

APPLICATION # A-2022-0251
WARD 4

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **MEET PATEL AND KRUPA PATEL** 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 60, Plan 43M-1931, Parts 17 and 18, Plan 43R-36089 municipally known as **84 ALLEGRO DRIVE**, Brampton;

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

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit an interior side yard setback of 0.15m (0.49 ft.) to the exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
3. To permit a deck encroachment of 4.23m (13.88 ft.) into the required rear yard setback resulting in a rear yard setback of 2.77m (9.09 ft.) whereas the by-law permits a maximum deck encroachment of 1.8m (5.91 ft.) resulting in a rear yard setback of 5.2m (17.06 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, October 4, 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.

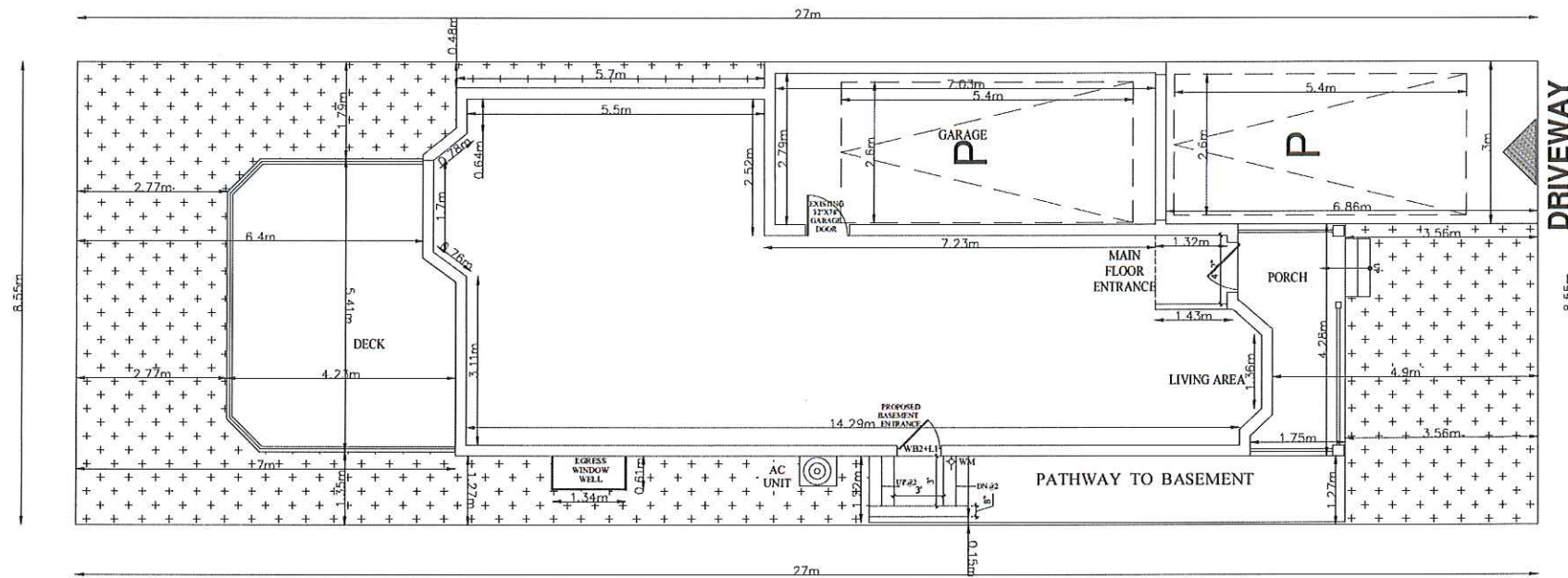
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

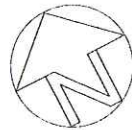
DATED at Brampton Ontario, this 22nd Day of September, 2022

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



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



84 ALLEGRO DRIVE

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. C3.2.5.1 OF THE BUILDING CODE

SHIVANG TARIKA 106440
 NAME SIGNATURE BCIN

SHIVANG TARIKA

NO	REVISION / ISSUE	DATE

EXISTING SITE PLAN

CITY : BRAMPTON

84 ALLEGRO DRIVE

EXISTING DWELLING

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

SHEET
A1

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 **October 4, 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 29, 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 29, 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 29, 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 29, 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.

