

APPLICATION # A-2021-0140
WARD #9

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **MEHBOOB HUSAIN SHAIKH AND SHIRINBANU SHAIKH** 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 M-1288 municipally known as **41 LOONS CALL CRESCENT**, Brampton;

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

1. To permit an exterior stairway in the required interior side yard having a setback of 0.228m (0.75ft) to the side lot line, whereas the by-law permits exterior stairways constructed below the established grade in a required side yard provided that a continuous side yard width of not less than 1.2m (3.94 ft.) is provided on the opposite side and the stairway is setback a minimum 0.3m (0.98 ft.) from the side lot line;
2. To increase the width of a legal non-conforming driveway to a proposed maximum width of 6.17m (20.24 ft.) whereas the by-law permits the maintenance of an existing legal non-conforming driveway having a maximum width of 5.78m (18.96 ft.). Note: Current requirements of the Zoning By-law would restrict driveway width to 5.2m (17 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:	<u>NO</u>	File Number:	<u></u>
Application for Consent:	<u>NO</u>	File Number:	<u></u>

The Committee of Adjustment has appointed **TUESDAY, August 3, 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.

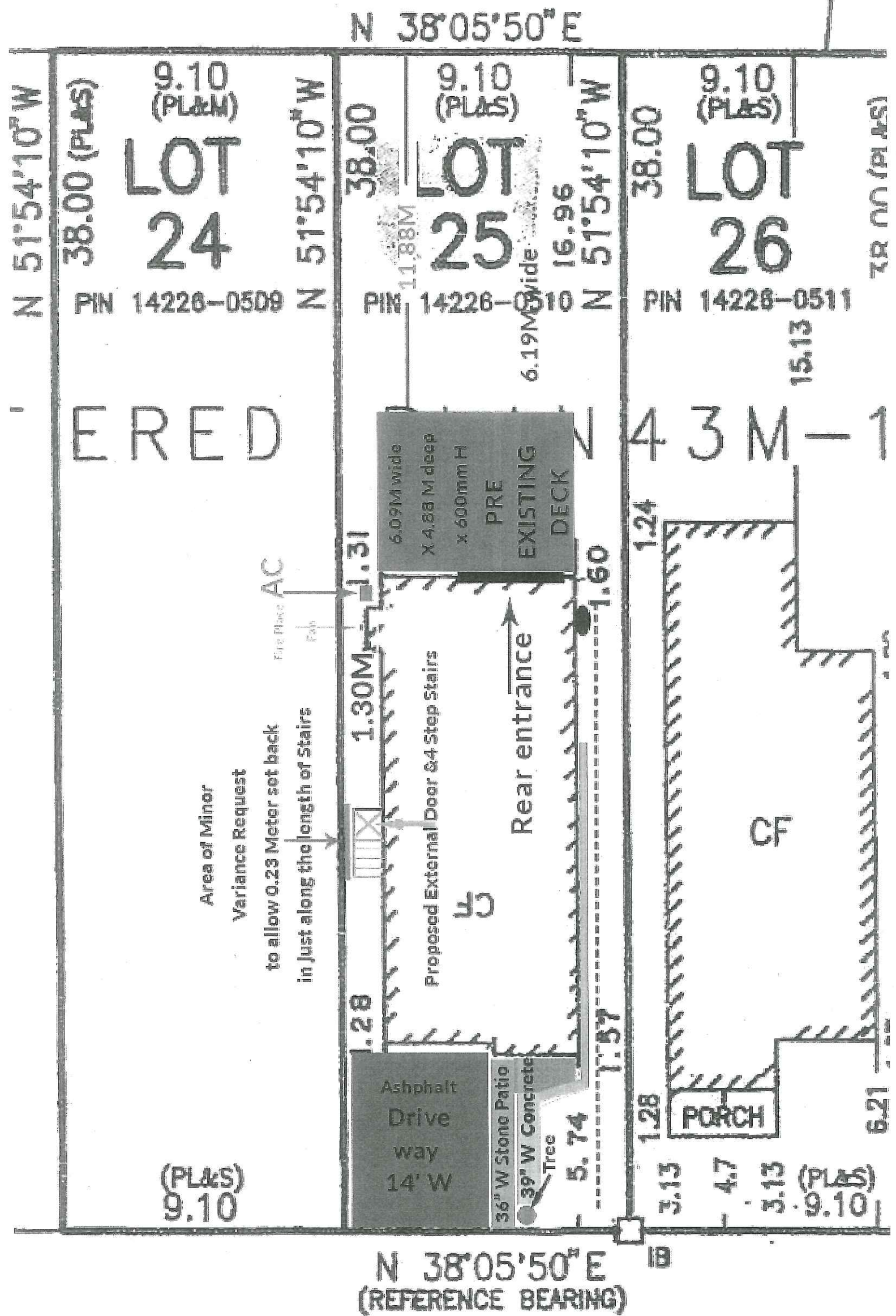
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this **22nd Day of July, 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, July 29, 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, July 29, 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, July 29, 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.



