

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **MANTHAN SHUKLA AND MUDRA THAKAR** 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 Block B, Plan 43M-2043, Parts 19 and 20, Plan 43R-38453 municipally known as **65 BENHURST CRESCENT**, Brampton;

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

1. To permit an accessory structure (gazebo) to be located in the exterior side yard whereas the by-law does not permit an accessory structure in the exterior side yard.

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, July 12, 2022 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 an Ontario Land 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 Ontario Land Tribunal by the applicant or another member of the public.

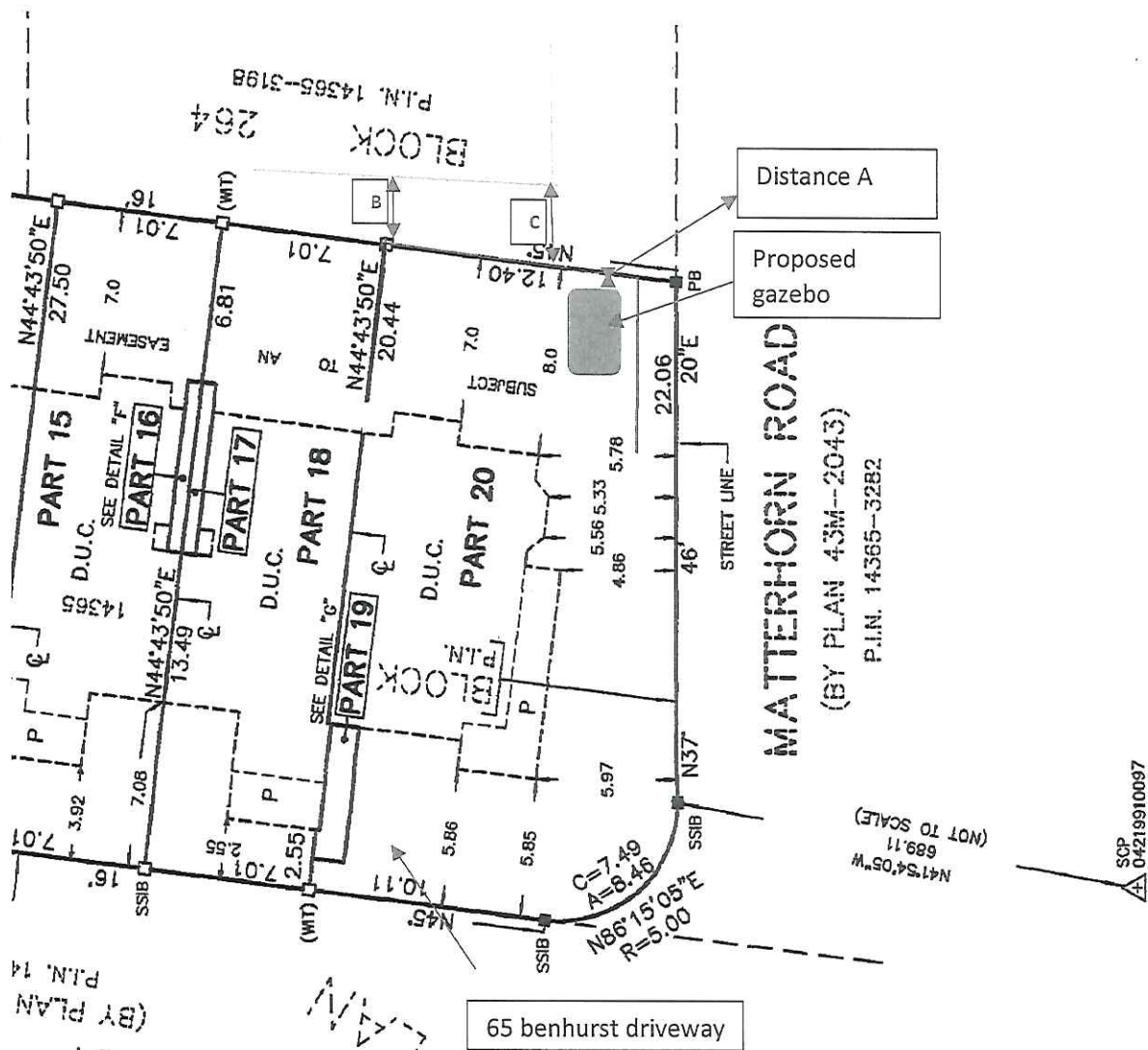
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 29th Day of June, 2022

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



Red lines are the wooden privet Fence 245 cm hight

Green is proposed location for the patio gazebo (W x D x H) (365.76 x 304.8 x 307 cm)

Orange lines represent the rear property main structure

This gazebo will be professionally built on stoned interlocked base patio.

