BRAMPTON
Flower City
brampton.ca

Public Notice

Committee of Adjustment

APPLICATION # *A-2020-0087*
WARD #6

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **WINDY HILL PROPERTIES INC.** 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 1, Plan 43M-2063, municipally known as **2 MIDMORNING ROAD,** Brampton;

AND WHEREAS the applicant is proposing construction of a single detached dwelling and is requesting the following variance (s):

1. To permit an interior side yard setback of 0.71m (2.33 ft.) whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 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 File Number: _____
Application for Consent: NO 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.

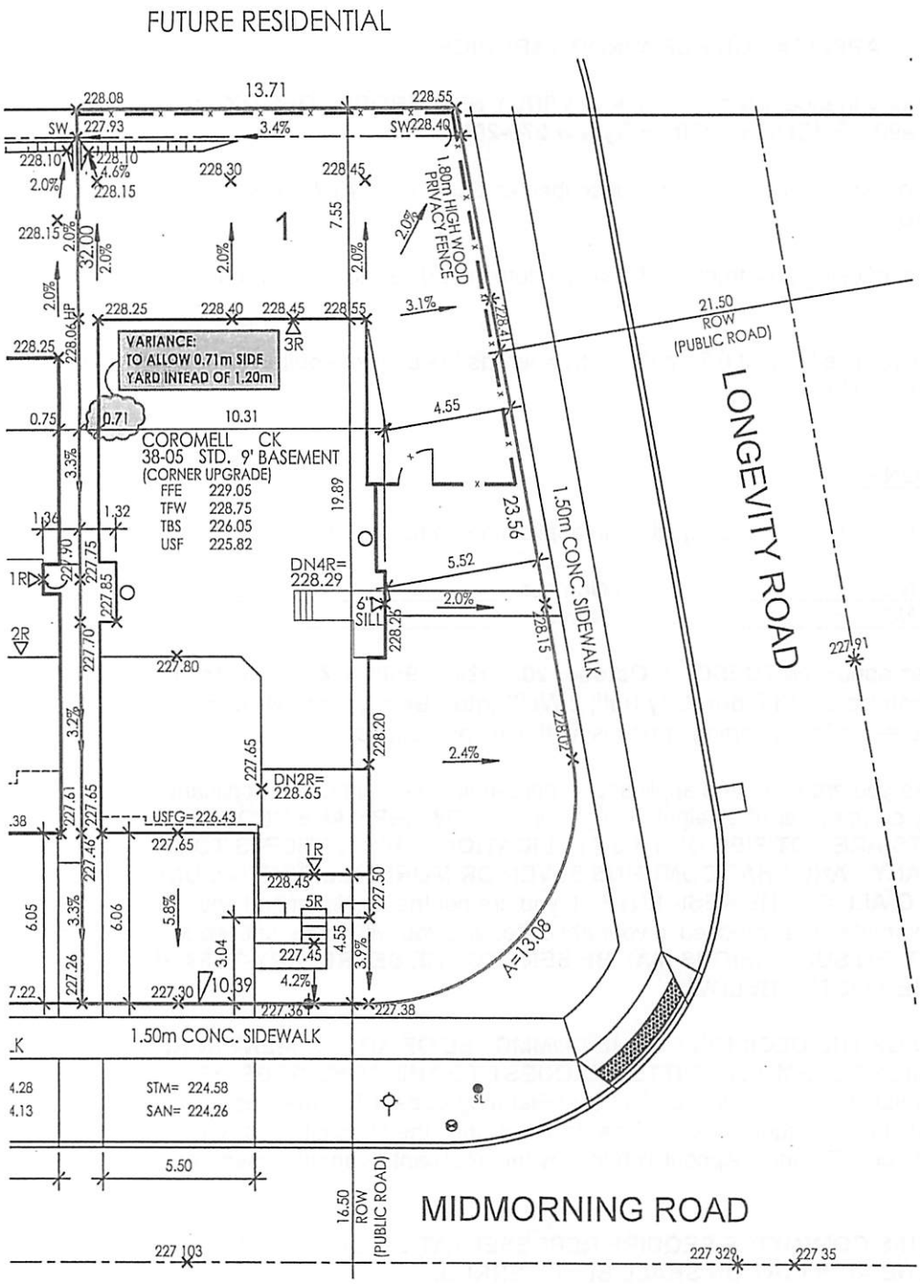
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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



NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES. IF MIN. DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE.

