



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **BRANTHAVEN QUEEN WEST INC.** 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 **1817 AND 1831 QUEEN STREET WEST**, Brampton;

AND WHEREAS the applicant is requesting the following variances associated with the proposed development of condominium townhouses:

1. To permit 0.0 sq. m of rooftop amenity space whereas the by-law requires a minimum of 20.0 sq. m rooftop amenity area;
2. To permit residential uses to encroach within an Open Space (OS) zone whereas the by-law does not permit residential uses in an Open Space (OS) zone;
3. To permit 11.0 sq. m of landscaped open space in the rear yard whereas the by-law requires a minimum of 19 sq. m of landscaped open space for lands zoned R3C-2976;
4. To permit 19 sq. m of landscaped open space in the rear yard whereas the by-law requires a minimum of 22 sq. m of landscaped open space for lands zoned R3C-2940.

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, March 30, 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.

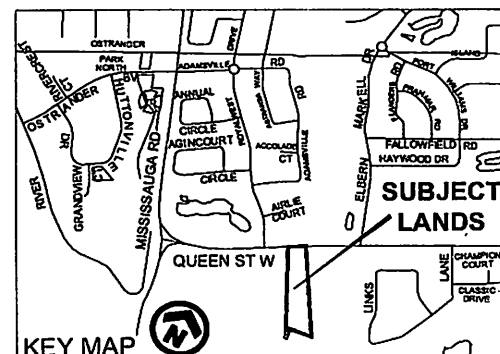
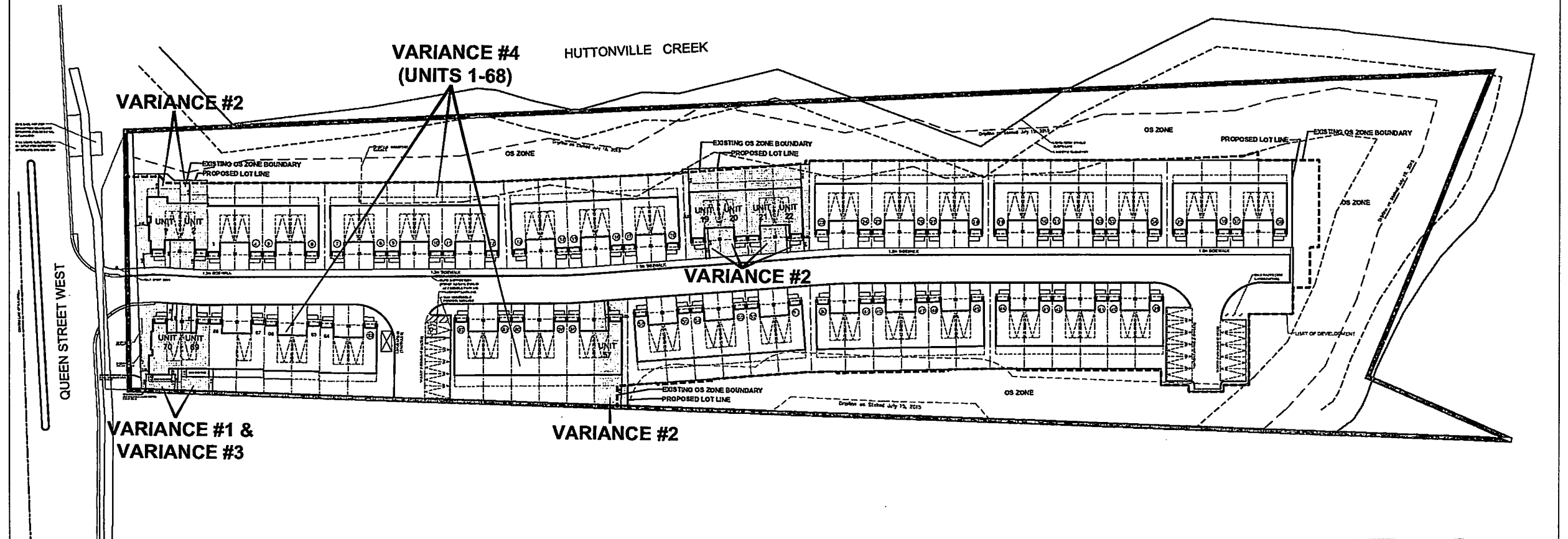
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 18th day of March, 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



