

APPLICATION # A-2022-0266
WARD 5

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **DANIAL SALEEM ALAMI AND TALAL SALEEM ALMANI** 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 36, Plan 43M-1751, Part 2, Plan 43R-32308 municipally known as **92 ABBOTSBURY DRIVE**, Brampton;

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

1. To permit an existing below grade entrance between the main wall of the dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and the flankage lot line;
2. To permit an exterior side yard setback of 1.33m (4.36 ft.) to a proposed below grade entrance whereas the by-law requires a minimum exterior side yard setback of 3.0m (9.84 ft.);
3. To permit an existing accessory structure (shed) to be located in an exterior side yard whereas the by-law does not permit an accessory structure to be located in an exterior side yard;
4. To permit an existing accessory structure (shed) having setbacks of 0.21m (0.69 ft.) and 0.30m (0.98 ft.) to the nearest property lines whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure to the nearest property lines.

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

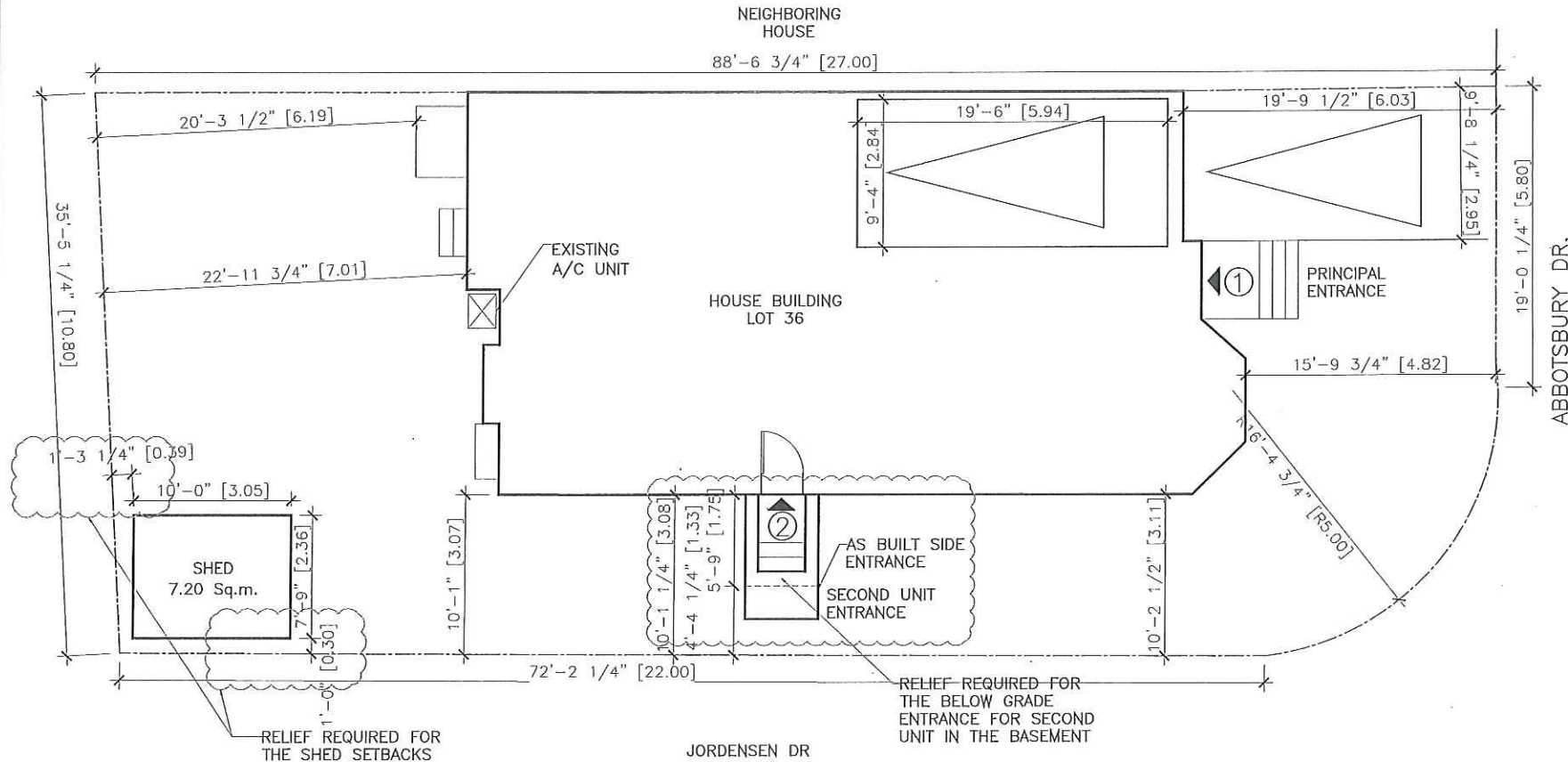
DATED at Brampton Ontario, this 1st Day of September, 2022

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

TWO UNIT DWELLING APPROVAL

92 Abbotsbury Dr, Brampton, ON L6X 0S2



1 SITE PLAN
A1a SCALE: 1/8"=1'-0"



ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM THE DESIGNER.

