

APPLICATION # A-2021-0154
WARD #6

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **ALI PARSAIE AND SARAH PARSAIE** 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 26, Plan TOR 11, Parts 1 to 4 and 7, Plan 43R-10511 municipally known as **7830 CHURCHVILLE ROAD**, Brampton;

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

1. To permit an accessory structure (shed/chicken coop) to be located in the front half of the interior side yard with a setback of 1.2m (3.94 ft.) from the interior side lot line whereas the by-law requires that an accessory structure located in the interior side yard shall not encroach into the minimum required 7.5m (24.60 ft.) side yard setback and that the accessory structure shall not be located closer to the front wall of the main dwelling than one-half (1/2) the length of the main building wall facing the interior lot line.

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, 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.

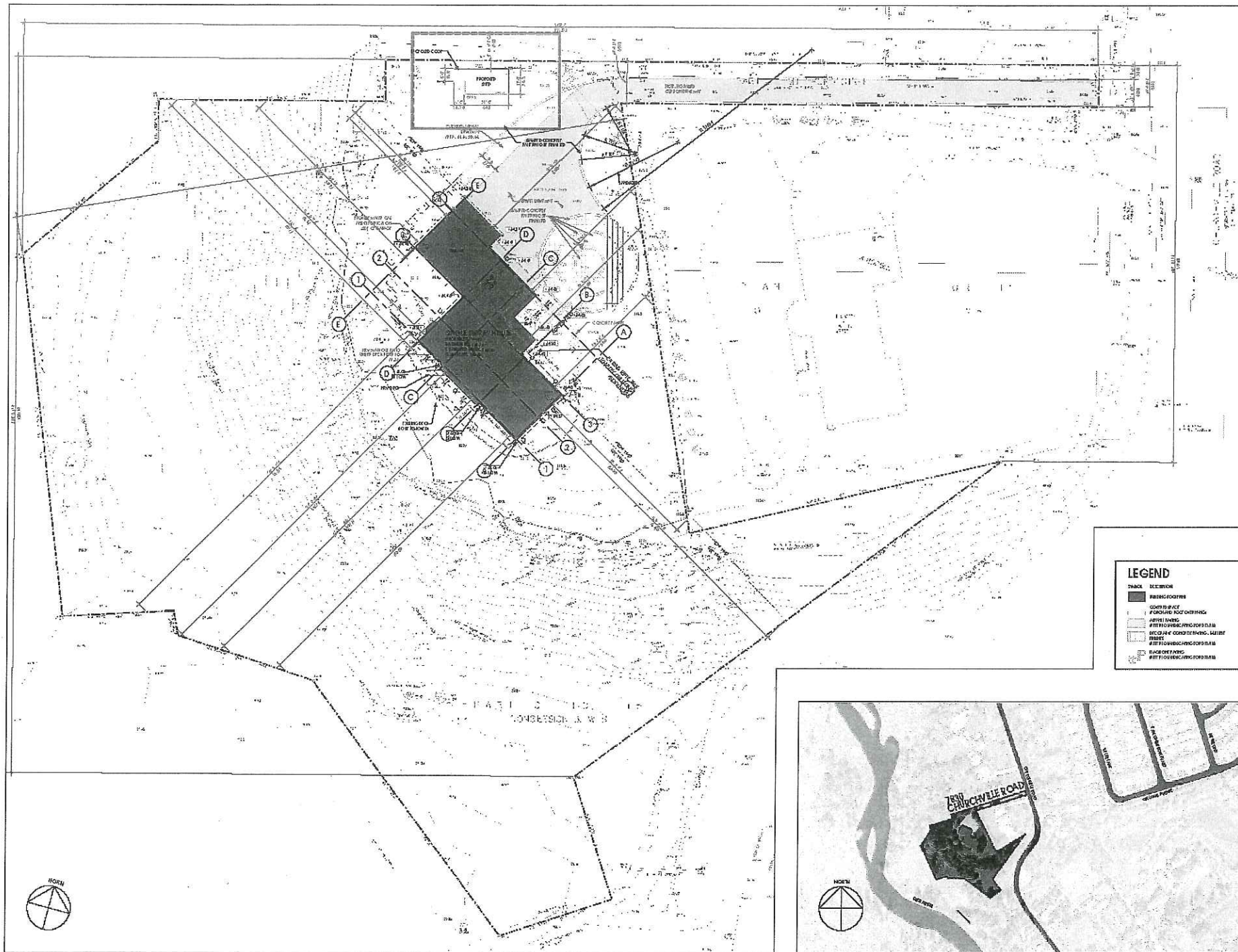
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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



NOTE: THIS DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.

