

### DEFERRED APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **ROHIT AGRAWAL AND ADITI GUPTA** 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 Lot 200, Plan 43M-1962, Part 8, Plan 43R-37449 municipally known as **43 GERMAIN CIRCLE**, Brampton;

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

1. To permit a proposed below grade entrance between the main wall of a dwelling and the flankage lot line whereas the by-law prohibits below grade entrances between the main wall of a dwelling and a flankage lot line;
2. To permit an exterior side yard setback of 1.887m (6.19 ft.) to a proposed below grade entrance whereas the by-law requires a minimum exterior side yard setback of 3.0m (9.84 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, August 2, 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 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 21st Day of July, 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](mailto:jeanie.myers@brampton.ca)



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THE ENGINEER'S CONSENT. THE  
CONTRACTOR SHALL CHECK AND VERIFY  
EVERYTHING AND REPORT ALL ERRORS  
AND OMISSIONS TO THE ENGINEER

3.	ISSUED FOR MINOR VARIANCE	APRIL 7, 2022
2.	ISSUED FOR ZONING	MAR 11, 2022
1.	ISSUED FOR PERMIT	JULY 28, 2021
NO.	DESC.	DATE



PROJECT NORTH

SEAL



PROJECT:  
**PROPOSED 2 UNIT DWELLING  
AT 43 GERMAIN CIRCLE,  
BRAMPTON, ON**

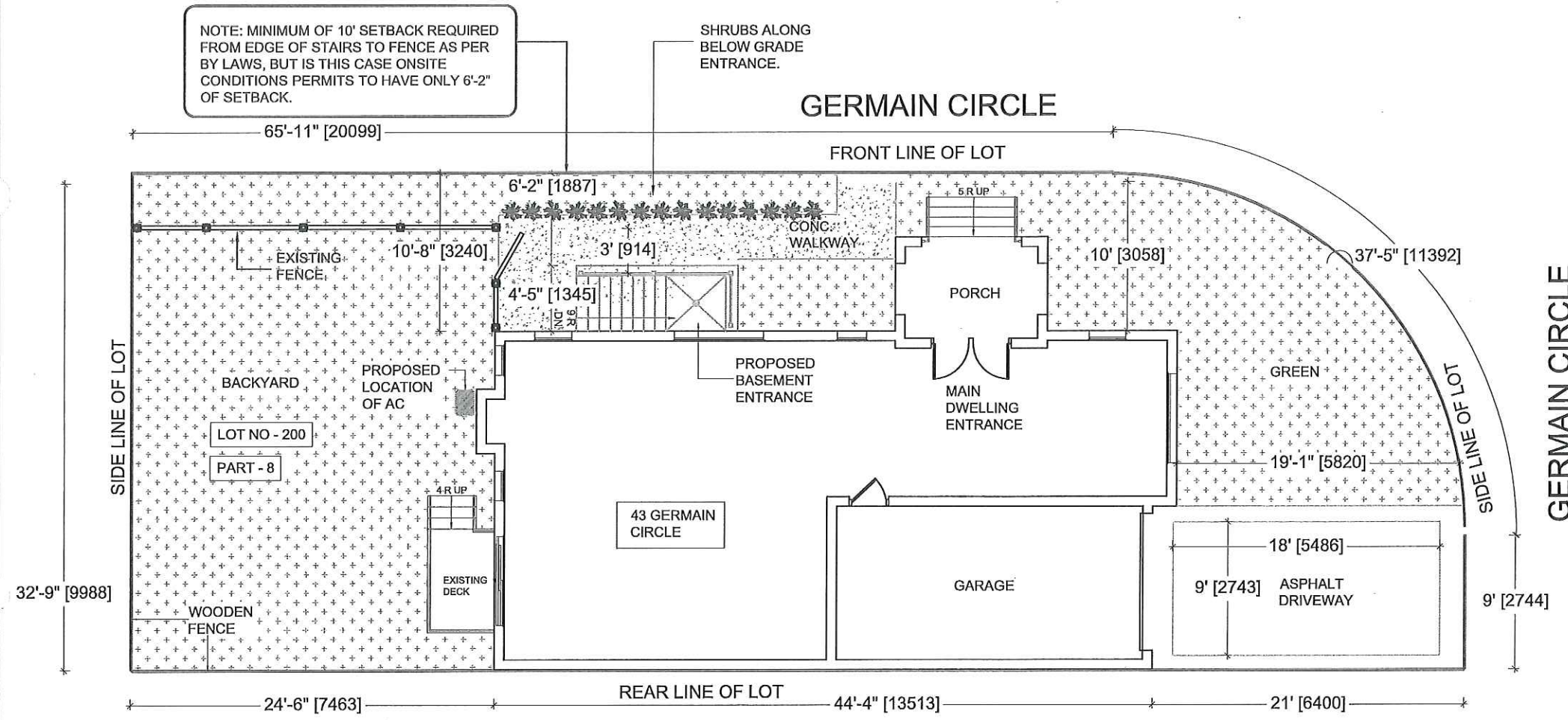
DRAWING TITLE:  
**SITE PLAN**




**MSBHARAJ & ASSOCIATES  
DESIGN | ENGINEERING**

23-6033 Shawson Dr., Mississauga, ON L5T 1H8  
Tel: 647 297 7668 | msbharaj@gmail.com

DESIGN:	M.S.B.	DRAWING NO:	<b>A-01</b>
