



**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **HETALKUMAR SHAH AND BIJAL SHAH** 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 165, Plan 43M-1027 municipally known as **33 RED CEDAR CRESCENT**, Brampton;

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

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the interior required side yard;
2. To permit an interior side yard setback of 0.60m (1.97 ft.) to a stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
3. To permit an existing driveway width of 9.04m (29.66 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22.00 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: NO  
Application for Consent: NO

File Number: \_\_\_\_\_  
File Number: \_\_\_\_\_

The Committee of Adjustment has appointed **TUESDAY, September 29, 2020 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 17th day of September, 2020.

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)



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 Committee 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, September 24, 2020**.
- 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, Friday, September 25, 2020**.
  - 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, **September 25, 2020**. 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.



AMENDMENT LETTER

September 15, 2020

To: Committee of Adjustment

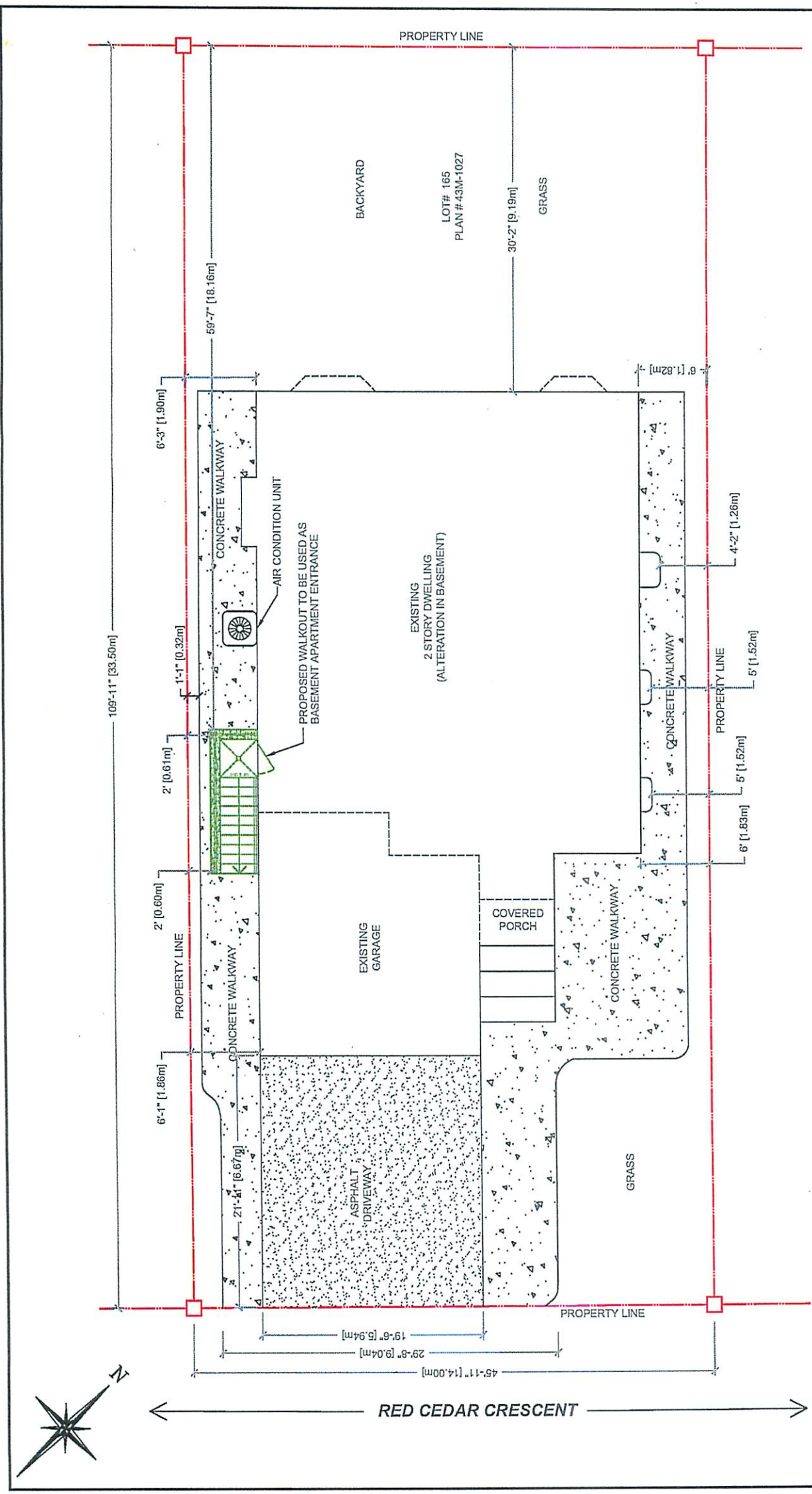
**RE: APPLICATION FOR MINOR VARIANCE  
HATALKUMAR SHAH AND BIJAL SHAH  
LOT 165, PLAN 43M-1027  
A-2020-0074 – 33 RED CEDAR CRESCENT  
WARD 9**

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Please **amend** application **A-2020-0074** reflect the following variances:

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the interior required side yard;
2. To permit an interior side yard setback of 0.60m (2 ft.) to a stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
3. To permit an existing driveway width of 9.04m (29.66 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22.00 ft.).

