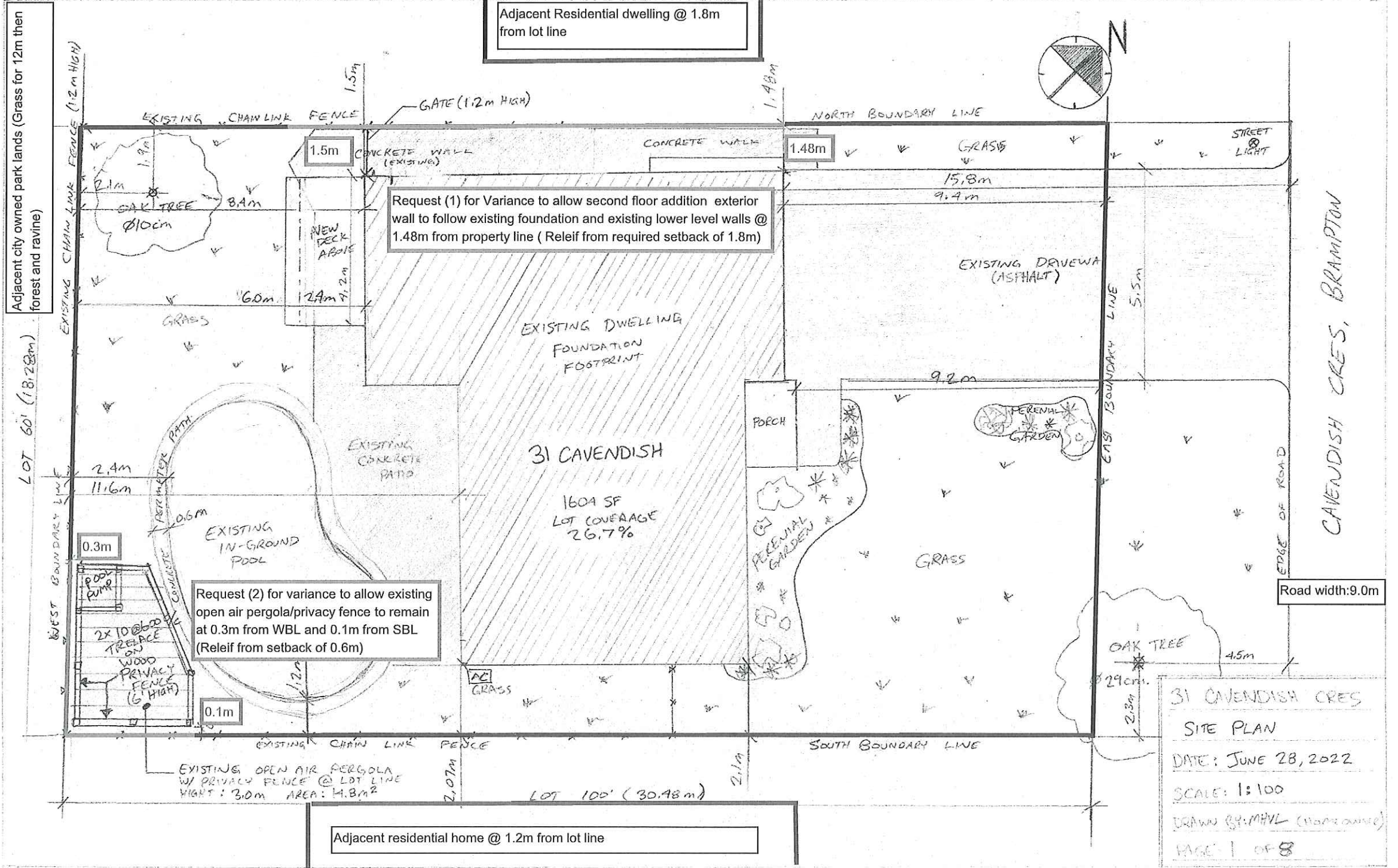




APPLICATION # A-2022-0310  
WARD 7

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](mailto:jeanie.myers@brampton.ca)







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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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](mailto: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  
MATTHEW VANLUIK, GERTRUDE VANLUIK,  
FRASER SLAA AND HANNAH SLAA  
LOT 272, PLAN 688  
A-2022-0310– 31 CAVENDISH CRESCENT**

---

Please **amend** application **A-2022-0310** to reflect the following:

1. To permit an interior side yard setback of 1.48m (4.86 ft.) to a proposed second storey addition above the existing garage whereas the by-law require a minimum side yard setback of 1.8m (5.91 ft.);
2. To permit an existing pergola to remain having a setback of 0.10m (0.33 ft.) to the interior side lot line and 0.3m (0.98 ft.) to the rear lot line whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to all lot lines.

*M. H. Van Luik*

---

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)

Matthew VanLuik, Gertrude VanLuik, Fraser Slaa, Hannah Slaa

Address

31 Cavendish Cres. Brampton, ON. L6T 1Z3

Phone #

905-230-7481

Fax #

Email

mvanluik@rogers.com

2.

