BRAMPTON
Flower City
brampton.ca

Public Notice

Committee of Adjustment

APPLICATION # *A-2022-0219*
WARD #5

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **CHERRYLAWN ESTATES 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 Part of Lot 6, Concession 3 WHS (Lot 4 on Draft Plan of Subdivision 21T-09007B) municipally known as **118 ANTIBES DRIVE,** Brampton;

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

1. To permit a rear yard setback of 6.30m (20.67 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

The land which is subject of this application is the subject of an application under the Planning Act for:

Plan of Subdivision: YES File Number: 21T-09007B
Application for Consent: NO File Number:

The Committee of Adjustment has appointed **TUESDAY, August 23, 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 11th Day of August, 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

LEGAL DESCRIPTION OF LANDS

PLAN OF SUBDIVISION OF

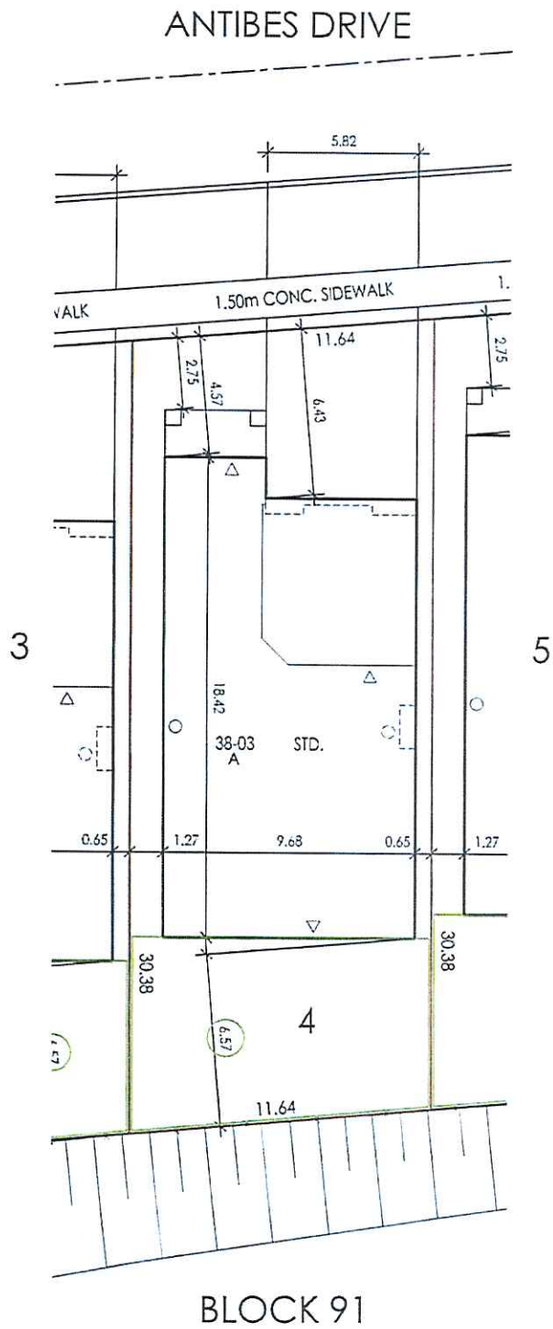
PART OF LOT 6, CONCESSION 3, WEST OF HURONTARIO STREET

(GEOGRAPHIC TOWNSHIP OF CHINGUACOUSY, COUNTY OF PEEL)

CITY OF BRAMPTON

REGIONAL MUNICIPALITY OF PEEL

ADJACENT LANDS USES (SINGLE DETACHED RESIDENTIAL)



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.	
ZONE	R1E-11.6-2250
LOT NUMBER	LOT 4
LOT AREA(m)^2	352.46
BLDG AREA(m)^2	
LOT COVERAGE(%)	
No. OF STOREYS	2
MEAN HEIGHT(m)	
PEAK HEIGHT(m)	N/A
DECK LINE(m)	N/A

LEGEND

FFE	FINISHED FLOOR ELEVATION		SUMP PUMP
TFW	TOP OF FOUNDATION WALL		BELL PEDESTAL
TBS	TOP OF BASEMENT SLAB		CABLE PEDESTAL
USF	UNDER SIDE FOOTING		CATCH BASIN
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	DOWNSPOUT CONNECTED TO STM		MANHOLE - STORM
	SWALE DIRECTION		MANHOLE - SANITARY

—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 SITE.