**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH PLAN
BRANTHAVEN QUEEN WEST INC.
1817 & 1831 QUEEN STREET WEST
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL**

 Subject Lands - 1.95ha (4.82ac)

REQUIRED VARIANCES:

- 1) THAT LANDS SUBJECT TO THE R3C-2976 ZONE (UNITS 70 AND 69 AS SHOWN ON SPA2020-036) REQUIRE NO ROOFTOP AMENITY AREA; WHEREAS THE ZONING BY-LAW REQUIRES A ROOFTOP AMENITY AREA;
- 2) THAT RESIDENTIAL USES (LIMITED TO REAR YARD AMENITIES) BE PERMITTED IN THE OS ZONE; WHEREAS THE ZONING BY-LAW DOES NOT PERMIT RESIDENTIAL USES IN AN OS ZONE;
- 3) THAT LANDS SUBJECT TO THE R3C-2976 ZONE BE PERMITTED A LANDSCAPED OPEN SPACE OF 11.0 SQUARE METRES IN THE REAR YARD; WHEREAS THE ZONING BY-LAW REQUIRES 19 SQUARE METRES OF LANDSCAPE OPEN SPACE IN THE REAR YARD; AND,
- 4) THAT LANDS SUBJECT TO THE R3C-2940 ZONE BE PERMITTED A LANDSCAPED OPEN SPACE OF 19 SQUARE METRES IN THE REAR YARD; WHEREAS THE ZONING BY-LAW REQUIRES 22 SQUARE METRES OF LANDSCAPE OPEN SPACE IN THE REAR YARD.



SCALE 1:500
FEBRUARY 8, 2021

GSAI
Glen Schnarr & Associates Inc.

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, March 25, 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, March 25, 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, March 26, 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.



PARTNERS:

GLEN SCHNARR, MCIP, RPP

GLEN BROLL, MCIP, RPP

COLIN CHUNG, MCIP, RPP

JIM LEVAC, MCIP, RPP

February 3, 2021
(Revised February 16, 2021)

GSAI File No. 656-012

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

Attention: Ms. Jeanie Myers
Secretary – Treasurer of the Committee of Adjustment

RE: Minor Variance Application
1817 and 1831 Queen Street West
City of Brampton
Related City File Nos. SPA 2020-036 and 21T-16004B

Glen Schnarr & Associates Inc. (GSAI) are the planning consultants for Branthaven Queen West Inc., the registered owner of 1817 and 1831 Queen Street West (herein referred to as the 'subject lands'), which are located on the south side of Queen Street West, east of Mississauga Road. In this regard, we are pleased to submit the enclosed Minor Variance application. The purpose of the Minor Variance application is to seek relief for zoning deficiencies that reflect revisions and enhancements to the proposed development of 70 condominium townhouses, as a result of the acquisition of the subject lands by Branthaven Homes and ongoing discussions with Regional, City and Credit Valley Conservation Authority staff through the review of an ongoing Site Plan application (SPA 2020-036).

Project History and Context

In January 2020, the Local Planning Appeal Tribunal (LPAT) approved an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for the redevelopment of the subject lands for a 71-condominium townhouse development. The Official Plan Amendment redesignated the subject lands from "Low Density 1 Residential" to "Medium Density Residential" and the corresponding Zoning By-law Amendment zoned the lands from "Recreational Commercial" to "Residential Townhouse C" (with site specific exemptions) and "Open Space".

10 KINGSBRIDGE GARDEN CIRCLE
SUITE 700
MISSISSAUGA, ONTARIO
L5R 3K6
TEL (905) 568-8888
FAX (905) 568-8894
www.gsai.ca



In March 2020, a Site Plan Application was submitted by the previous applicant, Larencore Holdings Inc. The Site Plan application facilitates the LPAT's approved Official Plan Amendment and Zoning By-law Amendment. Branthaven Homes closed on the subject lands in April 2020 and has been working diligently with Regional, City and Credit Valley Conservation Authority staff through the Site Plan review and clearing of conditions of approval for the plan of subdivision.

