



APPLICATION # A-2022-0320
WARD 3

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **MEHNA AUTO SALES 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 43, Plan BR-2, Part 4, Plan 43R-13441 municipally known as **93 JOHN STREET**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) for construction of a new single detached dwelling in conjunction with the proposed severed lot under Consent Application B-2022-0014:

1. To permit a minimum lot area of 310 square metres whereas the by-law requires a minimum lot area of 450 square metres;
2. To permit a minimum lot width of 7.90 metres whereas the by-law requires a minimum lot width of 15 metres;
3. To permit an interior side yard setback of 1.2 metres to the second storey whereas the by-law requires a minimum of 1.8 metres to the second storey;
4. To permit an interior side yard setback of 1.2 metres to the third storey whereas the by-law requires a minimum of 2.4 metres to the third storey;
5. To permit a building height of 10.6 metres whereas the by-law permits a maximum building height of 8.5 metres.

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

Plan of Subdivision: NO
Application for Consent: YES

File Number: _____
File Number: B-2022-0014

The Committee of Adjustment has appointed **TUESDAY, October 25, 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 6th Day of October, 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

LEGEND

PROPERTY
BOUNDARY

1-4

MINOR
VARIANCES

ZONING BY-LAW MATRIX - RESIDENTIAL SINGLE DETACHED B - (R1B) and SUBJECT to OLDER, MATURE NEIGHBOURHOODS		
Description	Required	Provided
Minimum Interior Lot Area	0.04 ha (0.11ac) 450m²	0.031 ha (0.077ac) 315m²
Minimum Interior Lot Width	15m	7.93m
Minimum Front Yard Depth	6.0m	6.0m
Minimum Interior Side Yard Width	1.2m for 1st Storey or part thereof plus 0.6m for each additional storey or part thereof	1.20m (west) 1.20m (east)
Minimum Rear Yard Depth	25% of the lot depth or 7.5m whichever is greater	18.94m
Maximum Building Height	8.5m (*10.6m)	10.6m
Maximum Lot Coverage	30%	26%
Building Area	n/a	228m² (2,454ft²)
Minimum Landscaped Open Space	60% of the minimum front yard of an interior lot	62%
*Residential Single Detached B - (R1B) Zoning Requirements		

MINOR VARIANCES

1.

To permit a minimum lot area of 310m² whereas the Zoning By-law requires a minimum lot area of 450m²;

2.

To permit a minimum lot width of 7.90m for an interior lot whereas the Zoning By-law requires a minimum of 15.0m for an interior lot.

3.

To permit an interior side yard setback of 1.2 metres to the second storey whereas the by-law requires a minimum of 1.8 metres to the second storey;

4.

To permit an interior side yard setback of 1.2 metres to the third storey whereas the by-law requires a minimum of 2.4 metres to the third storey;

5.

To permit a maximum building height of 10.6m whereas the Zoning By-law permits a maximum building height of 8.5m.

MINOR VARIANCE PLAN

SEVERED LANDS - LOT 2

PROPOSED SINGLE DETACHED LOT

93 JOHN STREET, CITY of BRAMPTON

P.N.: 22.2994.00	Date: October 6, 2022
Scale: N.T.S	Revised:
Drawn By: D.S.	File No.: PN 2994 Concept Plan

BRAMPTON

21 Queen Street East

Suite 500

Brampton, ON

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P (905) 796 - 5790

GWD

Geospatial & Watershed Data

ANALYTICS

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www.gwdcanada.com

MARKHAM

3601 Highway 7 East

Suite 310

Markham, ON

L3R 6M3

P (905) 477 - 6556

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 25, 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, October 20, 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, October 20, 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, October 20, 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, October 20, 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

FILE NUMBER: A-2022-0320

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) Melnyk Autosales Inc.
Address 21 Possession Crescent
Brampton, Ontario, L6P 4K3
Phone # _____ Fax # _____
Email gaganenterprises.com

2. Name of Agent Gagron Walker Domes Ltd.
Address 21 Queen Street East Suite 500
Brampton, Ontario L6W 3P1
Phone # (905) 746-5190 Fax # _____
Email gsirionni@gwdplanners.com

3. Nature and extent of relief applied for (variances requested):
① To permit a minimum lot area of 310m²
② To permit a minimum lot width of 7.90m for an interior lot
③ To permit a minimum interior side yard width of 1.20m above the first storey
④ To permit a maximum building height of 10.6m

4. Why is it not possible to comply with the provisions of the by-law?
① The Zoning By-law requires a minimum lot area of 450m²
② The Zoning By-law requires a minimum of 15.0m for an interior lot
③ The Zoning By-law requires 1.20m for the first storey or part thereof plus 0.6m for each additional storey or part thereof
④ The Zoning By-law permits a maximum building height of 8.5m

5. Legal Description of the subject land:
Lot Number PT. Lot 43
Plan Number/Concession Number BB-2
Municipal Address 93 John Street

6. Dimension of subject land (in metric units)
Frontage 15.85m
Depth 39.73m
Area 0.063 ha

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.)

