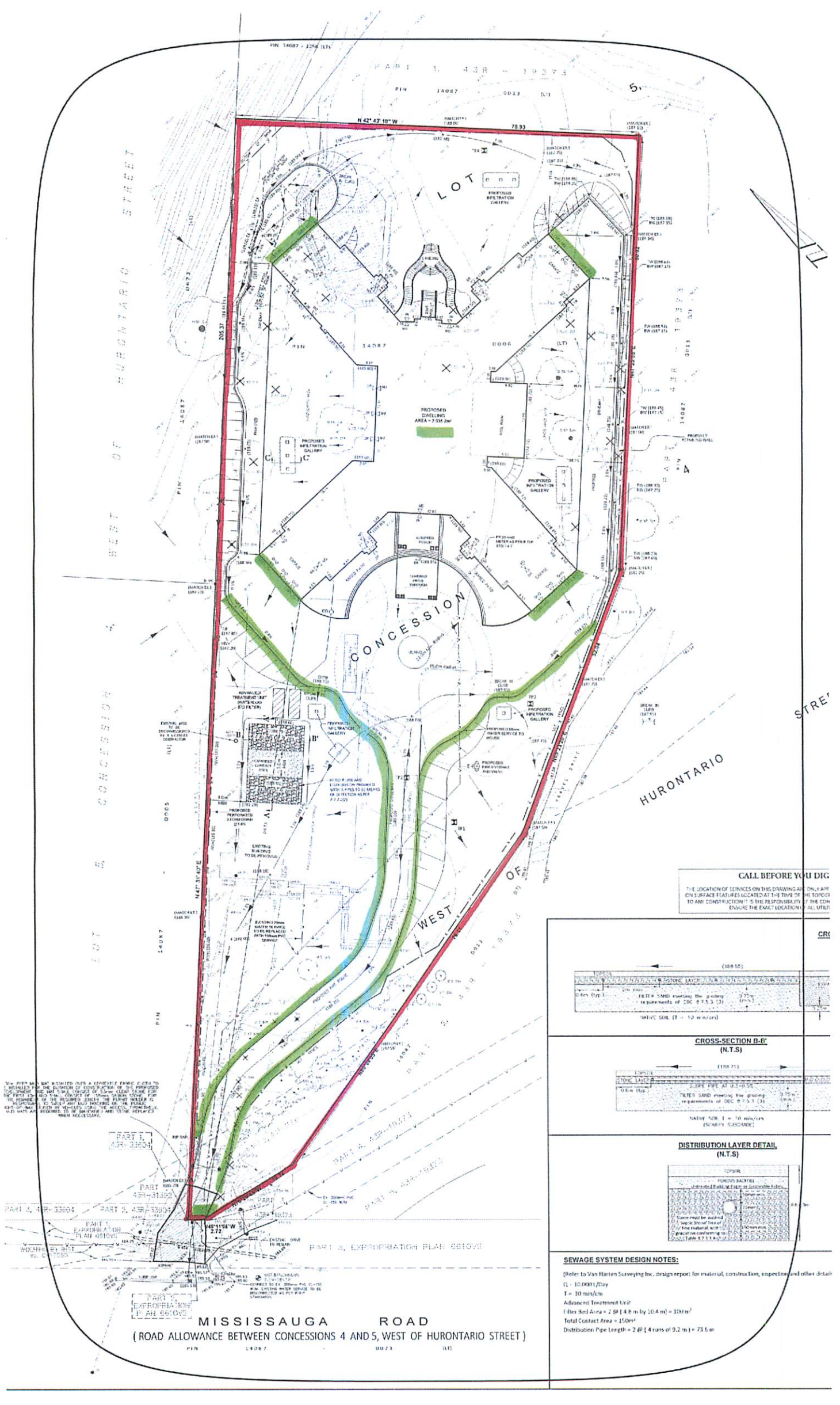
Zoning Officer

DEC 23 2020

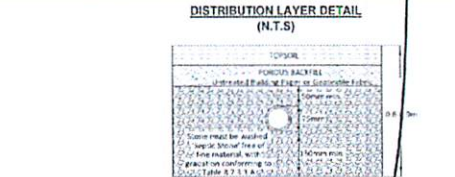
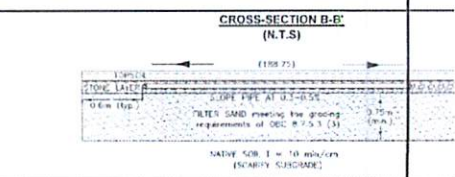
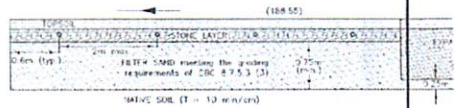
Date