Proposed Variances

To facilitate the proposed development, the following variances are requested:

- 1) That lands subject to the R3C-2976 zone (Units 70 and 69 as shown on SPA2020-036) require no Rooftop Amenity Area; whereas the Zoning By-law requires a Rooftop Amenity Area;**
- 2) That residential uses (limited to rear yard amenities) be permitted in the OS zone; whereas the Zoning By-law does not permit residential uses in an OS zone;**
- 3) That lands subject to the R3C-2976 zone be permitted a landscaped open space of 11 square metres in the rear yard; whereas the Zoning By-law requires 19 square meters of landscape open space in the rear yard; and,**
- 4) That lands subject to the R3C-2940 zone be permitted a landscaped open space of 19 square metres in the rear yard; whereas the Zoning By-law requires 22 square metres of landscape open space in the rear yard.**

Analysis

The following section provides an analysis demonstrating how the variances satisfy the four tests of a minor variance as set out in Section 45 of the Planning Act, R.S.O. 1990, c.P.13, as amended:

1. Meets the general intent and purpose of the Official Plan

The requested variances meet the intent and purpose of the Official Plan, as amended through the site-specific Official Plan Amendment, and as submitted through SPA 2020-036. The proposed variances do not affect permitted unit types, densities or other key policies applicable to the subject lands' Medium Density Residential designation. These variances are technical in nature, required in order to implement the proposed development that was reviewed during the approval of the corresponding Official Plan Amendment.

2. Meets the general intent and purpose of the Zoning By-law



The requested variances meet the intent of the Zoning By-law. In our opinion, these variances are technical in nature and do not affect permitted built forms, unit types or the general intent and lot configuration as approved through the LPAT.

- With regards to **Variance No. 1**, for context, through the site-specific Zoning By-law, both Unit 69 and 70 in Block 12 on SPA2020-036 are subject to the R3C-2976 zone, and the balance of the proposed townhouses are subject to the R3C-2940 zone. A key difference between these two zones is with regards to the '*Minimum Rooftop Amenity Area*' requirements. The R3C-2976 zone requires a minimum Rooftop Amenity Area of 20 square metres and the R3C-2940 requires, a minimum Rooftop Amenity Area of "*20 square metres for each unit, except where a rear yard depth of 5 metres is maintained across the width of the dwelling in which case a rooftop amenity area is not required.*"

Branthaven Homes through the corresponding Site Plan application is proposing a slight modification to the proposed townhouse elevations, instead of roof-top amenity areas, the proposed townhouses will be designed with a second-floor balcony. Unit 70 fronts onto Queen Street; through the Site Plan review and detailed design, it has been determined that an acoustical fence is required along the Queen Street frontage, which will enclose the rear yard. Unit 70 will have a second-floor balcony with an area of approximately 15 square metres. It is our opinion that the inclusion of the second-floor balcony maintains adequate amenity space for the Unit.

Specific to Unit 69, as previously noted, the balance of the proposed development is subject to the R3C-2940 zone, which provides a zoning provision that omits the requirement of a roof top amenity area provided a 5 metre rear yard is maintained. Through the Site Plan application, Unit 69 has been configured to achieve a minimum rear yard depth of 5.0 metres, which is consistent with the R3C-2940 zoning.

- With regards to **Variance No. 2**, the site-specific Zoning By-law implemented an OS Zone which essentially 'wrapped around' the residential portion of the proposed development. The residential and OS zone boundaries were based on the block configuration, as submitted through the Draft Plan of Subdivision. However, through detail design minor adjustments to the proposed development are required, resulting in some of the minimum rear yards slightly extend into the OS zone boundary. The extent of this encroachment is illustrated on the Minor Variance Sketch prepared by Glen Schnarr & Associates Inc. This deficiency has been discussed with City Staff and through the Site Plan review process, an Environmental Impact Study (EIS) has been prepared in support of the proposal. The EIS demonstrates a net ecological gain within the lands zoned OS, and outlines tools and mitigation measures to ensure the natural heritage features subject to the OS zone are maintained and protected. These minor encroachments will not have any negative impacts on the natural and ecological function of the OS zone.
- With regards to **Variance No. 3 and 4**, the City's Zoning By-law defines *Landscaped Open Space* as, "*an unoccupied area of land which is used for the growth, maintenance and*