REVISIONS	DATE	REVISION
01	2018/11/13	FOR PRELIMINARY DESIGN
02	2018/11/13	FOR PRELIMINARY DESIGN
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19	2018/11/13	FOR PRELIMINARY DESIGN
20	2018/11/13	FOR PRELIMINARY DESIGN

CONTRACTOR IS CHECKING AND VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE SITE AND REPORTING ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DIMENSIONS ARE TO BE SIGNED.

CONTRACTOR IS CHECKING AND VERIFYING THE CORRECTNESS OF THE CONSTRUCTION AND REPORTING ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DIMENSIONS ARE TO BE SIGNED.

ATA ARCHITECTS

101 LAUREL CIRCLE, SUITE 100
DALLAS, TEXAS 75244
TEL: 214-444-1111
WWW.ATAARCHITECTS.COM



PROJECT TITLE

PARSIA RESIDENCE RENOVATION

7830 Churchville Road,
Brampton

DRAWING TITLE

PROPOSED SITE PLAN & KEY PLAN

DRAWN BY

SA

SCALE

As indicated

DATE

2018 11 13

CHECKED BY

AT

PROJECT NUMBER

16-1135

DRAWING NUMBER

A1.1

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.

May 31, 2021

A-2021-0154

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

Attn: **Jeanie Myers, Legislative Coordinator/Secretary-Treasurer**

Re: **Minor Variance Application
7830 Churchville Rd., Brampton**

On behalf of the owners of the property at 7830 Churchville Rd., Brampton, ATA Architects is submitting a Minor Variance Application to facilitate a construction of an accessory structure (shed and chicken coop) within the said property.

Background

The owners wish to construct a shed and chicken coop within their property and upon inquiry of requirements for the construction of the said accessory structures, Zoning stated in one of their responses that the although the proposed size of the structure complies, the proposed location **does not comply** and are not permitted in a front yard or exterior side yard (**Refer to attachment #1**) which from our perspective can be argued as neither a front yard or an exterior side yard because the property is a uniquely shaped site as shown in the site plan.

The building setback is more than 75m from the road, the rear yard is looking over the Creditview River which is restricted by Credit Valley Conservation and prohibits structure at the rear yard which is located at the top of the bank.

The proposed location is hidden from view coming up from Churchville Road and partially if not unnoticeable when coming up the main house, the proposed shed with its size and height will not be superimposing as can be viewed from different views from the property (**Refer to attachment #2**). Part of the response and suggestion from Zoning that we send our inquiry to Planning to inquire on the best course for relief on our request that the proposed location for the shed and chicken coop be approved (**Refer to attachment #3**).

Planning reviewed the documents we sent and found it appropriate to proceed through a Minor Variance Application (**Refer to attachment #4**).

Application

This minor variance application is to request from the City permission to consider allowing the owners to put up of a shed and a chicken coop in the proposed location in their property as shown in the attached proposed site plan.

We trust that this letter with all the attachments including the Minor variance application form satisfy your submission requirements, should you have any questions feel free to contact the undersigned.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Allen Aruelo', written over the closing 'Yours truly,'.

Allen Aruelo
Architectural Technologist
ATA Architects Inc.

7834 Churchville Rd.
Brampton, ON L6Y 0H5

June 17, 2021

City of Brampton

To Whom It May Concern,

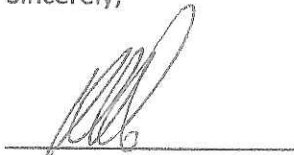
This is to confirm that we are the immediate neighbours of Ali and Sarah Parsaie at 7830 Churchville Rd.
Brampton, ON L6Y 0H5

We understand they are in the process of planning and placing a shed and a chicken coup adjacent to
our property.