Name of Agent

None

Address

Phone #

Fax #

Email

3.

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

1.

To permit an interior side yard setback of 1.48m to a proposed second storey addition above the existing garage and den/office, whereas the by-law requires a minimum side yard setback of 1.8m.

2.

To permit existing pergola to remain having a setback of 0.15m to the interior side lot line and 0.3m to the rear lot line whereas the by-law requires a minimum setback of 0.6m to all lot lines.

4.

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

1)

Structurally the upper wall needs to be built directly on the lower wall. If we follow the by-law we would need to build the wall 30 cm in from the lower wall with no direct support underneath.

2)

From an aesthetic perspective, the home will look strange having a wall set in from the lower wall by a few cm.

3)

Pergola is existing since approximately 2010.

5.

Legal Description of the subject land:

Lot Number

272

Plan Number/Concession Number

688

Municipal Address

31 Cavendish Cres., Brampton ON. L6T 1Z3

6.

Dimension of subject land (in metric units)

Frontage

18.29 m

Depth

30.48 m

Area

557.48 sq.m

7.

Access to the subject land is by:

Provincial Highway

☐

Municipal Road Maintained All Year

☒

Private Right-of-Way

☐

Seasonal Road

☐

Other Public Road

☐

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.)

1) Existing Home - ground floor area is 111.8 sq.m. Gross floor area is 184.37 sq.m.	
2) Pergola including pool shed 14.8 sq.m.	

**PROPOSED BUILDINGS/STRUCTURES** on the subject land:

The proposal is to build a second floor addition above the existing garage and the existing room behind the garage. This will be an addition of 12.42 m x 6.32 m. Total square area of 78.49 sq.m.	
Site Plan File SPA-2022-0127	

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)

<b>EXISTING</b>	
Front yard setback	9.4 m.
Rear yard setback	8.4 m.
Side yard setback	1.48 m.
Side yard setback	2.07 m.
<b>PROPOSED</b>	
Front yard setback	9.4 m.
Rear yard setback	8.4 m.
Side yard setback	1.48
Side yard setback	2.07

10. Date of Acquisition of subject land: 2006
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: 1964, addition 1989, pergola 2010
15. Length of time the existing uses of the subject property have been continued: 58 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 _____

M. H. VanLuk I. VanLuk Hannah Slaa [Signature]

Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton

THIS 20<sup>th</sup> 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, Matthew VanLuk, 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 22<sup>nd</sup> DAY OF Sept., 2022

[Signature]  
A Commissioner etc.

Jeanie Cecilia Myers  
a Commissioner, etc.,  
Province of Ontario  
for the Corporation of the  
City of Brampton  
Expires April 8, 2024.

M. H. VanLuk

Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: \_\_\_\_\_

R2A(1), Mature

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

J. Chau  
Zoning Officer

September 26, 2022  
Date

DATE RECEIVED September 22, 2022

Revised 2022/02/17

SCALE: 1-200

[illegible]



Adjacent city owned park lands (Grass for 12m then forest and ravine)

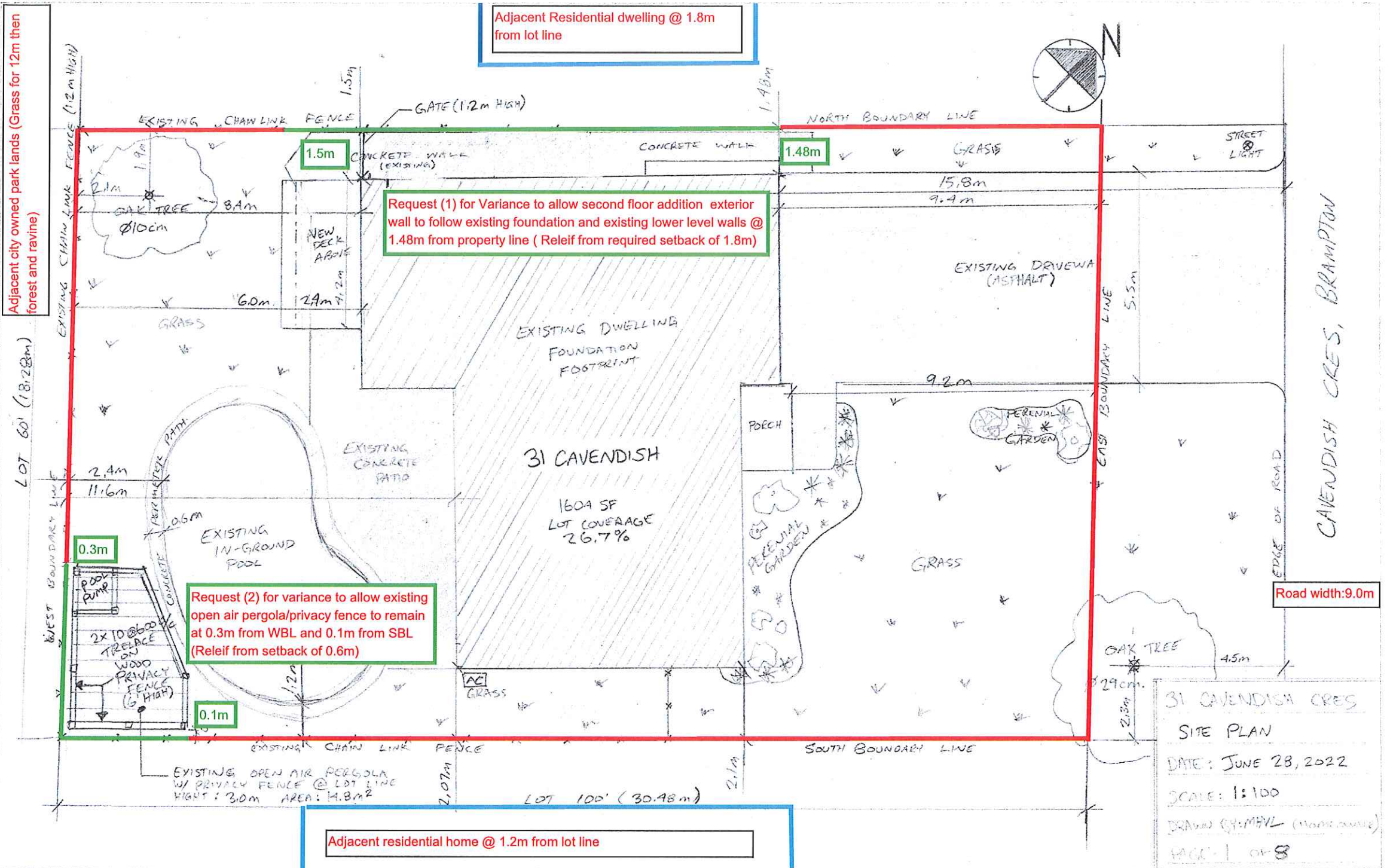
LOT 60' (18.28m)