FILE NUMBER: A-2021-0140

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) Mehboob Husain Shaikh/ Shirinbanu Shaikh

Address 41 Loons Call Crescent, Brampton, ON L6R 2G5

Phone # 416 9926243

Fax # _____

Email cameracanada@yahoo.ca

2. Name of Agent _____

Address _____

Phone # _____

Fax # _____

Email _____

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

1. Making 4 steps belowgrade exterior concrete stairs for the proposed Second Unit Basement Apartment's Principal Entrance. I am requesting a reduced interior side yard set back of 0.228 metres whereas the by-law requires a minimum of 0.3 metres..

2. To increase the width of an existing legal non-conforming driveway to a proposed maximum width of 6.17 Meter..

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

According to City By-Laws, side yard set back requirement is 0.3 meter, In my case the set back will measure 0.228 meter (just 2.8 inch smaller than requirement) between stair's 8" retaining wall and property side line. And the Driveway whereas the permits the maintenance of an existing legal non-confirming driveway having a maximum width of 5.78m.

5. Legal Description of the subject land:

Lot Number 25

Plan Number/Concession Number 43M-1288/ Concession 3

Municipal Address 41 Loons Call Crescent, Brampton, L6R 2G5

6. Dimension of subject land (in metric units)

Frontage 9.1

Depth 38

Area 345.8

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.)

Detached House 6.24 W X 15.3 L, Ground floor area measures 95.47 Msq. two storey approx hieght 6.5 M

and Wooden Deck 6.24 W X 4.5 Deep.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

N.A Just Turning basement in legal second unit and Seprate Entrance in side yard in the discussion.

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	5.74
Rear yard setback	12.46
Side yard setback	West 1.28<1.31
Side yard setback	East 1.57<1.60

PROPOSED

Front yard setback	5.74
Rear yard setback	12.46
Side yard setback	(West- Where Minor variance requested) 0.228 M, just along with 4 step proposed stairs
Side yard setback	East 1.57

10. Date of Acquisition of subject land: Aug 1st 2019

11. Existing uses of subject property: Residential

12. Proposed uses of subject property: Residential

13. Existing uses of abutting properties: Rsidential

14. Date of construction of all buildings & structures on subject land: 21 years

15. Length of time the existing uses of the subject property have been continued: 21 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 _____

Mehboob Shaikh & Shirinbanu Shaikh

Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ City OF Brampton

THIS 8 DAY OF June, 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, Mehboob Shaikh & Shirinbanu Shaikh 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

June, 2021.

Jeanie H. Myers
A Commissioner etc.

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

Mehboob Shaikh & Shirinbanu Shaikh

Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1D-759

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

L. Barbuto

Zoning Officer

June 24, 2021

Date

DATE RECEIVED

Date Application Deemed
Complete by the Municipality

June 16, 2021

June 24, 2021

N 51°54'10"W

38.00 (PLAS)

9.10
(PLAN)
LOT
24

51°54'10^W

PIN 14228-0509

	9.10 (PLAS)
--	----------------

LOT
25

PIN 14226-0510 Z

38.00

9.10
(PLAS)

LOT
26

PIN 14226-0511

38.00 (PLUs)

ERED

43 M-1

Area of Minor
Variance Requested

to allow 0.23 Meter set back
in just along the length of Stair

Fire Place **AC**

Available in 11 languages

12

130M.