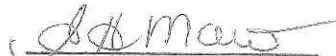
We do not have any issues or concerns. As a matter of fact, our children are eager to part take in helping
to raise and take care of the chickens.

Please feel free to contact us should you have any questions or require any further information.

Sincerely,



Konrad Maro



Anna Maro

Cc: Allen Aruelo - ATA Architects
Ali Parsaie

Allen Aruelo

From: Dickie, Amanda <Amanda.Dickie@brampton.ca>
Sent: Wednesday, March 17, 2021 1:17 PM
To: Allen Aruelo
Subject: 7830 Churchville-Accessory Structure-Zoning Inquiry
Attachments: Section 10.3.pdf

Hello Allen,

Thank you for your email.

The size of the accessory structure complies with the zoning by-law however the location **does not comply**. Accessory structures are not permitted in a front yard or exterior side yard. They are only permitted in rear yards and in an interior side yard provided it meets the minimum required interior side yard setback.

When you submit your building permit application/drawings, please ensure you include an elevation drawing and provide the proposed height. I have attached Section 10.3 of the Zoning By-law as it pertains to Accessory Structures. Please ensure the accessory structure complies with all the requirements before submitting your building permit application. Please also ensure that all requirements are indicated on the drawings, i.e. size, setbacks, etc.

Please note this property is zoned RHm2 and is a Residential Hamlet Zone.

Chicken coops are, however, specifically regulated in the Animal Control By-law. Please see Section 14.1 <https://www.brampton.ca/EN/City-Hall/Bylaws/All%20Bylaws/Animal%20Control.pdf>

Please note:

1. This property is **Designated Heritage**. Please seek clearance from our Heritage Planner **prior** to applying for a building permit. He can be reached at pascal.doucet@brampton.ca
2. This property also falls within the **Credit Valley Conservation Authority** Jurisdiction. You will require clearance from them as well **prior** to applying for a building permit. Please contact them at planning@cvc.ca

Once you have all clearances and all zoning requirements are met, please follow the link below to apply for your building permit:

<https://www.brampton.ca/en/residents/Building-Permits/homeowners/Pages/welcome.aspx>

Should you have any questions regarding building permits or Building Code requirements, please contact building.inquiries@brampton.ca

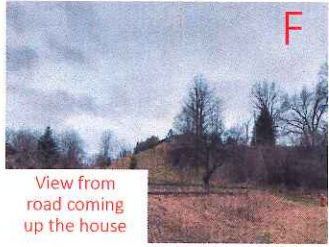
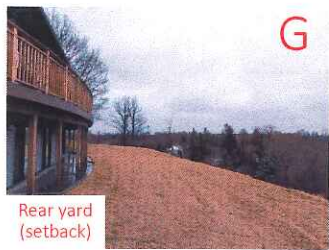
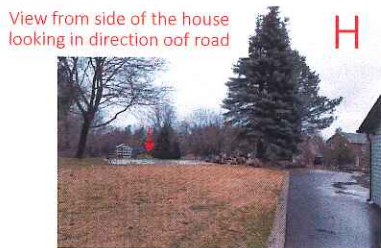
Should you have any more zoning questions, please contact me.

Regards,

Amanda Dickie
Plans Examiner, Zoning Services
Building Division | City of Brampton

8850 McLaughlin Road | Unit 1
Brampton, ON | L6Y 5T1

905-874-3793 (T)