One (1) 2-Storey single detached residential dwelling with an approximate GFA of 158m² (1,700ft²)

PROPOSED BUILDINGS/STRUCTURES on the subject land:

One (1) new 3-Storey single detached residential dwelling with a GFA of 278m² (2,984ft²)

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 0.88m (to porch) / 2.92m (to house)
Rear yard setback 27.3m
Side yard setback 2.89m (west)
Side yard setback 6.05m (east)

PROPOSED

Front yard setback 6.0m (to house)
Rear yard setback 18.94m
Side yard setback 1.2m
Side yard setback 1.2m

10. Date of Acquisition of subject land: January 31, 2022
11. Existing uses of subject property: Residential
12. Proposed uses of subject property: Residential
13. Existing uses of abutting properties: Residential
14. Date of construction of all buildings & structures on subject land: 1980's
15. Length of time the existing uses of the subject property have been continued: Since Construction
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 #

B-2022-0014

Status

CONCURRENT

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 #
File #
File #

Decision
Decision
Decision

Relief
Relief
Relief

Anthony Sinianni
Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ OF _____

THIS _____ DAY OF _____, 20____.

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, Anthony Sinianni, OF THE Region OF Halton
IN THE Town OF Halton Hills 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 Halton Hills
OF Halton Hills
IN THE City OF Halton Hills
THIS 27 DAY OF SEP, 2022
A Commissioner etc.

Anthony Sinianni
Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R1B, Mature Neighbourhood

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

September 27, 2022

Date

DATE RECEIVED

September 27, 2022

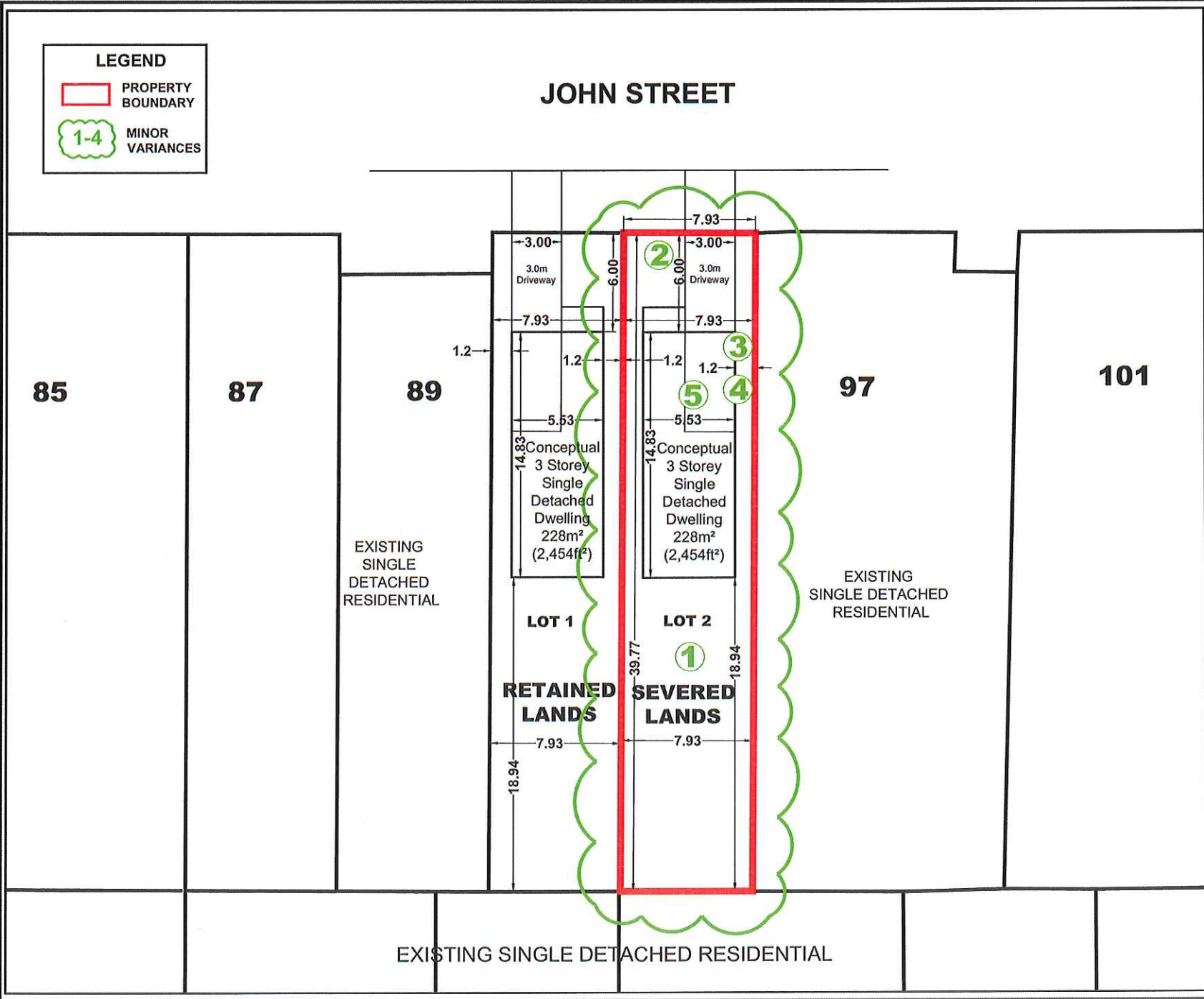
Revised 2022/02/17

LEGEND

PROPERTY
BOUNDARY

1-4

MINOR
VARIANCES



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MINOR VARIANCE PLAN
SEVERED LANDS - LOT 2
PROPOSED SINGLE DETACHED LOT
93 JOHN STREET, CITY of BRAMPTON

P.N.: 22.2994.00

Date: October 6, 2022

Scale: N.T.S

Revised:

Drawn By: D.S.

File No.: PN 2994 Concept Plan

SYD

BRAMPTON

21 Queen Street East
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GWD

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MARKHAM

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B-2022-0014
A-2022-0320
A-2022-0321

a

b

c

d

e

G4

G3

G5