Adjacent Residential dwelling @ 1.8m from lot line

Request (1) for Variance to allow second floor addition exterior wall to follow existing foundation and existing lower level walls @ 1.48m from property line (Relief from required setback of 1.8m)

Request (2) for variance to allow existing open air pergola/privacy fence to remain at 0.3m from WBL and 0.1m from SBL (Relief from setback of 0.6m)

Adjacent residential home @ 1.2m from lot line



31 CAVENDISH CRES

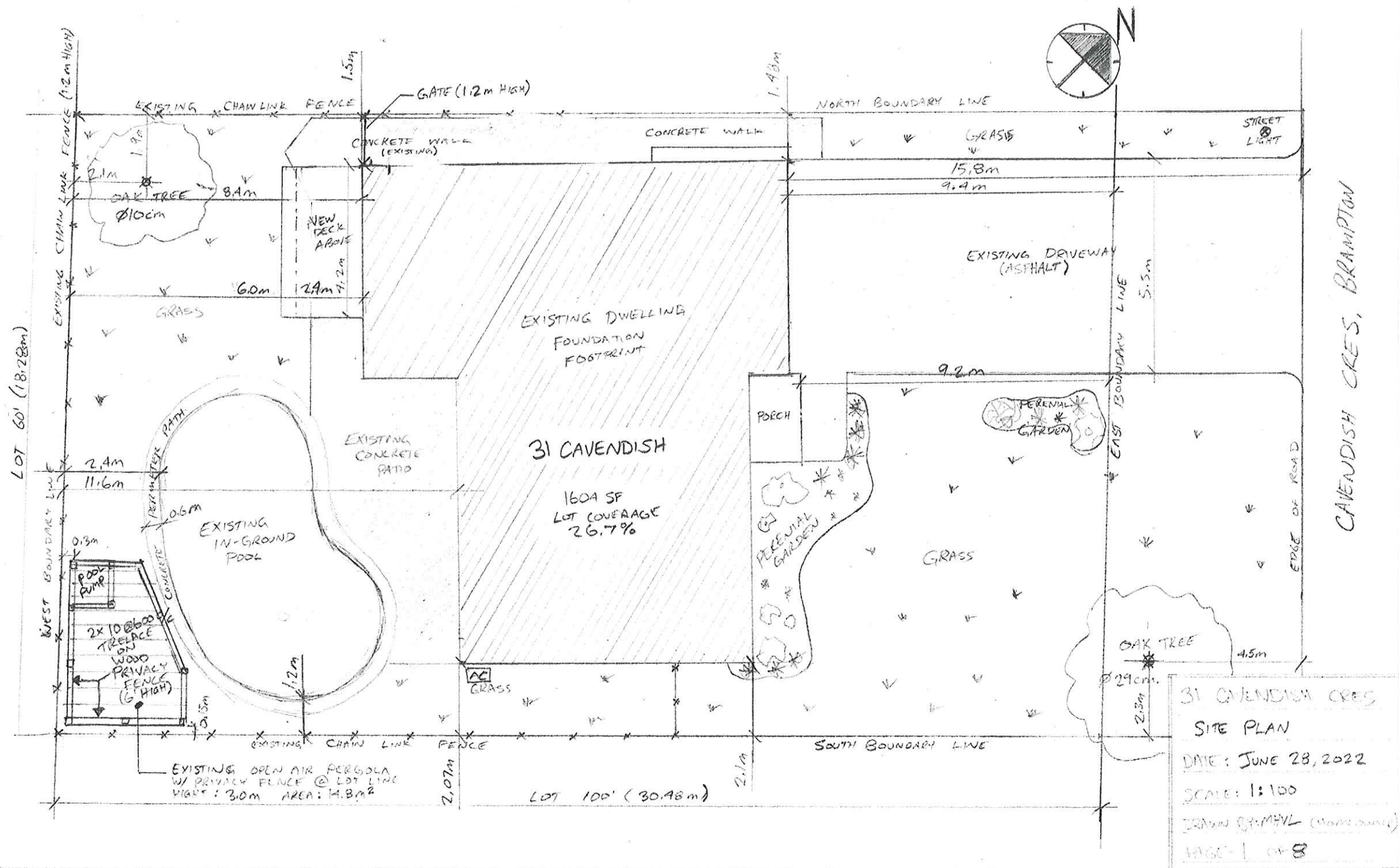
SITE PLAN

DATE: JUNE 28, 2022

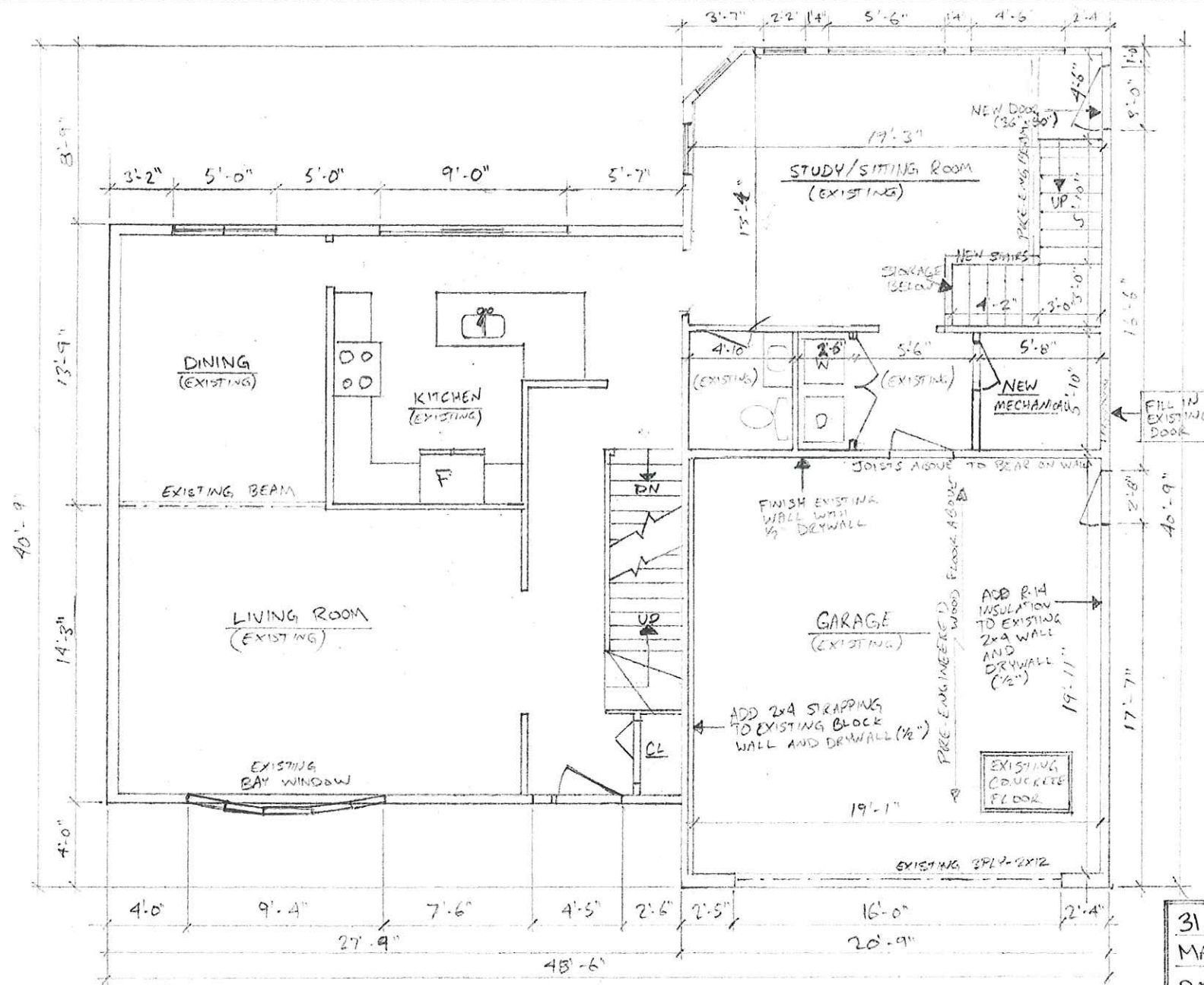
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DRAWN BY: MEVL (MORTIMER)

