

APPLICATION # A-2022-0250
WARD 6

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **HARSHAL SANATKUMAR SONI AND HIRAL SHAILESH SONI** 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 222, Plan 43M-2058 municipally known as **39 HAWTREY ROAD**, Brampton;

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

1. To permit a deck with a rear yard setback of 2.69m (8.83 ft.) whereas the by-law requires a minimum rear yard setback of 3.5m (11.48 ft.).

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, September 13, 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.

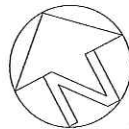
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 1st Day of September, 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



39 HAWTREY ROAD

PROJECT	SHEET A1
JULY 2022	
SCALE 1/8"=1'-0"	

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 **September 13, 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, September 8, 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, September 8, 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, September 8, 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, September 8, 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.

FILE NUMBER: A-2022-0250

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)** Harshal Sanatkumar Soni, Hiral Shailesh Soni
Address 39 HAWTREY RD
BRAMPTON, ON, L7A5B3
Phone # +1 (647) 239-5067 **Fax #** _____
Email Harshal@hsoni.com

2. **Name of Agent** Pardeep Gogna
Address 106 Morningside Dr, Georgetown, ON L0P 1K0
Phone # 416-821-2630 **Fax #** _____
Email Shivang@relysolution.com

3. **Nature and extent of relief applied for (variances requested):**
1) To permit a deck with the rear yard setback of 2.08m meters whereas the by-law requires a minimum rear yard setback of 3.0 meters.

4. **Why is it not possible to comply with the provisions of the by-law?**
The owner wants to enlarge the existing deck to meet the family requirements. The existing Deck is too small for the family Functions. We would like to ask for minor variance to permit a deck with rear yard setback of 2.08 m whereas by-laws requires a setback of 3.0 meters.

5. **Legal Description of the subject land:**
Lot Number 222
Plan Number/Concession Number M2058
Municipal Address 39 HAWTREY RD, BRAMPTON, ON, L7A5B3

6. **Dimension of subject land (in metric units)**
Frontage 12.48 m
Depth 27 m
Area 336.96 sqm

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.)

Existing building GFA = 365.59 Sqm, Ground floor area = 109.33 sqm, Height = 6.24m,
Number of storeys = 2
Deck = 3.28 Sqm Height = 2.40 m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Deck = 32.95 Sqm Height = 2.40 m

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	3.40 m
Rear yard setback	6.04 m
Side yard setback	0.66 m
Side yard setback	1.25 m

PROPOSED

Front yard setback	3.40 m
Rear yard setback	2.08 m
Side yard setback	0.66 m
Side yard setback	1.25 m

10. Date of Acquisition of subject land: Oct 2021
11. Existing uses of subject property: Single dwelling unit
12. Proposed uses of subject property: Single dwelling unit
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: 2 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 _____

Aminder Singh
Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF August Brampton
THIS 4 DAY OF August, 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, Aminder Singh, 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 4th DAY OF
August, 2022
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, 2024.