BUILDING STATISTICS

REG. PLAN No.	43M-2063
ZONE	R1E-14.0-2503
LOT NUMBER	1
LOT AREA(m)^2	510.49
BLDG AREA(m)^2	N/A
LOT COVERAGE(%)	N/A
No. OF STOREYS	2
MEAN HEIGHT(m)	9.45
INT. GARAGE DIMS(m)	5.54X6.10
GARAGE DOOR(m)	2 X 2.44

LEGEND

FFE	FINISHED FLOOR ELEVATION	SP	SUMP PUMP
TFW	TOP OF FOUNDATION WALL		BELL PEDESTAL
			CABLE PEDESTAL
TBS	TOP OF BASEMENT SLAB		CATCH BASIN
USF	UNDER SIDE FOOTING		DBL. CATCH BASIN
USFR	UNDER SIDE FOOTING @ REAR		ENGINEERED FILL
			HYDRO CONNECTION
USFG	UNDER SIDE FOOTING @ GARAGE		FIRE HYDRANT
TEF	TOP OF ENGINEERED FILL	SL	STREET LIGHT
R	NUMBER OF RISERS TO GRADE		MAIL BOX
WOD	WALKOUT DECK		TRANSFORMER
LOB	LOOKOUT BASEMENT		SEWER CONNECTIONS 2 LOTS
WOB	WALK OUT BASEMENT		SEWER CONNECTIONS 1 LOT
REV	REVERSE PLAN		WATER CONNECTION
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	WINDOW		HYDRO METER
AC	AIR CONDITIONING		GAS METER
	DOWN SPOUT TO SPLASH PAD		MANHOLE - STORM
	DOWNSPOUT CONNECTED TO STM		MANHOLE - SANITARY
	SWALE DIRECTION		

—X— CHAINLINK FENCE
—XX— PRIVACY FENCE
—XXX— SOUND BARRIER
— — — FOOTING TO BE EXTENDED TO 1.22 (MIN) BELOW GRADE

NOTE: USF IS BASED ON 150mm (6") FOOTING DEPTH. CONTRACTOR TO CONFIRM WITH WORKING DRAWINGS FOR SPECIFIC SIZES THAT MAY SUPERSEDE THIS SIZE.

ISSUED OR REVISION COMMENTS

NO.	DESCRIPTION	DATE	DWN	CHK
1	ISSUED FOR REVIEW	FEB-21-2020	NC	NC
2	ISSUED FINAL	MAY-12-20	NC	NC
3	ISSUED FOR C OF A	SEP-16-20	ESG	NC

IMPORTANT FOOTING NOTE:
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  - UP TO 9" FOOTING, LOWER USF BY 0.07
  - 10" FOOTING, LOWER USF BY 0.10
  - 11" FOOTING, LOWER USF BY 0.13
  - 12" FOOTING, LOWER USF BY 0.15
  - 13" FOOTING, LOWER USF BY 0.18
  - 14" FOOTING, LOWER USF BY 0.20

RN DESIGN
WWW.RNDESIGN.COM
T:905-738-3177
WWW.THEPLUSGROUP.CA

I, NELSON CUNHA DECLARE THAT I HAVE REVIEWED AND TAKEN DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF RN DESIGN LTD, UNDER DIVISION C, PART-3 SUBSECTION-3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES.

QUALIFIED DESIGNER BCIN: 21032
FIRM BCIN: 26995
DATE: SEP-16-2020

SIGNATURE:

It is the builder's complete responsibility to ensure that all plans submitted for approval fully comply with the Architectural Guidelines and all applicable regulations and requirements including zoning provisions and any provisions in the subdivision agreement. The Control Architect is not responsible in any way for examining or approving site (lotting) plans or working drawings with respect to any zoning or building code or permit matter or that any house can be properly built or located on its lot.

This is to certify that these plans comply with the applicable Architectural Design Guidelines approved by the City of BRAMPTON

CLIENT
WINDY HILL HOMES INC.

PROJECT/LOCATION
CLEAVE VIEW ESTATE PH. 2
BRAMPTON

DRAWING
SITE PLAN

DRAWN BY	SCALE
NC	1:250
PROJECT No.	LOT NUMBER
18060	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.