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE DESIGNER.

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ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE.

THESE DRAWINGS ARE PREPARED ONLY FOR MENTIONED BELOW APPROVAL, NOT TO BE USED FOR ANY OTHER PURPOSE AND CONSTRUCTION.

1	ISSUED FOR COA	JULY, 2022
1	ISSUED FOR BUILDING PERMIT	JULY, 2022
No.	ISSUED	DATE

STRUCTURE/MEP ENGINEER:

ARCHITECT MAZHAR RAJA
CAPRIJA CORPORATION
Architecture, Construction and
Project Management Consultants
1465 CLARK BLVD., MILTON, L9T 6M5
Tel: 647 693 6108, 647 969 9595
Email: info@caprija.com; Web: www.caprija.com

CLIENT
92 Abbotsbury Dr,
Brampton, ON L6X 0S2

PROJECT
SECOND UNIT APPROVAL
& BELOW GRADE ENTRANCE

DRAWING
SITE PLAN

PROJECT NO 222035	
DRAWN AJ	
PLOTTED DATE JULY 14, 2022	
SCALE AS NOTED	
CHECKED MR	DWG. NO. A1a

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-2022-0266

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)** Danial Saleem Almani and Talal Saleem Almani
Address 92 ABBOTSBURY DRIVE, BRAMPTON, ON. L6X 0S2

Phone # 647 328 0381 **Fax #** _____
Email danielalmani@hotmail.com

2. **Name of Agent** Mazhar Raja
Address 1465 Clark Blvd. Milton, ON L9T 6M5

Phone # 647 969 9595 **Fax #** _____
Email info@caprija.com

3. **Nature and extent of relief applied for (variances requested):**
1. To permit a proposed below grade entrance between the main wall of a dwelling and the flankage lot line;
2. To permit an exterior side yard setback of 1.33m to a proposed below grade entrance;
3. To permit an existing accessory structure (shed) to be located in the exterior side yard;
4. To permit a rear yard setback of 0.21m and an exterior side yard setback of 0.3m to an existing accessory structure (shed)

4. **Why is it not possible to comply with the provisions of the by-law?**
1. The by-law does not permit below grade entrances between the main wall of a dwelling and the flankage lot line;
2. The by-law requires a minimum exterior side yard setback of 3.0m;
3. The by-law does not permit an accessory structure to be located in the exterior side yard;
4. The by-law requires a minimum setback of 0.6m for an accessory structure from the nearest lot lines.

5. **Legal Description of the Subject Land:**
Lot Number 36
Plan Number/Concession Number 43M 1751
Municipal Address 92 ABBOTSBURY DRIVE, BRAMPTON, ON. L6X 0S2

6. **Dimension of subject land (in metric units)**
Frontage 9.72 (5.8 straight +3.92 fifty percent of the arc)
Depth 27
Area 284.91

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.)

Main House Building - 2 Storeys - Area = 199.32 Sq.m
Shed (Storage) - Single Storey - Area = 7.20 Sq.m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

No new structure

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	4.82m
Rear yard setback	7.01m, (Shed setback 0.39m)
Side yard setback	0m
Side yard setback	3.07m, (Shed setback 0.30m)

PROPOSED

Front yard setback	4.82m
Rear yard setback	7.01m, (Shed setback 0.39m)
Side yard setback	0m
Side yard setback	1.33m, (Shed setback 0.30m)

10. Date of Acquisition of subject land: 2021
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: 2008
15. Length of time the existing uses of the subject property have been continued: 12
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 of Applicant(s) or Authorized Agent

DATED AT THE Town CITY OF Milton BRAMPTON

THIS 25 15 DAY OF July August, 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, Mazhar Raja, OF THE Town OF Milton

IN THE Region OF Halton 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.

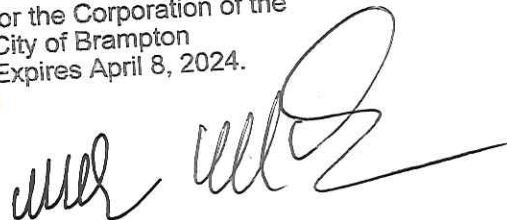
DECLARED BEFORE ME AT THE

City OF Brampton
IN THE Region OF
Free THIS 15th DAY OF

August, 20 22

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.



Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R2A-1318

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

L Barbuto
Zoning Officer

August 9, 2022
Date

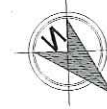
DATE RECEIVED

August 15, 2022

Date Application Deemed
Complete by the Municipality

Revised 2022/02/17

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1	ISSUED FOR BUILDING PERMIT	JULY, 2022
No.	ISSUED	DATE

STRUCTURE/MEP ENGINEER:

ARCHITECT **MAZHAR RAJA**
CAPRIJA CORPORATION
Architecture, Construction and
Project Management Consultants
1465 CLARK BLVD., MILTON, L9T 0M5
Tel: 647 693 6108, 647 969 9595
Email: info@caprija.com; Web: www.caprija.com

CLIENT

92 Abbotsbury Dr,
Brampton, ON L6X 0S2

PROJECT

**SECOND UNIT APPROVAL
& BELOW GRADE ENTRANCE**

DRAWING

SITE PLAN

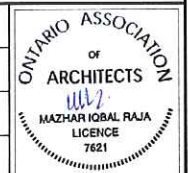
PROJECT NO.
222035

DRAWN
AJ

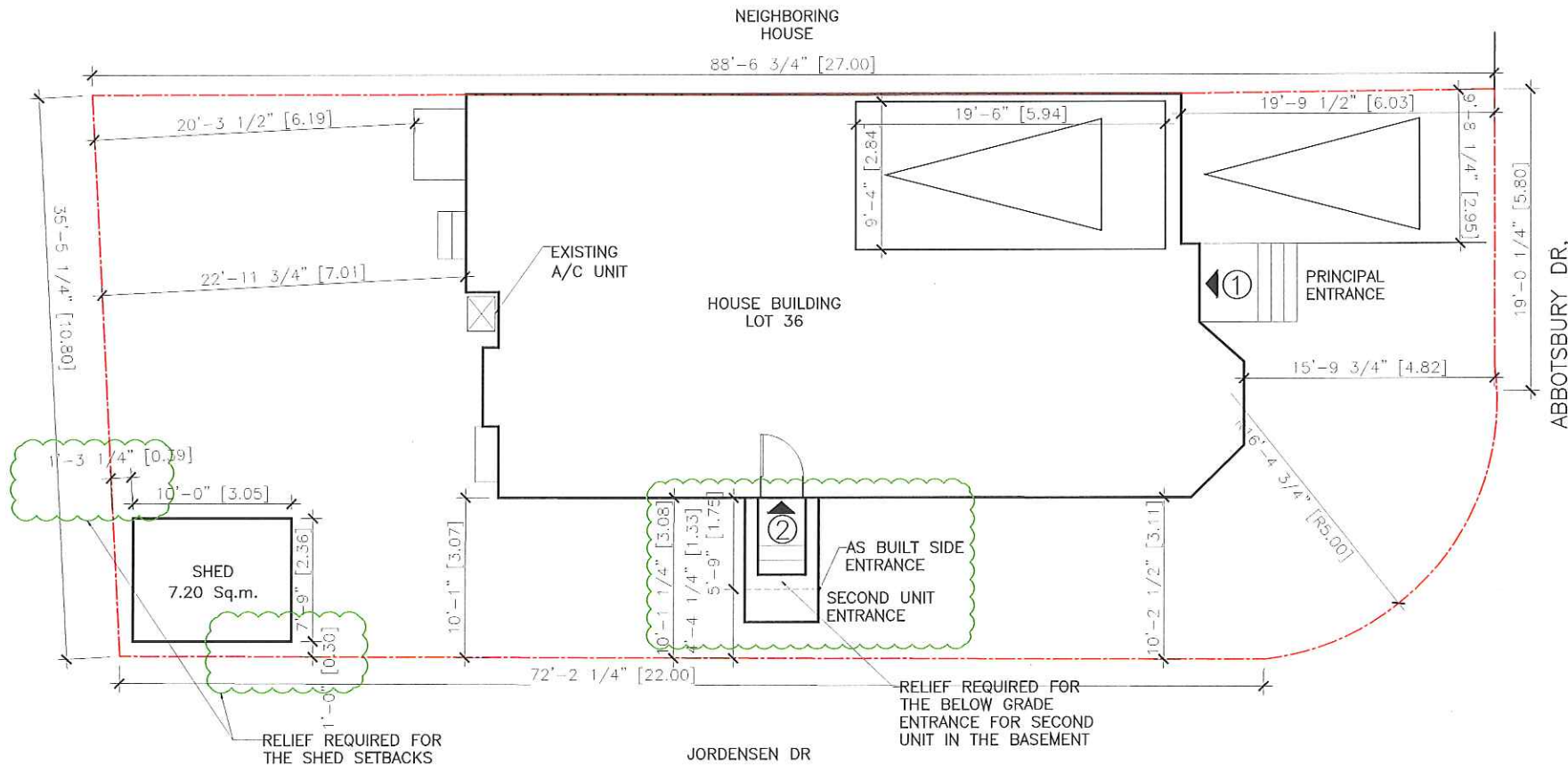
PLOTTED DATE
JULY 14, 2022

SCALE
AS NOTED

CHECKED
MR



DWG. NO.
A1a



1 SITE PLAN
A1a SCALE: 1/8"=1'-0"