Distance A: 110 cm (proposed gazebo to fence)

Distance B: 310+ CM (from fence to rear property)

Distance C: 410+ CM (from fence to rear property)

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 and/or as a hybrid meeting (both in-person and electronically).

Electronic/Hybrid Hearing Procedures
How to get involved in the Hybrid Hearing

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **July 12, 2022** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

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 7, 2022.**
- Advance registration for applicants, agents and other interested persons is required by one or two options:
 1. Participate remotely 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 Thursday, July 7, 2022.**
 2. To participate in-person, please email the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, July 7, 2022.**
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or in-person. 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 7, 2022.** City staff will contact you and provide you with further details.

You will be contacted by the City Clerk's Office before the hearing date to confirm your attendance. Confirmation of in-person attendance will be subject to any in-person capacity limits that may be in place for Council Chambers at City Hall and prevailing public health orders and guidance.

- 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/hybrid 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.

The City of Brampton is reviewing its Committee of Adjustment process. As a participant in this process, if you have comments or input you would like to share about your experience with the Committee of Adjustment, please email cityclerksoffice@brampton.ca to indicate your interest and you will be contacted with more information.

City of Brampton



Brampton.ca

FILE NUMBER: A-2022-0185

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) MANTHAN KAVSHZKKUMAR SHUKLA & MUDRA THAKAR
Address 65 BENVURST CRES
BRAMPTON ON L7A 5A5
Phone # 437 881 1118 Fax # _____
Email MKS.CE4U@GMAIL.COM
2. Name of Agent SELF
Address _____
Phone # _____ Fax # _____
Email _____
3. Nature and extent of relief applied for (variances requested):
TO PERMIT AN ACCESSORY STRUCTURE (PROPOSED GAZEBO)
IN AN EXTERIOR SIDE YARD WHEREAS THE BY LAY
DOES NOT PERMIT AN ACCESSORY STRUCTURE
IN AN EXTERIOR SIDE YARD
4. Why is it not possible to comply with the provisions of the by-law?
THE PROPOSED GAZEBO IS BUT CLOSE TO THE
ADJACENT STREET AND THE BACK SIDE
TOWNHOUSE
5. Legal Description of the subject land:
Lot Number BLOCK 265 PLAN 43M-2043
Plan Number/Concession Number PIN 14365-4547 LT. 43R38453, 19-120
Municipal Address 65 BENVURST CRES, ON, L7A 0B7
6. Dimension of subject land (in metric units)
Frontage ~ 1500 CM
Depth ~ 2700 CM
Area ~ 40,50,000 SQ CM
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.)

2 STOREY DWELLING WITH A GROSS FLOOR AREA OF ~ 170 SQ METER

PROPOSED BUILDINGS/STRUCTURES on the subject land:

PROPOSED GAZEBO WITH A GROSS FLOOR AREA ~ 11.14 SQ METER

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 5.85 METER
Rear yard setback 8.00 METER
Side yard setback 5.56 METER
Side yard setback N/A

PROPOSED

Front yard setback
Rear yard setback
Side yard setback
Side yard setback

10. Date of Acquisition of subject land: 31 JANUARY 2022
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: OCT 2018
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]
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON

THIS 25 DAY OF MAY, 2022.

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, Manthan Shukla, 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 1st DAY OF

June, 2022

[Signature]
A Commissioner etc.

[Signature]
Jeanie Cecilia Myers
a Commissioner, etc.,
Province of Ontario
for the Corporation of the
City of Brampton
Expires April 8, 2024.