6.09M wide
X 4.88 M deep
x 600mm H

PRE
EXISTING
DECK

Rear entrance

Ashphalt
Drive
way
14' W

36" W Stone Patio

Tree

24

1.28

PORCH

CF

(PL&S)
9.10

13

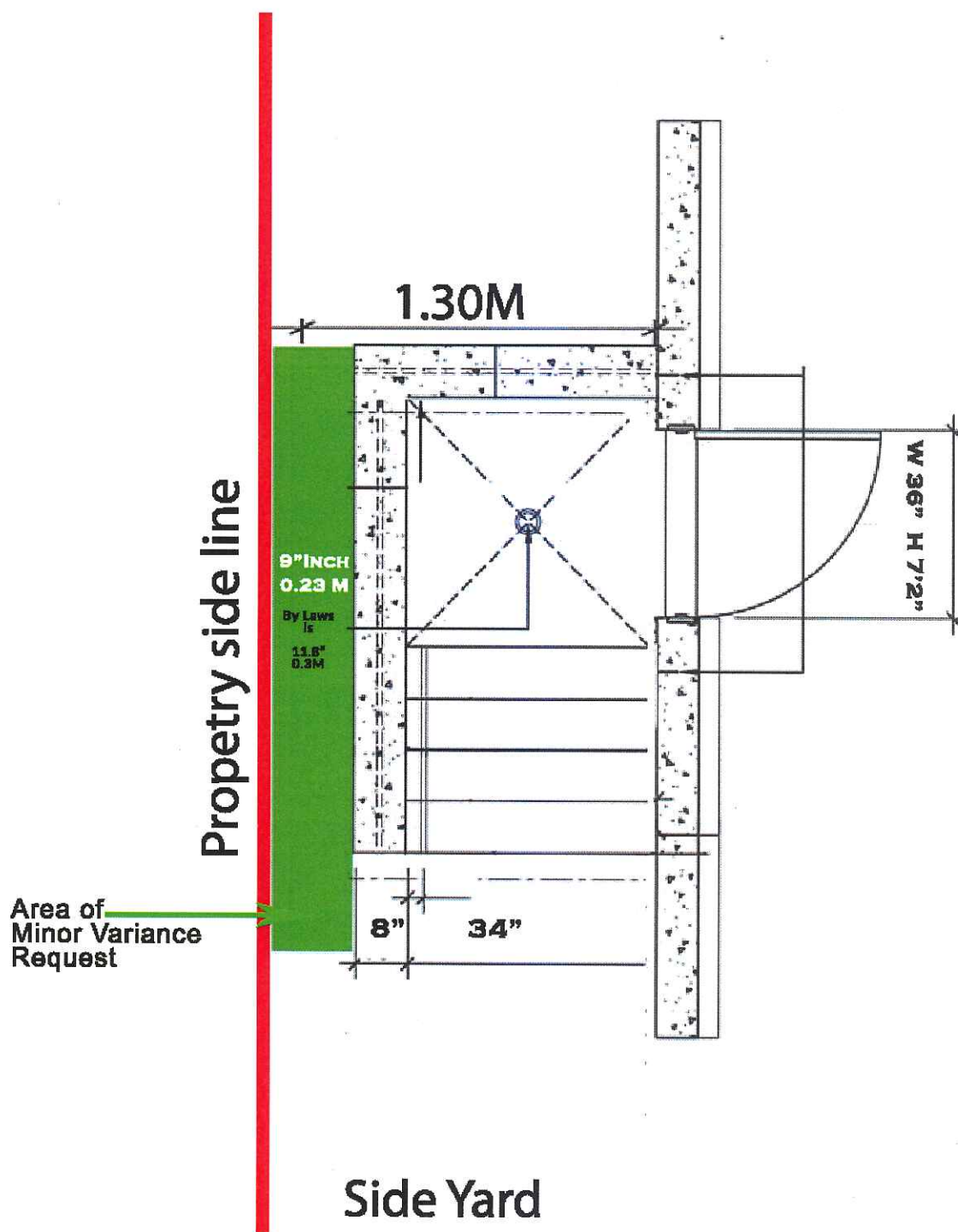
4.

3.13

(PLAS)
9.10

N 38°05'50" E
(REFERENCE BEARING)

LOONS CALL CRESCENT
(BY REGISTERED PLAN 43M-1288)



**4 Step Exterior Concrete Stair
and Seprate Entrance**

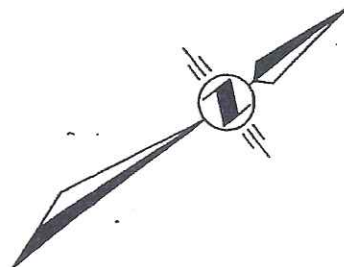
(Location also marked in survey copy attached)

LOTS 24, 25 AND 26
REGISTERED PLAN 43M-1288
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

SCALE 1:400



P. SALNA CO. LTD., O.L.S.



NOTE:
ALL FOUND MONUMENTS ARE BY
MARSHALL WACKLIN MONAGHAN LTD., O.L.S.
UNLESS OTHERWISE SHOWN

THIS REPORT WAS PREPARED FOR
FERNVALLEY ESTATES INC.
AND THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY
OTHER PARTIES