DRAWN:	V.M		
CHECKED BY:	M.S.B.		
DATE:	APR - 2022		
SCALE:	NTS	PROJECT NO:	2104063





TRUE NORTH

**1**

A-01

**SITE PLAN**

AREA OF GROUND FLOOR = 796.92 SQ.FT.

AREA OF SECOND FLOOR = 1015.75 SQ.FT.

TOTAL FLOOR AREA = 796.92 + 1015.75 = 1812.67 SQ.FT.

PERMITTED AREA FOR BASEMENT APARTMENT: MAX 45% OF TOTAL FLOOR AREA = 815.70 SQ.FT.

PROPOSED AREA FOR BASEMENT APARTMENT = 814.92 SQ.FT.



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 **August 2, 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 28, 2022**. *Please note that City Hall will be closed on Monday, August 1, 2022 in observance of the Civic Holiday*
- 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, July 28, 2022**.
  2. To participate in-person, please email 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 Thursday, July 28, 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 28, 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](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.

**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](mailto:cityclerksoffice@brampton.ca) to indicate your interest and you will be contacted with more information.**


**A-2022-0058 – 43 GERMAIN CIRCLE**

**REVISED SITE PLAN RECEIVED FROM MSBA – MS BHARAJ & ASSOCIATES (AUTHORIZED AGENT)**




NOTE:  
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PROJECT NORTH

SEAL



PROJECT:  
**PROPOSED 2 UNIT DWELLING  
AT 43 GERMAIN CIRCLE,  
BRAMPTON, ON**

DRAWING TITLE:  
**SITE PLAN**



**MSBHARAJ & ASSOCIATES  
DESIGN | ENGINEERING**

23-6033 Shawson Dr., Mississauga, ON L5T 1H8  
Tel: 647 297 7668 | msbharaj@gmail.com