Aminder Singh
Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

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

Zoning Officer

Date

DATE RECEIVED August 4, 2022

Date Application Deemed
Complete by the Municipality _____

Revised 2020/01/07

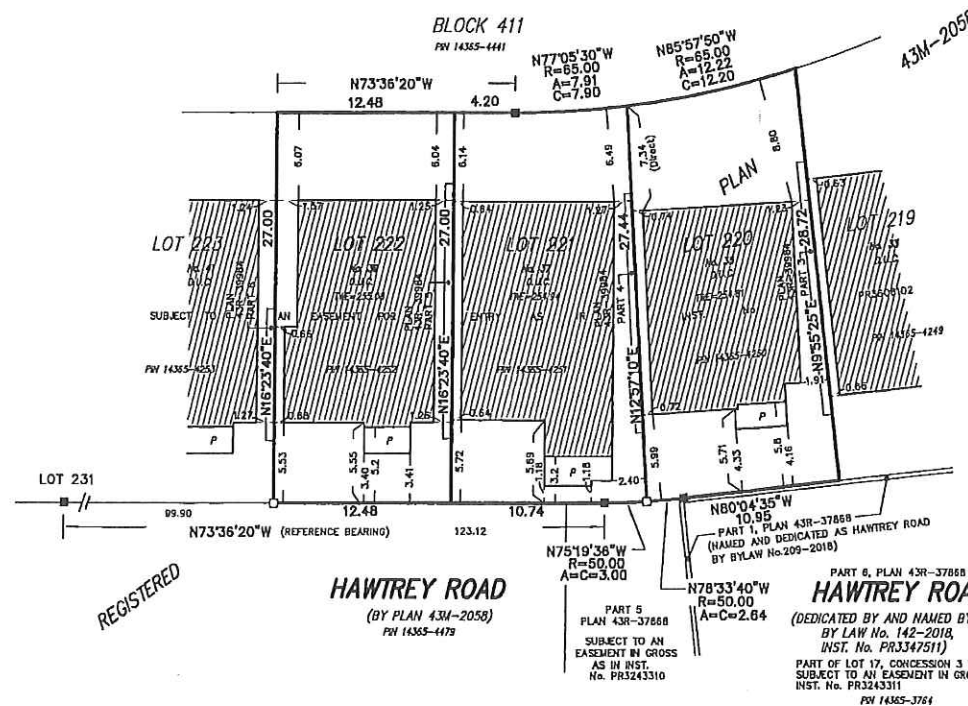
Part 2

LOTS 220 TO 222 ARE SUBJECT TO AN EASEMENT FOR ENTRY AS IN PR3608102

NO FENCES AT THE TIME OF SURVEY
SURVEY PREPARED FOR:
PARADISE DEVELOPMENTS
UNLESS INDICATED, ALL TIES ARE TAKEN
TO THE CONCRETE FOUNDATION

Note

ALL BOUNDARY INFORMATION SHOWN HEREON HAS BEEN SET OR MEASURED IN ACCORDANCE WITH REGISTERED PLAN 43M-2058 AND PLAN 43R-39984 UNLESS NOTED OTHERWISE
ALL FOUND MONUMENTS ARE P₈'s OFFED, UNLESS OTHERWISE INDICATED.
ALL SET MONUMENTS ARE P₈'s (1215), UNLESS OTHERWISE INDICATED.



ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2175957



THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29(3).

SURVEYOR'S REAL PROPERTY REPORT-PART 1 PLAN OF LOTS 220 TO 222 REGISTERED PLAN 43M-2058 CITY OF BRAMPTON

REGIONAL MUNICIPALITY OF PEEL
SCALE 1:300

0 1 2 3 4 5 10 15 20 25m

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Metric

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Notes

BEARINGS ARE GRID AND ARE REFERRED TO THE
NORTHERLY LIMIT OF HAWTREYS ROAD
HAVING A BEARING OF N73°36'20"W AS SHOWN ON
REGISTERED PLAN 43M-2058

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SSB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
PB	DENOTES	PLASTIC BAR
D.U.C.	DENOTES	DWELLING UNDER CONSTRUCTION
T.W.E.	DENOTES	TOP OF WALL ELEVATION
RPE	DENOTES	RADY-PENTEK & EDWARD SURVEYING LTD.
1215	DENOTES	ERTL SURVEYORS, O.L.S.
N/S/E/W	DENOTES	NORTH/SOUTH/EAST/WEST
P	DENOTES	PORCH

Benchmark

ELEVATIONS ARE GEODETIC AND REFERRED TO
THE CANADIAN GEODETIC VERTICAL DATUM (CGVD28)
BY DIRECT MEASUREMENT TO THE CAN-NET
GPS NETWORK

Surveyor's Certificate

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE 10TH DAY OF SEPTEMBER, 2021

September 28th 2021
Date

Lawrence O. Ertl
Ontario Land Surveyor



ertl surveyors
Ontario Land Surveyors
www.es-ols.com

1234 REID STREET, UNIT 10, RICHMOND HILL, L4B 1C1
TELEPHONE (905) 731-7834 FAX (905) 731-7852 EMAIL info@es-ols.com
DRAWING 18450-LT-220-222.DWG PROJECT : 18450
CALC. BY DM, DRAWN BY DICKY, CHECKED BY L. ERTL

Part 2

LOTS 220 TO 222 ARE SUBJECT TO AN EASEMENT FOR ENTRY AS IN PR3608102

NO FENCES AT THE TIME OF SURVEY
SURVEY PREPARED FOR:
PARADISE DEVELOPMENTS
UNLESS INDICATED, ALL TIES ARE TAKEN
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ALL FOUND MONUMENTS ARE PB'S (RPED), UNLESS OTHERWISE INDICATED.
ALL SET MONUMENTS ARE B'S (1215), UNLESS OTHERWISE INDICATED.