EXPLANATORY LETTER

To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

LOCATION OF THE SUBJECT LAND: 2 MIDMORNING RD A – 2020-0087

To whom it may concern,

The purpose of this minor variance application is to request that a 0.71 metres interior side yard be allowed for the subject property. The proposed dwelling was designed with the intention to be placed on corner lots of similar dimensions as the subject property, where lot width, as defined in Zoning By-Law 270-2004, is of less than 15.8 metres. According R1E – 2505 zoning requirements, a corner lot with lot width of less than 15.8 metres is allowed to have a 0.6 metres interior side yard instead of 1.2 metres. However, the subject property is characterized by having disproportionate lot widths between the front and rear of the lot, where the rear lot width is consistent with other corner lots in the same subdivision, but the front of the lot is wider due to the angle at which streets intersect. Therefore, the calculated lot width of 16.73 metres triggers the interior side yard to be increased to 1.2 metres.

To offer some context, the interior lot width measured along the rear wall of the dwelling unit is 15.03 meters. Thus, it is worth considering that the angle at which Longevity Road intersects Midmorning Road is the leading cause for the increased lot width on the subject property.

Dated this 16th day of September, 2020

NAVID ATABAKI (RN DESIGN LTD)

Applicant

Flower City

brampton.ca

FILE NUMBER: A-2020-0087

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)** ~~WINDY HILL HOMES INC.~~ Windy Hill properties Inc. NA
Address 171 Basaltic Road
CONCORD, ONTARIO, L4K 1G4
Phone # 905-669-5003 **Fax #** 905-669-8511
Email dot@regalcresthomes.com

2. **Name of Agent** NAVID ATABAKI (RN DESIGN LTD)
Address 8395 Jane St #203, Concord, ON L4K 5Y2
Phone # 905-738-3177 **Fax #** 905-738-5449
Email ezequiels@rndesign.com

3. **Nature and extent of relief applied for (variances requested):**
The zoning requirement of a 1.20m interior side yard cannot be achieved on the subject property (corner lot). It is requested that a 0.71m interior side yard be allowed.

4. **Why is it not possible to comply with the provisions of the by-law?**
The proposed building was designed with the intent to fit a corner lot with a lot width smaller than 15.8m – where 0.6m interior side yards are allowed. However, due to the irregular shape of the lot (narrower rear/wider front) and lot width being calculated at 15.0m back from the front lot line, the lot width turns out to be 16.73m – where a 1.2m is required.
It is worth considering for context that if lot width is measured along the rear wall of the building, it would be 15.03m – which would only require a 0.6m side yard.

5. **Legal Description of the subject land:**
Lot Number LOT 1
Plan Number/Concession Number 43M-2063
Municipal Address 2 MIDMORNING RD

6. **Dimension of subject land (in metric units)**
Frontage 16.73m (lot width)
Depth 35.04m
Area 510.49m2

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.)

N/A

PROPOSED BUILDINGS/STRUCTURES on the subject land:

BUILDING TYPE:	GROUND FLOOR AREA: 148.6m2
SINGLE DETACHED DWELLING	GROSS FLOOR AREA: 330.0m2
	NUMBER OF STOREYS: 2
	WIDTH: 10.31m
	LENGTH: 19.89m
	HEIGHT: 9.45m

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	N/A
Rear yard setback	N/A
Side yard setback	N/A
Side yard setback	N/A

PROPOSED

Front yard setback	4.55m
Rear yard setback	7.55m
Side yard setback	0.71m interior side yard (SUBJECT OF VARIANCE)
Side yard setback	4.55m exterior side yard

10. **Date of Acquisition of subject land:** FEBRUARY 26, 2020

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:** 2020

15. **Length of time the existing uses of the subject property have been continued:** N/A (NEW LOT)

16. (a) **What water supply is existing/proposed?**
- Municipal [X]
- Well [ ]
- Other (specify) _____

(b) **What sewage disposal is/will be provided?**
- Municipal [X]
- Septic [ ]
- Other (specify) _____

(c) **What storm drainage system is existing/proposed?**
- Sewers [X]
- Ditches [ ]
- Swales [X]
- 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 of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON

THIS 16 DAY OF SEPTEMBER, 20 20.

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, Nwid Atakaki, OF THE city OF Newmarket

IN THE province OF Ontario 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 16TH DAY OF Sept., 20 20.

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.

J.M.