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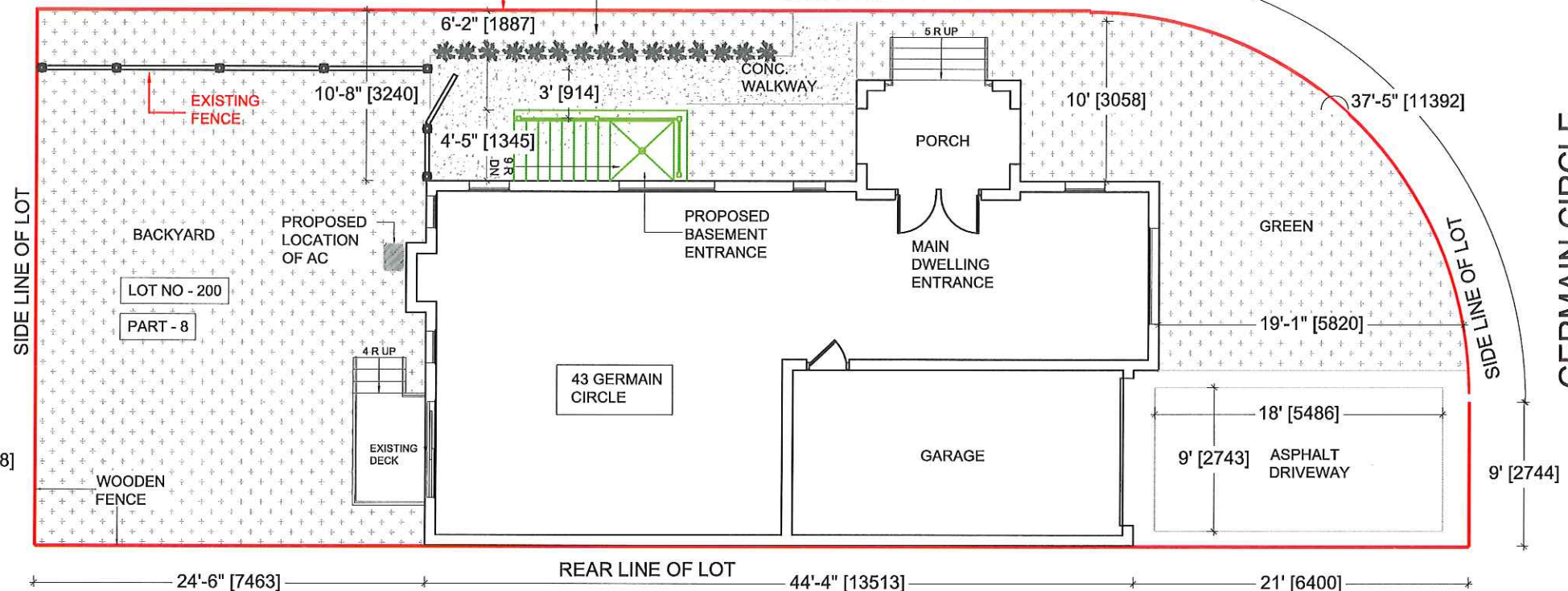
NOTE: MINIMUM OF 10' SETBACK REQUIRED  
FROM EDGE OF STAIRS TO FENCE AS PER  
BY LAWS, BUT IN THIS CASE ONSITE  
CONDITIONS PERMITS TO HAVE ONLY 6'-2"  
OF SETBACK.

SHRUBS ALONG  
BELOW GRADE  
ENTRANCE.

## GERMAIN CIRCLE

FRONT LINE OF LOT

GERMAIN CIRCLE



**1 SITE PLAN**  
A-01

AREA OF GROUND FLOOR = 796.92 SQ.FT.  
AREA OF SECOND FLOOR = 1015.75 SQ.FT.  
TOTAL FLOOR AREA = 796.92 + 1015.75 = 1812.67 SQ.FT.  
PERMITTED AREA FOR BASEMENT APARTMENT: MAX 45% OF TOTAL FLOOR AREA = 815.70 SQ.FT.  
PROPOSED AREA FOR BASEMENT APARTMENT = 814.92 SQ.FT.

