

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **AMIT BAGRI AND DEVIKA BAGRI** 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 58, Plan 43M-486 municipally known as **57 ROSEBUD AVENUE**, 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 required interior side yard;
2. To permit a 0.54m (1.77 ft.) interior side yard setback to the exterior 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 lot coverage of 32.41% whereas the by-law permits a maximum lot coverage of 30%;
4. To permit an interior side yard setback of 0.94m (3.08 ft.) to a proposed below grade window in an interior side yard whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
5. To permit an interior side yard setback of 0.94m (3.08 ft.) to as-built additions in the interior side yard whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
6. To permit an accessory structure (shed) having a 0.0m setback to the property line whereas the by-law requires a minimum setback of 0.60m (1.97 ft.) for an accessory structure to all property lines;
7. To permit an existing hot tub having a side yard setback of 0.4m (1.31 ft.) whereas the by-law requires a minimum setback of 1.2m (3.97 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, October 20, 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.

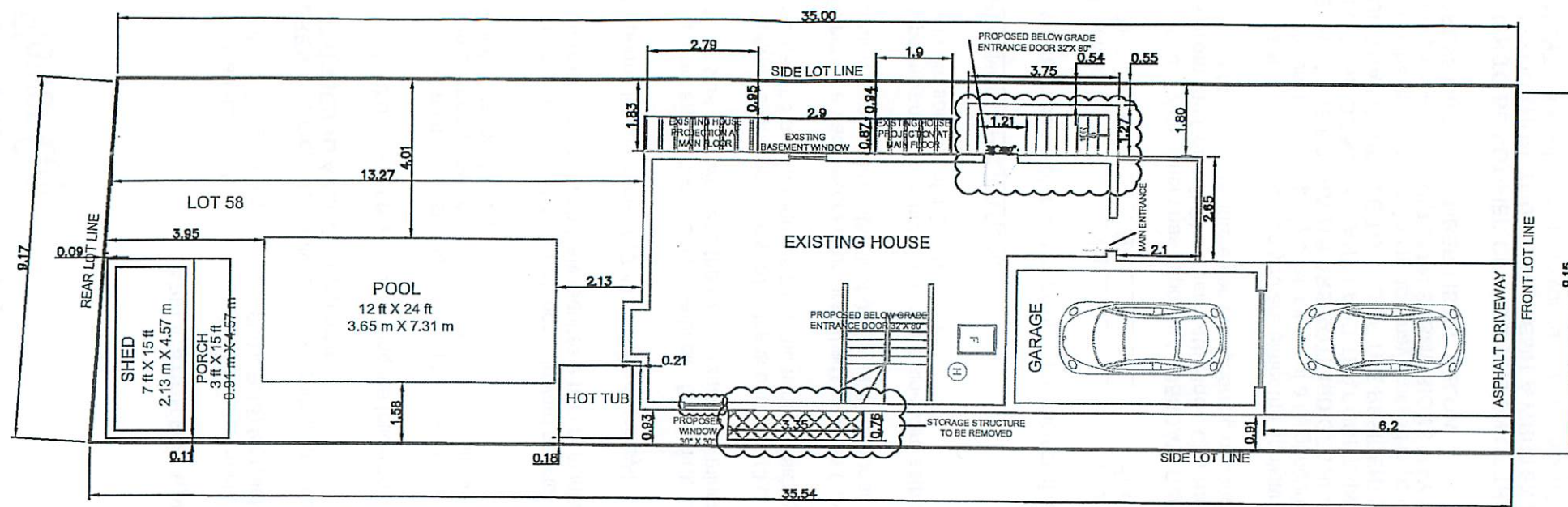
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 8th day of October, 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



- SITE PLAN -
LAYOUT FOR MINOR VARIANCE

WEST SIDE	0.91 m	2.98 ft
EAST SIDE	1.80 m	5.90 ft
REAR YARD SETBACK	13.27 m	43.53 ft
FRONT YARD SETBACK	6.2 m	20.34 ft
SETBACK		
TOTAL GROSS FLOOR AREA (EXISTING)	168.67 sq.m.	1810.58 sq.ft.
SECOND FLOOR AREA (EXISTING)	75.59 sq.m.	813.75 sq.ft.
GROUND FLOOR AREA (EXISTING)	92.68 sq.m.	997.68 sq.ft.
HOUSE PROJECTIONS (EXISTING)	4.78 sq.m.	51.43 sq.ft.
PORCH (EXISTING)	5.56 sq.m.	59.82 sq.ft.
SHED AREA (TO BE REMOVED)	9.75 sq.m.	105.00 sq.ft.
PROPOSED BELOW GRADE STAIR	4.76 sq.m.	51.24 sq.ft.
LOT COVERAGE PROPOSED (32.41%)	117.53 sq.m.	1264.62 sq.ft.
LOT AREA (LOT 58)		
LOT COVERAGE ALLOWED (30%)	108.78 sq.m.	1170.47 sq.ft.
SITE STATISTICS	sq.m.	sq.ft.