[Signature]
Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R3E-5.5-2217

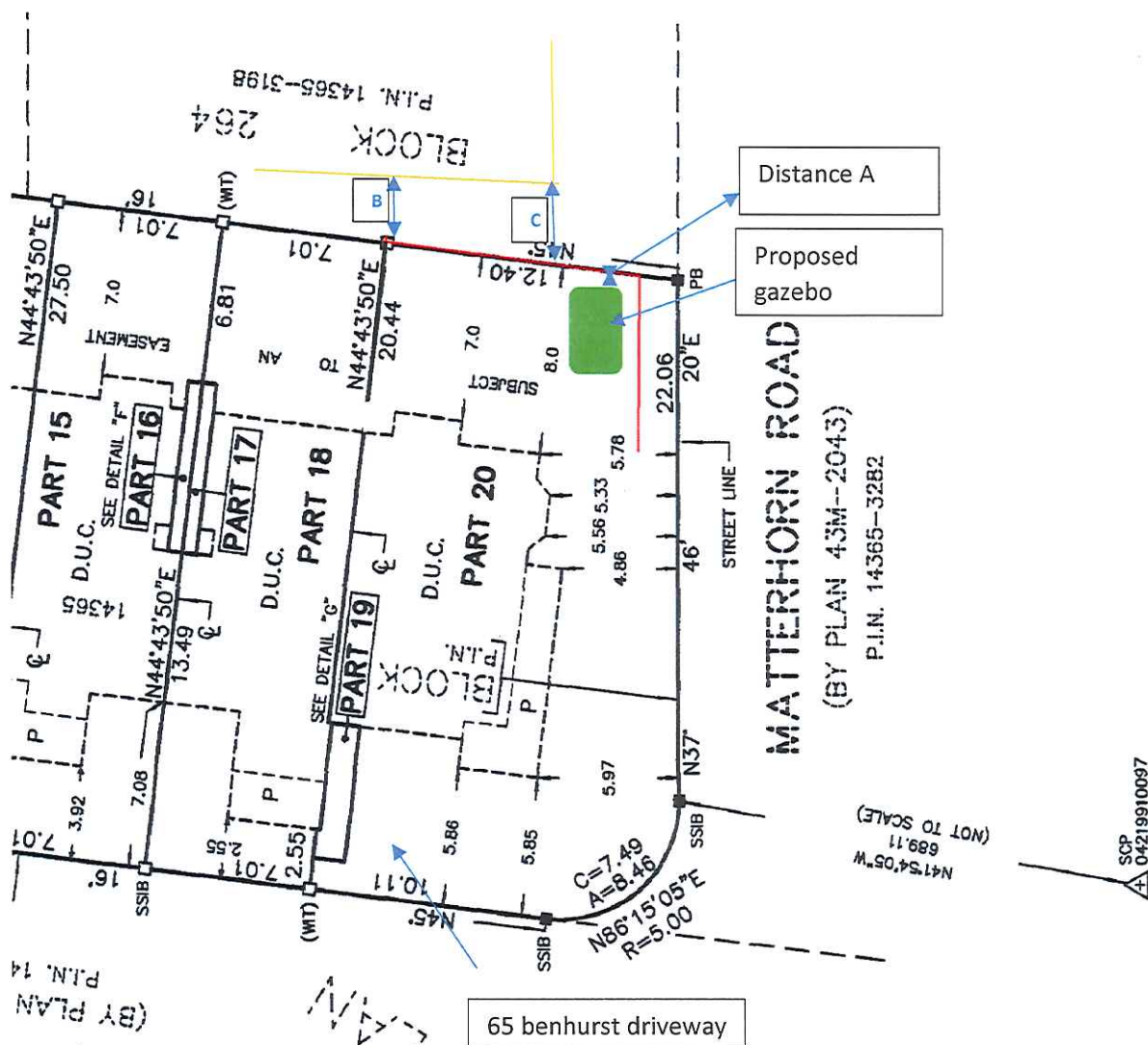
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

[Signature]
Zoning Officer

June 7, 2022

Date

DATE RECEIVED June 1, 2022



Red lines are the wooden picket Fence 245 cm high

Green is proposed location for the patio gazebo (W x D x H) (365.76 x 304.8 x 307 cm)

Orange lines represent the rear property main structure

This gazebo will be professionally built on stoned interlocked base patio.

Distance A: 110 cm (proposed gazebo to fence)

Distance B: 310+ CM (from fence to rear property)