AMENDMENT LETTER

September 20, 2022

To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE
MEET PATEL
A-2022-0251 – 84 ALLEGRO DRIVE**

Please **amend** application **A-2022-0251** to reflect the following:

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit an interior side yard setback of 0.15m to the exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m;
3. To permit a deck encroachment of 4.23m into the required rear yard setback resulting in a rear yard setback of 2.77m, whereas the by-law permits a maximum deck encroachment of 1.8m resulting in a rear yard setback of 5.2m

Shivang Tarika

Applicant/Authorized Agent



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)** Meet Patel, Krupa Patel
Address 84 ALLEGRO DR.
BRAMPTON, ON, L6Y5Y3
Phone # 647-780-2612 **Fax #** _____
Email Mhpatel999@gmail.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 below-grade entrance in the required side yard setback.
 2) To permit interior side setback of 0.15m

4. **Why is it not possible to comply with the provisions of the by-law?**
 The owner wants to build a secondary dwelling unit for which the entrance is proposed from the side yard. The Owner wants to keep the rear yard for his recreational use so the only possible location is side yard. The required side yard setback is 1.2m and after the proposed entrance for the second unit the interior yard setback is reduced to 0.15m. However the entrance is designed in such a way that the additional steps are included in

5. **Legal Description of the subject land:**
Lot Number 60L
Plan Number/Concession Number M1931
Municipal Address 84 ALLEGRO DR, BRAMPTON, ON, L6Y5Y3

6. **Dimension of subject land (in metric units)**
Frontage 8.55 m
Depth 27 m
Area 230.85

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 = 186.74 Sqm, Ground floor area = 77.72 sqm, Height = 6.24m,
 Number of storeys = 2
 Deck = 21.21 Sqm Height = 1.55 m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Second dwelling unit in existing building = 84.53 sqm.

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

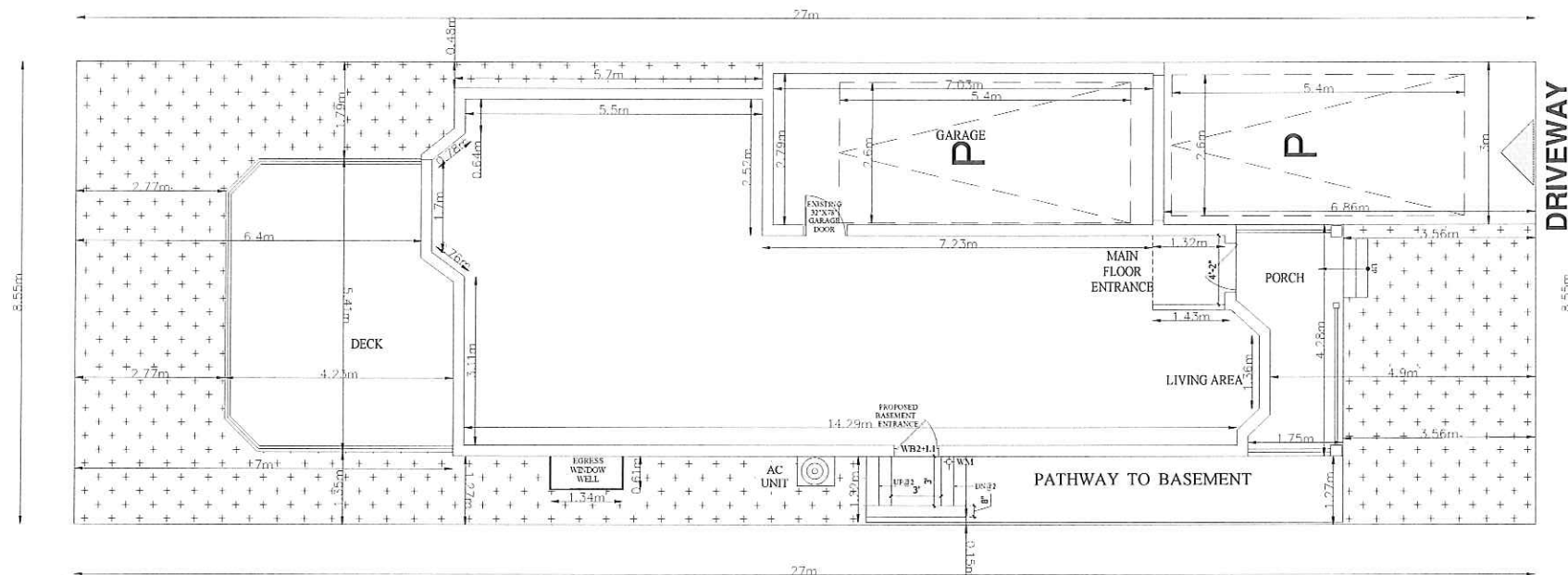
Front yard setback	3.56 m	_____
Rear yard setback	7.0 m	_____
Side yard setback	1.27 m	_____
Side yard setback	0.48 m	_____