General Notes

- 1) The measurements of the house and storage shed in the property premises are as per physical measurement, as the drawings are not available with the owner/City.
- 2) This drawing is not to be used for construction until signed by the consultant.
- 3) Drawings are not to be scaled.

No.	Revision/Issue	Date

Firm Name and Address

GM GLOBAL CONSTRUCTION INC.
Phone 905-890-5999
projects@gmglobal.ca
info@gmglobal@gmail.com

Project Name and Address

57 Rosebud Ave
Brampton, ON L6X 2W4

Project

BR - 57 Rosebud Ave

Date

SEPT 01, 2020

Scale

1 : 150

Sheet

SB 0.1

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 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, October 15, 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 or jeanie.myers@brampton.ca by **4:30 pm, Friday, October 16, 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, October 16, 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 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.

AMENDMENT LETTER

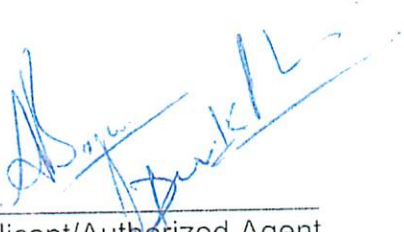
October 7, 2020

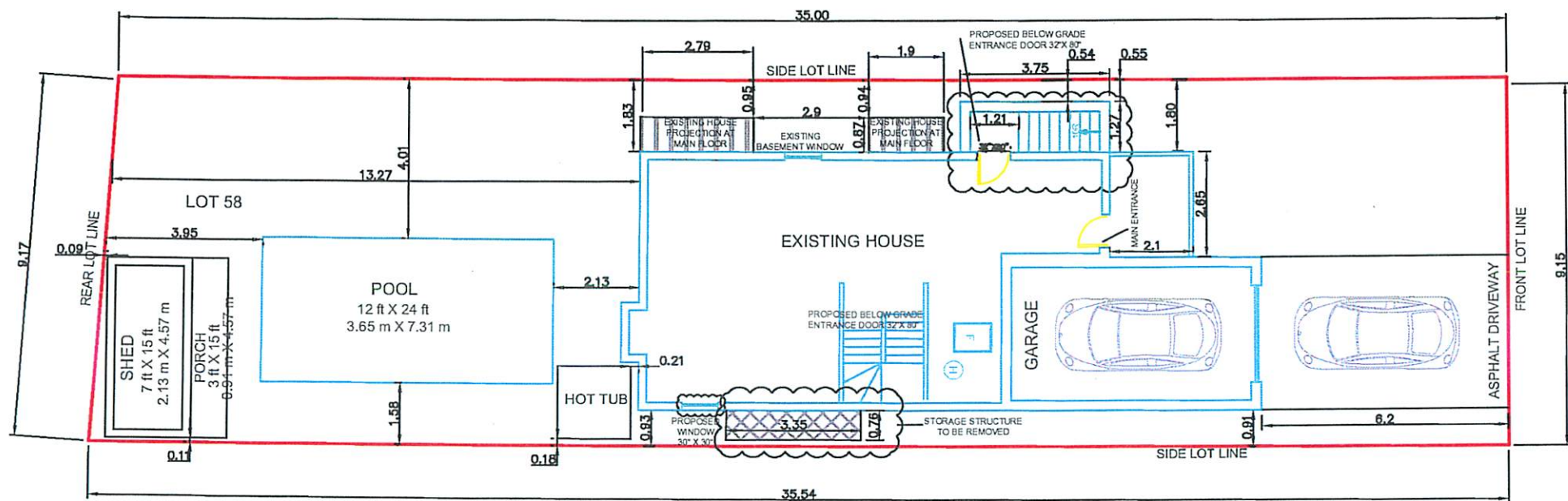
To: Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE
AMIT BAGRI AND DEVIKA BAGRI
LOT 58, PLAN M-486
A-2020-0084 – 57 ROSEBUD AVENUE
WARD 4

Please **amend** application **A-2020-0084** to reflect the following:

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 required interior side yard;
2. To permit a 0.54m (1.77 ft.) interior side yard setback to the exterior 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 lot coverage of 32.41% whereas the by-law permits a maximum lot coverage of 30%;
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Applicant/Authorized Agent



- SITE PLAN -
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SITE STATISTICS	sq.m.	sq.ft.