conservation of grass, flowers, trees and shrubs and other vegetation, and may include a surfaced walk, patio, screening, pool or similar visual amenity, but shall exclude any driveway, ramp, car parking or loading area, curb, retaining wall, or any covered space beneath or within any building or structure.” As a result of the proposed second-floor balcony, any area covered by the canopy of the balcony is excluded from the Landscaped Open Space calculation. It is our opinion; this variance is technical in nature as the area under the canopy can be landscaped.

3. & 4. *Desirable for the appropriate development of the land and Minor in Nature*

Collectively, the proposed variances are required to facilitate the development of 70 condominium townhouses as submitted through SPA 2020-036. It is our opinion that the proposed variances are desirable for the appropriate development of the land and are minor in nature, as the general intent and configuration of the proposed development is maintained. The variances are technical in nature and, in our opinion, are required in order to provide a desired built form as approved through the LPAT.

Application Materials

In support of the application, please find enclosed the following materials:

- Minor Variance Application Form;
- Minor Variance Sketch prepared by Glen Schnarr & Associates Inc., dated February 3, 2021; and,
- Minor Variance Application Fee (\$2,560.00).

We trust this is sufficient for staff's review and respectfully request this application be scheduled for March 9, 2021. Please contact the undersigned at markc@gsai.ca or 905-568-8888 if you require additional information or wish to clarify any thing contained in this application.

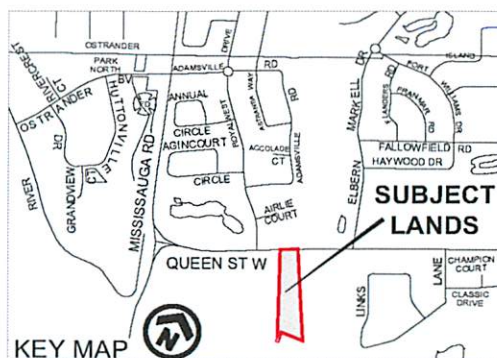
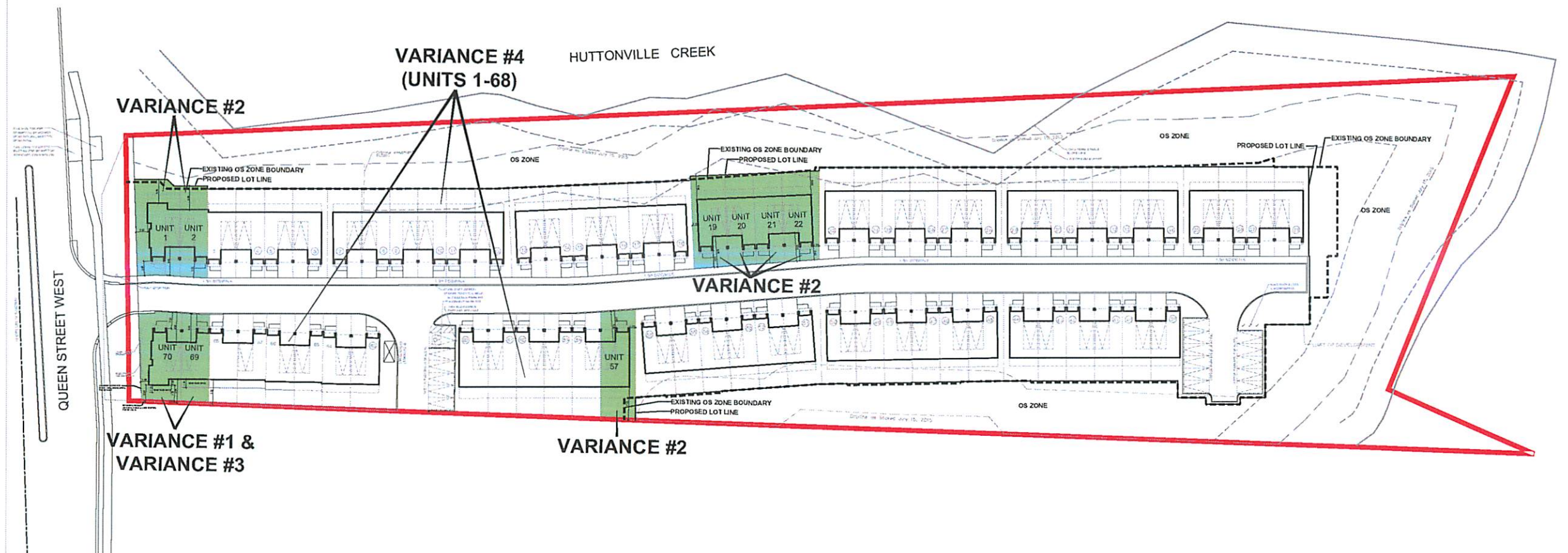
Respectfully submitted,