  
Applicant/Authorized Agent



Rev.	Date	Description	Project Address:	Project Title:	Designed:	Checked:	Date:
00	07.08.20	ISSUED FOR MINOR VARIANCE	33 Red Cedar Crescent Brampton, Ontario Canada, L6Y 0V9	TWO UNIT DWELLING	M.AF	M.AF	27.07.2020
			Name: Hetal Kumar Shah Tel: 416-910-4615 Email: hetal.shah@live.ca	Drawing Title: SITE PLAN	Project No. RCC-2211	Sheet No. A1.0	Scale: 1:100
CONFIDENTIAL NOTICE THIS DRAWING AND THE DESIGNS, SPECIFICATIONS AND ENGINEERING INFORMATION DISCLOSED HEREIN ARE THE PROPERTY OF ALFA ENGINEERING SOLUTIONS AND ARE NOT TO BE REPRODUCED OR REPRODUCED WITHOUT EXPRESS WRITTEN CONSENT OF ALFA ENGINEERING SOLUTIONS. ONLY FOR CONSIDERATION OF THE MATTER ENCLOSED HEREON.			ALFA ENGINEERING SOLUTIONS ENGINEERING FOR A BETTER FUTURE 67 Woodvalley Drive, Brampton, Ontario, L7A 1Z3 Tel: 647-227-3227, www.alfasolutions.com Email: malharaj@alfasolutions.com				





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) Hetalkumar Shah & Bijal Shah  
Address 33 Red Cedar Crescent, Brampton, ON, L6R 1A8

Phone # 416-910-9615 Fax # \_\_\_\_\_  
Email Hetal.shah@live.ca

2. Name of Agent Marwan Al-Farraj  
Address 67 Woodvalley Drive, Brampton, ON, L7A 1Z3

Phone # 647-227-3227 Fax # \_\_\_\_\_  
Email malfarraj@AlfaEngSolutions.com

3. Nature and extent of relief applied for (variances requested):  
To permit an exterior stairway leading to a below grade  
entrance having an interior side yard setback of 0.61 meters to  
the exterior stairway leading to a below grade entrance  
whereas the by-law requires a minimum interior side of  
1.2 meters.

4. Why is it not possible to comply with the provisions of the by-law?  
Because the setback doesn't comply with the  
required by-law of a minimum 1.2 meters setback  
to property line

5. Legal Description of the subject land:  
Lot Number 165  
Plan Number/Concession Number 13M-102/33 Red Cedar Crescent, Brampton  
Municipal Address ON, L6R 1A8

6. Dimension of subject land (in metric units)  
Frontage 14m  
Depth 33.5m  
Area 468.79 m<sup>2</sup>

7. Access to the subject land is by:  
Provincial Highway ☐ Seasonal Road ☐  
Municipal Road Maintained All Year ☒ Other Public Road ☐  
Private Right-of-Way ☐ 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.)

ground floor area 128.30 m<sup>2</sup>  
gross floor area 391.85 m<sup>2</sup>  
2 Story Dwelling - width 10.44m  
length 17.63m  
Height 8.76m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Proposed walkout - length = 3.81 m  
width = 1.28 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 6.67m  
Rear yard setback 9.19m  
Side yard setback (left) 1.90m  
Side yard setback (right) 1.83m

PROPOSED (walkout)

Front yard setback 11.52m  
Rear yard setback 18.16m  
Side yard setback (left) 0.60m  
Side yard setback

10. Date of Acquisition of subject land: 2016
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: July 2, 1992
15. Length of time the existing uses of the subject property have been continued: 4 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 of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton

THIS 24 DAY OF August, 2020.

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, Morwan Al-Farajji, OF THE City OF Brampton  
IN THE Region OF Peel SOLEMNLY DECLARE THAT:

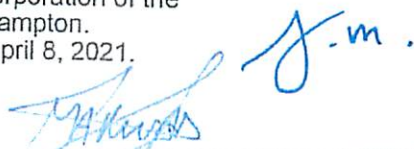
ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

DECLARED BEFORE ME AT THE

City OF Brampton  
IN THE Region OF Peel  
THIS 24<sup>th</sup> DAY OF August, 2020

  
Jeanie Myers  
A Commissioner etc.

Jeanie Cecilia Myers,  
a Commissioner, etc.,  
Province of Ontario,  
for the Corporation of the  
City of Brampton.  
Expires April 8, 2021.

  
Signature of Applicant or Authorized Agent


FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: \_\_\_\_\_

R1B-516

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

August 26, 2020

Date

DATE RECEIVED \_\_\_\_\_