_____
Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: R1E-2505

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

Hothi S
Zoning Officer

Sept. 18. 2020
Date

DATE RECEIVED September 16, 2020

Revised 2020/01/07

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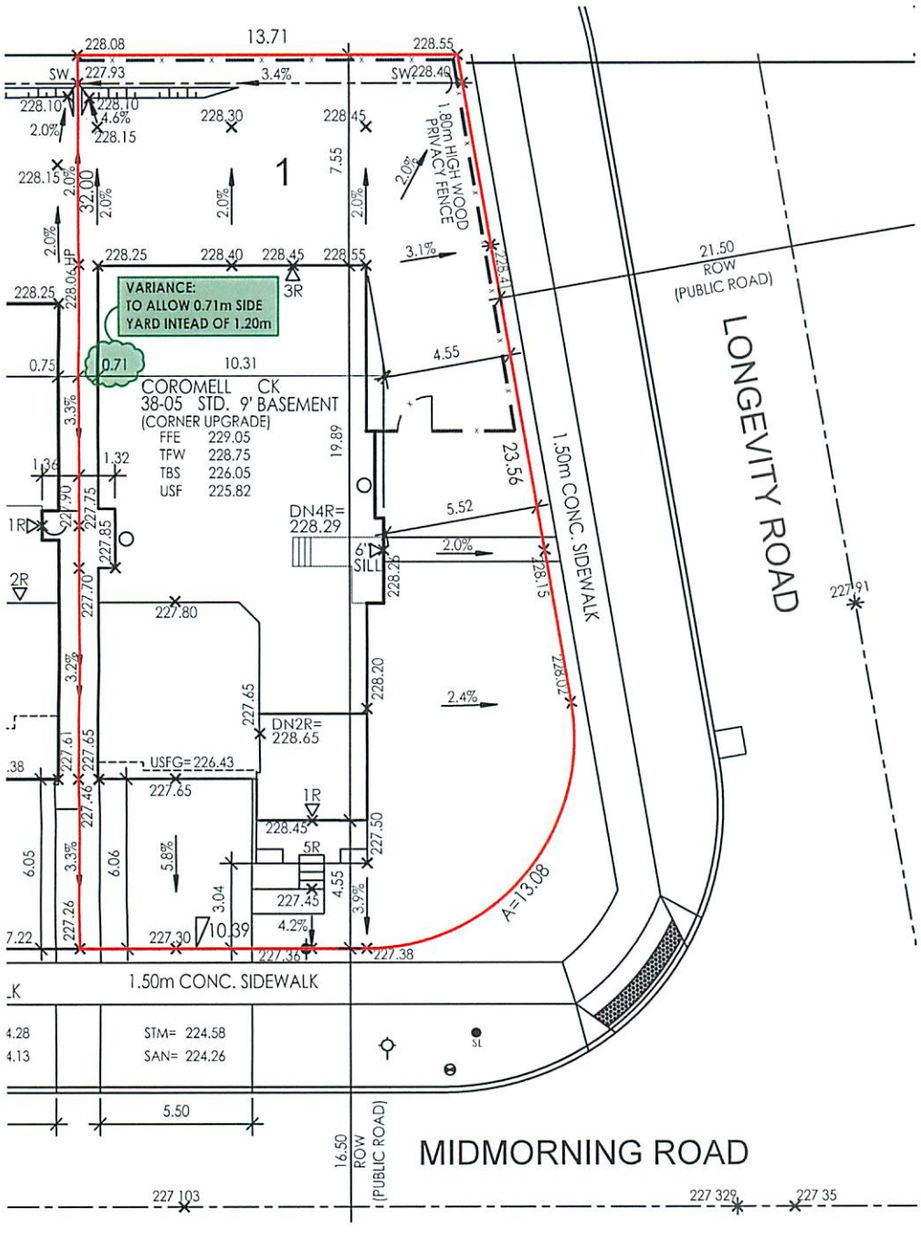

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	DOWN SPOUT TO SPLASH PAD		HYDRO METER
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			MANHOLE - SANITARY

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XX — PRIVACY FENCE
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QUALIFIED DESIGNER BCIN: 21032
FIRM BCIN: 26995
DATE: SEP-16-2020