PART 2) SURVEY REPORT

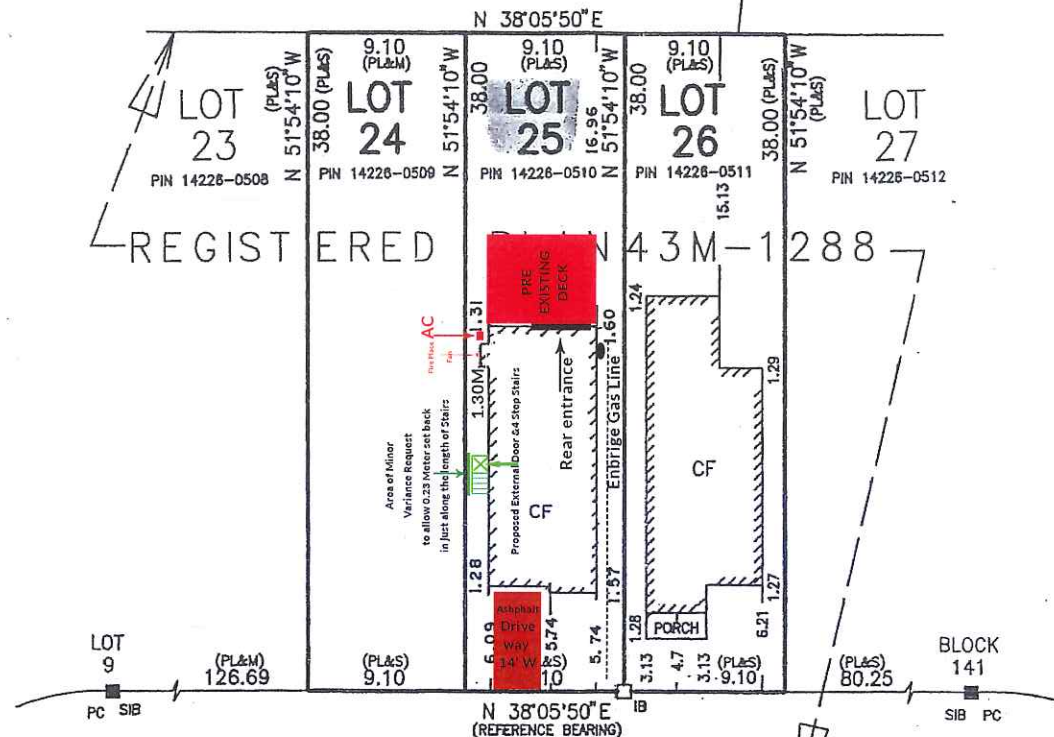
REGISTERED EASEMENTS AND/OR RIGHT OF WAYS:
NO EASEMENTS OR RIGHT OF WAYS ARE REGISTERED
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING
BY-LAWS.

LOT 13,, CONCESSION 3, EAST OF HURONTARIO STREET

PART 1
PLAN 43R-2903

PART 24
PLAN 43R-23025

PIN 14226 - 0016



LOONS CALL CRESCENT

(BY REGISTERED PLAN 43M-1288)
PIN 14226-0627

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Regu

REVISION OF N

LOT	DATE
24	
25	AUG. 2, 1999

LEGEND

□ DENOTES SURVEY MONUMENT PLANTED
■ DENOTES SURVEY MONUMENT FOUND
SIB DENOTES STANDARD IRON BAR
IB DENOTES IRON BAR
WIT DENOTES WITNESS
OU DENOTES ORIGIN UNKNOWN
CC DENOTES CUT CROSS
S DENOTES SET
M DENOTES MEASURED
N DENOTES NOTES BY P.SALNA CO.LTD., O.L.S.

CF DENOTES CONCRETE FOUNDATION WALLS
TWE DENOTES TOP OF WALL ELEVATION
GSE DENOTES GARAGE SILL ELEVATION
PL DENOTES REGISTERED PLAN 43M-1288
BR DENOTES 2 STOREY BRICK DWELLING
• DENOTES FOUND TEMPORARY WITNESS MONUMENTS
BY P.SALNA CO.LTD., O.L.S.
C DENOTES CALCULATED

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS
PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION
OF P.SALNA CO.L.S.

