



APPLICATION # A-2022-0305
WARD 5

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **NAWRAJ SINHA AND KAPOOR SINHA** 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 339, Plan 43M-1720, Part 32, Plan 43R-31813 municipally known as **138 FANDANGO DRIVE**, Brampton;

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

1. To permit a below grade entrance between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of a dwelling and the flankage lot line;
2. To permit an exterior side yard setback of 2.9m (9.51 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 a 4.2m (13.78 ft.) separation distance between a driveway and the point of intersection of two streets whereas the by-law requires a minimum 6.0m (19.68 ft.) separation distance between a driveway and projected point of intersection of two streets.

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 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 13th 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:

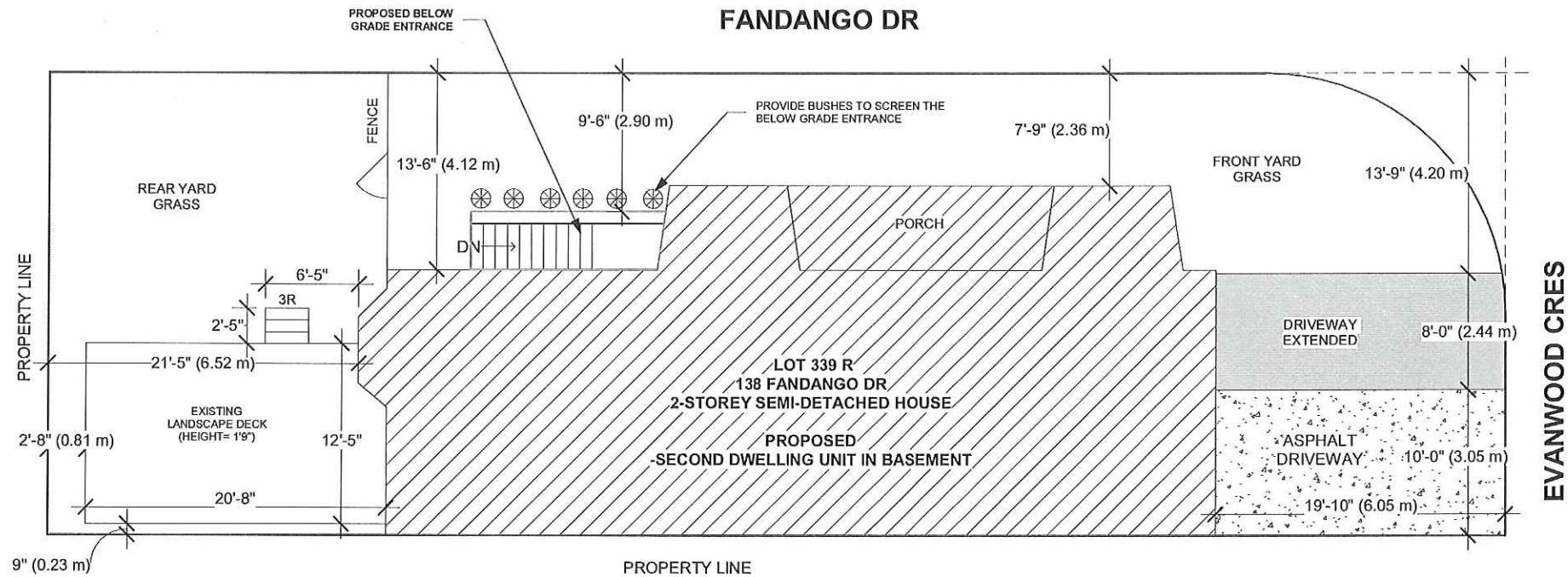
Jeanie Myers, Secretary-Treasurer
Committee of Adjustment, City Clerk's Office,
Brampton City Hall, 2 Wellington Street West,
Brampton, Ontario L6Y 4R2
Phone: (905)874-2117
Fax: (905)874-2119
jeanie.myers@brampton.ca

MINOR VARIANCE

-TO PERMIT A BELOW GRADE ENTRANCE BETWEEN THE MAIN WALL OF A DWELLING AND THE EXTERIOR LOT LINE WHEREAS THE BY-LAW DOES NOT PERMIT STAIRWAYS CONSTRUCTED BELOW THE ESTABLISHED GRADE BETWEEN A MAIN WALL OF A DWELLING AND THE EXTERIOR LOT LINE;