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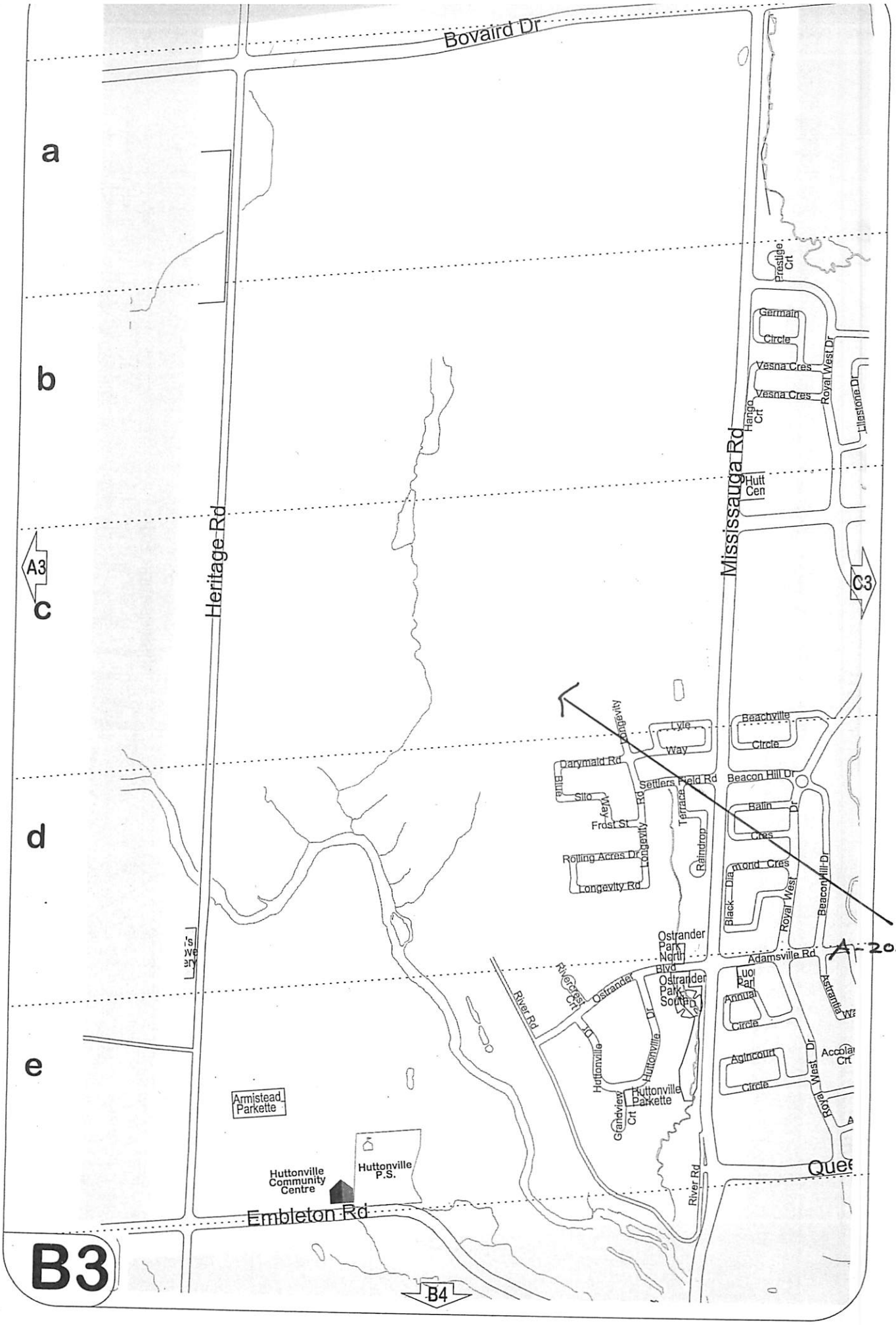
WINDY HILL HOMES INC.

PROJECT/LOCATION
CLEAVE VIEW ESTATE PH. 2
BRAMPTON

DRAWING
SITE PLAN

DRAWN BY	SCALE
NC	1:250
PROJECT No.	LOT NUMBER
18060	1

File: D:\RN 2018 Projects\18060\Site Plannina\Architectural (RN)\Site Plan\18060-SP100.dwa Plotted: Sep 16, 2020 By: EzequielS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Lilastone Dr
Lyle Way
Beachville Circle
Parymald Rd
Silo Way
Settlers Field Rd
Beacon Hill Dr
Frost St
Terrace
Raindrop
Rolling Acres Dr
Longevity Rd
Longevity Rd
Ballin Dr
Cres
Diamond Cres
Black
Royal West
Beaconville Dr
Ostrander Park North
Adamsville Rd
Ostrander Park South
Ostrander Blvd
Riverdrive Crt
River Rd
Huttonville Dr
Annual Circle
Agincourt Circle
Huttonville Parkette
Grandview Crt
Armistead Parkette
Huttonville Community Centre
Huttonville P.S.
Embleton Rd
A-2020-0087

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