

**APPLICATION # A-2021-0153**  
**WARD #4**

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **KULJEET KAUR UBHI AND GURPREET SINGH UBHI** 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 W.H.S. municipally known as **8884 CREDITVIEW ROAD**, Brampton;

AND WHEREAS the applicants are requesting the following variances associated with the proposed retained lot under consent applications B-2021-0012 and B-2021-0013

1. To permit a minimum lot area of 0.14 hectares whereas the by-law requires a minimum lot area of 0.40 hectares;
2. To permit a lot width of 22.8 metres whereas the by-law requires a minimum lot width of 45 metres;
3. To permit an interior side yard setback of 2.0m (6.56 ft.) whereas the by-law requires a minimum interior side yard setback of 7.5m (24.60 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>YES</u>	File Number:	<u>B-2021-0012 &amp; B-2021-0013</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.**

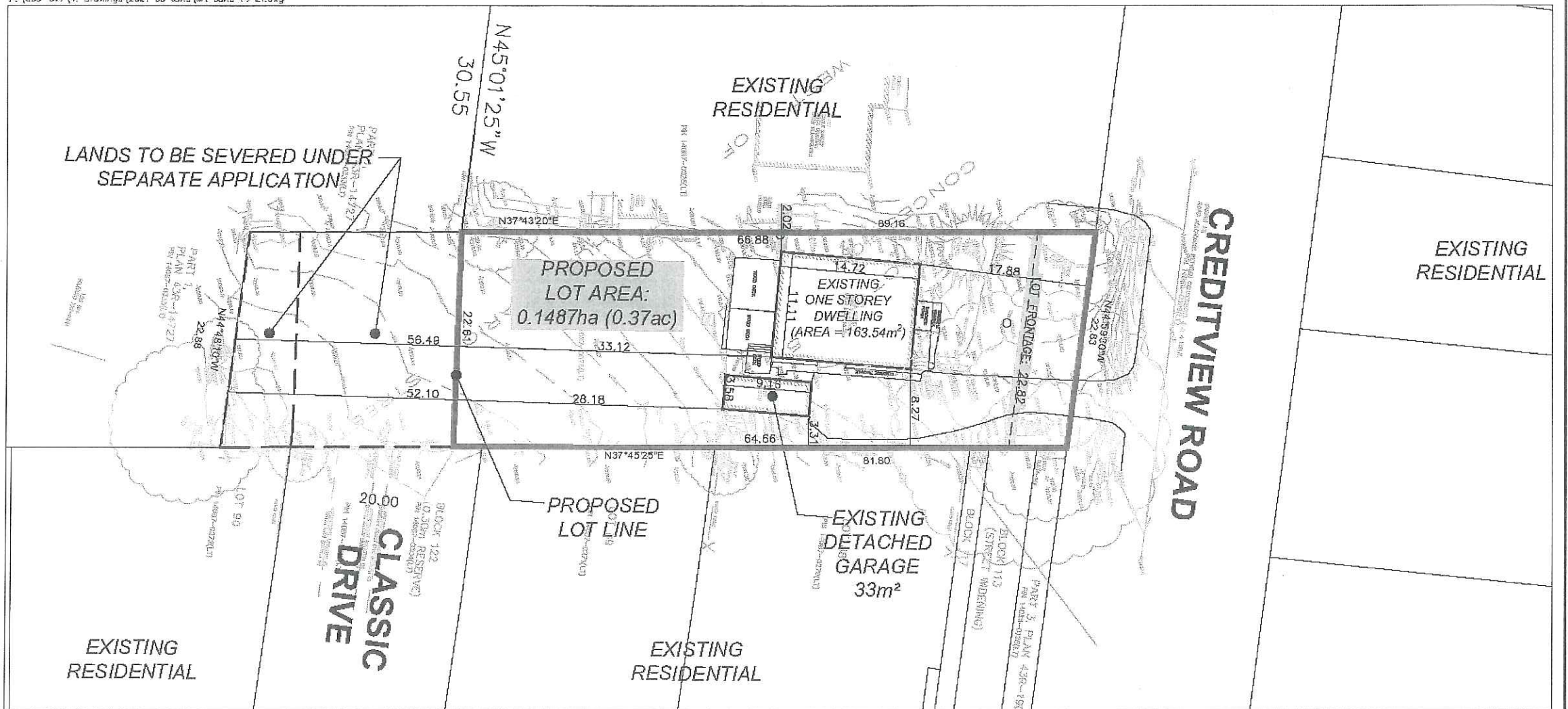
**PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC**

