



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **HARINDER GAHIR AND SUMANPREET GAHIR** 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 6, Concession 3 WHS, municipally known as **9035 CREDITVIEW ROAD**, Brampton;

AND WHEREAS the applicants are proposing a 3 storey elementary school and are requesting the following variance(s):

1. To permit a Day Nursery whereas the by-law does not permit a Day Nursery;
2. To permit a front yard setback of 6.2m (20.34 ft.) whereas the by-law requires a minimum front yard setback of 12.0m (39.37 ft.);
3. To permit a building height of 15.0m (49.21 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 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 _____ File Number: _____
Application for Consent: _____ NO _____ 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.

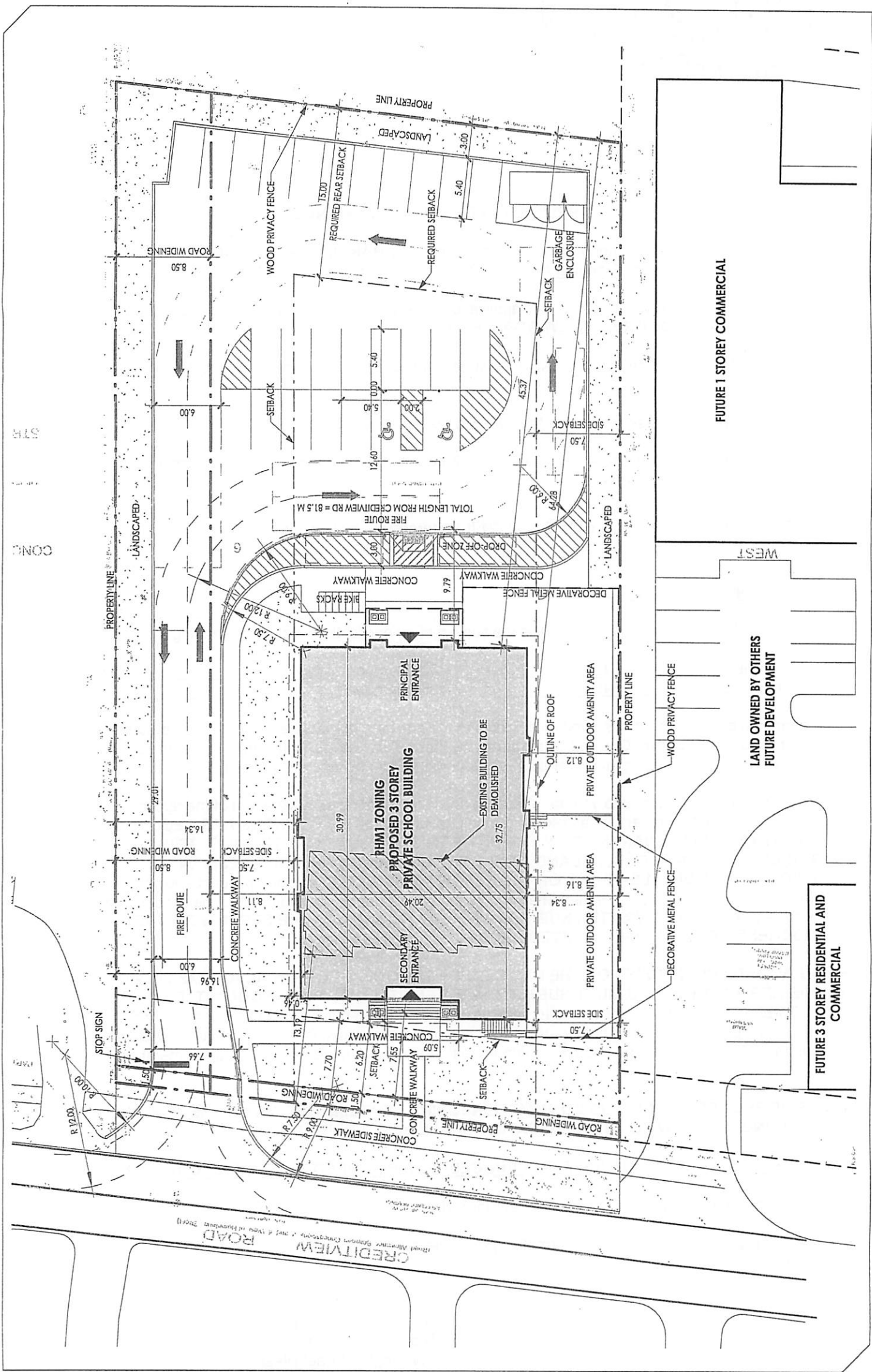
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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