-TO PERMIT DRIVEWAY EXTENSION WITHIN 4.2M OF DISTANCE FROM A POINT OF INTERSECTION OF TWO STREETS, WHERE AS ZONING BY LAW REQUIRED THAT DISTANCE TO BE 6M;

-TO PERMIT AN EXTERIOR SIDE YARD SETBACK OF 2.9M (9.51 FT.) TO A PROPOSED BELOW GRADE ENTRANCE WHEREAS THE BY-LAW REQUIRES A MINIMUM EXTERIOR SIDE YARD SETBACK OF 3.0M (9.84 FT.).



SITE PLAN

THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY THE DESIGNER/ENGINEER OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION.
CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

STAMP

01 ISSUED FOR VARIANCE SEP 14/22

ADDRESS:
138 FANDANGO DR,
BRAMPTON, ON.

DRAWN BY: NK CHECKED BY: TR
PROJECT NUMBER: 22R-26434

**NOBLE PRIME
SOLUTIONS LTD**
2131 WILLIAMS PARKWAY
UNIT 19,
BRAMPTON, ON
info@nobleltd.ca
(437) 888 1800

DATE: SEP 14/22
SCALE: 1 : 100
DRAWING: A-1

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.

AMENDMENT LETTER

October 11, 2022

To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE
NAWRAJ SINHA AND KAPOOR SINHA
PART OF LOT 339, PLAN 43M-1720,
PART 32, PLAN 43R-31813
A-2022-0305- 138 FANDANGO DRIVE**

Please **amend** application **A-2022-0305** to reflect the following:

1. To permit a below grade entrance between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of a dwelling and the flankage lot line;
2. To permit an exterior side yard setback of 2.9m (9.51 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 a 4.2m (13.78 ft.) separation distance between a driveway and the point of intersection of two streets whereas the by-law requires a minimum 6.0m (19.68 ft.) separation distance between a driveway and projected point of intersection of two streets.

Harjot Kaur

Applicant/Authorized Agent

Flower City



brampton.ca

FILE NUMBER: A-2022-0305

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) NAWRAJ SINHA, MONIKA KAPOOR SINHA
Address 138 FANDANGO DR. BRAMPTON, ON, L6X 0P7

Phone # 437-241-7653 Fax #
Email nawraj.sinha123@gmail.com

2. Name of Agent NOBLE PRIME SOLUTIONS LTD
Address UNIT # 19, 2131 WILLIAMS PKY, BRAMPTON, ON, L6S 5Z4

Phone # 437-886-1800 Fax #
Email applications@nobieltd.ca

3. Nature and extent of relief applied for (variances requested):

-TO PERMIT A BELOW GRADE ENTRANCE BETWEEN THE MAIN WALL OF A DWELLING AND THE EXTERIOR LOT LINE WHEREAS THE BY-LAW DOES NOT PERMIT STAIRWAYS CONSTRUCTED BELOW THE ESTABLISHED GRADE BETWEEN A MAIN WALL OF A DWELLING AND THE EXTERIOR LOT LINE

-TO PERMIT DRIVEWAY EXTENSION WITHIN 4.2M OF DISTANCE FROM A POINT OF INTERSECTION OF TWO STREETS, WHEREAS ZONING BY LAW REQUIRED THAT DISTANCE TO BE 6M

4. Why is it not possible to comply with the provisions of the by-law?

-THE BY-LAW DOES NOT PERMIT STAIRWAYS CONSTRUCTED BELOW THE ESTABLISHED GRADE BETWEEN A MAIN WALL OF A DWELLING AND THE EXTERIOR LOT LINE A BELOW GRADE ENTRANCE BETWEEN THE MAIN WALL OF A DWELLING AND THE EXTERIOR LOT LINE IS PROPOSED

5. Legal Description of the subject land:
Lot Number 339R
Plan Number/Concession Number M1720
Municipal Address 138 FANDANGO DR, BRAMPTON, ON, L6X 0P7

6. Dimension of subject land (in metric units)
Frontage 9.68M
Depth 30.50M
Area 290SQM

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.)