## AMENDMENT LETTER

April 4, 2022

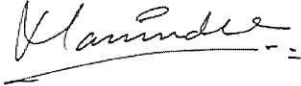
To: Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE  
ROHIT AGRAWAL AND ADITI GUPTA  
PART OF LOT 200, PLAN 43M-1962  
PART 8, PLAN 43R-37449  
A-2022-0058 – 43 GERMAIN CIRCLE

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Please **amend** application **A-2022-0058** to reflect the following:

1. To permit a proposed below grade entrance between the main wall of a dwelling and the flankage lot line whereas the by-law prohibits below grade entrances between the main wall of a dwelling and a flankage lot line;
2. To permit an exterior side yard setback of 1.887m (6.19 ft.) to a proposed below grade entrance whereas the by-law requires a minimum exterior side yard setback of 3.0m (9.84 ft.).



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Applicant/Authorized Agent



FILE NUMBER: A-2022-0058

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)** ROHIT AGRAWAL AND ADITI GUPTA  
**Address** 43 GERMAIN CIRCLE, BRAMPTON, ON L6X 0B3

**Phone #** 289-505-8399 **Fax #** \_\_\_\_\_  
**Email** jecrohit@gmail.com

2. **Name of Agent** MANINDER BHARAJ  
**Address** 6033 SHAWSON DR, UNIT-23, MISSISSAUGA, L5T 1H8 ON

**Phone #** 905-564-1112 **Fax #** \_\_\_\_\_  
**Email** kbharia1@magh.ca msbhharaj@magh.ca  
msbhharaj@gmail.com

3. **Nature and extent of relief applied for (variances requested):**  
To permit the below grade entrance between the main wall of the dwelling and the flankage lot line  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. **Why is it not possible to comply with the provisions of the by-law?**  
House is a semi-detached. Only options for below grade entrance are from side and rear.  
Rear below grade entrance is not possible due to the width and location of patio door  
and chimney. The side option is best suited for proper utilization of the space.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. **Legal Description of the subject land:**  
**Lot Number** PART OF LOT 22, PLAN 43M-1962  
**Plan Number/Concession Number** PART 8, PLAN 43R-37449  
**Municipal Address** 43 GERMAIN CIRCLE

6. **Dimension of subject land (in metric units)**  
**Frontage** 27.35 M  
**Depth** 9.99 M  
**Area** 263 SQ M

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.)

- SINGLE SEMI- DETACHED DWELLING HOUSE

- 2 STOREY HOUSE

- GROSS FLOOR AREA=168.34 SQ M

**PROPOSED BUILDINGS/STRUCTURES** on the subject land:

SEMI DETACHED TWO UNIT DWELLING HOUSE

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 4.61 M

Rear yard setback 7.55 M

Side yard setback 3.24 M

Side yard setback

**PROPOSED**

Front yard setback 4.61 M

Rear yard setback 7.55 M

Side yard setback 1.89 M

Side yard setback

10. Date of Acquisition of subject land: 2017
11. Existing uses of subject property: SINGLE UNIT DWELLING
12. Proposed uses of subject property: TWO UNIT DWELLING
13. Existing uses of abutting properties: RESIDENTIAL
14. Date of construction of all buildings & structures on subject land: 2017
15. Length of time the existing uses of the subject property have been continued: 5 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 _____

Maninder

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON  
THIS 18 DAY OF MARCH, 20 22.

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, MANINDER BHARAJ, 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 18 DAY OF MARCH, 20 22