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SITE PLAN

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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.

APPLICATION

A-2021-0003

DATE: 2021 02 03

PROJECT: 9035 Creditview Rd

ATA
PROJECT # 18-1239

To whom this may concern,

This letter is to **amend** the application of the above noted project to request a variance be added to include a day nursery use to the minor variance application.



Jun Gu

M.Arch., B.Arch., OAA, LEED AP BD+C
Associate Architect

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ASSOCIATE

JUN GU
M. ARCH., B. ARCH., OAA, LEED AP
ASSOCIATE



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

FILE NUMBER: A-2021-0003

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)** Harinder S. Gahir and Sumanpreet Gahir
Address 373 Steeles Avenue West, Suite 206
Brampton/ON
Phone # 905-789-0585 **Fax #** _____
Email h.gahir@gahirlaw.com

2. **Name of Agent** ATA Architects Inc.
Address 211 Lakeshore Road East
Oakville/ON
Phone # 647-739-1031 **Fax #** _____
Email jun@ataarchitectsinc.com

3. **Nature and extent of relief applied for (variances requested):**
Front Yard: Required: 12 m; Proposed: 6.2 m
Height: Required: max. 10.6 m; Proposed: 15 m

4. **Why is it not possible to comply with the provisions of the by-law?**
The parking lot was required to be placed in the rear yard as requested by City of Brampton Urban Design team, thus pushing the building toward the front yard. Also to achieve a better urban design, the proposed development is aiming to match the front yard of the proposed commercial plaza to the south.
The proposed development is proposing to enroll 125 students (including day care) which needs 3 floors above ground. Due to the sloped site and roof - the sloped roof is requested by City of Brampton Urban Design team to have more residential character, 10.6 m is not enough for 3 floors when calculating the height from the established grade to the mean height of eaves and ridge.

5. **Legal Description of the subject land:**
Lot Number Part of Lot 6, Concession 3 West of Hurontario Street
Plan Number/Concession Number 43R-36987
Municipal Address 9035 Creditview Road, Brampton Ontario, L6X 0E5

6. **Dimension of subject land (in metric units)**
Frontage 45.7 m
Depth 88.1 m
Area 4 ha

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.)

Building area: 163 m²
GFA: 163 m²
Height: 1 storey
Width: 20 m
Length: 9 m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Building area: 643 m²
GFA: 2,400 m²
Height: 3 storeys, 15 m
Width: 20.5 m
Length: 31 m

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	13 m
Rear yard setback	64 m
Side yard setback	17 m
Side yard setback	8 m

PROPOSED

Front yard setback	6.2 m
Rear yard setback	45 m
Side yard setback	8 m
Side yard setback	7.5 m

10. Date of Acquisition of subject land: June 2, 2017
11. Existing uses of subject property: Residential
12. Proposed uses of subject property: Private School/day care
13. Existing uses of abutting properties: Residential
14. Date of construction of all buildings & structures on subject land: 1980 approximately
15. Length of time the existing uses of the subject property have been continued: 40 years approximately
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]
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY _____ OF BRAMPTON _____

THIS SEVENTH DAY OF JANUARY, 2021.