DATED at Brampton Ontario, this **15th 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](mailto:jeanie.myers@brampton.ca)





# MINOR VARIANCE SKETCH KULJEET & GURPREET UBHI

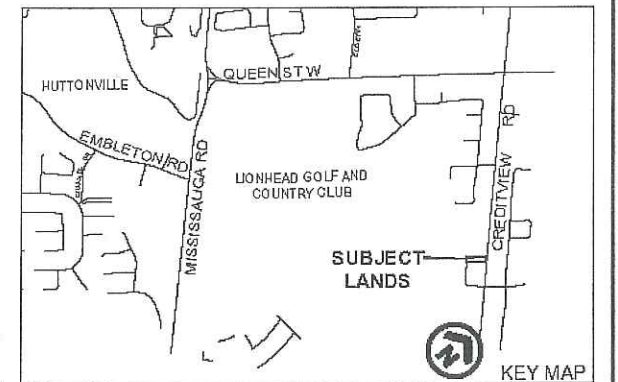
8884 CREDITVIEW ROAD,  
PART OF LOT 5,  
CONCESSION 4, W.H.S.  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL

## REQUESTED MINOR VARIANCES

1. TO PERMIT A MINIMUM LOT AREA OF 0.14ha; WHEREAS THE BY-LAW REQUIRES 0.40ha
2. TO PERMIT A MINIMUM LOT WIDTH OF 22.8m; WHEREAS THE BY-LAW REQUIRES 45m
3. TO PERMIT A MINIMUM INT. SIDE YARD OF 2m; WHEREAS THE BY-LAW REQUIRES 7.5m



SCALE 1:400  
June 14, 2021



KEY MAP



**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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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.



**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

July 5<sup>th</sup>, 2021

GSAI File: 656-017

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

A-2021-0153

**Attention:** Jeanie Myers  
Secretary - Treasurer

**RE: Minor Variance Application  
Planning Justification Brief  
Branthaven Development Corporation  
8884 Creditview Road  
City of Brampton, Regional Municipality of Peel**

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Glen Schnarr & Associates Inc. has been retained as a planning consultant by Branthaven Development Corporation, who represent Kuljeet Kaur Ubhi and Gurpreet Singh Ubhi, the registered owners of the above noted property (herein described as the 'subject property'). The subject property is generally located south of the intersection of Queen Street West and Creditview Road, on the west side of Creditview Road.

Branthaven Development Corporation is proposing to develop the lands to the north of the subject property, which are municipally addressed as 8940 Creditview Road, Brampton (City File#: PRE18.052). As a part of the proposal, our client is proposing to sever the rear of the subject property to create two (2) lots, which will be added to 8940 Creditview Road (the lot to the north of the subject property) and merge the two lots to the 8940 Creditview Road property so that the continued road connection of Classic Drive can be provided as part of the overall development of 8940 Creditview Road property, in accordance with the enclosed Development Concept Plan.

While the consent applications have been submitted under a separate cover, the resultant severances trigger the need for a zoning variance to the minimum lot area of the retained lot. Also, we identified existing zoning deficiencies related to minimum lot frontage and side yard setback on the subject property, which have been included as part of this Minor Variance application. This Planning Justification Brief has been prepared in support of a minor variance application to address these deficiencies.

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





### **Subject Property and Surrounding Area**

The subject property is municipally addressed at 8884 Creditview Road, and legally described as PT LT 5, CON 4, WHS Chinguacousy, as in VS158307, City of Brampton. The subject property has a frontage of approximately 22.83 metres (74.90 feet) along Creditview Road, a depth of 89.21 metres (292.68 feet) and an area of approximately 0.19 ha (0.5 acres). The lands to be retained results in a lot depth of 65.77 metres (215.78 ft) and an area of 0.149 ha (0.37 acres).

The subject property is designated 'Residential' in the City of Brampton Official Plan and 'Executive Residential' in Credit Valley Secondary Plan (SPA 45). Additionally, the subject property is zoned 'Agricultural (A)' in the City of Brampton Zoning Bylaw (270-2004) and is currently occupied by a single storey detached dwelling with a detached garage. Furthermore, the surrounding area of the subject property is compromised of single detached dwellings.