GLEN SCHNARR & ASSOCIATES INC.



Mark Condello
Planner

Cc. T. Kastelic, Branthaven Queen West Inc.



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MINOR VARIANCE SKETCH PLAN
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SCALE 1:500
FEBRUARY 8, 2021

GSAI
Glen Schnarr & Associates Inc.



GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

PARTNERS:

GLEN SCHNARR, MCIP, RPP

GLEN BROLL, MCIP, RPP

COLIN CHUNG, MCIP, RPP

JIM LEVAC, MCIP, RPP

February 3, 2021

GSAI File No. 656-012

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

A-2021-0022

Attention: Ms. Jeanie Myers
Secretary – Treasurer of the Committee of Adjustment

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In March 2020, a Site Plan Application was submitted by the previous applicant, Larencore Holdings Inc. The Site Plan application facilitates the LPAT's approved Official Plan Amendment and Zoning By-law Amendment. Branthaven closed on the subject lands in April 2020 and has been working diligently with Regional, City and Credit Valley Conservation Authority staff through the Site Plan review and clearing of conditions of approval for the plan of subdivision.

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Furthermore, through detail design and discussions regarding the development limit of the proposal, minor adjustments to the Site Plan and draft Plan of Subdivision are required. A red-lined revision to the Draft Plan of Subdivision has been submitted to the City, which confirms the development limit as submitted through the Site Plan application and supported through the corresponding technical studies (i.e., Environmental Impact Study).

Proposed Variances

To facilitate the proposed development, the following variances are requested:

- 1) That lands subject to the R3C-2976 zone (Units 70 and 69 as shown on SPA2020-036) require no Rooftop Amenity Area; whereas the Zoning By-law requires a Rooftop Amenity Area;
- 2) That residential uses (limited to rear yard amenities) be permitted in the OS zone; whereas the Zoning By-law does not permit residential uses in an OS zone;
- 3) That lands subject to the R3C-2976 zone be permitted a landscaped open space of 12.5 square metres in the rear yard; whereas the Zoning By-law requires 19 square metres of landscape open space in the rear yard; and,
- 4) That lands subject to the R3C-2940 zone be permitted a landscaped open space of 19 square metres in the rear yard; whereas the Zoning By-law requires 22 square metres of landscape open space in the rear yard.

Analysis

The following section provides an analysis demonstrating how the variances satisfy the four tests of a minor variance as set out in Section 45 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended:

1. Meets the general intent and purpose of the Official Plan

The requested variances meet the intent and purpose of the Official Plan, as amended through the site-specific Official Plan Amendment. The proposed variances do not affect permitted unit types, densities, or other key policies applicable to the subject lands' Medium Density Residential designation. These variances are technical in nature and are required in order to implement the proposed development that was reviewed during the approval of the corresponding Official Plan Amendment, and as submitted through the Site Plan application.

2. Meets the general intent and purpose of the Zoning By-law

The requested variances meet the intent of the Zoning By-law. In our opinion, these variances are technical in nature and do not affect permitted built forms, unit types or the general intent and lot configuration as approved through the LPAT.