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, Harinder Gahir & Sumanpreet Gahir OF THE city OF Brampton
IN THE Province 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 Province OF
Ontario THIS 13th DAY OF
Jan, 2021.

[Signature]
Signature of Applicant or Authorized Agent

[Signature]
Tarlochan Banwait
a Commissioner, etc., Province of Ontario,
for Harinder Singh Gahir Professional
Corporation, Barrister and Solicitor,
and Gahir Law Office,
Expires November 15, 2022.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

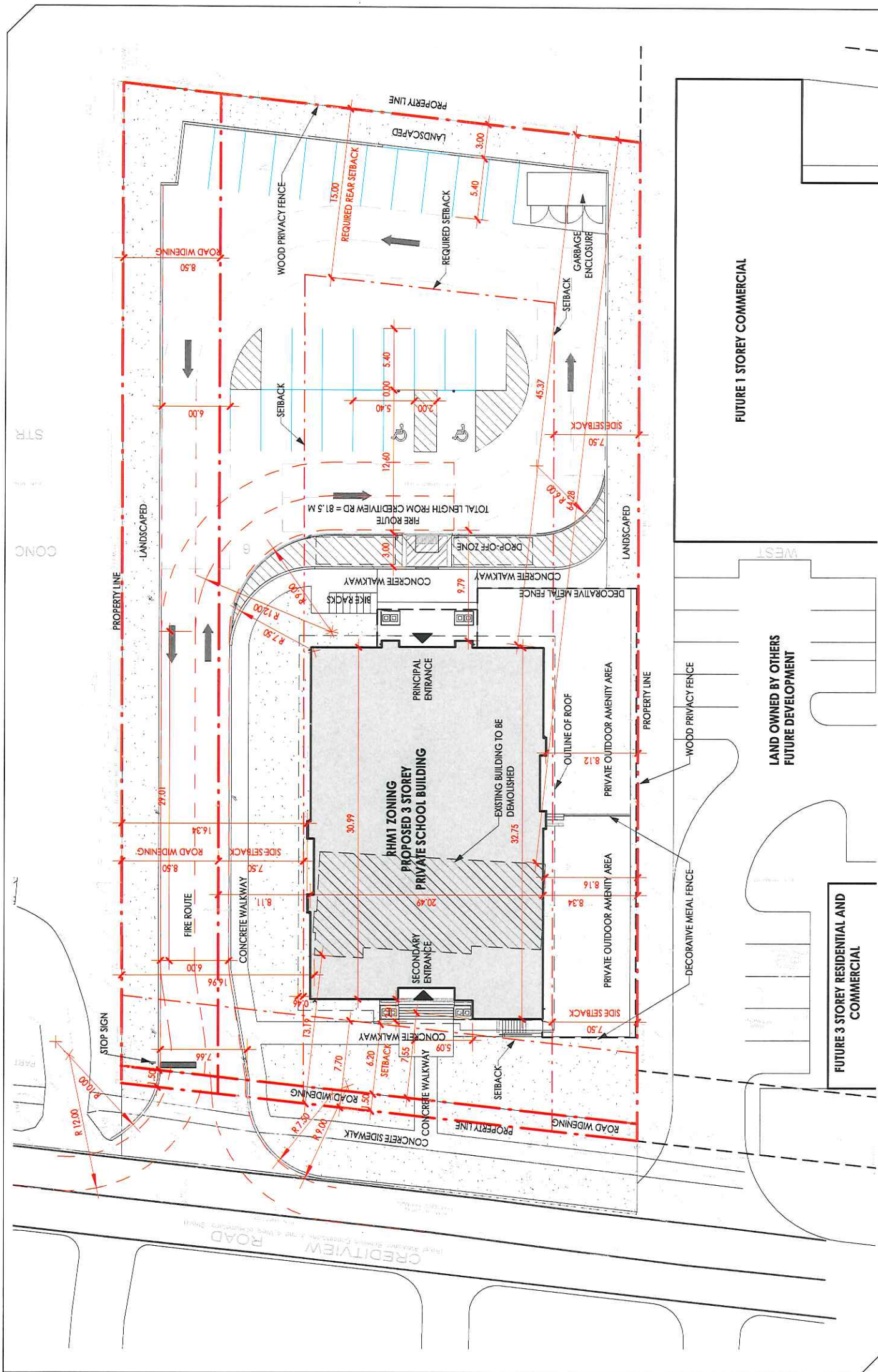
Present Zoning By-law Classification: RHM1