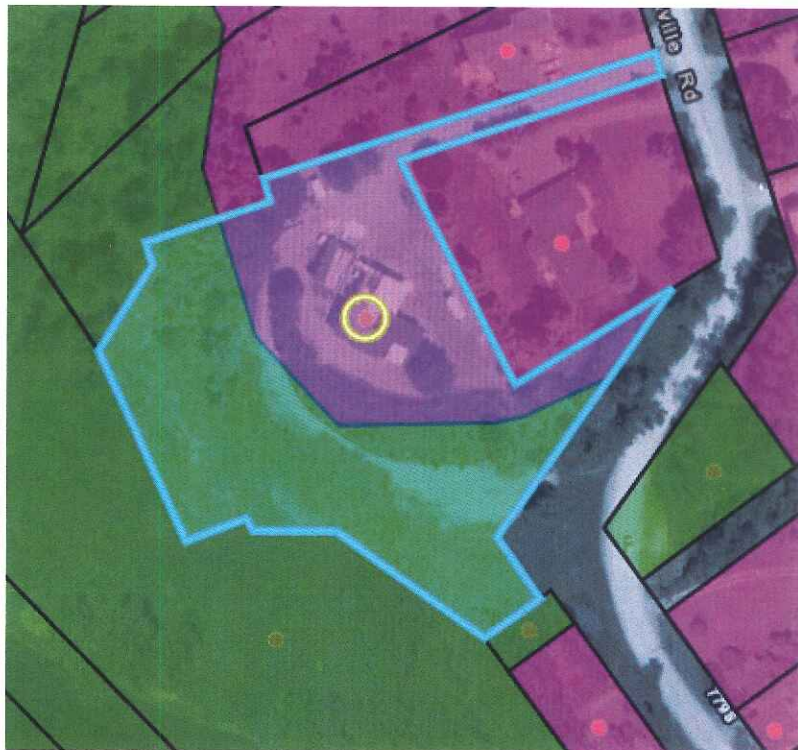
7830 Churchville Road

Allen Aruelo

From: Campbell, Ross <Ross.Campbell@brampton.ca>
Sent: Wednesday, April 7, 2021 3:18 PM
To: Allen Aruelo
Cc: Planning Development
Subject: RE: [EXTERNAL]RE: 7830 Churchville-Accessory Structure-Zoning Inquiry
Attachments: 7830 Churchville Rd.pdf

Allen,

Amanda's assessment is correct the proposed location will not comply with the requirements of the zoning by-law. For relief from the required side yard setback, you will need to contact the Planning Department (Planning.Development@brampton.ca) to determine the best course to request relief. I have included a clip of the property below for reference by Planning staff.



Regards,

Ross Campbell

Supervisor, Zoning and Sign By-law Services
Building Division | City of Brampton
8850 McLaughlin Road | Unit 1
Brampton, ON | L6Y 5T1
905-874-2442 (T)

From: Allen Aruelo <allen@ataarchitectsinc.com>
Sent: 2021/04/07 2:58 PM

Allen Aruelo

From: Cubacub, Noel <Noel.Cubacub@brampton.ca>
Sent: Tuesday, May 11, 2021 3:38 PM
To: Allen Aruelo
Subject: RE: [EXTERNAL]RE: 7830 Churchville-Accessory Structure-Zoning Inquiry

Good afternoon Allen,

I have reviewed this and Planning staff find this appropriate to proceed through a Minor Variance Application. For more information on the fees and application process please reach out to Jeanie Myers (Jeanie.Myers@brampton.ca) and she would be happy to assist you further.

Additionally, just to preface, based on the drawing you sent me additional variances may need to be applied for that could impact staff's opinion of the application. Please take that into consideration as you move forward.

Kind regards,

Noel Cubacub, B.URPL

Planner I

City of Brampton | Planning, Building and Economic Development

T: 905.874.3417 | E: noel.cubacub@brampton.ca

The City of Brampton is updating the current Official Plan to guide land use and development to 2051, this new Official Plan will be called the *Brampton Plan*. If you would like to receive information regarding the Official Plan review please email us at opreview@brampton.ca.



Please consider the environment before printing this email.

From: Allen Aruelo <allen@ataarchitectsinc.com>
Sent: 2021/05/10 12:27 PM
To: Cubacub, Noel <Noel.Cubacub@brampton.ca>
Subject: RE: [EXTERNAL]RE: 7830 Churchville-Accessory Structure-Zoning Inquiry

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)

ALI PARSAIE / SARAH PARSAIE

Address

7830 CHURCHVILLE RD., BRAMPTON ON L6Y 0H5

Phone #

905 796 5823

Fax #

Email

aparsaie@rogers.com
2.

Name of Agent

ALLEN ARUELO/ ATA ARCHITECTS INC.

Address

211 LAKESHORE RD. EAST, OAKVILLE ON L6J 1H7

Phone #

647 939 4414

Fax #

Email

allen@ataarchitectsinc.com
3.

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

To respectfully allow the the owners to build a shed and a chicken coop in the proposed location identified as front yard/exterior side yard by the Zoning Department.
4.