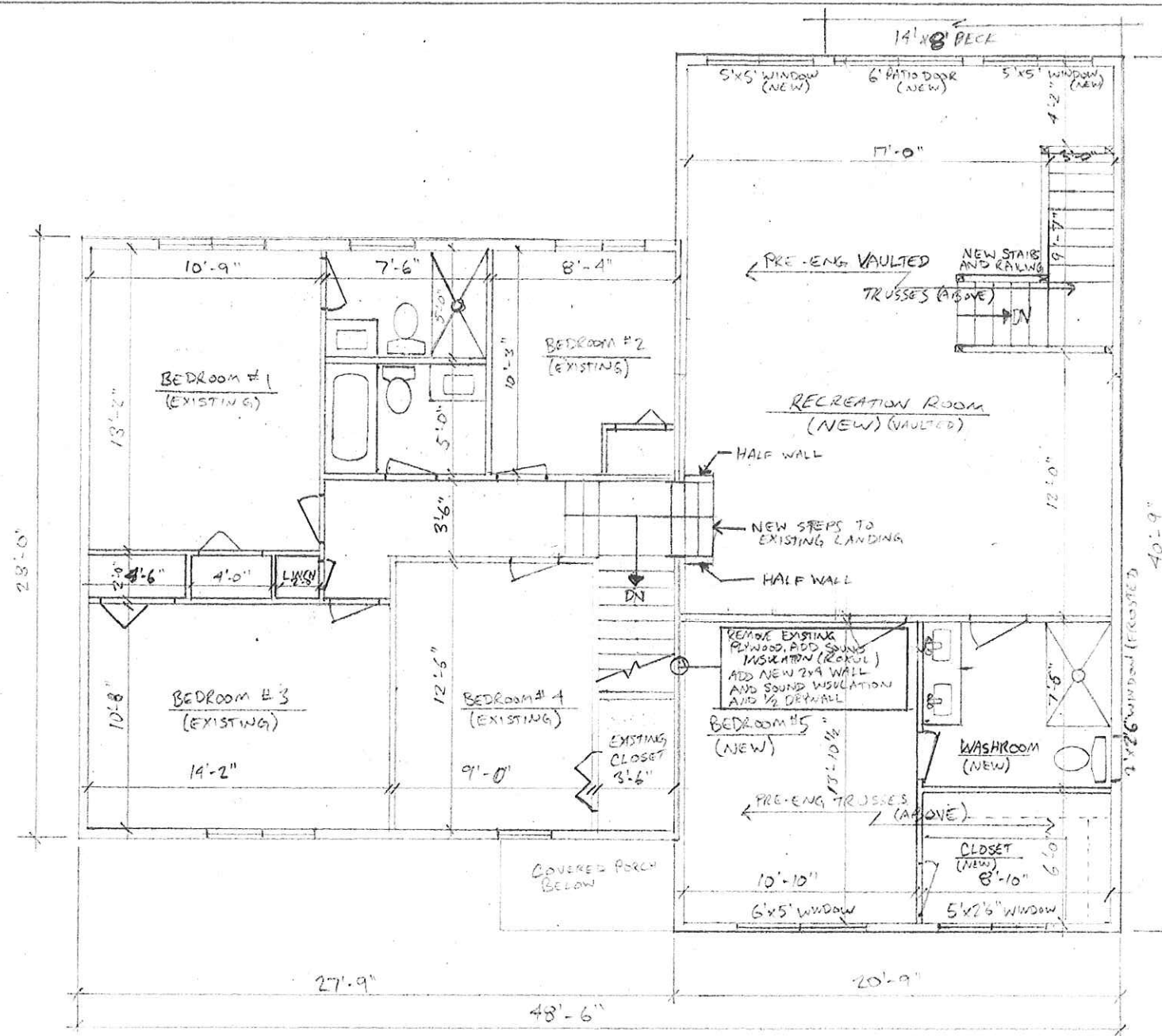
PAGE: 1 OF 8





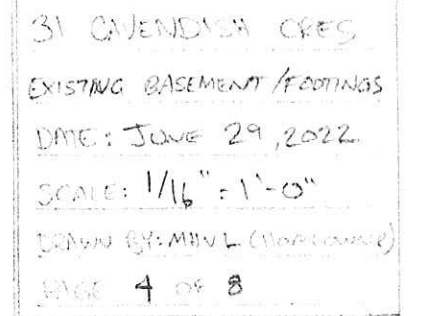


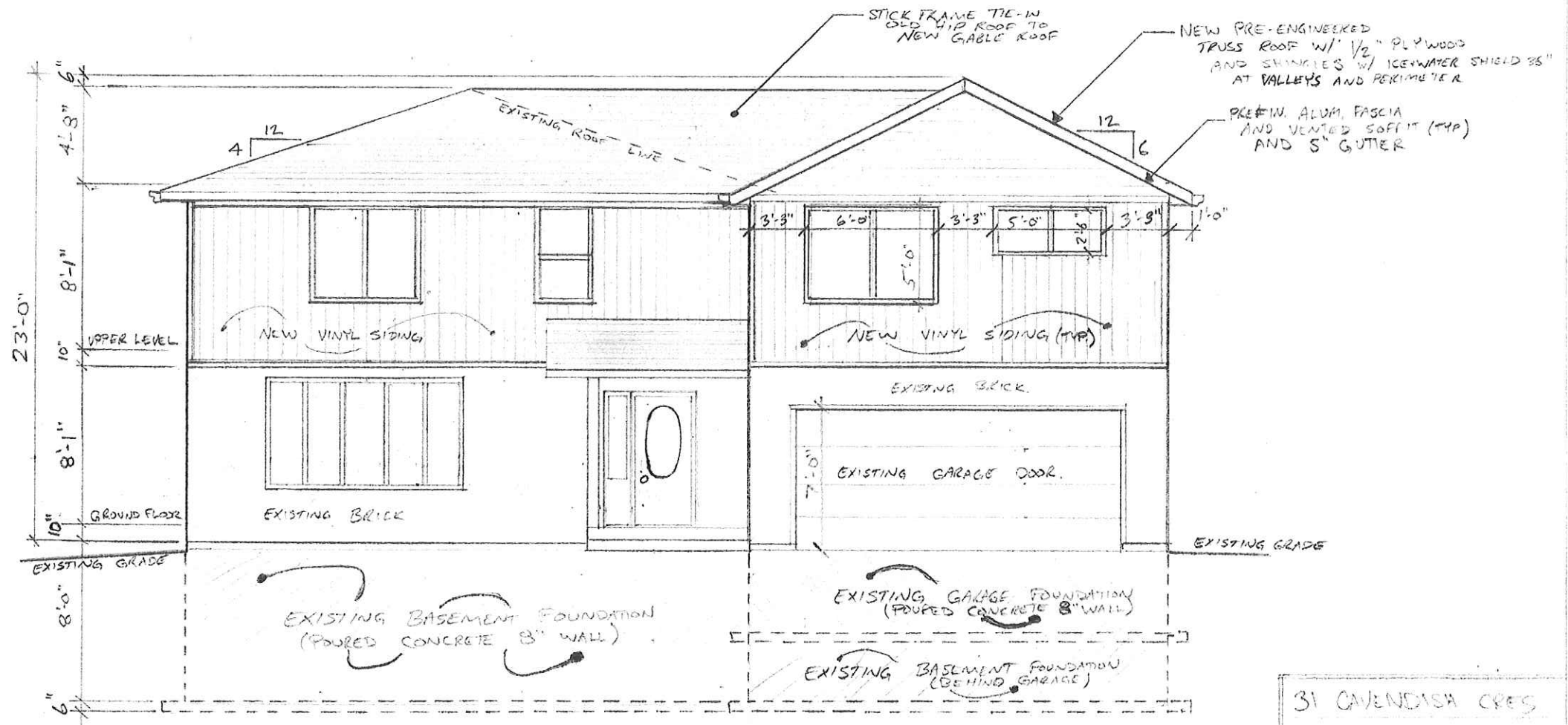
31 CAVENDISH CRES.  
 MAIN FLOOR RENOVATION  
 DATE: JUNE 28, 2022  
 SCALE: 3/16" = 1'-0"  
 DRAWN BY: MHVL (HOMEOWNER)  
 PAGE 2 OF 8



31 CAVENDISH CRES  
SECOND FLOOR RENOVATION  
DATE: JUNE 28, 2022  
SCALE: 3/16" = 1'-0"  
DRAWN BY: MHWL (HOMEOWNER)  
PAGE 3 OF 8

