

**APPLICATION # A-2022-0225**  
**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 8 on Draft Plan of Subdivision 21T-09007B) municipally known as **126 ANTIBES DRIVE**, Brampton;

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

1. To permit a lot depth of 29.4m (96.46 ft.) whereas the by-law requires a minimum lot depth of 30m (98.42 ft.).

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

Plan of Subdivision: YES  
Application for Consent: NO

File Number: 21T-09007B  
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.

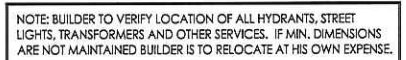
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

**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](mailto:jeanie.myers@brampton.ca)



REG. PLAN No.	
ZONE	R1E-11.6-2250
LOT NUMBER	LOT 8
LOT AREA(m) <sup>2</sup>	370.45
BLDG AREA(m) <sup>2</sup>	
LOT COVERAGE(%)	
No. OF STOREYS	
MEAN HEIGHT(m)	
PEAK HEIGHT(m)	N/A
DECK LINE(m)	N/A

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
USFR	UNDER SIDE FOOTING @ REAR		DBL. CATCH BASIN
USFG	UNDER SIDE FOOTING @ GARAGE		ENGINEERED FILL
TEF	TOP OF ENGINEERED FILL		HYDRO CONNECTION
R	NUMBER OF RISERS TO GRADE		FIRE HYDRANT
WOD	WALKOUT DECK		STREET LIGHT
LOB	LOOKOUT BASEMENT		MAIL BOX
WOB	WALK OUT BASEMENT		TRANSFORMER
WUB	WALK UP BASEMENT		SEWER CONNECTIONS 2 LOTS
REV	REVERSE PLAN		SEWER CONNECTIONS 1 LOT
STD	STANDARD PLAN		WATER CONNECTION
△	DOOR		WATER VALVE CHAMBER
○	WINDOW		HYDRANT AND VALVE
	AIR CONDITIONING		HYDRO METER
	DOWN SPOUT TO SPLASH PAD		GAS METER
	DOWNSPOUT CONNECTED TO STM SWALE DIRECTION		MANHOLE - STORM
→			MANHOLE - SANITARY
—X—	CHAINLINK FENCE		
—XX—	PRIVACY FENCE		
—XXX—	SOUND BARRIER		
— — —	FOOTING TO BE EXTENDED		

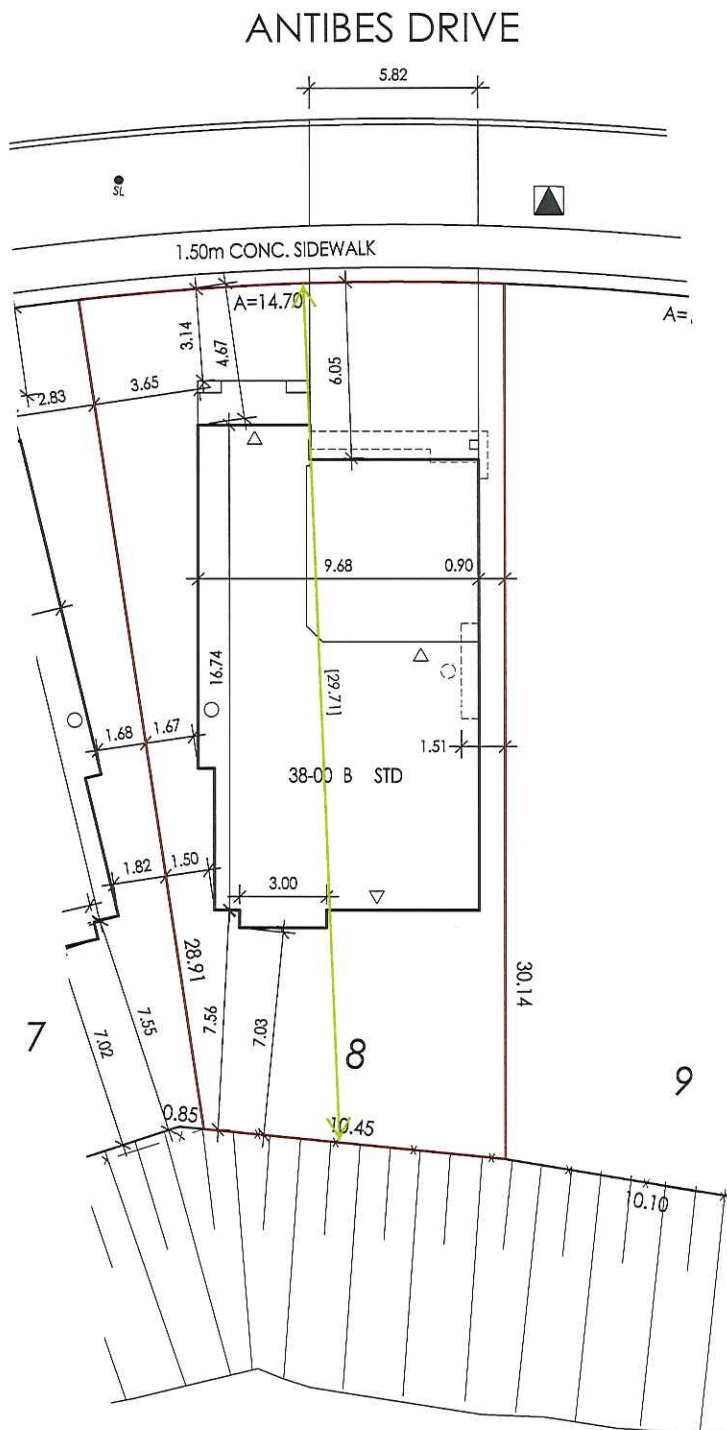
NOTE: USF IS BASED ON 150mm (6") FOOTING DEPTH. CONTRACTOR TO CONFIRM WITH WORKING DRAWINGS FOR SPECIFIC SIZES THAT MAY SUPERSEDE THIS SIZE.

[illegible]

- 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
  - 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



CLIENT	
BALLANTRY HOMES	
PROJECT/LOCATION	
BRAMPTON ONTARIO	
DRAWING	
SITE PLAN	
DRAWN BY	SCALE
BWS	1:250
PROJECT No.	LOT NUMBER
18014	LOT 8



BLOCK 91



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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](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.***

FILE NUMBER: A-2022-0225

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):  
- Zoning by law Section 13.4.2 (c) requires that the minimum lot depth be 30m. However, we would like to request that for this lot the minimum lot depth be 29.6m.

4. Why is it not possible to comply with the provisions of the by-law?  
- Due to the location and curvature of the extension of Antibes Dr., the lot depth does not satisfy the zoning by law section 13.4.2 (c).

5. Legal Description of the subject land:  
Lot Number Lot 8  
Plan Number/Concession Number Part of Lot 6, Concession 3, West of Hurontario Street.  
Municipal Address 126 Antibes Dr. (Preliminary Addressing)

6. Dimension of subject land (in metric units)  
Frontage 12.47  
Depth 29.71  
Area 370.4

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	As per zoning
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 Woodlot 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 ☒ 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 # 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

*Vizaghan*

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.

*J. Chau*  
A Commissioner etc.

Expires May 18, 2025.  
for Ballenty Homes Inc. and its affiliates.  
Province of Ontario,  
Jaclyn Carrie Boughton, a Commissioner, etc.,

*Vizaghan* (Agent)

*S. Shukla* (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

Date Application Deemed Complete by the Municipality

Revised 2022/02/17





A-2022-0216  
to  
A-2022-0225

D3