- With regards to **Variance No. 1**, for context, through the site-specific Zoning By-law, both Unit 69 and 70 in Block 12 on SPA2020-036 are subject to the R3C-2976 zone, and the balance of the proposed townhouses are subject to the R3C-2940 zone. A key difference between these two zones



is with regards to the 'Minimum Rooftop Amenity Area' requirements. The R3C-2976 zone requires a minimum Rooftop Amenity Area of 20 square metres and the R3C-2940 requires a minimum Rooftop Amenity Area of "20 square metres for each unit, except where a rear yard depth of 5 metres is maintained across the width of the dwelling in which case a rooftop amenity area is not required."

Branthaven through the corresponding Site Plan application is proposing a slight modification to the proposed townhouse elevations, instead of roof-top amenity areas, the proposed townhouses will be designed with a second-floor balcony. Unit 70 fronts onto Queen Street; through the Site Plan review and detailed design, it has been determined that an acoustical fence is required along the Queen Street frontage, which will enclose the rear yard. Unit 70 will have a second-floor balcony with an area of approximately 15 square metres. It is our opinion that the inclusion of the second-floor balcony maintains adequate amenity space for the Unit.

Specific to Unit 69, as previously noted, the balance of the proposed development is subject to the R3C-2940 zone, which provides a zoning provision that omits the requirement of a roof top amenity area provided a 5 metre rear yard is maintained. Through the Site Plan application, Unit 69 has been configured to achieve a minimum rear yard depth of 5.0 metres, which is consistent with the R3C-2940 zoning.

- With regards to **Variance No. 2**, the site-specific Zoning By-law implemented an OS Zone which encompasses the residential portion of the proposed development. The residential and OS zone boundaries were based on the block configuration, as submitted through the Draft Plan of Subdivision. However, as previously noted a red-lined revision to the draft Plan of Subdivision has been prepared. The red-lined revision is in response to detailed design and delineating a development limit, which has been discussed with the City and Credit Valley Conservation Authority. As result of these changes some of the minimum rear yards slightly extend into the OS zone boundary (Units 1, 2, 19, 20, 21, 22 and 57). The extent of this encroachment is illustrated on the Minor Variance Sketch prepared by Glen Schnarr & Associates Inc. The OS zone encroachment would remain in private ownership as it would form part of the minimum rear yard requirement for the proposed townhouses. It is our opinion; this variance is technical in nature as the proposed encroachment will have no negative impacts on any of the site's natural heritage features.
- With regards to **Variance No. 3 and 4**, the City's Zoning By-law defines Landscaped Open Space as, "an unoccupied area of land which is used for the growth, maintenance and conservation of grass, flowers, trees and shrubs and other vegetation, and may include a surfaced walk, patio, screening, pool or similar visual amenity, but shall exclude any driveway, ramp, car parking or loading area, curb, retaining wall, or any covered space beneath or within any building or structure." As a result of the proposed second-floor balcony, any area covered by the canopy of the balcony is excluded from the Landscaped Open Space calculation. It is our opinion; this variance is technical in nature as the area under the canopy can be landscaped and enjoyed as rear yard amenity.

3. & 4. *Desirable for the appropriate development of the land and Minor in Nature*

Collectively, the proposed variances are required to facilitate the development of 70 condominium townhouses as submitted through SPA 2020-036. It is our opinion that the proposed variances are desirable for the appropriate development of the land and are minor in nature, as the general intent and configuration



GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

of the proposed development is maintained. The variances are technical in nature and, in our opinion, are required in order to provide a desired built form as approved through the LPAT.

Application Materials

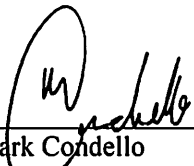
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- Minor Variance Sketch prepared by Glen Schnarr & Associates Inc., dated February 3, 2021; and,
- Minor Variance Application Fee (\$2,560.00).

We trust this is sufficient for staff's review and respectfully request this application be scheduled for March 9, 2021. Please contact the undersigned at markc@gsai.ca or 905-568-8888 if you require additional information or wish to clarify any thing contained in this application.

Respectfully submitted,

GLEN SCHNARR & ASSOCIATES INC.



Mark Condello
Planner

Cc. T. Kastelic, Branthaven Queen West Inc.