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

The proposed location is on a uniquely shaped property so it can be argued as neither a front yard or an exterior side yard, second the rear yard is open to view ad is looking over Creditview River, restricted by Credit Valley Conservation and prohibits structure at the rear yard which is located at the top of the bank.
5.

Legal Description of the subject land:

Lot Number

LOT 26, Plan TOR 11, Parts 1 to 4 and 7, Plan 43R-10511.

Plan Number/Concession Number

PART OF LOT 15, CONCESSION 3, WHS

Municipal Address

7830 CHURCHVILLE RD., BRAMPTON ON L6Y 0H5

6.

Dimension of subject land (in metric units)

Frontage

6M (REFER TO SITE PLAN)

Depth

45M

Area

1350 S.M.

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.)

Main and only structure on site is an existing single story, single-family detached residential built in 1988.

The structure has a gross floor area of 253.8 sq.m. after renovation in 2020.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

SHED (22.75 S.M.)

CHICKEN COOP (3 S.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 18.36M shortest distance

Rear yard setback 46.98M

Side yard setback 45.8M

Side yard setback 19.7M shortest distance

PROPOSED

Front yard setback n/a

Rear yard setback n/a

Side yard setback n/a

Side yard setback n/a

10. Date of Acquisition of subject land: JULY 31, 2013
11. Existing uses of subject property: RESIDENTIAL
12. Proposed uses of subject property: NO CHANGE IN USE
13. Existing uses of abutting properties: RESIDENTIAL
14. Date of construction of all buildings & structures on subject land: House originally built in 1988
15. Length of time the existing uses of the subject property have been continued: 33 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] Sarah Parsaie
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON
THIS 6th 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, ALLEN ARUELO OF THE CITY OF BURINGTON
IN THE REGION OF Huron 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 6th DAY OF
July 2021

[Signature]
A Commissioner etc.

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

[Signature] Sarah Parsaie
Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

RHM2

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

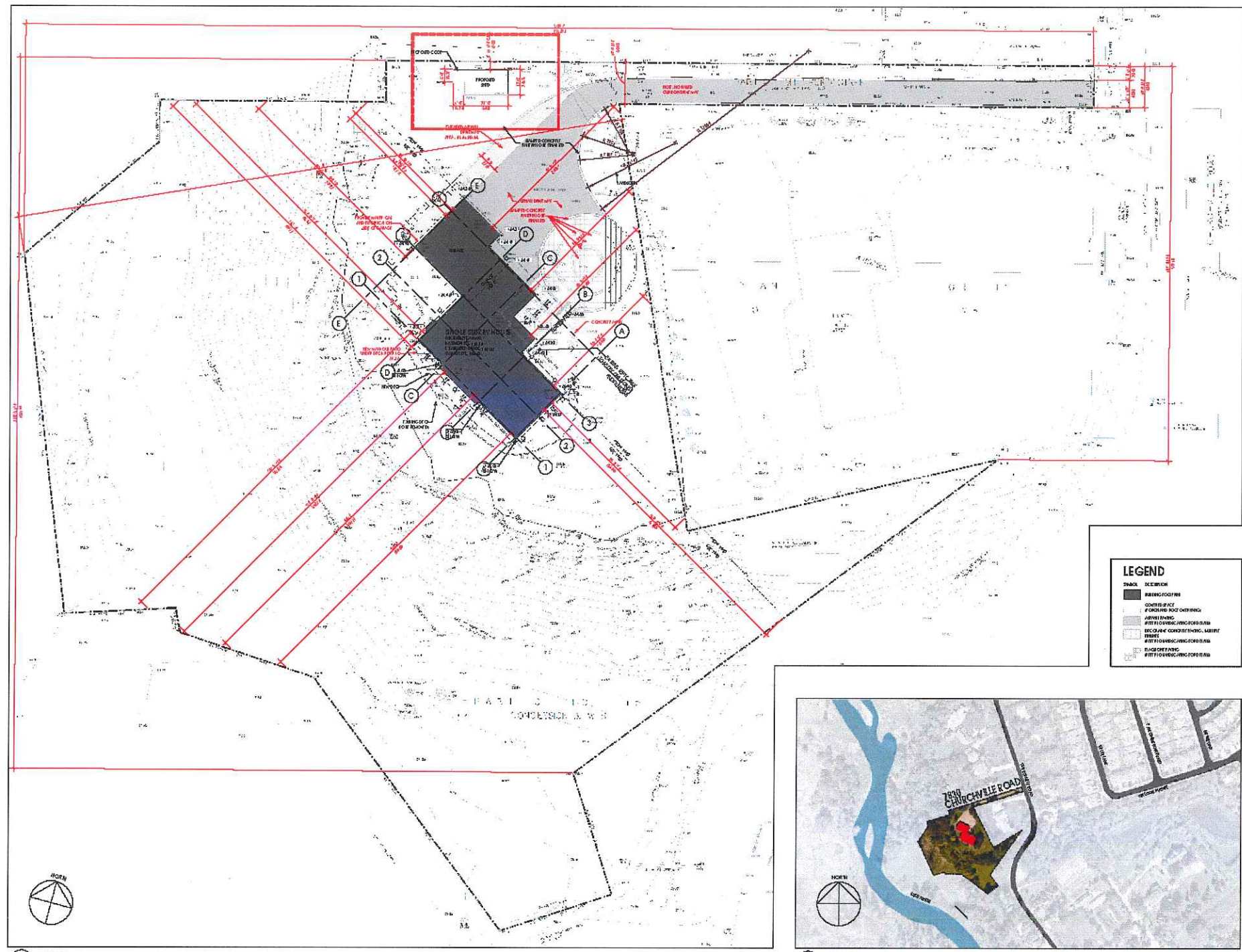
HOTHU S.