General Notes

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- 2) This drawing is not to be used for construction until signed by the consultant.
- 3) Drawings are not to be scaled.

No. Revision/Issue Date

Plan Name and Address

GM GLOBAL CONSTRUCTION INC.
Phone: 905-890-5999
projects@gmgloball.ca
info@gmgloball@gmail.com

Project Name and Address

57 Rosebud Ave
Brampton, ON L6X 2W4

Project

BR - 57 Rosebud Ave

Date

SEPT 01, 2020

Scale

1 : 150

Sheet

SB 0.1

To
The Minor Variance Committee
City of Brampton

Date: September, 16th 2020

A-2020-0084

Respected Committee Members,

Hope you are keeping well in the current challenging times.

I, Amit Bagri, and my spouse Devika Bagri residing at 57 Rosebud Ave, Brampton would like to apply for a minor variance to build a side entrance for a proposed second dwelling unit on our property.

I have recently acquired the property in July 2020 by paying a premium for the pool as we want our kids and family to enjoy summer in our own backyard. The pool was built in 1986 with Permit # 45528 as per city records and Fence was completed as per Permit in year 1997.

Existing property description:-

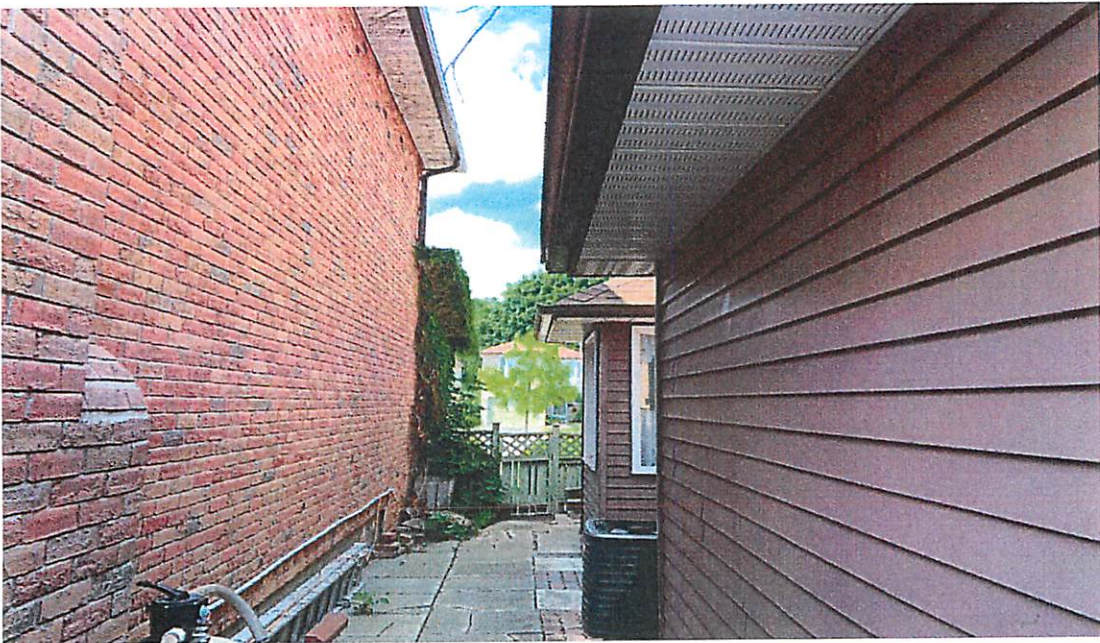
- Has 0.9 m side yard on left side



- 1.80 m on right side of property



- Has only .9 m clear in front of house projections



- Pool on backyard with a clearance of 2.1 m from the rear wall of the house

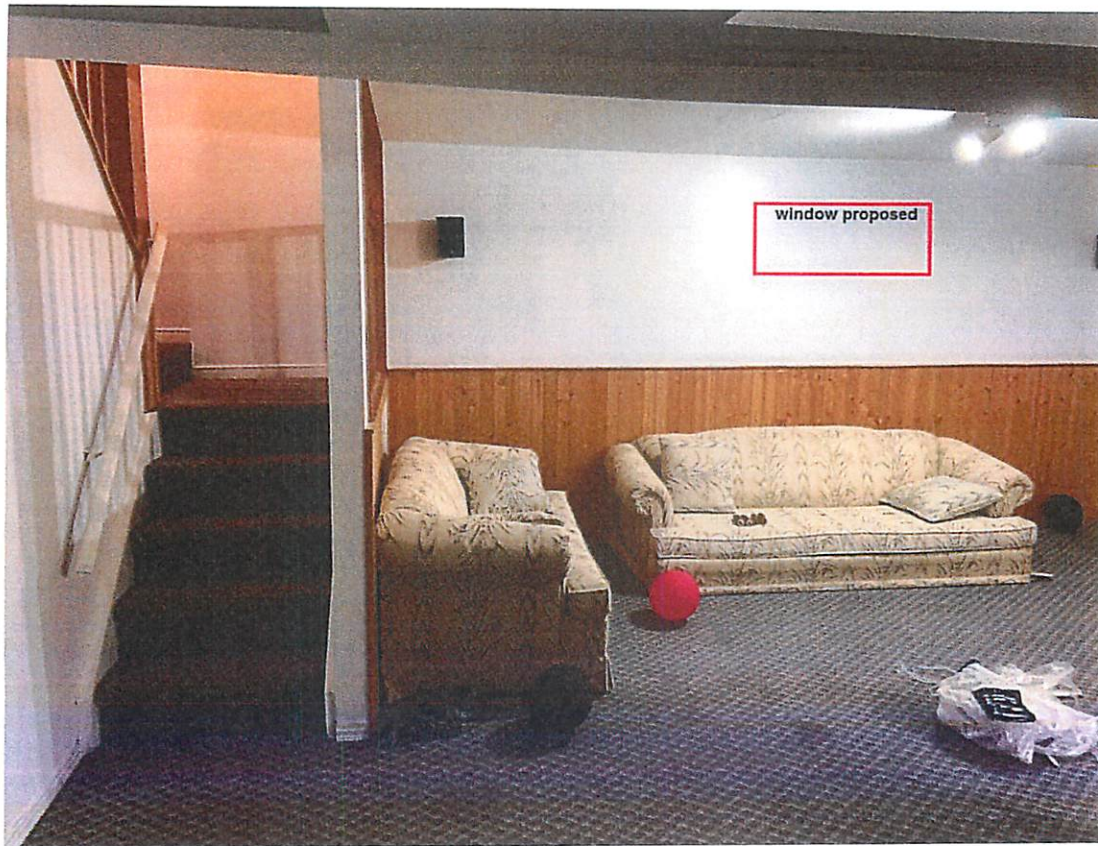




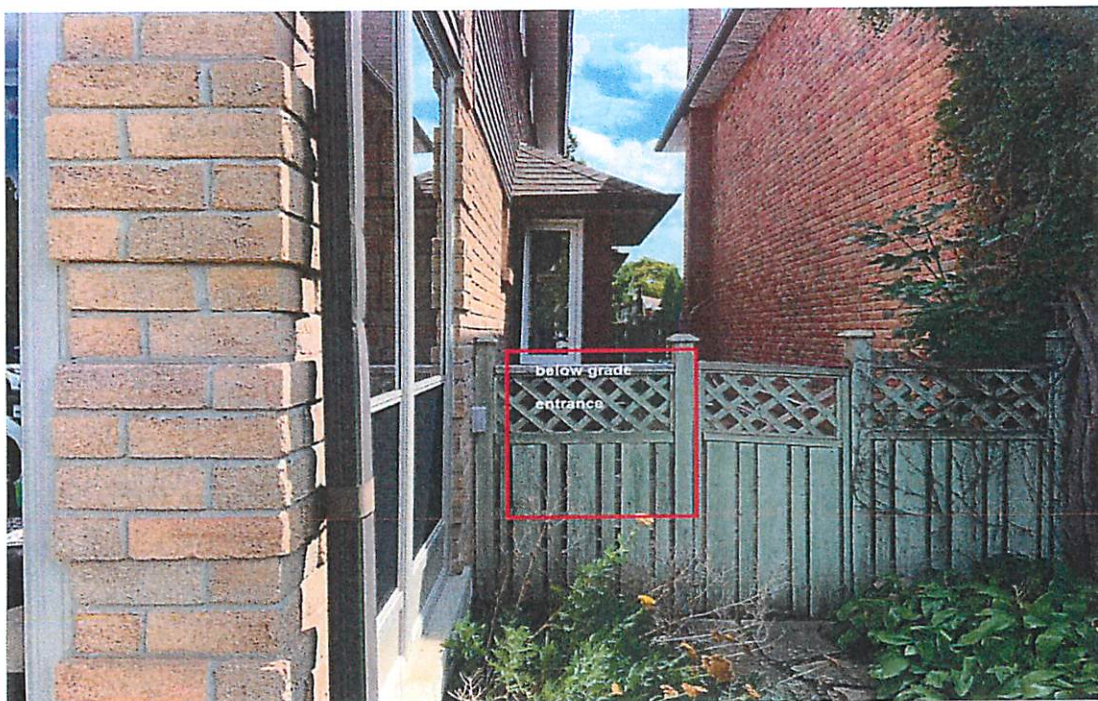
As per current bylaw we do not have 1.2 m clear pathway to go to the backyard from any side of property. Even If we do the rear entrance it may cause structural damage to my existing pool and will be very costly to repair, rectify which would add up to cost for creating a second unit.