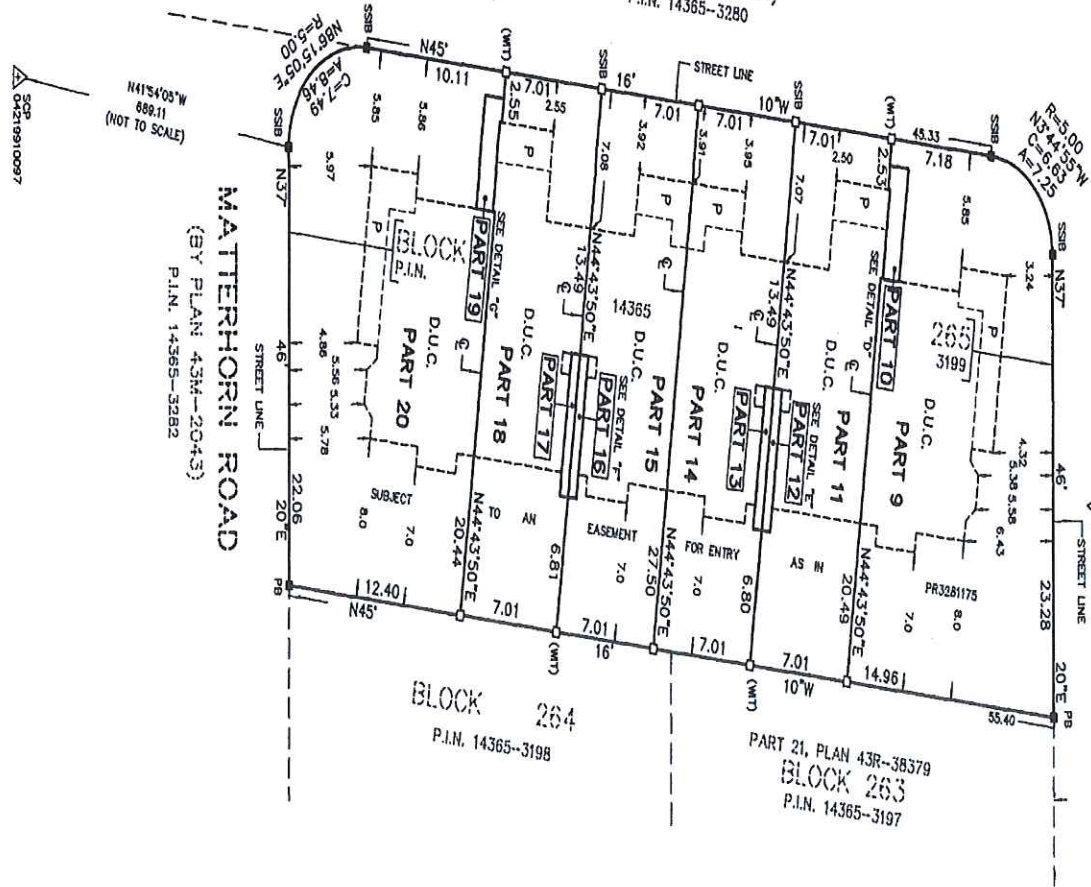
Distance C: 410+ CM (from fence to rear property)

BENHURST
(BY PLAN 434)
CRESCENT

(BY PLAN 43M-2043)
P.I.N. 14365-3280

P.I.N. 14365-3280

16.50

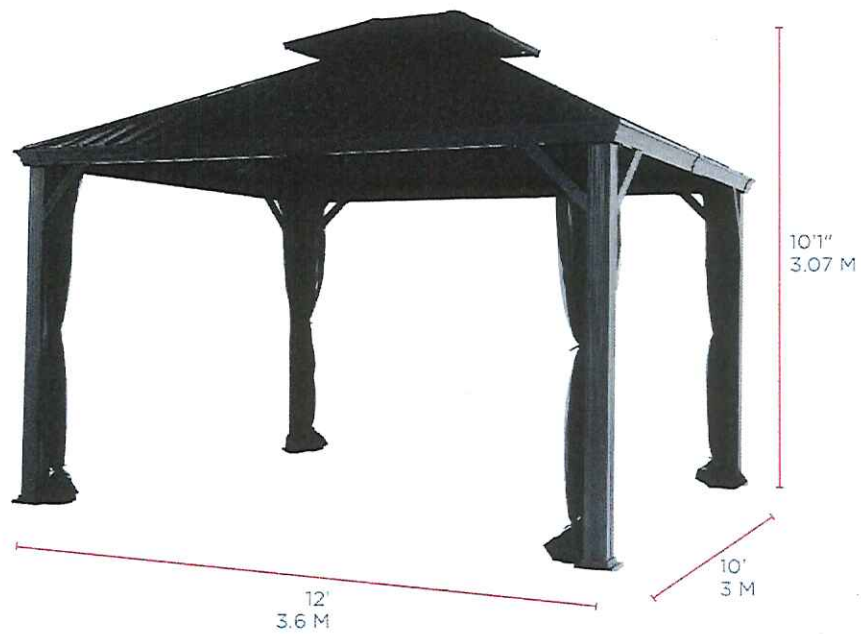


N41°54'05"W
889.11
(NOT TO SCALE)

MATTERHORN RO
 (BY PLAN 43M-2045)
 P.L.N. 14365-3282

BLOCK 264
P.I.N. 14365-3198

PART 21, PLAN 43R-38379
BLOCK 263
P.I.N. 14365-3197



<https://www.canadiantire.ca/en/pdp/canvas-skyline-outdoor-patio-hard-top-gazebo-w-bug-net-for-all-season-black-10x12-ft-0882278p.html#srp>

CANVAS Skyline Hard Top Gazebo (W x D x H) (365.76 x 304.8 x 307 cm) features a durable galvanized steel and aluminum frame with black powder coating

a

B1

b

A2022-0185

Mississauga Rd

Mayfield Rd

Nance
Horwood
Valley

Finegan
Park

Bill
Bettridge
Pond

Remembrance Rd

Creditview Rd

Wanless Dr

Eccles
Valley

Alloa
Cemetery
Alloa
Pond

Creditview Rd

Princess
Point
Pond

Miracle
Pond

Pkwy

C2

C1