### **Proposed Development and Variances**

The applicant is proposing to continue the existing use on the subject property, comprised of a single detached dwelling and a detached garage. As such, a minor variance application is required to address the following deficiencies on the retained lot:

1. To permit a minimum lot area of 0.14 hectares, whereas the Zoning By-law requires a minimum of 0.40 hectares;
2. To permit a minimum lot width of 22.8 metres, whereas the Zoning By-law required 45 metres; and,
3. To permit a minimum side yard of 2 metres, whereas the Zoning By-law requires 7.5 metres.

### **Planning Rationale for Proposed Variances**

Section 45(1) of the Planning Act, as amended, identifies the four tests which must be satisfied in order for the Committee to approve this application. The following section provides an analysis demonstrating how the variances satisfies these tests.

1. *The variance maintains the general intent and purpose of the Official Plan.*

The proposed variances maintain the general intent of the Official Plan. As noted above, the subject property is designated 'Residential' in the Official Plan and "Executive Residential" in the Secondary Plan. The existing single detached residential dwelling is a permitted use under the residential designation, and the applicant is proposing to retain the existing structures on the subject property without alterations. As such, the proposed variances to permit a smaller lot area, lot width and side yard are consistent with the land use intent of the Official Plan.



2. *The variance maintains the general intent and purpose of the Zoning By-law.*

The proposed variance maintains the general intent of the Zoning By-law. A single detached dwelling is a permitted use in the 'Agricultural (A)' zone of the subject property. The requested variance for lot width and side yard setback reflect the existing conditions on the subject property and therefore have been included as part of a comprehensive zoning review. The requested variance for a smaller lot size will enable a uniformity in the size of the subject property and maintain consistency with the surrounding residential lot sizes. Thus, the approval of the requested variance will maintain the intent and purpose of the Zoning By-law.

3. *The variance is desirable for the appropriate development or use of the land.*

The requested variances for decrease in minimum lot frontage and side yard setback is to rectify the existing conditions on the subject property and have been included in this application as a part of a comprehensive zoning review. As such, approval of these variances will permit the continuation of the existing uses on the subject property, which are compatible and integrated with the surrounding development, with no anticipated adverse impacts.

This minor variance application addresses the existing minimum lot area deficiency, as the Zoning Bylaw requires a minimum lot area of 0.40 hectares (0.98 acres). The existing lot area is 0.19 hectares (0.49 acres), and this minor variance application proposes a further reduction to 0.14 hectares (0.34 acres). The variance for a decrease in the minimum lot area is desirable as it will enable uniformity in the size of the lots fronting Creditview Road. Furthermore, the decrease in the lot area will enable future development to the north of the subject property by providing for the extension of Classic Drive through the severance process to complete the existing street network.

4. *The variance is minor in nature.*

The proposed variances are minor in nature as they do not change the intended use or function of the subject property. The lot frontage and side yard setback represent existing conditions which are not currently in conformity with the Zoning By-law and do not represent further reductions to the parcel fabric. The proposed single residential dwelling and associated structures will continue to function on the lands subject to this minor variance application. As such, there are no foreseeable negative impacts to surrounding properties, and therefore the requested variances are minor in nature.



### **Conclusion**

Based on the findings presented in this brief, it is our opinion that the proposed minor variance application meets the four tests established in the Planning Act. As such, we respectfully request that the Committee of Adjustment approve this application.

### **Application Materials:**

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

- One (1) copy of the complete Minor Variance Application Form with the signed Authorization and Permission to Enter Forms;
- One (1) copy of Minor Variance Sketch, prepared by Glen Schnarr and Associates Inc., dated June 14, 2021;
- One (1) copy of the Parcel Abstract;
- One (1) copy of the Development Concept Plan for 8940 Creditview Road, prepared by Glen Schnarr and Associates Inc., dated April 13, 2021; and,
- One (1) cheque in the amount of \$631.00 for Minor Variance Application Fees.

We trust that these materials are sufficient for Staff's review and look forward to being considered for the August 3, 2021 hearing date. Please contact the undersigned at [colinc@gsai.ca](mailto:colinc@gsai.ca) if you require additional information or wish to clarify any thing contained in this application.

Yours very truly,  
GLEN SCHNARR & ASSOCIATES INC.