PROPOSED

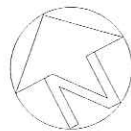
Front yard setback	3.56 m	_____
Rear yard setback	2.77 m	_____
Side yard setback	0.15m	_____
Side yard setback	0.48 m	_____

10. Date of Acquisition of subject land: 2014
11. Existing uses of subject property: Single Dwelling unit
12. Proposed uses of subject property: Two Dwelling unit
13. Existing uses of abutting properties: Residential
14. Date of construction of all buildings & structures on subject land: 2012
15. Length of time the existing uses of the subject property have been continued: 10 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



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



84 ALLEGRO DRIVE

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 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 10644
 NAME SIGNATURE BCIN

SHIVANG TARIKA

NO	REVISION / ISSUE	DATE

EXISTING SITE PLAN

CITY :BRAMPTON

84 ALLEGRO DRIVE

EXISTING DWELLING

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

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 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
Leanne Myers
A Commissioner etc.

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 Aug. 4, 2022
Date Application Deemed Complete by the Municipality _____

**DOCUMENTS RELEASED PURSUANT TO A REQUEST
UNDER THE
MUNICIPAL FREEDOM OF INFORMATION AND
PROTECTION OF PRIVACY ACT R.S.O. 1990c. M56**

**COPYRIGHT ACT R.S., 1985, c. C-42 APPLIES TO THE
USE AND REPRODUCTION OF THESE DOCUMENTS**

1 REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

DATE: August 25, 2014

CHRIS BERESNIEWICZ
ONTARIO LAND SURVEYOR

PLAN 43R-36089

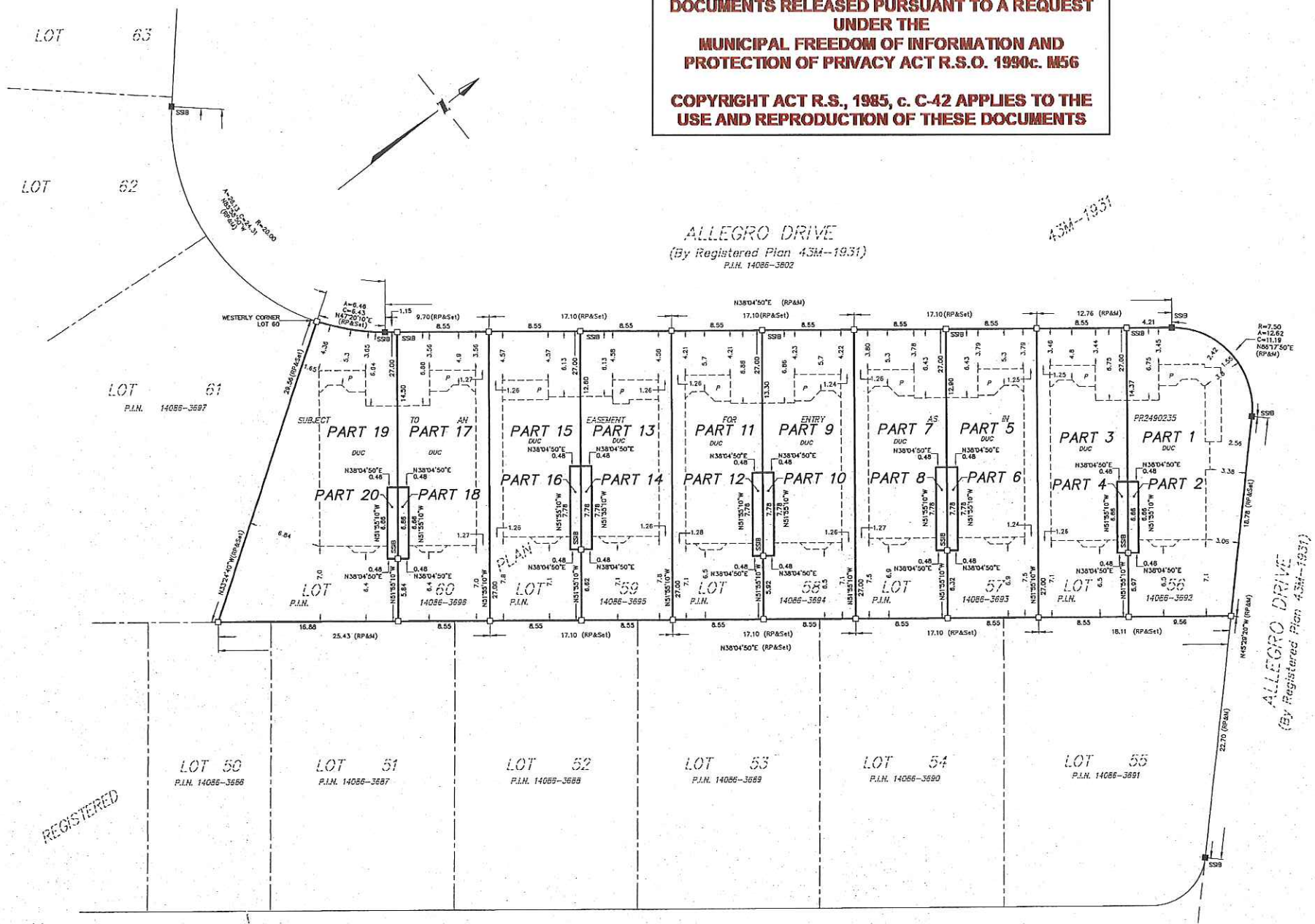