DATE RECEIVED

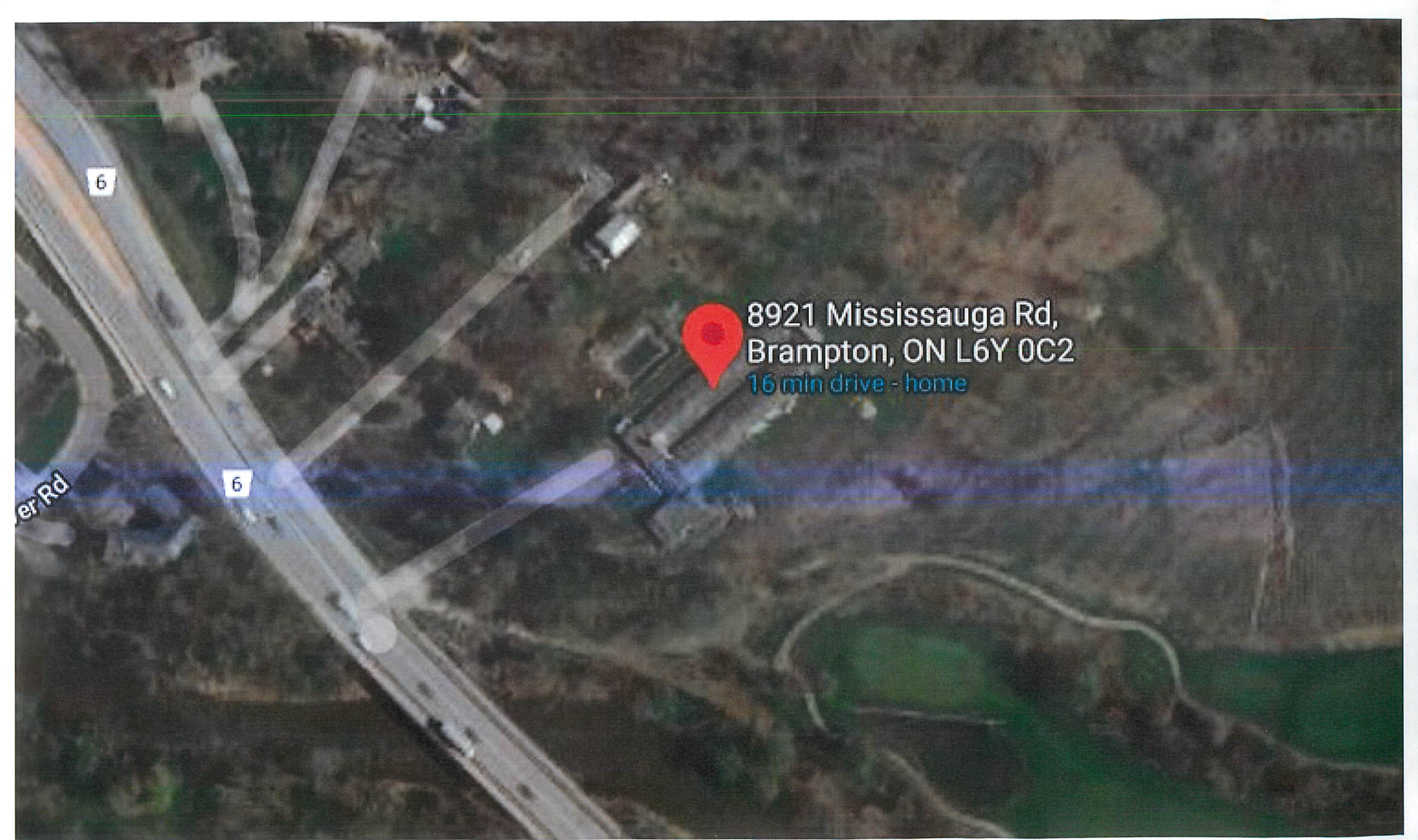
December 23, 2020



CALL BEFORE YOU DIG
THE LOCATION OF SERVICES ON THIS DRAWING ARE ONLY AN INDICATION OF THE LOCATION OF SERVICES. IT IS THE RESPONSIBILITY OF THE USER TO VERIFY THE LOCATION OF SERVICES BY CONTACTING THE APPROPRIATE AGENCIES.