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LAND SURVEYORS
PLAN SUBMISSION FORM
2175957



SURVEYOR'S REAL PROPERTY REPORT-PART 1 PLAN OF LOTS 220 TO 222 REGISTERED PLAN 43M-2058 CITY OF BRAMPTON

REGIONAL MUNICIPALITY OF PEEL

SCALE 1:300



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Metric

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Notes

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N/S/E/W	DENOTES	NORTH/SOUTH/EAST/WEST
P	DENOTES	PORCH

Benchmark

ELEVATIONS ARE GEODETIC AND REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD28) BY DIRECT MEASUREMENT TO THE CAN-NET GPS NETWORK

Surveyor's Certificate

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM
 - THE SURVEY WAS COMPLETED ON THE 10TH DAY OF SEPTEMBER, 2021

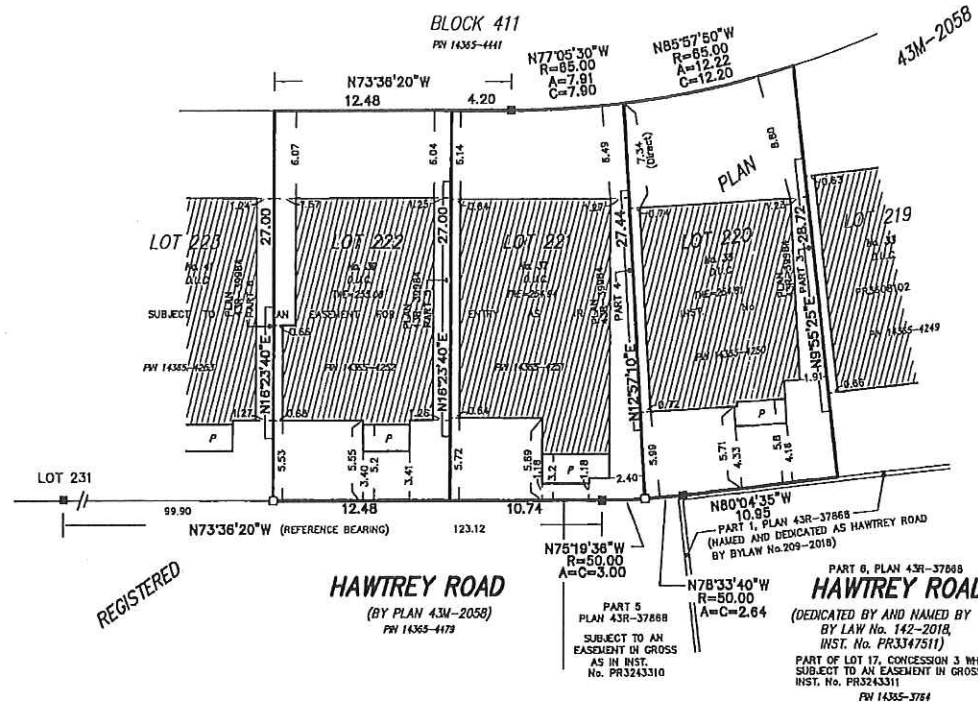
September 28th 2021
Date

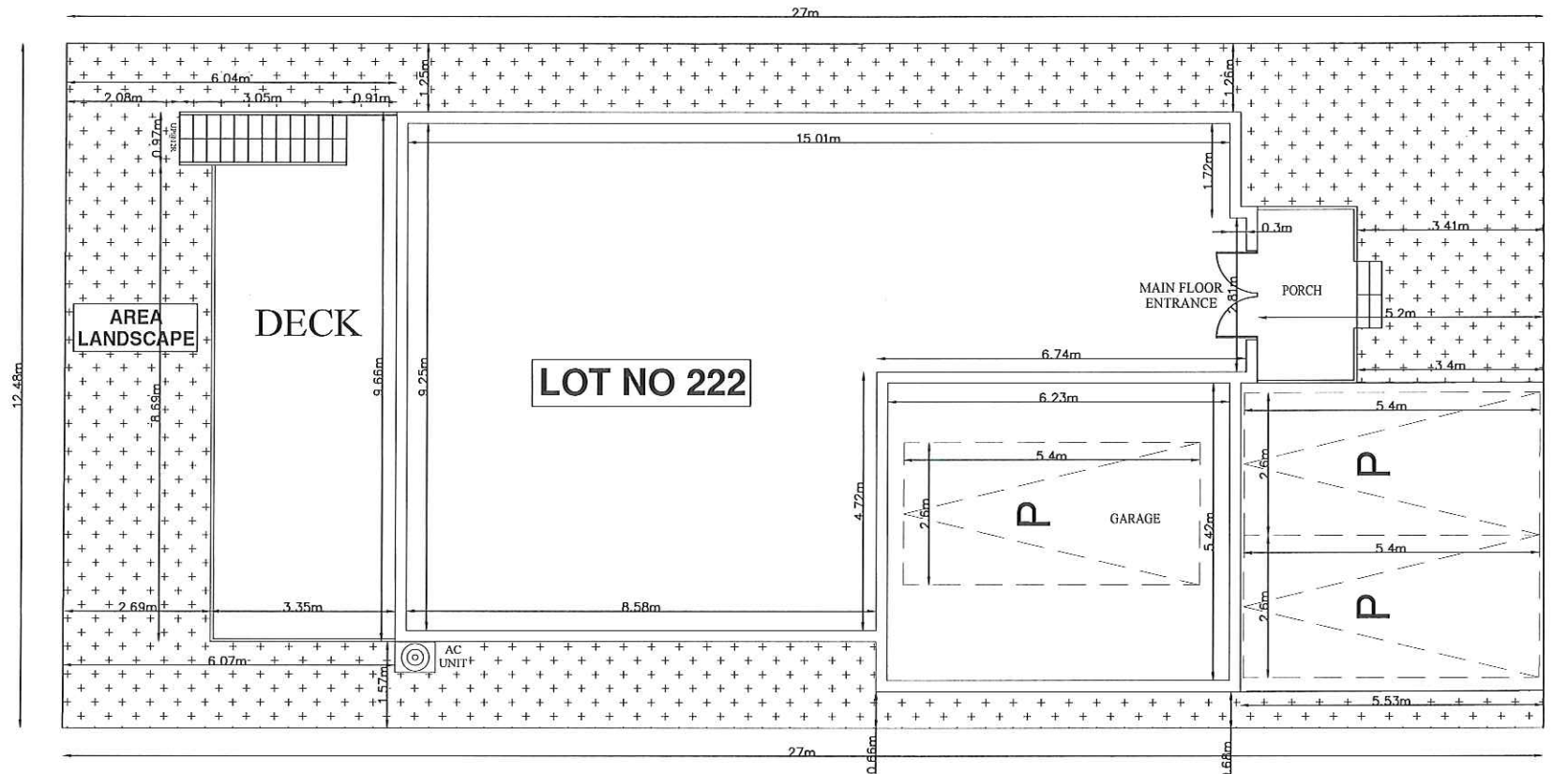
Lawrence O. Ertl
Ontario Land Surveyor



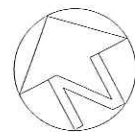
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1234 RED STREET, UNIT 10, RICHMOND HILL L4B 1C1
TELEPHONE (905) 731-7834 FAX (905) 731-7852 EMAIL info@es-ols.com
DRAWING 18450-LT-220-222.DWG PROJECT : 18450
CALC. BY DM, DRAWN BY DICKY, CHECKED BY L. ERTL





SITE PLAN
SCALE 1/8"=1'-0"