RECEIVED AND DEPOSITED

DATE: August 29, 2014

Shelley Homer
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF PEEL (No. 43)

SCHEDULE			
PART	ALL OF LOT	PLAN	ALL OF P.L.N.
1 TO 4 INCLUSIVE	56		14086-3692
5 TO 8 INCLUSIVE	57		14086-3693
9 TO 12 INCLUSIVE	58	43M-1931	14086-3694
13 TO 16 INCLUSIVE	59		14086-3695
17 TO 20 INCLUSIVE	60		14086-3696

PARTS 1 TO 20 INCLUSIVE ARE SUBJECT TO AN EASEMENT FOR ENTRY AS IN PR2490235



PLAN OF SURVEY OF
LOTS 56 TO 60 INCLUSIVE
REGISTERED PLAN 43M-1931
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL
SCALE 1 : 250

YOUNG & YOUNG SURVEYING
(ETOBICOKE 2006) INC.

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

NOTE
BEARINGS ARE GRID AND ARE DERIVED FROM OBSERVED REFERENCE POINTS (ORP) DERIVED FROM GPS OBSERVATIONS USING REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17, NAD83 (CSRS) (1997.0).

INTEGRATION DATA

POINT ID	EASTING	NORTHING
ORP (A)	598 033.55	4 835 150.80
ORP (B)	598 180.15	4 835 359.52

COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14 (2) OF OREG 216/10.

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

DISTANCE NOTE
DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99975.

NOTE
ALL FOUND MONUMENTS BY J.D. BARNES LIMITED, D.L.S. ALL SET MONUMENTS ARE IRON BARS UNLESS NOTED OTHERWISE

LEGEND

- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- N,S,E,W --- NORTH,SOUTH,EAST,WEST
- SI --- STANDARD IRON BAR
- SSB --- SHORT STANDARD IRON BAR
- P.L.N. --- PROPERTY IDENTIFIER NUMBER
- C --- CENTRE LINE OF WALL
- D --- DWELLING UNDER CONSTRUCTION
- P --- PORCH
- M --- MEASURED
- FW --- FACE OF WALL
- RP --- REGISTERED PLAN 43M-1931