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) Branthaven Queen West Inc.
 Address 720 Oval Court, Brampton, ON L7L 6A9

 Phone # 905-333-8364 ext. 224 Fax # _____
 Email tkastelic@branthaven.com
2. Name of Agent Glen Schnarr & Associates Inc. (c/o Mark Condello)
 Address 700 - 10 Kingsbridge Garden Circle, Mississauga ON L5R 3K6

 Phone # 905-568-8888 ext. 265 Fax # _____
 Email markc@gsai.ca
3. Nature and extent of relief applied for (variances requested):
1. removing the requirement of a rooftop amenity area for Units 69 and 70, as shown on the Site Plan Application (SPA2020-036)

2. to allow for residential rear yards in an Open Space zone.

3. to permit a reduction in the landscape open space in the rear yard in both the R3C-2976 and R3C-2940 zones.

4. Why is it not possible to comply with the provisions of the by-law?
Refer to Cover Letter prepared by GSAL 1. Unit elevations have been modified to accommodate a second-floor balcony; 2) in response to a red-lined revision to the draft plan of subdivision that delineate a development limit; 3) definition of landscape open space does not include area under the canopy of the second storey deck.

5. Legal Description of the subject land:
 Lot Number Part Lot 5
 Plan Number/Concession Number Concession 4, West of Hurontario Street (Township of Chinguacousy)
 Municipal Address 1817 and 1831 Queen Street West
6. Dimension of subject land (in metric units)
 Frontage 58 m
 Depth 300 m
 Area 19,416 m2
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.)
N/A

PROPOSED BUILDINGS/STRUCTURES on the subject land:
Proposed townhouse development (refer to SPA2020-036)
70, 20 ft townhouse units ranging from 1800 - 2100 sq.ft
Ground Floor Area - 544.6 m²
Gross Floor Area - 1343.66 m²
Width, length, height - 6.05 m, 11.05 m, 11.78 (3 storey), respectively.

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 N/A
Rear yard setback _____
Side yard setback _____
Side yard setback _____

PROPOSED

Front yard setback 2.44 m
Rear yard setback Unit 1 - 68: 5 m and Unit 69/70: 3.5 / 5 m, respectively
Side yard setback 1.2 m for end units
Side yard setback 2.4 m, collectively between townhouse blocks

10. Date of Acquisition of subject land: April 2020
11. Existing uses of subject property: Agricultural
12. Proposed uses of subject property: Residential
13. Existing uses of abutting properties: Natural heritage and commercial
14. Date of construction of all buildings & structures on subject land: N/A
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 # 21T-16004B Status Draft Plan Approved

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 Burlington
THIS 3rd DAY OF FEB, 20 21

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, Branthaven Queen West Inc, OF THE City OF Oakville

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 BURLINGTON

IN THE REGION OF

HALTON THIS 3 DAY OF
FEBRUARY, 20 21.

[Signature]
A Commissioner etc.

ANDREA LYNN PECKART,
a Commissioner, etc., Province of Ontario,
for Branthaven Homes 2000 Inc.
and its associated companies.
Expires October 24, 2022.