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

<u>HOTHU S.</u>	<u>JAN 15 2021</u>
Zoning Officer	Date

DATE RECEIVED JAN 15, 2021

Date Application Deemed Complete by the Municipality JAN. 15, 2021



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SITE PLAN

STATISTIC

LEGAL DESCRIPTION	Part of Lot 6, Concession 3 West of Hurontario Street
ZONING CODE	RHM1
LOT AREA	4,008
LOT AREA AFTER ROAD WIDENING	3,939.9 m2
FRONTAGE	45.7 m
BUILDING AREA	641.4 m2
LOT COVERAGE	16.3%
BUILDING CLASSIFICATION	GROUP A, DIVISION 2, UP TO 6 STOREYS
BUILDING HEIGHT	15 M
ESTABLISHED GRADE	218.29

COVERAGE

ASPHALT	1,653.3 m²
BUILDING AREA	641.4 m²
LANDSCAPE AREA	1,061.7 m²
PAVING AREA	583.5 m²
TOTAL	3,939.9 m²

PARKING PROVIDED

	REQUIRED	PROVIDED
PARKING - 1 SPACE/100 M2	24	30

GROSS FLOOR AREA

LEVEL	AREA	SQ. FT.
05 - BASEMENT	559 m²	6,021 ft²
01 - MAIN FLOOR	613 m²	6,603 ft²
02 - 2ND FLOOR	613 m²	6,603 ft²
03 - 3RD FLOOR	613 m²	6,602 ft²
Grand total	2,400 m²	25,829 ft²

ZONING BY-LAW

	ZONING REQUIREMENT	PROPOSED
LOT WIDTH	45M MIN.	45.7M
LOT DEPTH	NO REQUIREMENT	88.1M
FRONT YARD	12M MIN.	6.2M
INTERIOR SIDE YARD	7.5M MIN.	7.5M
REAR YARD	15M MIN.	15M
BUILDING HEIGHT	10.6M MAX.	15M
LOT COVERAGE	NO REQUIREMENT	16.3%
MIN. LANDSCAPE OPEN SPACE	70% OF THE FRONT YARD, 446 M2 X 70% = 312 M2	369 M2
MIN. GROUND FLOOR AREA FOR MAIN BUILDING	115 M2	613 M2