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Vanessa Develter, MCIP, RPP  
Planner





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)

Kuljeet Kaur Ubhi & Gurpreet Singh Ubhi (c/o Branthaven Development Corp., Attn: Arden Semper)

Address

720 Oval Court, Burlington, L5R 3K6

Phone #

905.333.8364 ext. 240

Fax #

Email

asemper@branthaven.com

2.

Name of Agent

Glen Schnarr and Associates Inc. (c/o Vanessa Develter)

Address

10 Kingsbridge Garden Circle - Suite 700, Mississauga, L5R 3K6

Phone #

905.568.888 ext. 263

Fax #

905.568.8894

Email

vanessad@gsai.ca

3.

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

1. To permit a minimum lot area of 0.14 hc; whereas the By-Law requires 0.40 ha

2. To permit a minimum lot width of 22.8 m, whereas the By-Law requires 45 m

3. To permit the minimum interior side yard of 2 m whereas the By-Law requires 7.5 m

4.

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

The By-law requires a minimum Lot Area of 0.40 ha, a minimum Lot Width of 45 m and a minimum interior side yard setback of 7.5m. The requested lot width and side yard variances identify the existing conditions of the site and how they are not in conformity with the Zoning Bylaw. The requested lot area revision is in support of a future development application to the west.

5.

Legal Description of the subject land:

Lot Number

PTLT 5

Plan Number/Concession Number

4 WHS

Municipal Address

8884 Creditview Road, Brampton ON L6Y 0G4

6.

Dimension of subject land (in metric units)

Frontage

22.83 m

Depth

89.21 m

Area

1497.33 sq 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.)

Existing Dwelling: Storeys: 1; Area: 163.54 sq m; length: 14.72 m; width: 11.11 m

Detached Garage: Area: 33 sq m; length: 9.16 m; width : 3.58 m

**PROPOSED BUILDINGS/STRUCTURES on the subject land:**

- N.A.-. The existing structure will be retained on the subject lands.

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 17.88 m

Rear yard setback 56.49 m (from dwelling); 52.10 m (from Garage)

Side yard setback 2.02 m

Side yard setback 3.31m

**PROPOSED**

Front yard setback 17.88 m; (No change)

Rear yard setback 33.12 m (from dwelling); 28.18 m (from Garage)

Side yard setback 2.02 m; (No change)

Side yard setback 3.31 m; (No change)

10. Date of Acquisition of subject land: November 13, 2020
11. Existing uses of subject property: Single Storey Detached Residential
12. Proposed uses of subject property: Single Storey Detached Residential
13. Existing uses of abutting properties: Low Density Residential
14. Date of construction of all buildings & structures on subject land: Approx. Dec 18 1970
15. Length of time the existing uses of the subject property have been continued: 20+ 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 # B-2021-0012 Status Concurrent

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

*Vanessa Devallier*

Signature of Applicant(s) or Authorized Agent

DATED AT City OF Burlington

THE THIS July DAY OF 05 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, Glen Schnarr and Associates Inc. (c/o Vanessa Devallier) OF THE City OF Burlington

IN THE Region OF Haldon 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 Mississauga

IN THE Region OF

Peel THIS 5th DAY OF

July 20 21

*Vanessa Devallier*

Signature of Applicant or Authorized Agent

*Laura Kim Amorim*  
A Commissioner of the  
Province of Ontario, for  
Glen Schnarr & Associates Inc.  
Expires March 3, 2023.

