

APPLICATION # A-2021-0118
WARD 10

APPLICATION FOR MINOR VARIANCE

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

AND WHEREAS the property involved in this application is described as Lot 25, Plan 406 municipally known as **41 MARYSFIELD DRIVE**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) associated with the proposed retained lot under Consent Application B-2021-0009:

1. To permit a minimum lot area of 0.3905 hectares whereas the by-law requires a minimum lot area of 0.4 hectares.

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: _____	YES	File Number: <u>B-2021-0009</u>

The Committee of Adjustment has appointed **TUESDAY, June 22, 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 3rd day of June, 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

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**

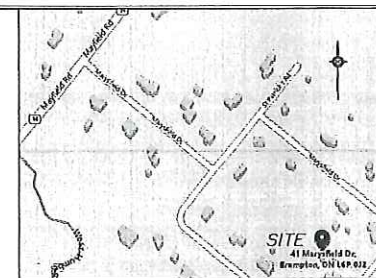
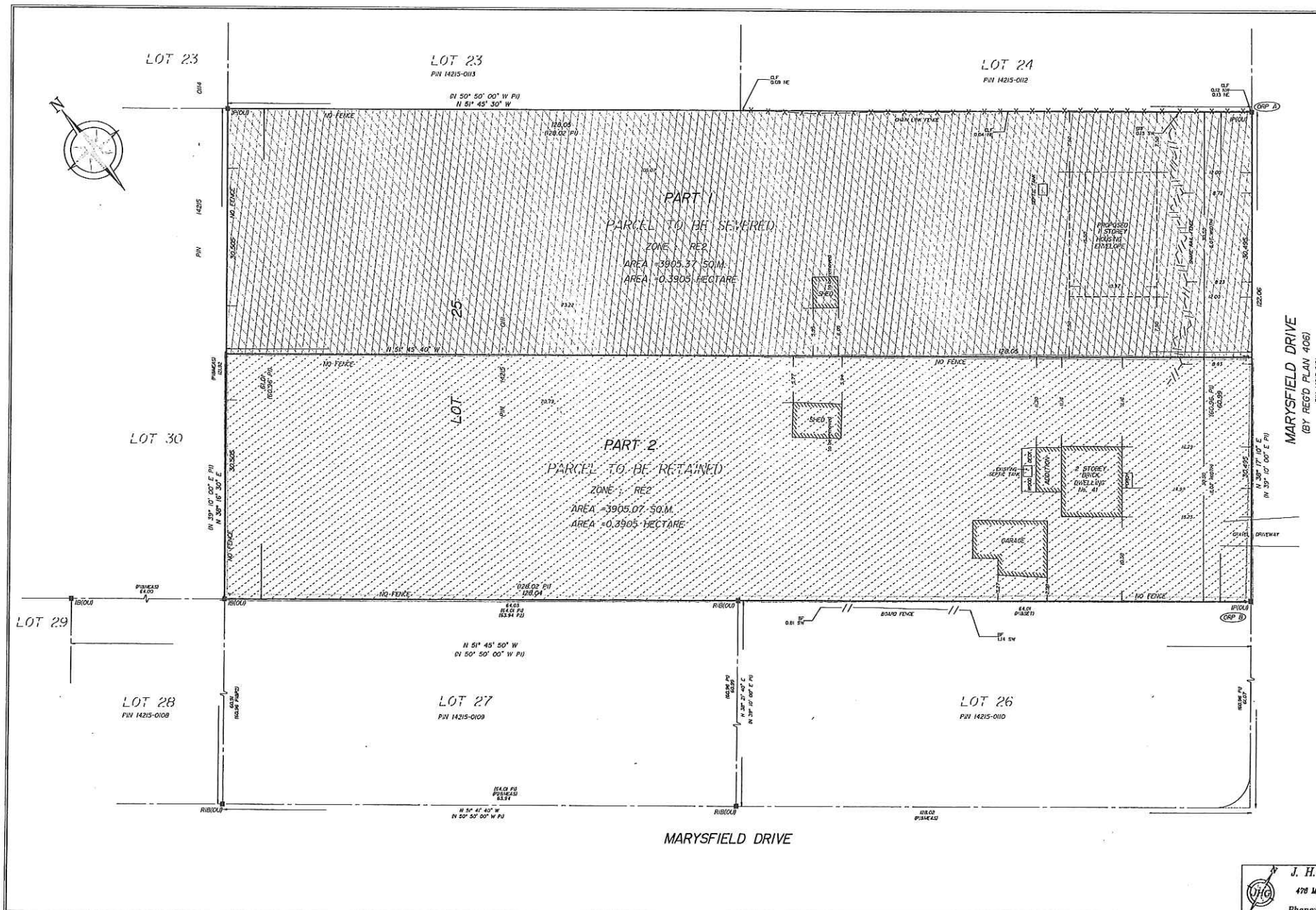
Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committees are now meeting electronically during the Emergency. The Committee of Adjustment will conduct 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, June 17, 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, June 18, 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, June 18, 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.