ISSUED OR REVISION COMMENTS

NO.	DESCRIPTION	DATE	DWN	CHK
1	ISSUED FOR REVIEW	23-JUN-22	BWS	BWS

IMPORTANT FOOTING NOTE:
- IT IS THE RESPONSIBILITY OF THE BUILDER TO VERIFY FROM THE ARCHITECTURAL DRAWINGS BEFORE CONSTRUCTION WHETHER ADDITIONAL THICKNESS MAY BE REQUIRED.
- LOT GRADING PLANS ASSUME A TBS TO USF DISTANCE OF 0.23 BASED ON FOOTING THICKNESS UP TO 6".
- IF ADDITIONAL FOOTING THICKNESS IS REQUIRED THE USF IS TO BE LOWERED BY THE FOLLOWING AMOUNTS:
  - UP TO 9" FOOTING, LOWER USF BY 0.07
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WWW.RNDESIGN.COM
T:905-738-3177
WWW.THEPLUSGROUP.CA

CLIENT
BALLANTRY HOMES

PROJECT/LOCATION
BRAMPTON
ONTARIO

DRAWING
SITE PLAN

DRAWN BY	SCALE
BWS	1:250
PROJECT No.	LOT NUMBER
18014	LOT 4

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 23, 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, August 18, 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, August 18, 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, August 18, 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, August 18, 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.

Flower City

brampton.ca

For Office Use Only
(to be inserted by the Secretary-Treasurer
after application is deemed complete)

FILE NUMBER: A-2022-0219

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)** Cherrylawn Estates Inc.
Address 20 Cachet Woods Court, Suite 6
Markham, ON
L6C 3G1
Phone # 905-887-7100 **Fax #**
Email viz@ballantryhomes.com

2. **Name of Agent** Vizaghan Srikandarajah
Address 20 Cachet Woods Court, Suite 6
Markham, ON
L6C 3G1
Phone # 416-881-5013 **Fax #**
Email viz@ballantryhomes.com

3. **Nature and extent of relief applied for (variances requested):**
- Requesting a minor variance on zoning for the rear yard setback from 7.50m to 6.30m.

4. **Why is it not possible to comply with the provisions of the by-law?**
- We have a few existing model types that would work great for this subdivision but due to the depth of the lot, a rear yard setback of 6.30m will be required to fit these models.

5. **Legal Description of the subject land:**
Lot Number Lot 4
Plan Number/Concession Number Part of Lot 6, Concession 3, West of Hurontario Street.
Municipal Address 118 Antibes Dr. (Preliminary Addressing)

6. **Dimension of subject land (in metric units)**
Frontage 11.64
Depth 30.39
Area 352.5

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.)

- Vacant Land

PROPOSED BUILDINGS/STRUCTURES on the subject land:

- Two Storey Detached House (Gross Floor Area: 560 SM)

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	4.50m but 6.0m to the front of the garage (as per zoning)
Rear yard setback	7.50m (as per zoning)
Side yard setback	0.60m provided the combined total of the interior side yards on an interior lot is not less than 1.80m (as per zoning)
Side yard setback	0.60m provided the combined total of the interior side yards on an interior lot is not less than 1.80m (as per zoning)

PROPOSED

Front yard setback	As per zoning
Rear yard setback	6.30m
Side yard setback	As per zoning
Side yard setback	As per zoning

10. **Date of Acquisition of subject land:** March 2007

11. **Existing uses of subject property:** Vacant Land

12. **Proposed uses of subject property:** Residential Use

13. **Existing uses of abutting properties:** Residential Use at Sides and Valleyland at rear

14. **Date of construction of all buildings & structures on subject land:** 2023

15. **Length of time the existing uses of the subject property have been continued:** Always vacant

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 ☑
Ditches ☐ **Other (specify)** _____
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 #** 21T-09007B **Status** ONGOING

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 Markham

THIS 24th DAY OF June, 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, Vizaghan Srikandarajah, OF THE City OF Markham

IN THE Region OF York 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 markham

IN THE province OF

markham THIS 24th DAY OF

June, 2022.

A Commissioner etc.