Also it is not feasible to create a window in backyard as our privacy may get compromised. This property has single car garage and if I plan to make an entry through the garage then I am losing my entire parking space and can't park my car in winter time also it will decrease my house resale value..

Minor variance is requested to allow me for below grade from 1.8M side yard and a side window as shown in the image below



Below grade entrance from 1.8 m side yard so that It will help me create a legal Second Unit with the proposed window inside



Due to the ongoing pandemic, personal financial situations have become more sensitive and the ability to maintain an additional source of financial support seems to have become a necessity. I came to know that by creating a legal second unit, I may be able to rent the basement officially to manage my finances.

I would request the committee members to consider this minor variance to support affordable housing. Site photos are attached for your ready reference.

Wish you a very good day and week ahead!

Thanking You,

Yours Truly,

A handwritten signature in blue ink, appearing to be 'Amit Bagri', with a stylized flourish at the end.

Amit Bagri
437-970-2017

A handwritten signature in blue ink, appearing to be 'Devika Bagri', with a large, sweeping flourish.

Devika Bagri
647-999-2333

FILE NUMBER: A-2020-0084

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) Amit Bagri and Devika Bagri
Address 57, Rosebud Avenue, Lot 58, Plan 486, Brampton, ON L6X2W4

Phone # (437) 970-2017 Fax # _____
Email bagriamit29@gmail.com

2. Name of Agent _____
Address _____

Phone # _____ Fax # _____
Email _____

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

Minor Variance is requested for:
Below grade entrance from 1.8m side yard and a side window

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

As per by-law, the setback to the stairwell from the interior side lot which should be 1.2M isn't being met.

5. Legal Description of the subject land:

Lot Number 58
Plan Number/Concession Number Plan M-486
Municipal Address 57, Rosebud Avenue, ON L6X2W4

6. Dimension of subject land (in metric units)

Frontage 9.15M
Depth 35.54M
Area Lot Area 326.54 SQM

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.)

Pool in the rear yard 3.65M X 7.31M as per Permit No# 45528

Existing House Ground Floor Area 102.43SQM. Gross Floor Area 178.02SQM,

2 Storey, Width 6.54M and House Projection of 0.86M, Length

15.6M. Height as per Zoning

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Minor Variance is requested for:

Below grade entrance from 1.8m side yard and a side window

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 6.2M

Rear yard setback 13.27M

Side yard setback 0.91M (West)

Side yard setback 1.8M (East)

PROPOSED

Front yard setback 6.2M

Rear yard setback 13.27M

Side yard setback 0.91M (West)

Side yard setback 0.55M (East)

10. Date of Acquisition of subject land: 22nd July 2020
11. Existing uses of subject property: Single Family Detached
12. Proposed uses of subject property: Two Family Detached
13. Existing uses of abutting properties: Single Family Detached
14. Date of construction of all buildings & structures on subject land: 1991
15. Length of time the existing uses of the subject property have been continued: 22nd July 2020

16. (a) What water supply is existing/proposed?

Municipal

☒
☐

Well

Other (specify) _____

- (b) What sewage disposal is/will be provided?

Municipal

☒
☐

Septic

Other (specify) _____

- (c) What storm drainage system is existing/proposed?