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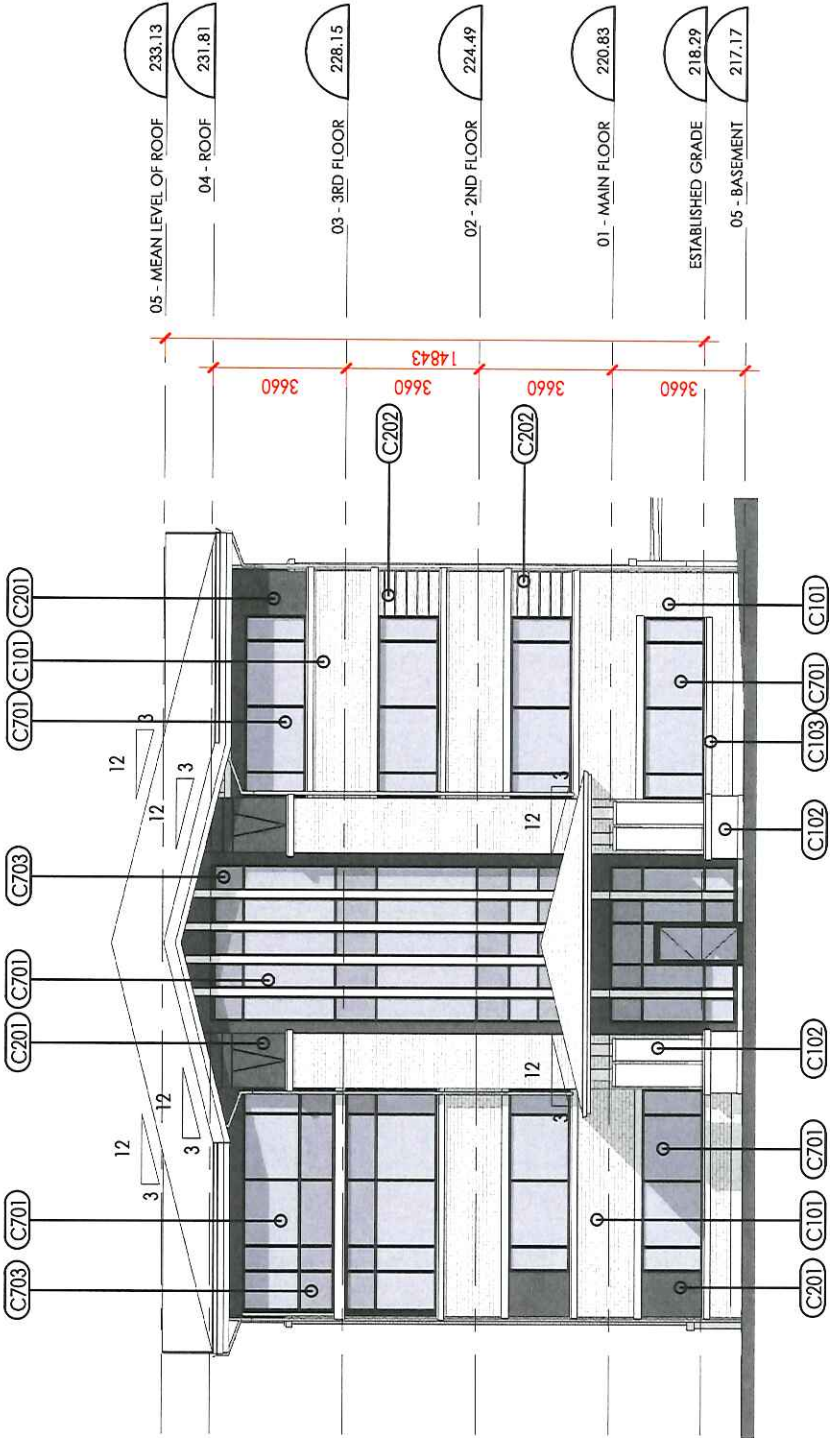


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SITE STATISTICS

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MATERIAL SUMMARY	
CODE	DESCRIPTION
C101	BRICK BEIGE - 290X90X90
C102	GROUND SMOOTH CONCRETE - LIGHT GRAY
C103	PRECAST CONCRETE STAINED WHITE
C107	PRECAST CONCRETE ADDRESS BLOCK - TEXTS TO BE SANDBLASTED AND PAINTED BLACK
C201	ALUMINUM PANEL - MEDIUM GRAY - 21/25-20 DEEP SPACE
C202	TRESPA PURA PREFINISHED SIDING - ROMANTIC WALNUT
C203	ALUMINUM PANEL - WHITE
C301	ROOF SHINGLE - IKO MARATHON 25, DUAL BROWN
C701	WINDOW GLAZING - SOLARBAN 70XL GREY
C702	MULLION/FRAME BLACK ANNOXIDIZED - SATIN
C703	GLASS SPANDREL PANEL - 21/25-30 GRAY SHOWER



