

**APPLICATION # A-2021-0234**  
**WARD #4**

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **VISHVJEET BOPARAI AND AMANJEET BOPARAI** 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 7, Plan 43M-1889 municipally known as **14 FAIRMONT CLOSE**, Brampton;

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

1. To permit an existing balcony having a setback of 0.5m (1.64 ft.) to the side lot line and 2.6m (8.53 ft.) to the rear lot line and occupying 100% of the width of the rear wall of the dwelling, whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.) and permits a balcony having a setback of 4.5m (14.76) to the rear lot line provided that no less than 45% of the unit width is setback 7.5m (24.60 ft.) from the rear 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, October 26, 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 14th Day of October, 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)

**PROPOSED COVERAGE - 62%**



Drawn:	AV	Sheet No:	A100
Checked:	AV		
Approved:	"		
Date:	SEP. 2021		
Scale	1/12"=1'-0"	Project No:	2021-053

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, October 21, 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 Friday, October 22, 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, October 22, 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.

Flower City



brampton.ca

FILE NUMBER: A-2021-0234

The Personal information collected on this form is collected pursuant to section 46 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) VISHUJEET BOPARAI & AMANJEET BOPARAI  
Address 14 FAIRMONT CLOSE,  
BRAMPTON, ON L6Y 2Y3  
Phone # 647-456-5368 Fax # \_\_\_\_\_  
Email nboparai08@gmail.com

2. Name of Agent ABHAY KARD  
Address 103-120 Traders Boulevard E.,  
MISSISSAUGA, ON L4Z 2H7  
Phone # 905-501-1000 Fax # \_\_\_\_\_  
Email vaarinc@gmail.com

3. Nature and extent of relief applied for (variances requested):  
RELIEF IS REQUIRED FOR REAR YARD SETBACK REQUIRED (4.5m)  
AS OPPOSED TO AS BUILT SETBACK OF REAR YARD (3.0m)  
(BALCONY)

4. Why is it not possible to comply with the provisions of the by-law?  
PATIO DECK/ BALCONY IS ALREADY BUILT & THE OWNER'S GRAND MOTHER  
NEED WALKING AREA ON SECOND FLOOR; ELDERLY GRAND MOTHER  
UNDERWENT KNEE SURGERY & CAN'T GO DOWNSTAIRS TOO MUCH.  
ALSO; THE MIN. REAR YARD SETBACK IS 4.5m from the property line as  
opposed to 3.0m provided.

5. Legal Description of the subject land:  
Lot Number 7  
Plan Number/Concession Number P.I.N. 14086-2895  
Municipal Address 14 FAIRMONT CLOSE, BRAMPTON, ON. L6Y 2Y3

6. Dimension of subject land (in metric units)  
Frontage 19.80 M  
Depth 27.50 M  
Area 544.5 SQ. MTS.

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.)

2 STOREY DETACHED DWELLING & (Ground floor area - 254.18 m<sup>2</sup>)  
2 STOREY HOUSE (W - 17.2 m; L - 14.0 m; H - 9.0 m)  
(BALCONY ON 2<sup>ND</sup> FLOOR; L - 3.5 m; W - 17.2 m; HT. - 2.46 m FROM GRADE)

PROPOSED BUILDINGS/STRUCTURES on the subject land:

AS BUILT BALCONY ON 2<sup>ND</sup> FLOOR  
(W - 17.2 m; L - 3.5 m on ONE SIDE & L - 4.5 m on other side)  
HT. - 2.46 m FROM GRADE

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 5.68 m  
 Rear yard setback 3.5 m  
 Side yard setback (left side) 1.32 m  
 Side yard setback (right side) 1.23 m

**PROPOSED**

Front yard setback Same as above (5.68 m)  
 Rear yard setback 3.0 m  
 Side yard setback (left side) 1.32 m  
 Side yard setback (right side) 1.23 m

10. Date of Acquisition of subject land: 2012
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: 2012 (MAIN HOUSE/DWELLING)  
2020 (REAR BALCONY)
15. Length of time the existing uses of the subject property have been continued: 9 YEARS APPROX.

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 _____
File # _____	Decision _____	Relief _____

[Signature]  
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON  
THIS 03<sup>rd</sup> DAY OF SEPTEMBER 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, ABRAHAM VARD, OF THE CITY OF MISSISSAUGA  
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 Province OF

ON THIS 3<sup>rd</sup> DAY OF

Sep 2021

[Signature]  
A Commissioner etc.