Jaclyn Carrie Boughton, a Commissioner, etc., Province of Ontario, for Ballantry Homes Inc. and its affiliates. Expires May 16, 2025.

(Agent)

(Owner)

'I HAVE AUTHORITY TO BIND THE CORPORATION'

Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification: R1E-11.6-2250

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

July 15, 2022
Date

DATE RECEIVED July 14, 2022

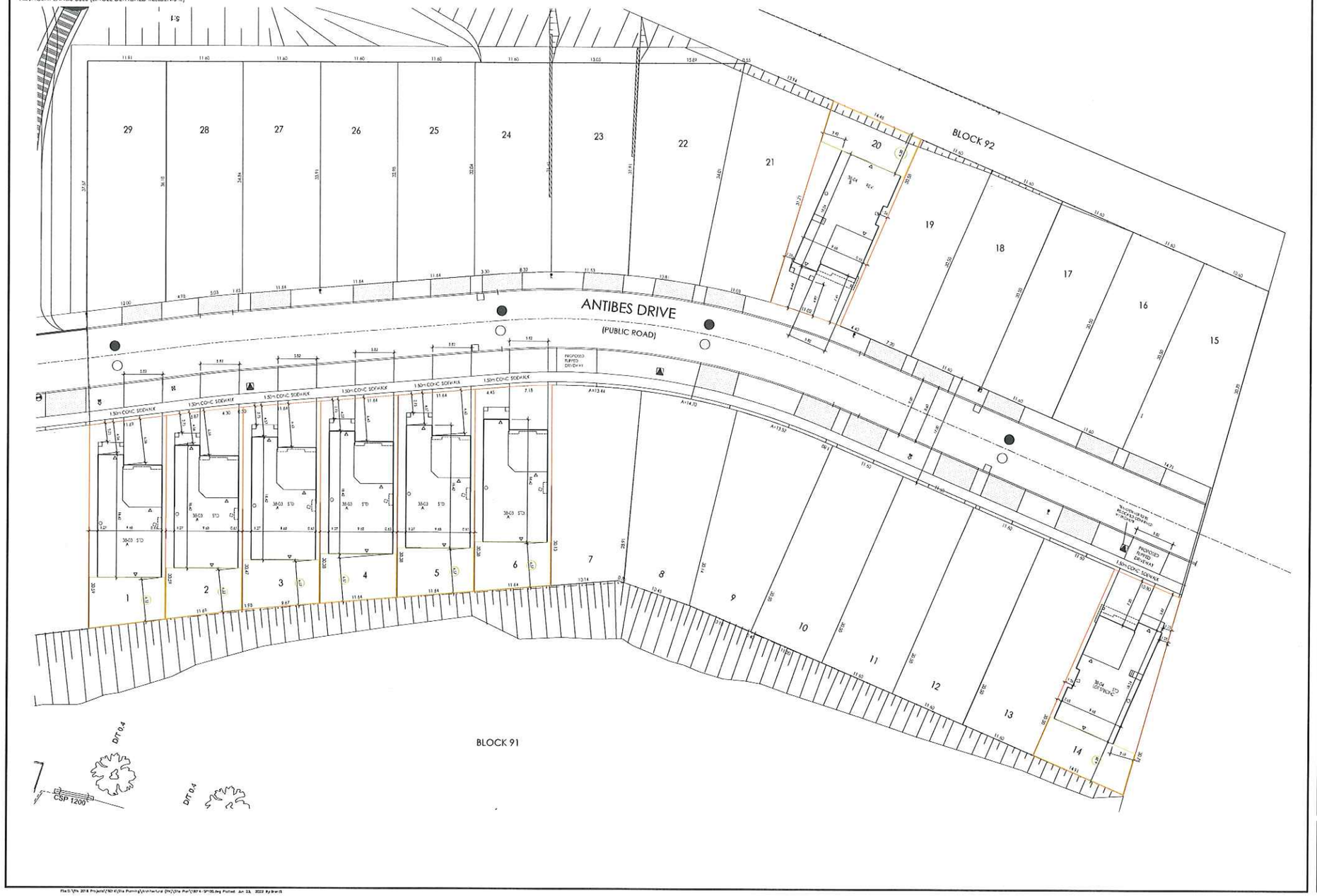
Date Application Deemed Complete by the Municipality