Sewers

Ditches

Swales

☐
☒
☐

Other (specify) _____

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]
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON

THIS 15 DAY OF SEPTEMBER, 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, AMIT BAGRI, 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 15th DAY OF

September, 2020

[Signature]
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]
Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation:

R1D-3185, MATURE

Present Zoning By-law Classification:

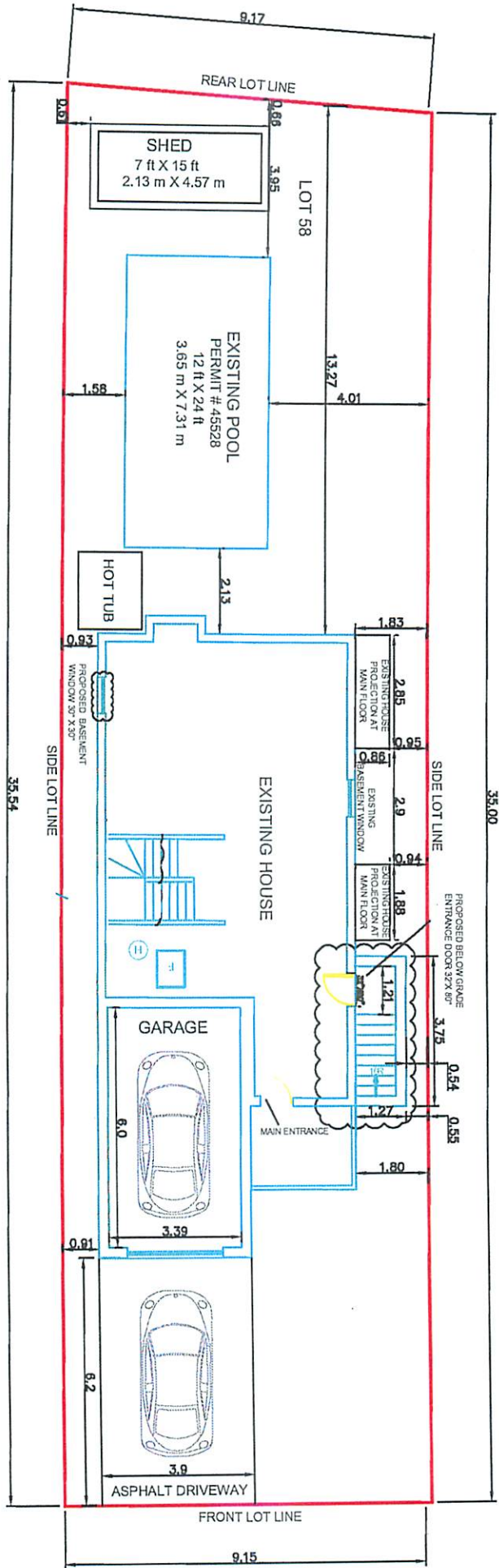
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

[Signature]
Zoning Officer

SEPT. 17. 2020

Date

DATE RECEIVED September 15, 2020



- SITE PLAN -
LAYOUT FOR MINOR VARIANCE

WEST SIDE	0.91 m	2.98 ft
EAST SIDE	1.80 m	5.90 ft
REAR YARD SETBACK	13.27 m	43.53 ft
FRONT YARD SETBACK	6.2 m	20.34 ft
SETBACK	102.43 sq.m.	1102.14 sq.ft.
TOTAL GROUND FLOOR AREA		
EXISTING DWELLING		
LOT AREA (LOT 58)	326.54 sq.m.	3513.57 sq.ft.
SITE STATISTICS	sq.m.	sq.ft.

General Notes

1) The measurements of the house and building are based on the existing conditions and are not physical measurements, as the drawings are not available with the owner's copy.

2) This drawing is not to be used for construction unless approved by the council.

3) Drawings are not to be scaled.

No.	Revision/Remarks	Date

Project Name and Address

GM GLOBAL CONSTRUCTION INC.
Phone: 905-890-5999
project@gmglobal.ca
info@gmglobal.ca