KEY MAP (NOT TO SCALE)

SEVERANCE SKETCH OF
LOT 25
REGISTERED PLAN 406
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

0 5 10 15 20 25 m

SCALE 1 : 250

J.H. Gelbloom Surveying Limited
Ontario Land Surveyor
2021

BEARING NOTE
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010)

OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD 83 (CSRS) (2010). COORDINATES TO UTM GRID ACCURACY PER SEC. 14(2) OF OREG. 16(10)		
POINT ID	NORTHING	EASTING
CRP A	4 852 652.02	603 055.13
CRP B	4 852 634.94	603 015.34

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

Distances shown on this plan are Ground Distances and can be converted to Grid Distances by Multiplying the Combined Scale Factor of 0.999702.

METRIC
Distances shown on this plan are in metric and can be converted to feet by dividing by 0.3048.

LEGEND

BF Board Fence
CLF Chain Link Fence
SNF Snake Rail Fence
PI Registered Plan 406
P2 Plan of Survey by P. Scha Company Ltd. dated May 2, 2009.
NE Northeast
NW Northwest
SE Southeast
SW Southwest
T.B.D. To Be Demolished

ZONE: RE2

PARCEL TO BE SEVERED	Frontage @ 12.00 m	AREA (m ²)
PART 1	30.50	3905.37
PARCEL TO BE RETAINED	Frontage @ 12.00 m	AREA (m ²)
PART 2	30.50	3905.07

Severed land Retained land

DATE: APRIL 26, 2021

J. H. Gelbloom Surveying Limited
Ontario Land Surveyor
478 Morden Road, Unit 102, Oakville, Ont, L6K 3W4
office@jhgsurveying.ca
Phone: (905) 338-8210 Fax: (905) 338-9448

Party Chief: NA
Project: 21-037
Drawn By: M.K.
Checked By: J.G.



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)** Vinod Kumar Mahesan, Mansi Rastogi, Vipin Kumar Mahesan, Geetanjali Mahesan
Address 41 Marysfield Drive, Brampton, ON - L6P 0J2

Phone # 416-833-3721 **Fax #** _____
Email vinmahesan@gmail.com

2. **Name of Agent** Vinod Kumar Mahesan
Address 3 St Patricks Rd., Brampton, ON - L6P 0C3

Phone # 416-833-3721 **Fax #** _____
Email vinmahesan@gmail.com

3. **Nature and extent of relief applied for (variances requested):**

Consent application submitted concurrently with this Minor Variance Application requires a variance for the severed property for the minimum lot area. The RE2 zoning restricts the lot area to 0.4ha. The variance sought would result in severed lot being 0.3905ha.

4. **Why is it not possible to comply with the provisions of the by-law?**

The original lot at 41 Marysfield Drive is currently 0.78ha. The applicant has submitted a consent application to subdivide the lot. The Brampton zoning by-law stipulates a minimum lot size of 0.4ha for the RE2 zone where the subject property is located. As such, any subdivision bylaw requires a minor variance for lot size.

5. **Legal Description of the subject land:**

Lot Number 25
Plan Number/Concession Number 406
Municipal Address 41 MARYSFIELD DRIVE, BRAMPTON, ON - L6P 0J2

6. **Dimension of subject land (in metric units)**

Frontage 60.99m
Depth 128.04m
Area 0.781ha

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.)

House (2 storeys, gross floor area: 117 sq.m.), garage (gross floor area: 40.59 sq.m., height: 0.78m), shed (to be removed)

PROPOSED BUILDINGS/STRUCTURES on the subject land:

House (2 storeys, gross floor area: 117 sq.m.), garage (gross floor area: 40.59 sq.m., height: 0.78m), shed (to be removed)

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	14.99m
Rear yard setback	99.29m
Side yard setback	2.98m
Side yard setback	41.66m

PROPOSED

Front yard setback	14.99m
Rear yard setback	99.29m
Side yard setback	2.98m
Side yard setback	11.16m

10. Date of Acquisition of subject land: April 30, 2018
11. Existing uses of subject property: Residential
12. Proposed uses of subject property: Residential
13. Existing uses of abutting properties: Residential
14. Date of construction of all buildings & structures on subject land: 1950
15. Length of time the existing uses of the subject property have been continued: Since constructed
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 # TBD B-2021-0009 Status Filed Together

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 CITY _____ OF _____ BRAMPTON
THIS 19 DAY OF May, 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, VINOD KUMAR MAHESAN, 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.

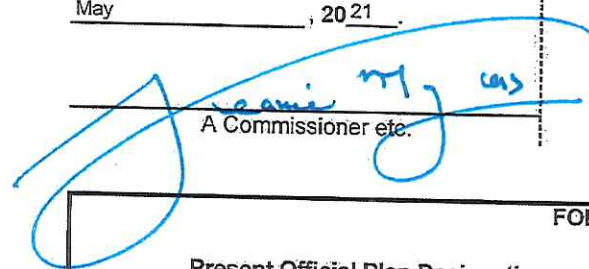
DECLARED BEFORE ME AT THE

CITY _____ OF BRAMPTON
IN THE REGION _____ OF _____
PEEL THIS 19th DAY OF
May _____, 2021.