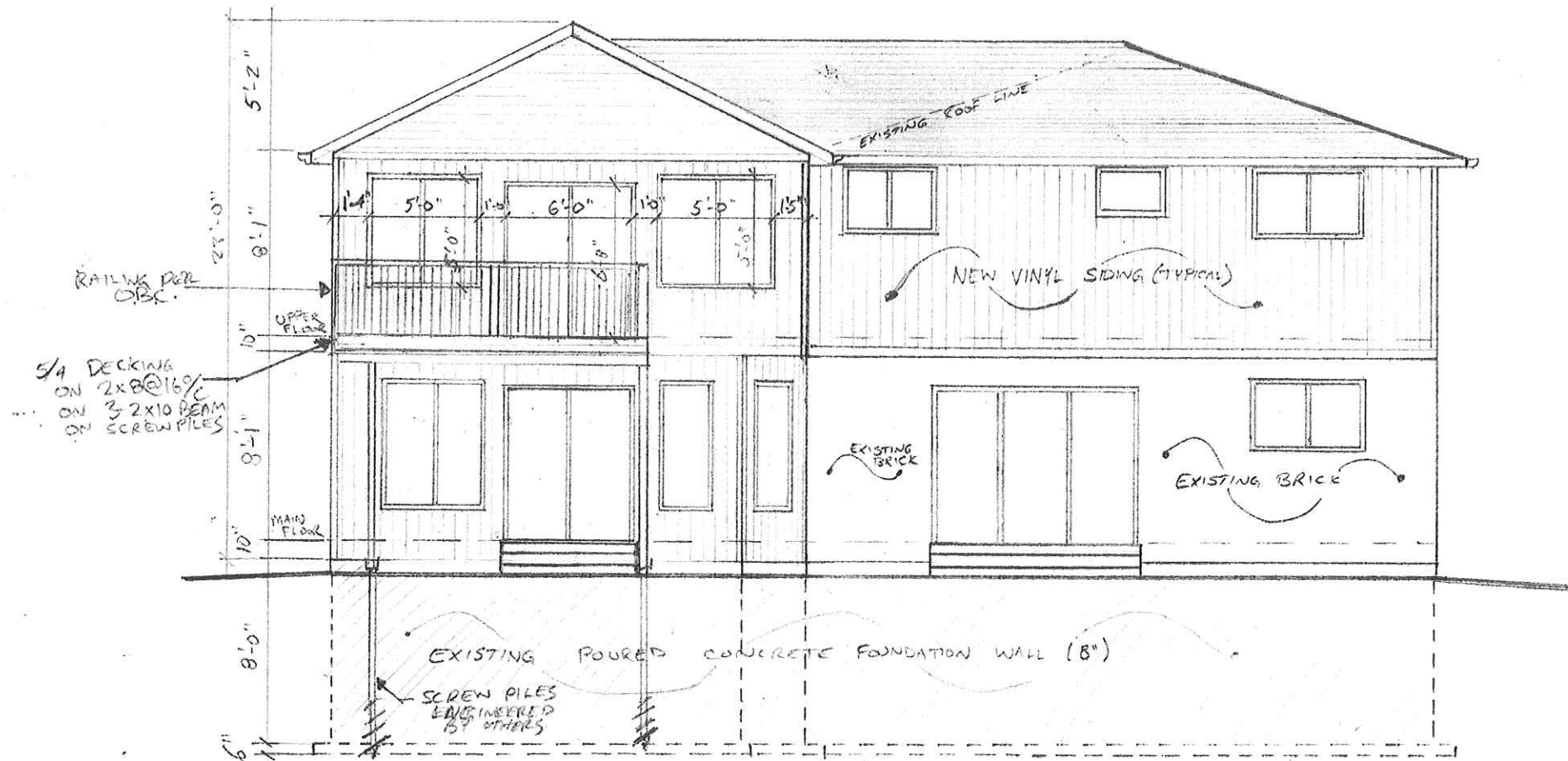




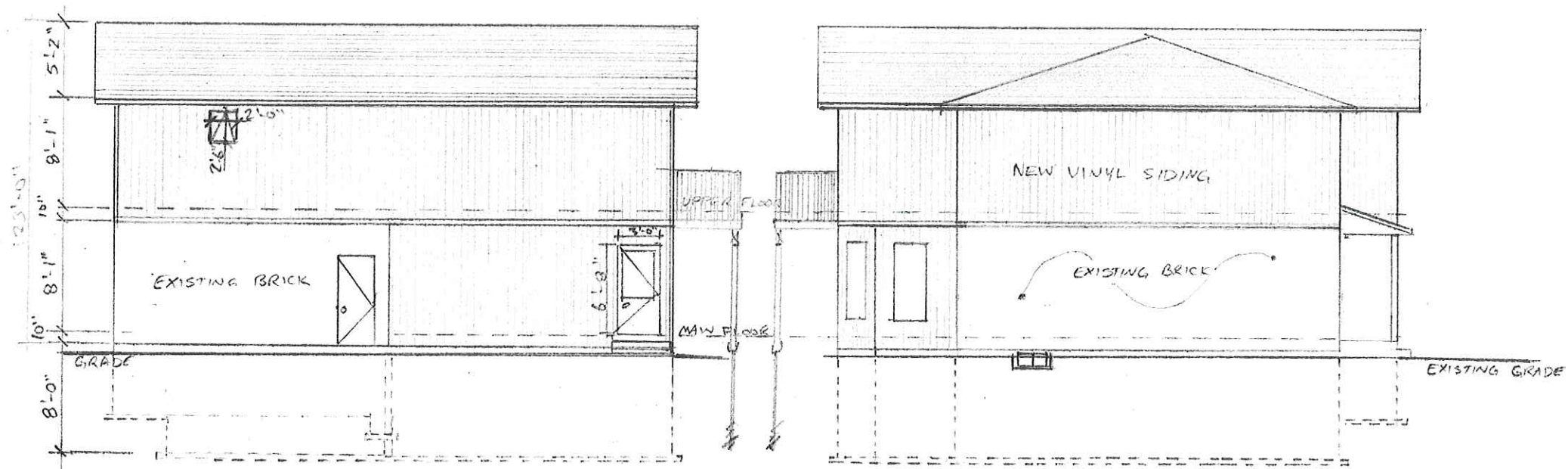


31 CAVENDISH CRES  
 FRONT ELEVATION  
 DATE: JUNE 28, 2022  
 SCALE: 3/16" = 1'-0"  
 DRAWN BY: MARYL (HOMESIDE)  
 PAGE 5 OF 8