SEWAGE SYSTEM DESIGN NOTES:
[Refer to Van Harten Surveying Inc. design report for material, construction, inspection and other details]
Q = 10,000 L/day
T = 10 min/cm
Advanced Treatment Unit
Flex Box Area = 2.50 (4.0 m by 10.4 m) = 100 m²
Total Contact Area = 150 m²
Distribution Pipe Length = 2.40 (4 runs of 0.2 m) = 73.5 m



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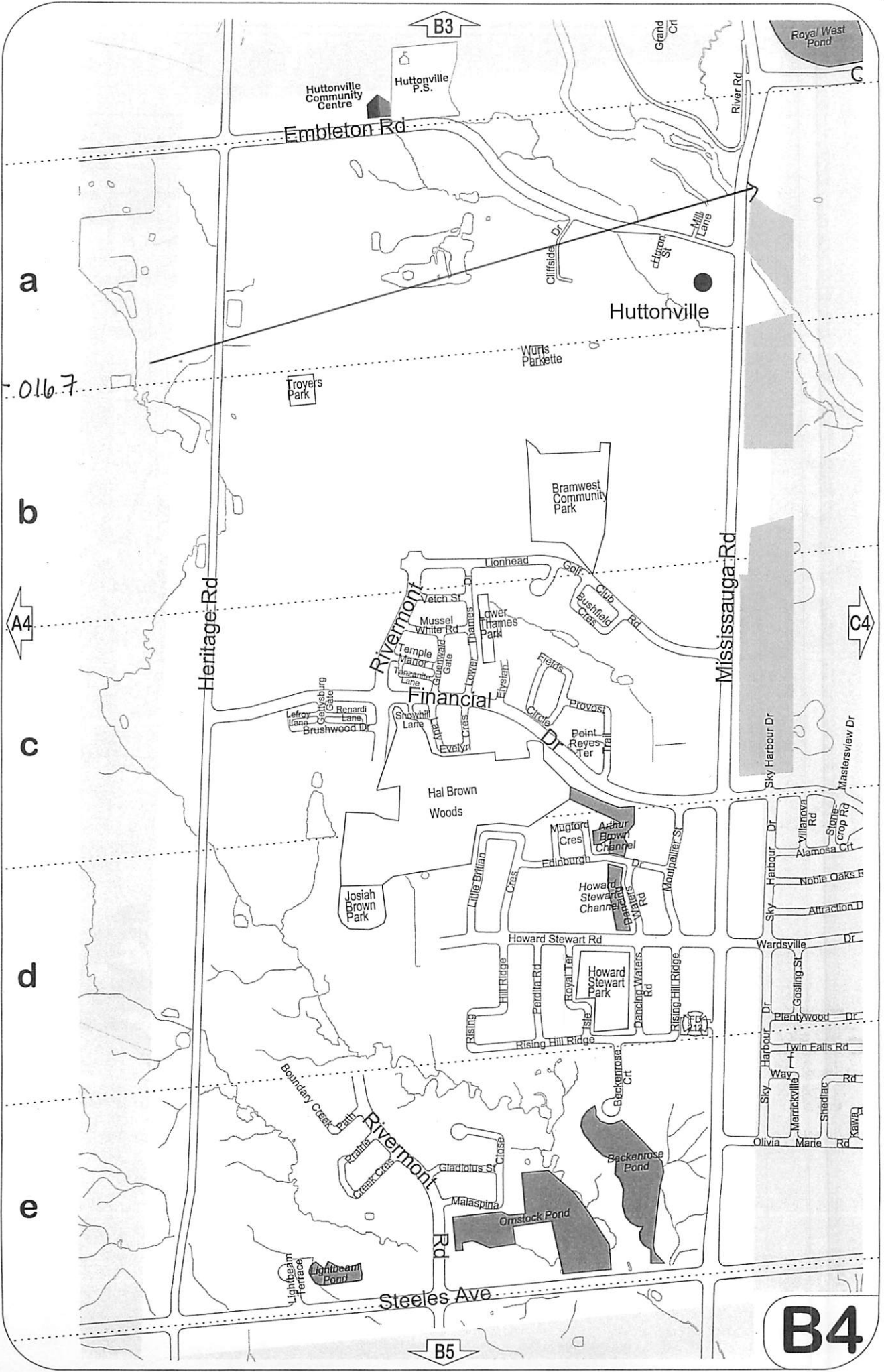
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8921 Mississauga Rd,
Brampton, ON L6Y 0C2

16 min drive - home

er Rd

A-2020-0167



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