Revised 2022/02/17

LEGAL DESCRIPTION OF LANDS

PLAN OF SUBDIVISION OF
PART OF LOT 6, CONCESSION 3, WEST OF HURONTARIO STREET
(GEOGRAPHIC TOWNSHIP OF CHINGUACOUSY, COUNTY OF PEEL)
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

ADJACENT LANDS USES (SINGLE DETACHED RESIDENTIAL)



THESE DRAWINGS ARE NOT TO BE SCALED.
ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR PRIOR TO COMMENCEMENT OF ANY WORK. ANY DISCREPANCIES MUST BE REPORTED DIRECTLY TO ARCHITECT

PROJECT CONSULTANTS
CONTACT
ADDRESS, SUITE
CITY, PROVINCE, POSTAL CODE
T: (416) 123-4567 F: (416) 123-4567

LEGEND

ISSUED OR REVISION COMMENTS

NO.	DESCRIPTION	DATE	DWN	CHK
1	ISSUED FOR REVIEW	21-Jun-23	RHS	RHS

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

CLIENT
BALLANTRY HOMES

PROJECT LOCATION
BRAMPTON
ONTARIO

DRAWING
SITE PLAN

DATE: JUNE-23-2022	SCALE: 1:250
DRAWN BY: BWS	CHECKED BY: BWS
PROJECT NUMBER: 18014	DRAWING NUMBER: SP100

LEGAL DESCRIPTION OF LANDS

PLAN OF SUBDIVISION OF

PART OF LOT 6, CONCESSION 3, WEST OF HURONTARIO STREET

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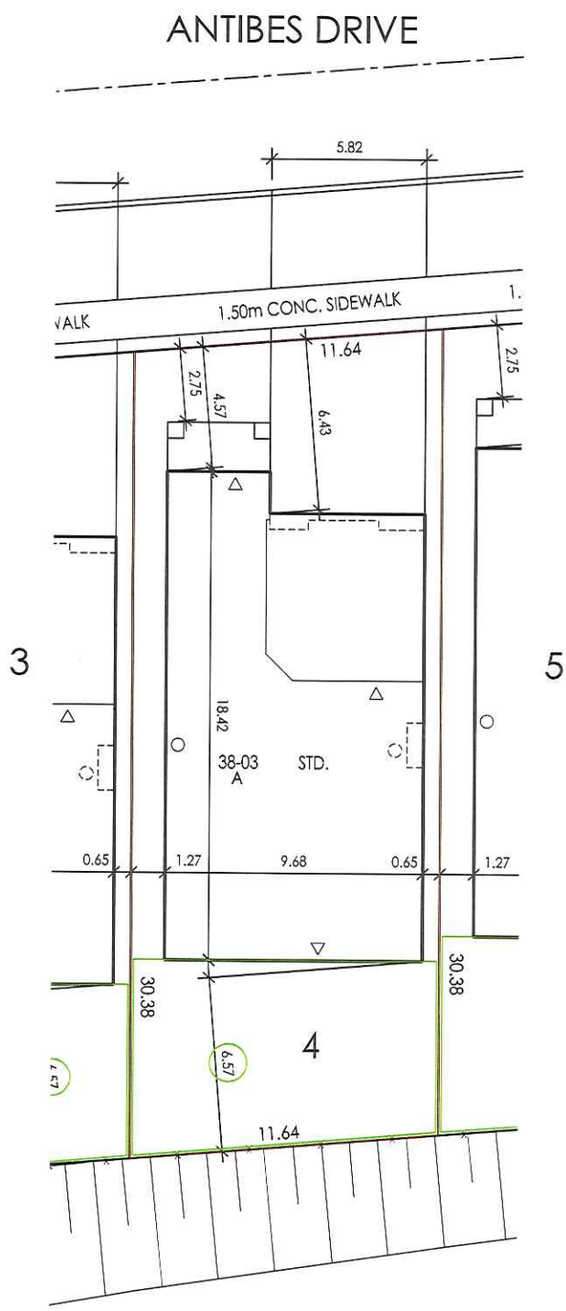