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

Agricultural

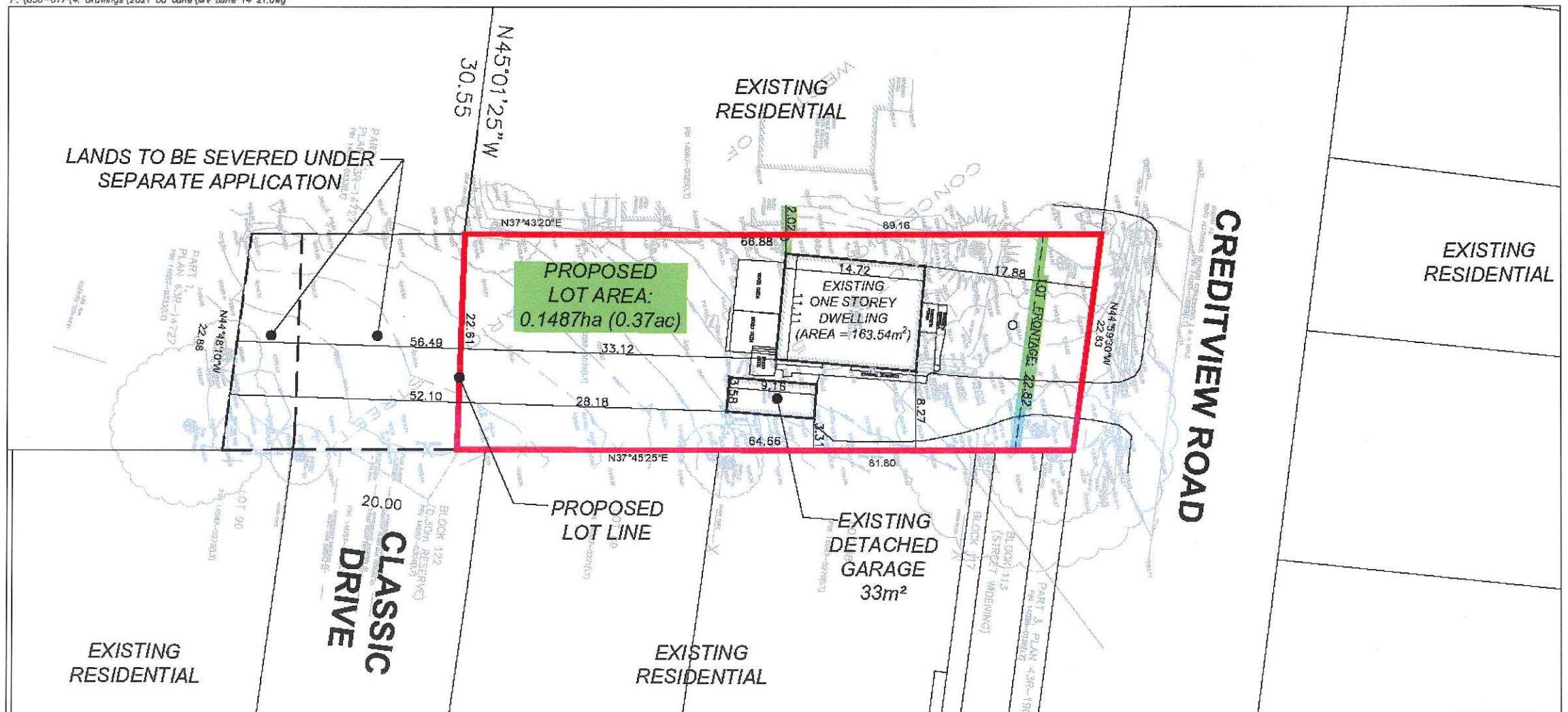
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