39 HAWTREY ROAD

GENERAL NOTES

DO NOT SCALE DRAWINGS
 PROPERTY RIGHTS RETAINED BY:
 BG CONSTRUCTION DESIGN
 ANY REPRODUCTION IN WHOLE OR IN PART
 UNDER THE RULES AND BY-LAWS OF THE
 CORPORATION IS STRICTLY FORBIDDEN.
 ANY REPRODUCTIONS MUST BE
 AUTHORIZED BY
 ALL DRAWINGS ARE IN METRIC SCALE

SCOPE OF WORK

**PROPOSAL TO CONSTRUCT
 SECONDARY UNIT**

THE UNDERSIGNED HAS REVIEWED AND
 TAKES RESPONSIBILITY FOR THIS DESIGN,
 AND HAS THE QUALIFICATIONS AND
 MEETS THE REQUIREMENTS SET OUT
 IN THE ONTARIO BUILDING CODE
 TO BE A DESIGNER.

QUALIFICATION INFORMATION
 REQUIRED UNLESS DESIGN IS EXEMPT
 UNDER DIV. C325.1 OF THE BUILDING CODE

SHIVANG TARIKA 106440
 NAME SIGNATURE BCIN

SHIVANG TARIKA

NO	REVISION / ISSUE	DATE

SITE PLAN

CITY : BRAMPTON

39 HAWTREY ROAD

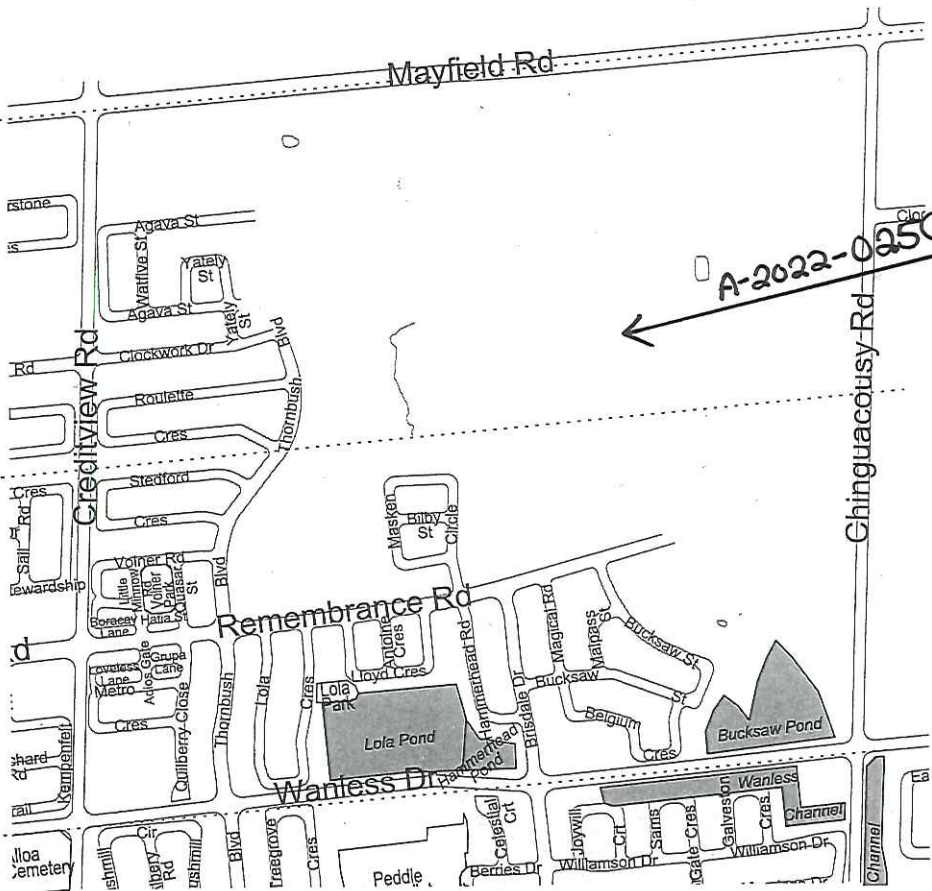
EXISTING DWELLING

PROJECT	SHEET
JULY 2022	A1
SCALE 1/8"=1'-0"	

a

C1

b



E1

Hewson Pond

D1

D2