Jeanie Cecilia Myers
a Commissioner, etc.,
Province of Ontario
for the Corporation of the
City of Brampton
Expires April 8, 2024.


Signature of Applicant or Authorized Agent

Submit by Email


A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

RE2 - 2919

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

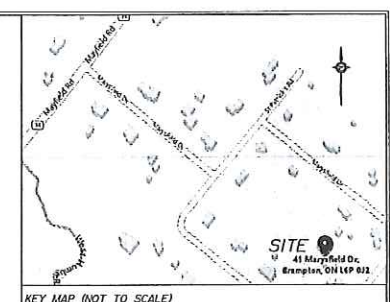
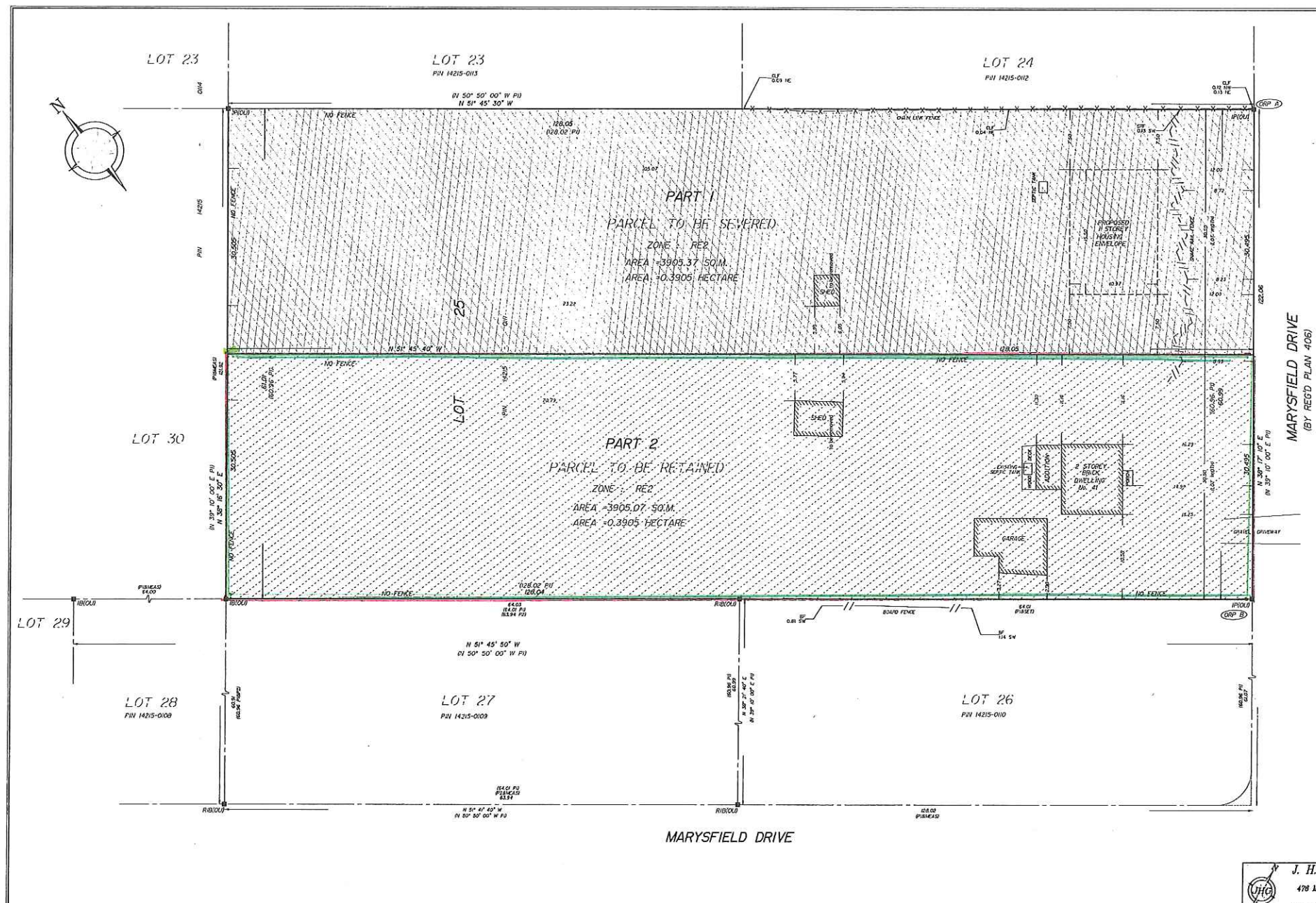

Zoning Officer

May 20, 2021

Date

DATE RECEIVED May 19, 2021

May 19, 2021



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REGIONAL MUNICIPALITY OF PEEL

SCALE 1 : 250

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office@jhgsurveying.ca
Phone: (905) 338-8210 Fax: (905) 338-8448

DATE: APRIL 26, 2021

Party Chief:	Project:
N.A.	21-037
Drawn By:	Checked By:
M.K.	J.G.