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

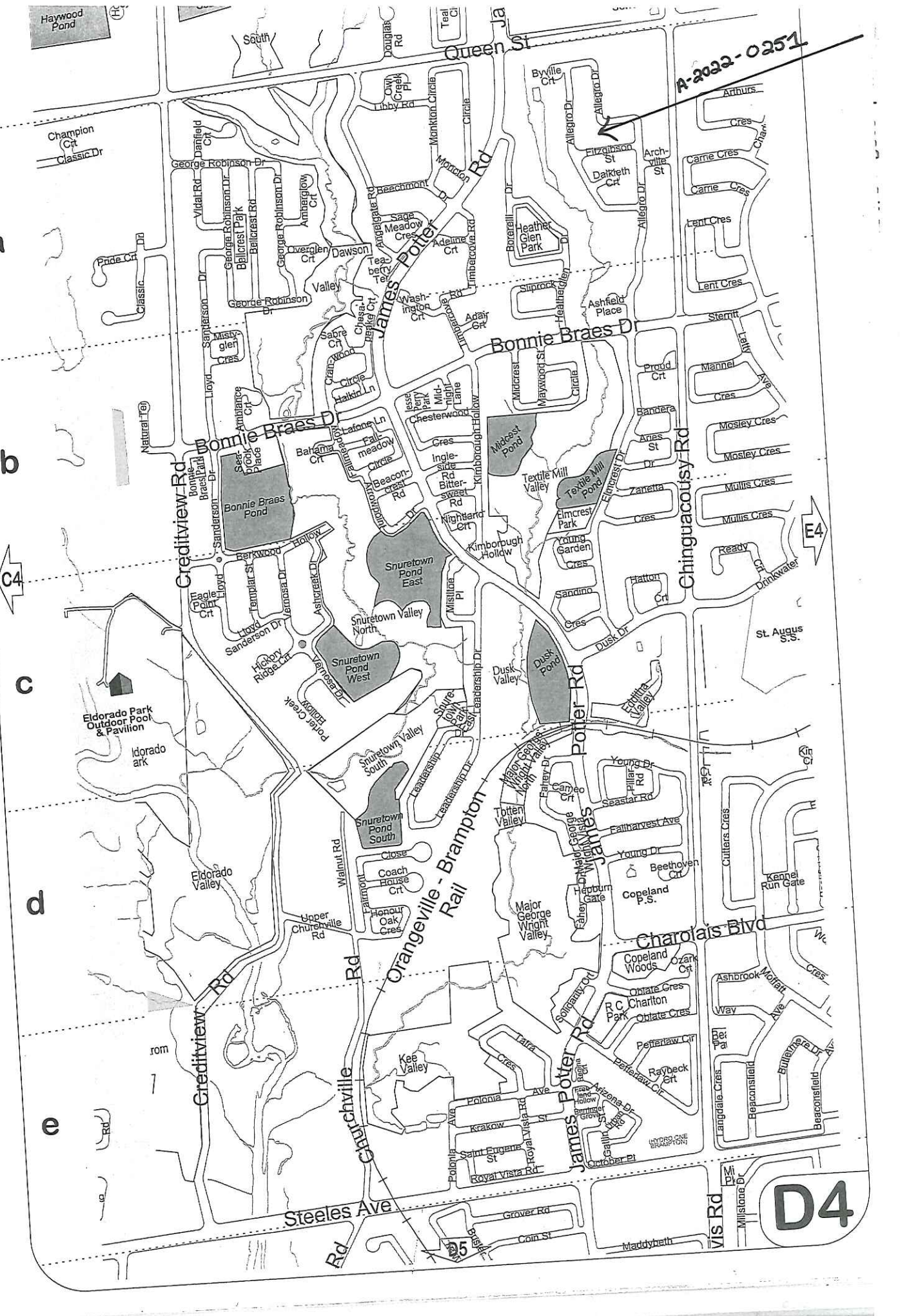
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 31st DAY OF JULY, 2014.

DATE: August 25, 2014

Chris Beresniewicz
CHRIS BERESNIEWICZ
ONTARIO LAND SURVEYOR

Young & Young Surveying
(ETOBICOKE 2006) INC.
310 North Queen St., Suite 102, Toronto ON M9C 5K4
Tel: (416) 621-2676 - Fax: (416) 621-3360
E-MAIL: yytoronto@bellnet.ca

DRAWN BY: R.M. CHECKED BY: R.T. PROJECT 11-17989-F



A-2032-0251

b

C4

C

d

e

F4

D4

5