Zoning Officer

JULY 06 2021

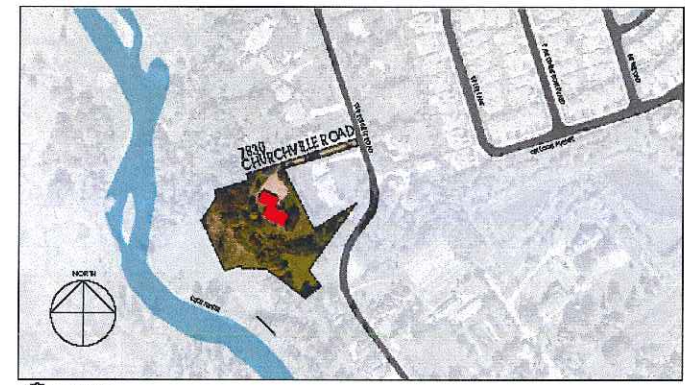
Date

DATE RECEIVED July 6, 2021



LEGEND

- THICK RED LINE: EXISTING FOOTING
- THIN RED LINE: EXISTING FOUNDATION
- THICK DASHED LINE: EXISTING FOUNDATION
- THIN DASHED LINE: EXISTING FOUNDATION
- THICK SOLID LINE: EXISTING FOUNDATION
- THIN SOLID LINE: EXISTING FOUNDATION
- THICK DOTTED LINE: EXISTING FOUNDATION
- THIN DOTTED LINE: EXISTING FOUNDATION
- THICK DASH-DOTTED LINE: EXISTING FOUNDATION
- THIN DASH-DOTTED LINE: EXISTING FOUNDATION



NOT TO SCALE
IF THIS DRAWING IS USED FOR ANY OTHER PURPOSE, THE USER ASSUMES ALL RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED.

REVISION	DATE	REVISION
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09	2018-11-13	PROPOSED RENOVATION
10	2018-11-13	PROPOSED RENOVATION

CONTRACTOR IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED.

ATA ARCHITECTS
301 LAKESHORE BLVD
SUITE 100
BURLINGTON, ONTARIO L7R 4K6
TEL: 905.335.1111
WWW.ATAARCHITECTS.COM



PROJECT TITLE
PARSAIE RESIDENCE RENOVATION

7830 Churchville Road,
Brampton

DRAWING TITLE
PROPOSED SITE PLAN & KEY PLAN

DRAWN BY
SA

SCALE
As indicated

DATE
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CHECKED BY
AT

PROJECT NUMBER
16-1135

DRAWING NUMBER
A1.1

A-2021-0154

a

C5

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