[Signature]  
Signature of Applicant or Authorized Agent

SAREEN LAW PROFESSIONAL CORPORATION

8975 McLaughlin Road S. Unit #10  
Brampton, Ontario, L6Y 0Z6

Tel: 905-451-1930

Fax: 905-451-7278

FOR OFFICE USE ONLY

Present Official Staff Designation:

Present Zoning By-law Classification:

R1E-19-2126

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

J. Chau  
Zoning Officer

Sept 29, 2021

Date:

DATE RECEIVED September 29, 2021

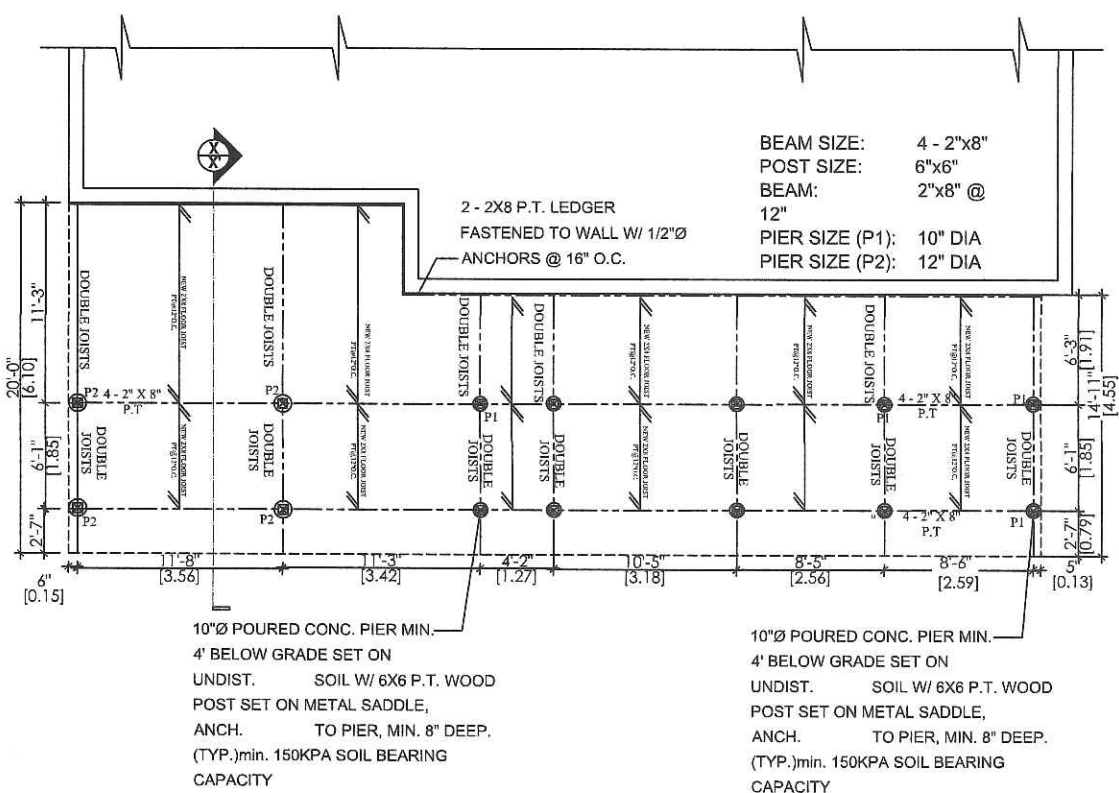
Form 228 (Rev. 01/07)

**PROPOSED COVERAGE - 62%**

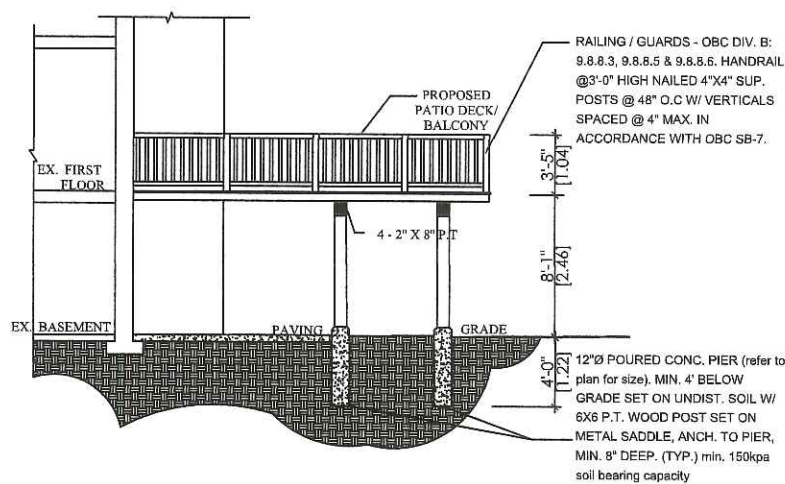


Drawn:	AV	Sheet No:	
Checked:	AV	A100	
Approved:	-		
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Scale:	1/12"=1'-0"	Project No:	2021-053





FRAMING PLAN OF THE PATIO DECK/ BALCONY



SECTION XX' OF THE PATIO DECK/ BALCONY