Project Name and Address

57 Rosebud Ave
Brampton, ON L6X 2W4

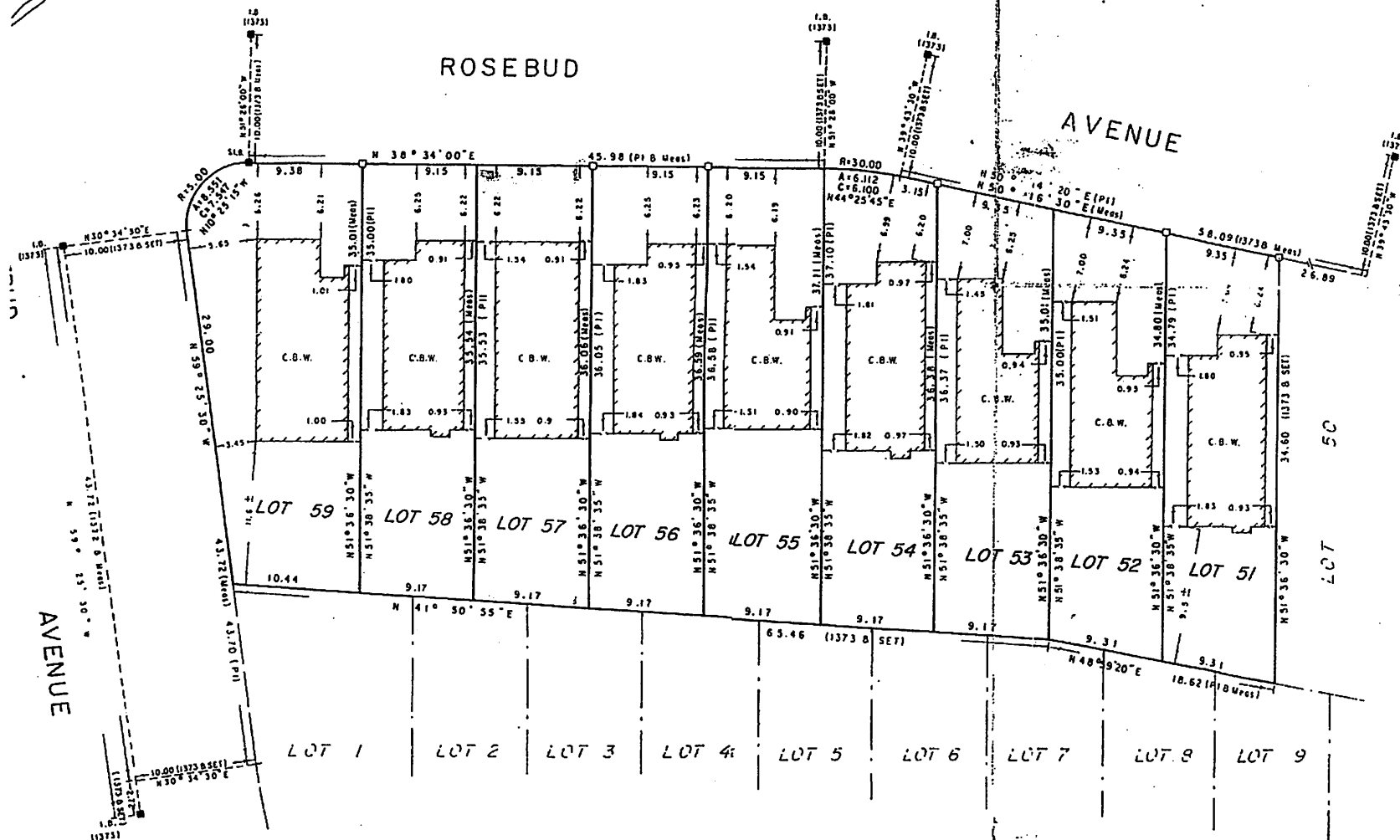
Project Name and Address

57 Rosebud Ave
Brampton, ON L6X 2W4
SB 0.1

DOCUMENTS RELEASED PURSUANT TO A REQUEST
UNDER THE
MUNICIPAL FREEDOM OF INFORMATION AND
PROTECTION OF PRIVACY ACT R.S.O. 1990c. M56

COPYRIGHT ACT R.S., 1985, c. C-42 APPLIES TO THE
USE AND REPRODUCTION OF THESE DOCUMENTS

DISTANCES SHOWN ON THIS PLAN
ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING
BY 0.3048.



BUILDING LOCATION SURVEY OF
LOTS 51, 52, 53, 54, 55, 56, 57, 58 AND 59,
REGISTERED PLAN 43M-486
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL
SCALE 1:300

BENNETT & NORGROVE LIMITED
ONTARIO LAND SURVEYORS
1983

NOTES:

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTH-EASTERLY
LIMIT OF ROSEBUD AVENUE AS SHOWN ON REGISTERED PLAN 43M-486
HAVING A BEARING OF N 38° 34' 00" E.