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	WINDOW		HYDRANT AND VALVE
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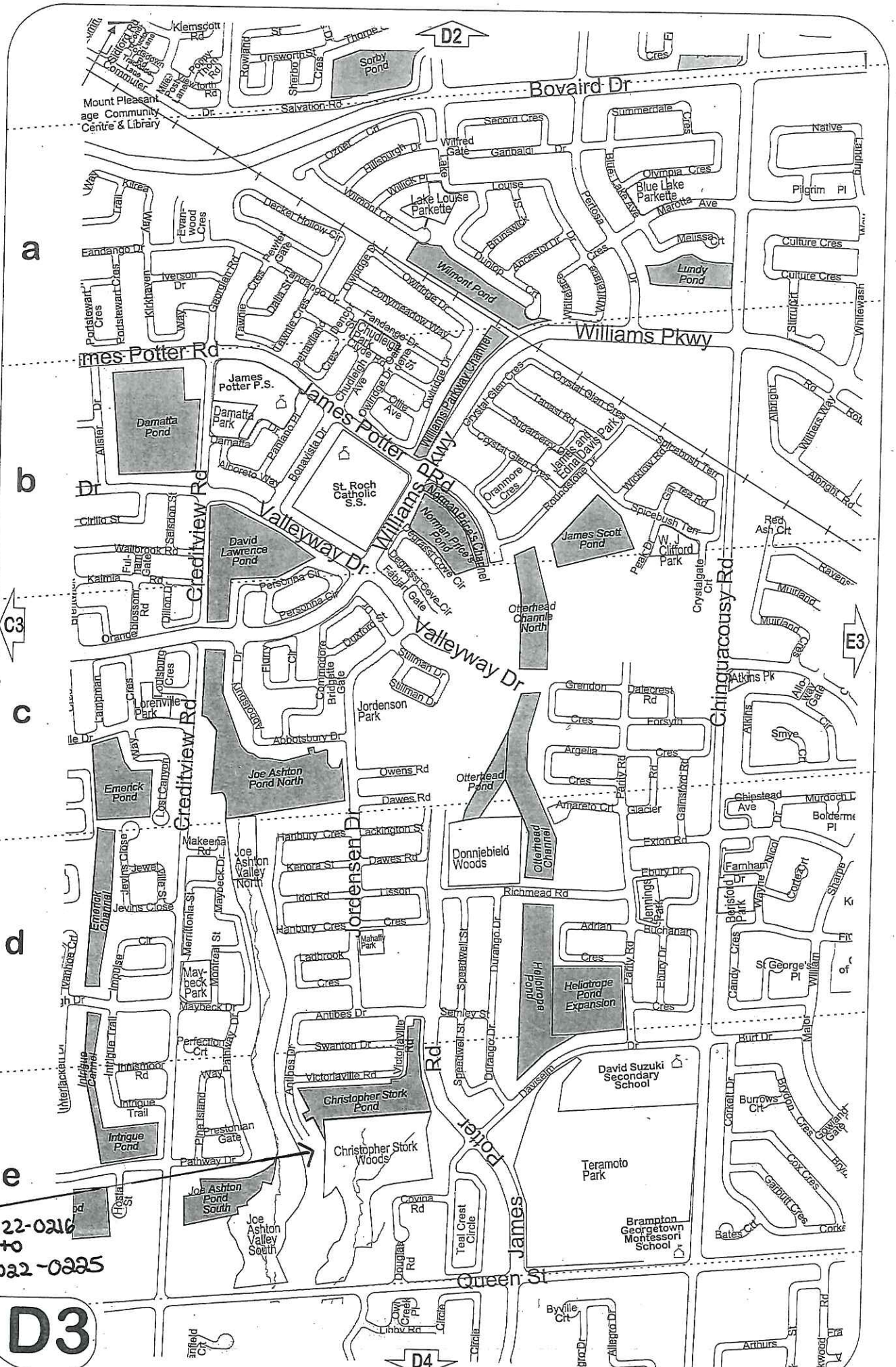
BALLANTRY HOMES

PROJECT/LOCATION
BRAMPTON
ONTARIO

DRAWING
SITE PLAN

DRAWN BY	SCALE
BWS	1:250
PROJECT No.	LOT NUMBER
18014	LOT 4

File:D:\RN_2018_Projects\18014\Site Planning\Architectural (RN)\Site Plan\18014_SP100.dwg Plotted: Jun 23, 2022 By: Brent S



A2022-0216
to
A-2022-0225

D3