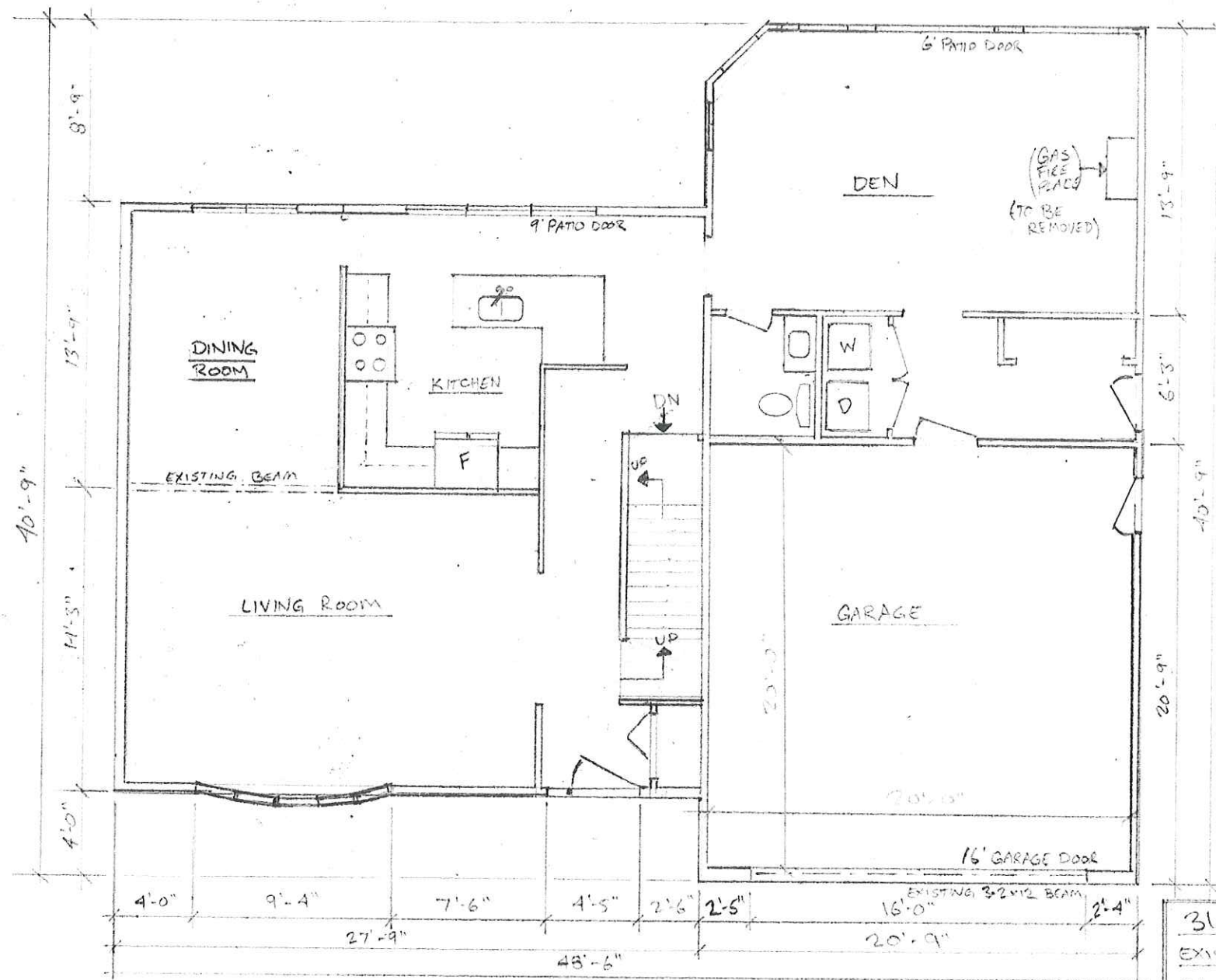




31 CAVENDISH CRES  
 BACK ELEVATION (WEST)  
 DATE: JUNE 28, 2022  
 SCALE: 3/16" = 1'-0"  
 DRAWN BY: MPEL (HOME OWNER)  
 PAGE 6 OF 8



31 CALEDONIAN CRES  
 NORTH AND SOUTH ELEVATIONS  
 DATE: JUNE 28, 2022  
 SCALE: 1/8" = 1'-0"  
 DRAWN BY: MTHV (HOMESOURCE)  
 PAGE 7 OF 8



EXISTING MAIN FLOOR  
SCALE - 3/16" = 1'-0"

31 CAVENDISH CRES.  
EXISTING MAIN FLOOR  
DATE: JUNE 23, 2022  
SCALE: 3/16" = 1'-0"  
DRAWN BY: MARY (HOMEOWNER)  
PAGE 8 OF 8



A-2022-0310