CONCRETE BASEMENT WALLS C.B.W.
BENNETT & NORGROVE LIMITED, O.L.S. 1373
REGISTERED PLAN 43M-486 PI
IRON BAR PLANTED O

SURVEYOR'S CERTIFICATE

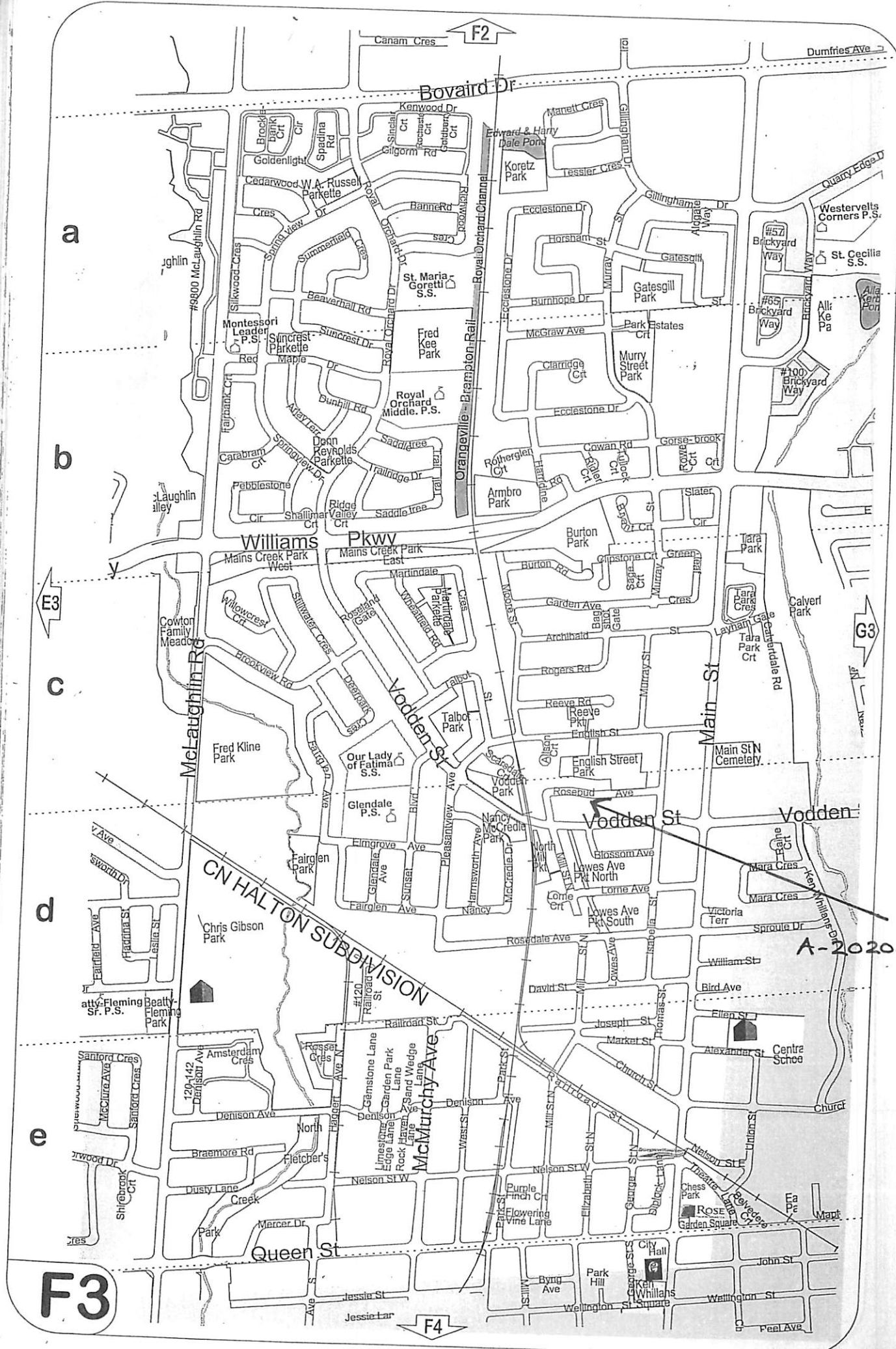
I CERTIFY THAT:
THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE
4th DAY OF OCTOBER, 1983.

OCTOBER 11, 1983
DATE

Bennett
Wm. E. BENNETT - O.L.S.

BENNETT & NORGROVE LIMITED
ONTARIO LAND SURVEYORS
385 THE WEST MALL, ETOBICOKE ONT.
PHONE: 622-0296

W.O. 82-131-1



A-2020-0084