[Signature]
Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R3C-2940 & 2976

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

FEB 09 2021

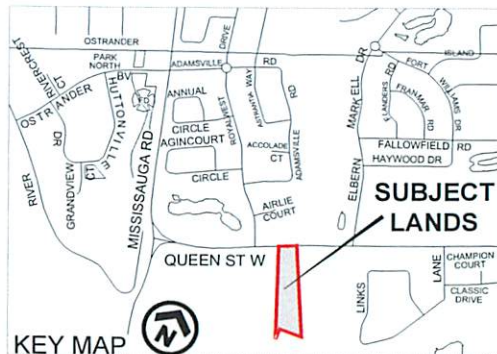
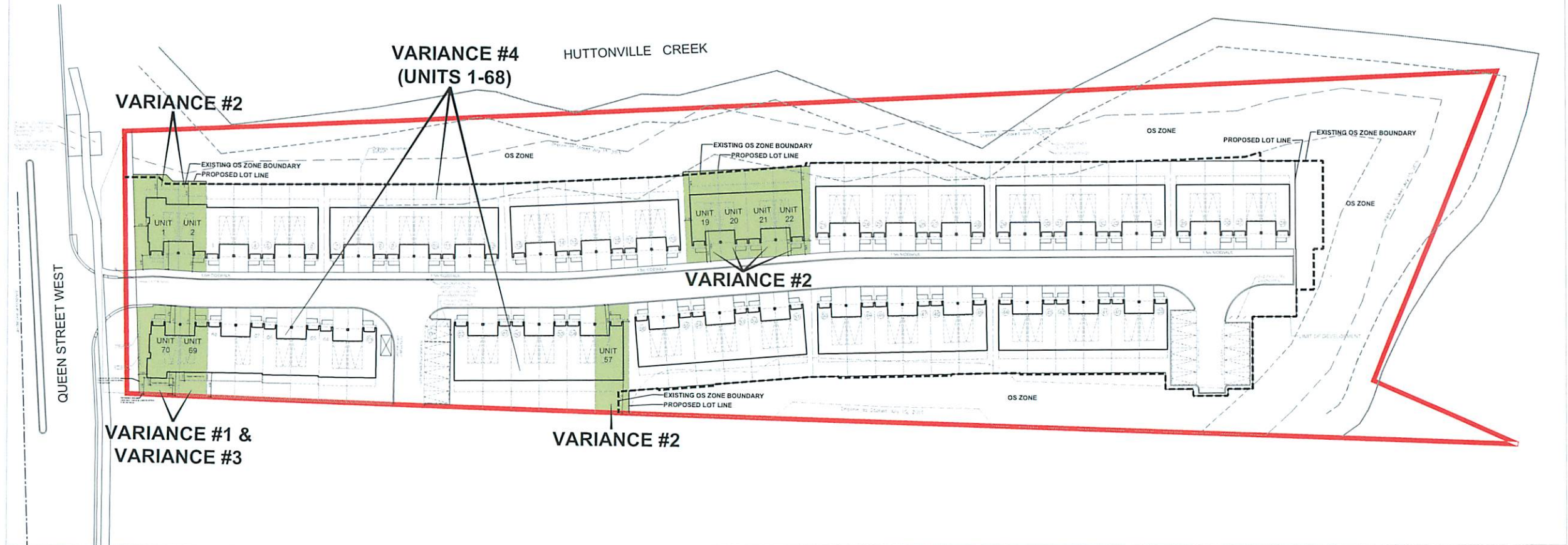
Date

DATE RECEIVED

February 9, 2021

Date Application Deemed
Complete by the Municipality

Revised 20200107



**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH PLAN
BRANTHAVEN QUEEN WEST INC.
1817 & 1831 QUEEN STREET WEST
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL**

 Subject Lands - 1.95ha (4.82ac)

REQUIRED VARIANCES:

- 1) THAT LANDS SUBJECT TO THE R3C-2976 ZONE (UNITS 70 AND 69 AS SHOWN ON SPA2020-036) REQUIRE NO ROOFTOP AMENITY AREA; WHEREAS THE ZONING BY-LAW REQUIRES A ROOFTOP AMENITY AREA;
- 2) THAT RESIDENTIAL USES (LIMITED TO REAR YARD AMENITIES) BE PERMITTED IN THE OS ZONE; WHEREAS THE ZONING BY-LAW DOES NOT PERMIT RESIDENTIAL USES IN AN OS ZONE;
- 3) THAT LANDS SUBJECT TO THE R3C-2976 ZONE BE PERMITTED A LANDSCAPED OPEN SPACE OF 12.5 SQUARE METRES IN THE REAR YARD; WHEREAS THE ZONING BY-LAW REQUIRES 19 SQUARE METRES OF LANDSCAPE OPEN SPACE IN THE REAR YARD; AND,
- 4) THAT LANDS SUBJECT TO THE R3C-2940 ZONE BE PERMITTED A LANDSCAPED OPEN SPACE OF 19 SQUARE METRES IN THE REAR YARD; WHEREAS THE ZONING BY-LAW REQUIRES 22 SQUARE METRES OF LANDSCAPE OPEN SPACE IN THE REAR YARD.



SCALE 1:500
FEBRUARY 8, 2021

GSAI
Glen Schnarr & Associates Inc.