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

Maninder

Signature of Applicant or Authorized Agent

Jeanie Myers  
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R2E-8-2308

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

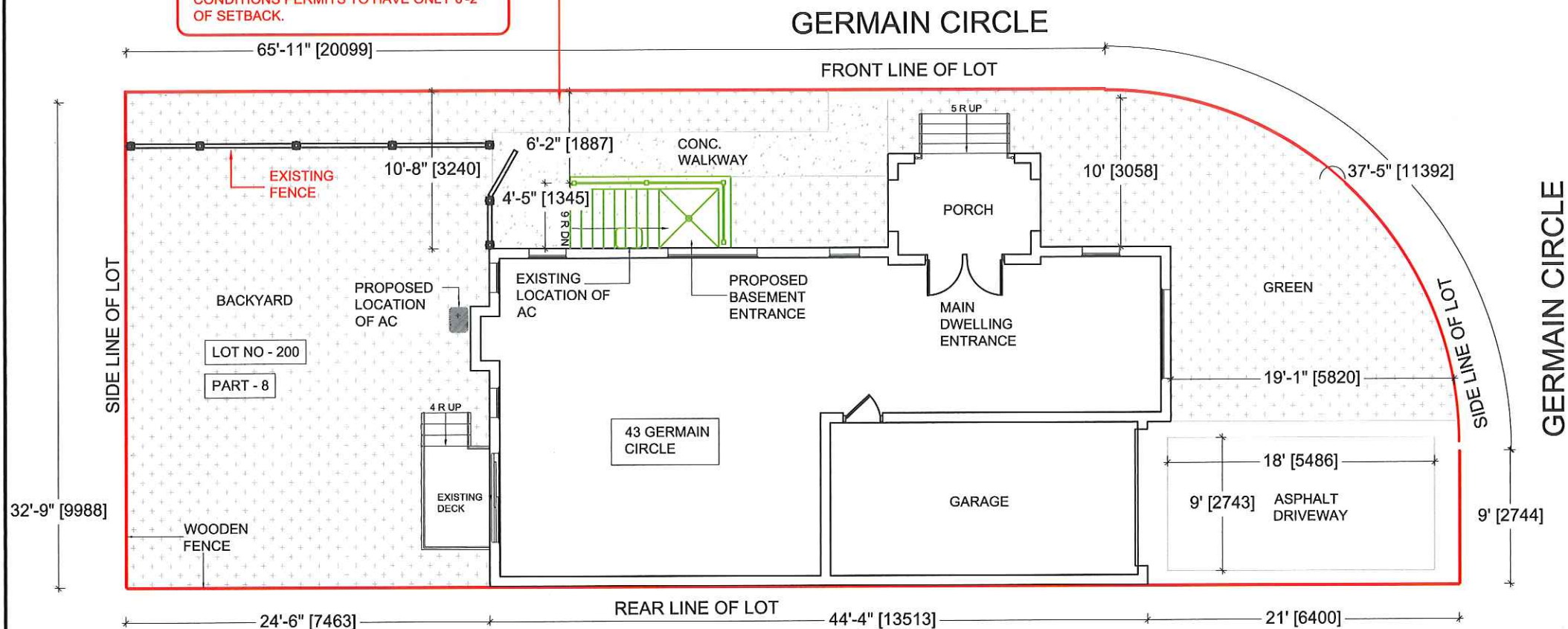
Todd Myers  
Zoning Officer

March 23, 2021

Date

DATE RECEIVED MARCH 22, 2022

NOTE: MINIMUM OF 10' SETBACK REQUIRED FROM EDGE OF STAIRS TO FENCE AS PER BY LAWS, BUT IN THIS CASE ONSITE CONDITIONS PERMITS TO HAVE ONLY 6'-2" OF SETBACK.



1  
A-01

SITE PLAN

AREA OF GROUND FLOOR = 796.92 SQ.FT.  
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2.	ISSUED FOR ZONING	MAR 11, 2022
1.	ISSUED FOR PERMIT	JULY 28, 2021
NO.	DESC.	DATE



PROJECT NORTH

SEAL



PROJECT:

PROPOSED 2 UNIT DWELLING  
AT 43 GERMAIN CIRCLE,  
BRAMPTON, ON

DRAWING TITLE:

SITE PLAN

**MSBA**  
MS BHARAJ & ASSOCIATES  
DESIGN | ENGINEERING

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C2

Mount Pleasant  
Village Community  
Centre & Library

a

b

c

d

e

A-2022-0058

B3

D3

C4

C3