*Tallia Payne*  
Zoning Officer

July 7, 2021  
Date

DATE RECEIVED July 5, 2021





# MINOR VARIANCE SKETCH KULJEET & GURPREET UBHI

8884 CREDITVIEW ROAD,  
PART OF LOT 5,  
CONCESSION 4, W.H.S.  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL

## REQUESTED MINOR VARIANCES

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2. TO PERMIT A MINIMUM LOT WIDTH OF 22.8m; WHEREAS THE BY-LAW REQUIRES 45m
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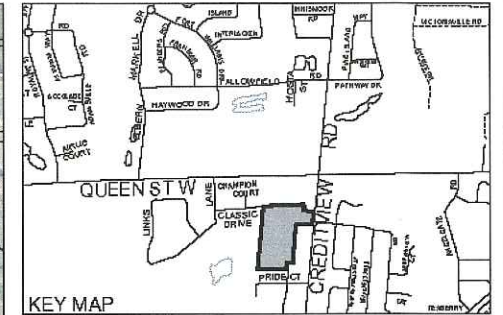
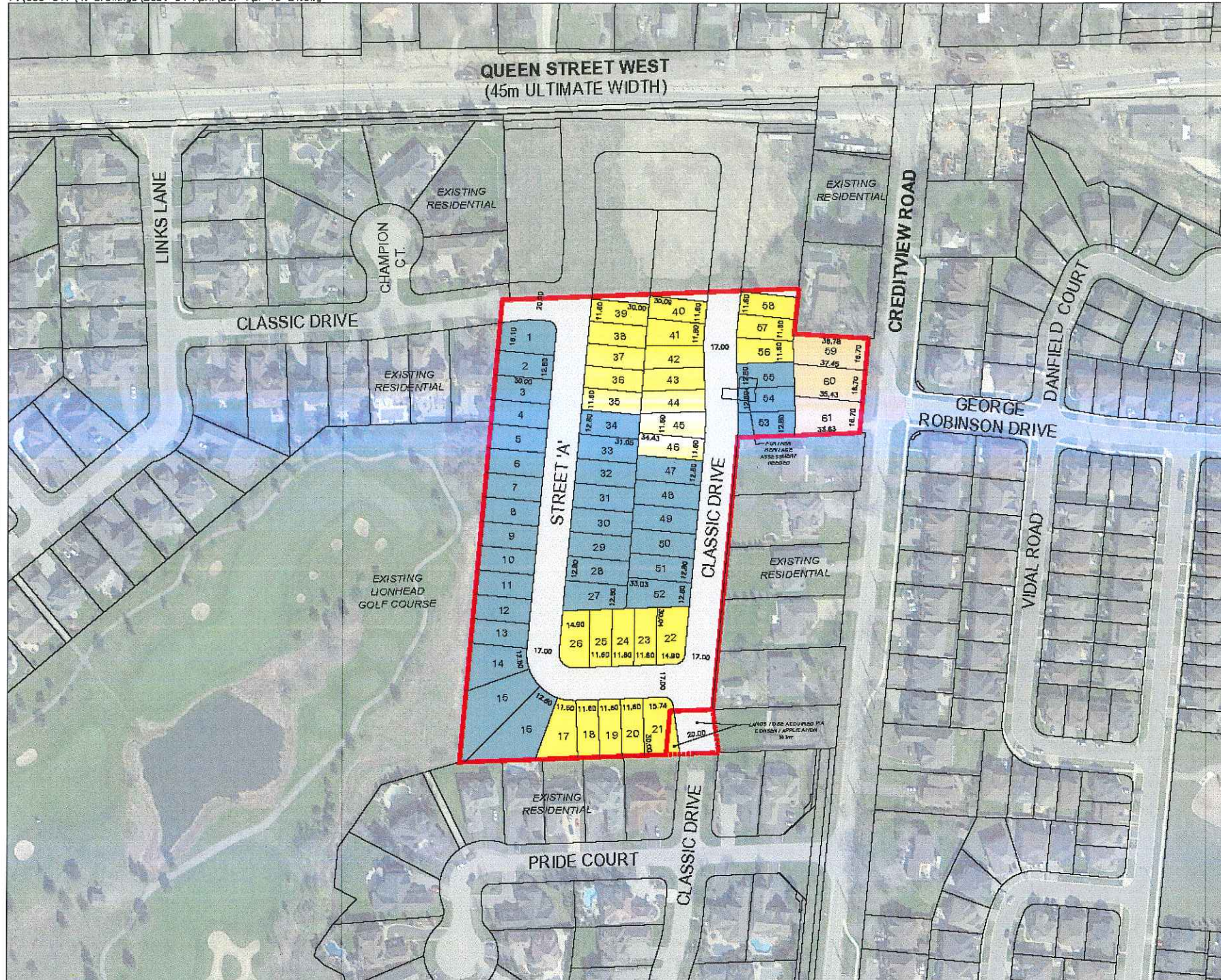


SCALE 1:400  
June 14, 2021



KEY MAP





# **DEVELOPMENT CONCEPT PLAN** **BRANTHAVEN - STERRITT**

8940 CREDITVIEW ROAD  
 PART OF LOT 5,  
 CONCESSION 4, W.H.S.  
 CITY OF BRAMPTON  
 REGIONAL MUNICIPALITY OF PEEL

## **Development Statistics**

Total Area\*: 3.536ha (8.74ac)  
 Total Residential Area\*: 2.60ha (6.42ac)  
 Residential Density: 23.46 UPNH (9.50 UPNAC)

## **Unit Breakdown**

11.6m (38') Detached: 25 Units  
 12.8m (42') Detached: 33 Units  
 16.7m (54') Detached: 3 Units  
**Total Units: 61 Units**

## **Notes**

\* Area includes Lands to be acquired via consent

\*Preliminary Development Concept Plan  
 for discussion purposes only\*



SCALE 1:2000  
 APRIL 13, 2021

**GSAI**  
 Glen Schnarr & Associates Inc.



Haywood Pond

Pond South

D3 Rd

Brampton Georgetown Montessori School

Bates Cr

A-2021-0153

a

b

C4

c

d

e

E4

D4