NOTES

BEARINGS ARE ASTRONOMIC AND ARE
DERIVED FROM THE NORTH WESTERLY
LIMIT OF LOONS CALL CRESCENT
AS SHOWN ON REGISTERED PLAN 43M-1288

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND
TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE
12th DAY OF APRIL 1999.

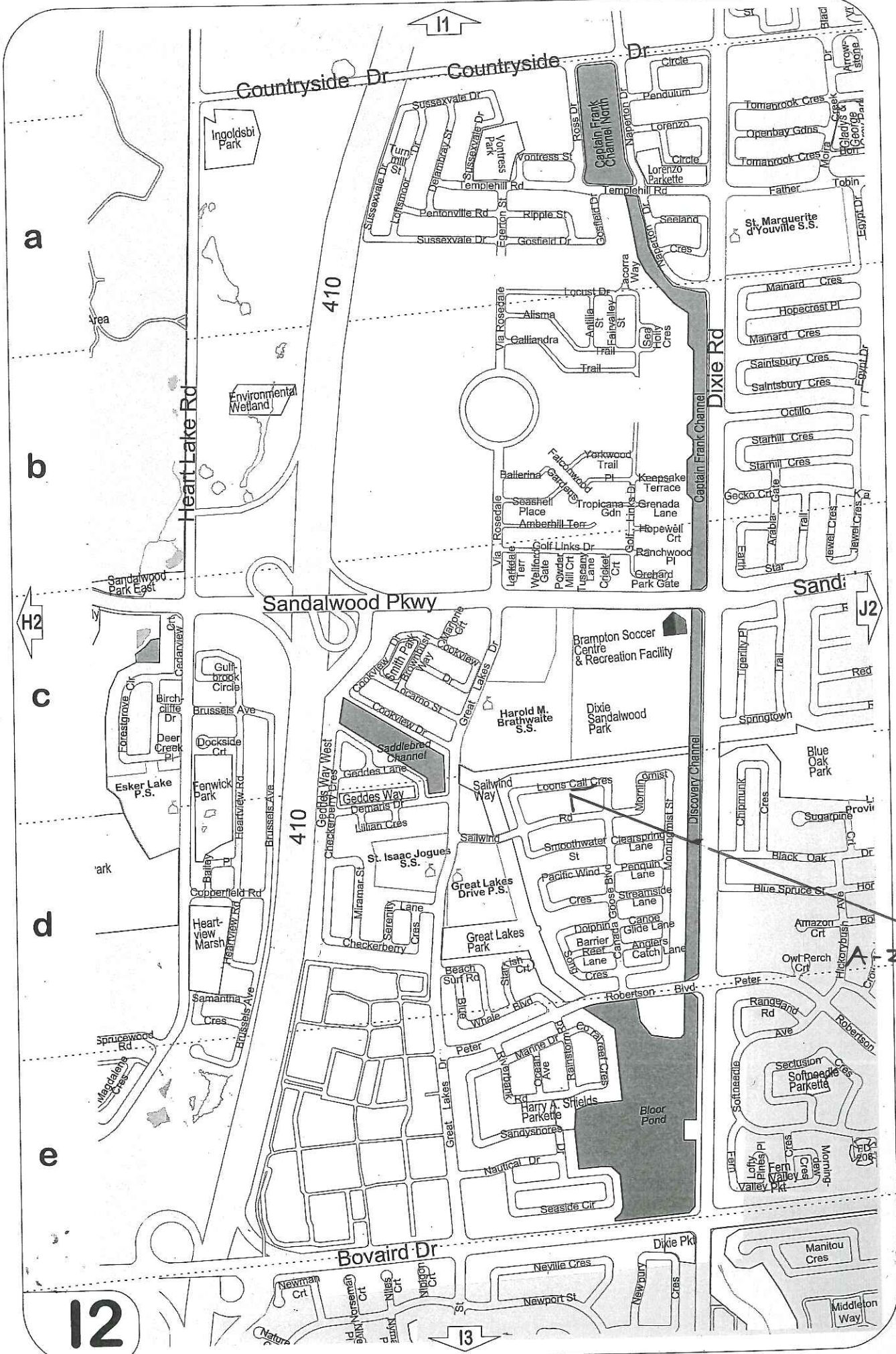
MAY 28, 1999

Signature
SUZAN A. SIDDIQI

P.SALNA COMPAN
ONTARIO LAND SUR

10225 YONGE STREET
RICHMOND HILL, ONTARIO L4
PHONE (905) 884-3988 FAX:

DRAWN BY: NATHAN



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AF 2021-0140