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SOUTH ELEVATION

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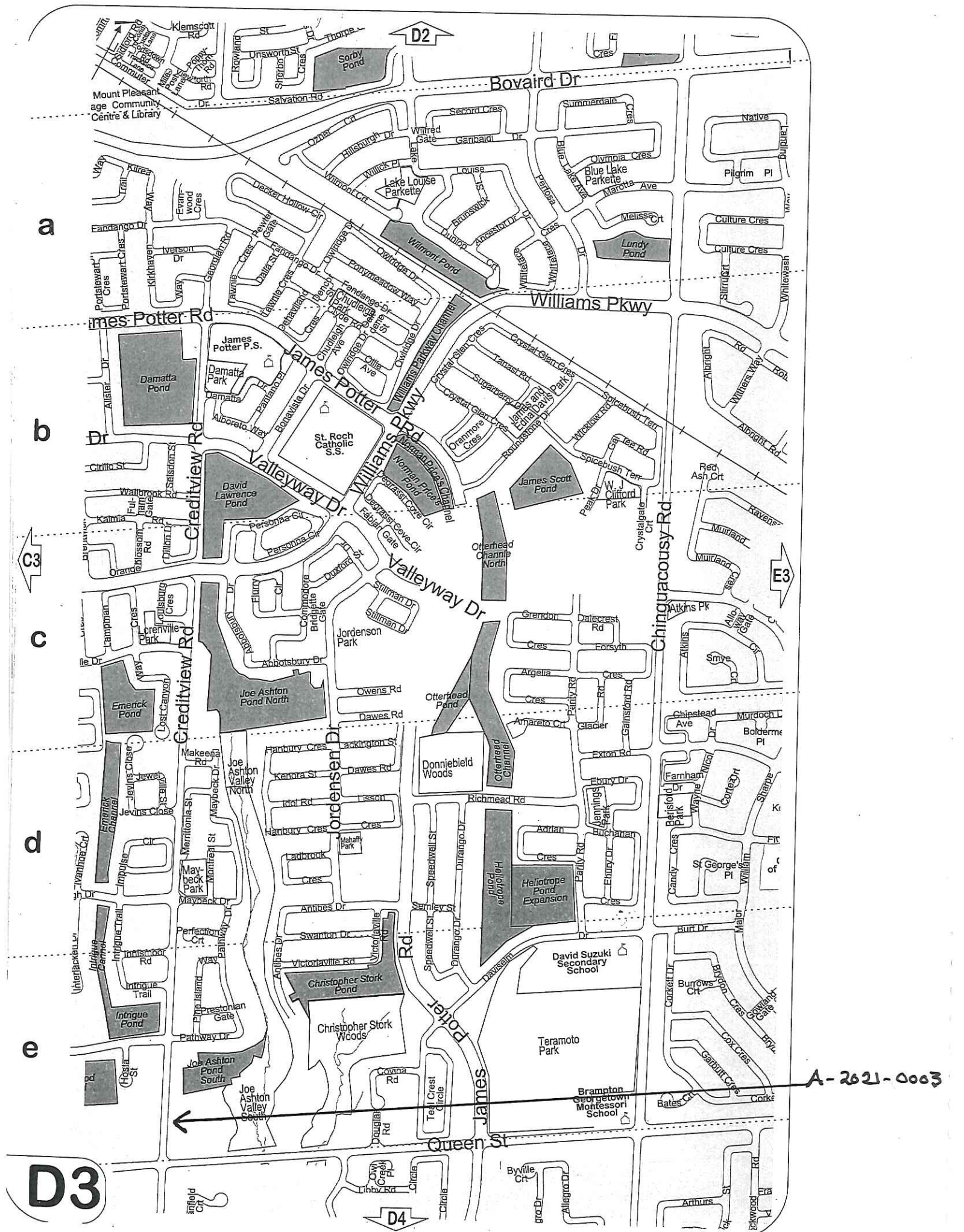


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