2-STOREY SEMI-DETACHED HOUSE WITH AREA OF 197SQM

PROPOSED BUILDINGS/STRUCTURES on the subject land:

-BELOW GRADE ENTRANCE
-DRIVEWAY EXTENSION

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 6.05M

Rear yard setback 6.52M

Side yard setback 2.36M

Side yard setback 0M

PROPOSED

Front yard setback 6.05M

Rear yard setback 6.52M

Side yard setback 2.90M

Side yard setback 0M

10. Date of Acquisition of subject land: 1 SEPTEMBER,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: 2008
15. Length of time the existing uses of the subject property have been continued: 14 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 _____

Harjot Kaur

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON
THIS 22nd DAY OF SEPTEMBER, 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, JINTESH BHAILA, 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 22nd DAY OF Sept., 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.

[Signature]
Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R2A-867

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

Rose Bruno

Zoning Officer

September 23, 2022

Date

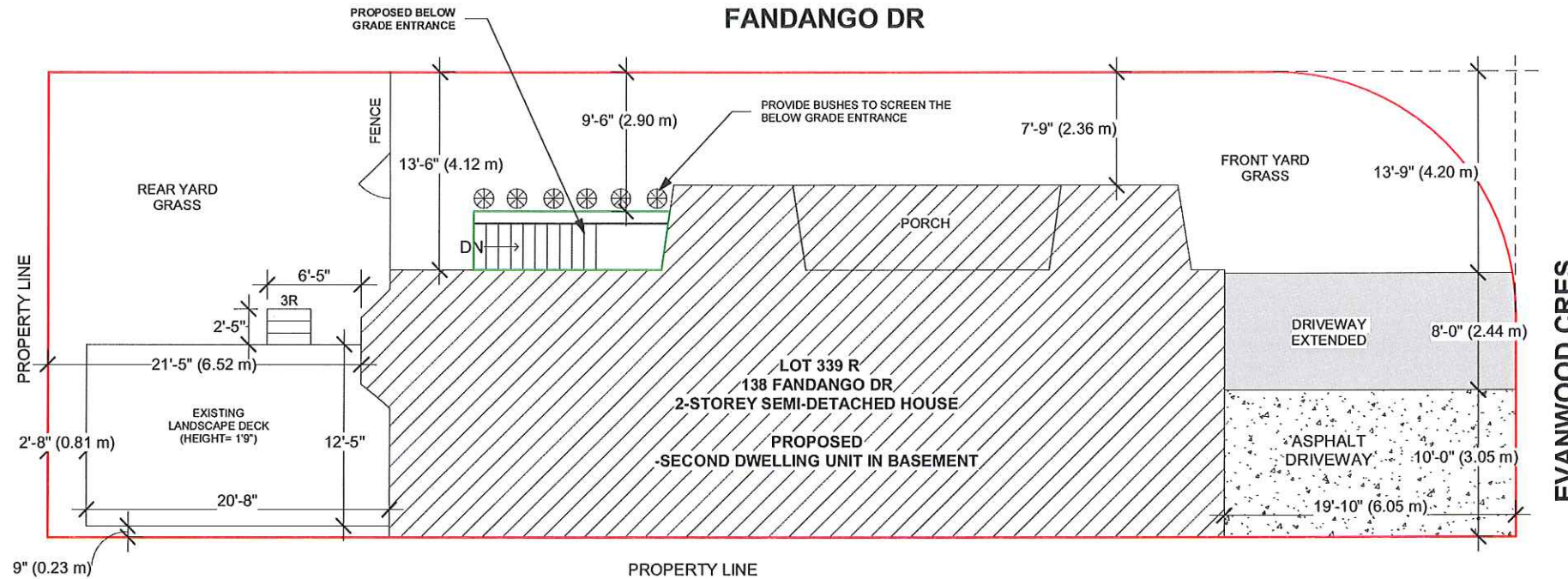
DATE RECEIVED Sept. 22, 2022

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info@nobleltd.ca
(437) 888 1800

DATE: SEP 14/22
SCALE: 1:100
Dwg No: A-1

A-2022-0305

