

APPLICATION # A-2022-0303
WARD 2

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **MUSTUFA GHANI AND SARAH MAZHAR** 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 32, Plan 43M-1880, Part 26, Plan 43R-34887 municipally known as **98 GULFBROOK CIRCLE**, 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 prohibits below grade entrances between the main wall of a dwelling and a flankage lot line;
2. To permit an exterior side yard setback of 2.33m (7.64 ft.) to a proposed below grade entrance whereas the by-law requires a minimum exterior side yard setback of 3.0m (9.84 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 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

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

For Office Use Only
(to be inserted by the Secretary-Treasurer
after application is deemed complete)

FILE NUMBER: A-2022-6303

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) MUSTUFA GHANI and SARAH MAZHAR
Address 98 GULFBROOK CIR., BRAMPTON L6Z 0G4

Phone # 416-688-9245 Fax # _____
Email ghani.mustufa@gmail.com

2. Name of Agent HARJINDER SINGH / MEM ENGINEERING INC.
Address UNIT-28, 2355 DERRY ROAD EAST, MISSISSAUGA L5S1V6

Phone # 905-617-6755 Fax # _____
Email MEM.PENG@OUTLOOK.COM

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

PROPOSED BELOW GRADE STAIRWELL IN EXTERIOR SIDE YARD WITH REDUCED SETBACK OF 2.33M

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

BY- LAW DOES NOT PERMIT BELOW GRADE STAIRWELL ENTRANCE IN EXTERIOR YARD.

5. Legal Description of the subject land:

Lot Number 32L
Plan Number/Concession Number M1880
Municipal Address 98 GULFBROOK CIR., BRAMPTON, ON, L6Z0G4

6. Dimension of subject land (in metric units)

Frontage 36.81 M
Depth 30.25 M
Area 271.91 M2

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.)

2 STOREY SEMI DETACHED DWELLING
SINGLE FAMILY DWELLING
GFA- 145.71 m2
HEIGHT OF PROPERTY- 8.1 M, WIDTH- 5.58 M, LENGTH- 18.40 M

PROPOSED BUILDINGS/STRUCTURES on the subject land:

TWO UNIT DWELLING
PROPOSED BELOW GRADE STAIRS IN EXTERIOR YARD.

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	4.55M
Rear yard setback	7.3M
Side yard setback	3.02 M
Side yard setback	

PROPOSED

Front yard setback	4.55M
Rear yard setback	7.3M
Side yard setback	REDUCED TO 2.33M
Side yard setback	

10. Date of Acquisition of subject land: 2019
11. Existing uses of subject property: SINGLE FAMILY 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: 2010
15. Length of time the existing uses of the subject property have been continued: 12 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 _____

Harjinder Singh

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY _____ OF BRAMPTON

THIS 13 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, GURWINDER GREWAL, 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 OF

IN THE Region of Peel OF

Peel THIS 22nd DAY OF

Sept., 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: _____

R2D - 13.7 - 1409

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

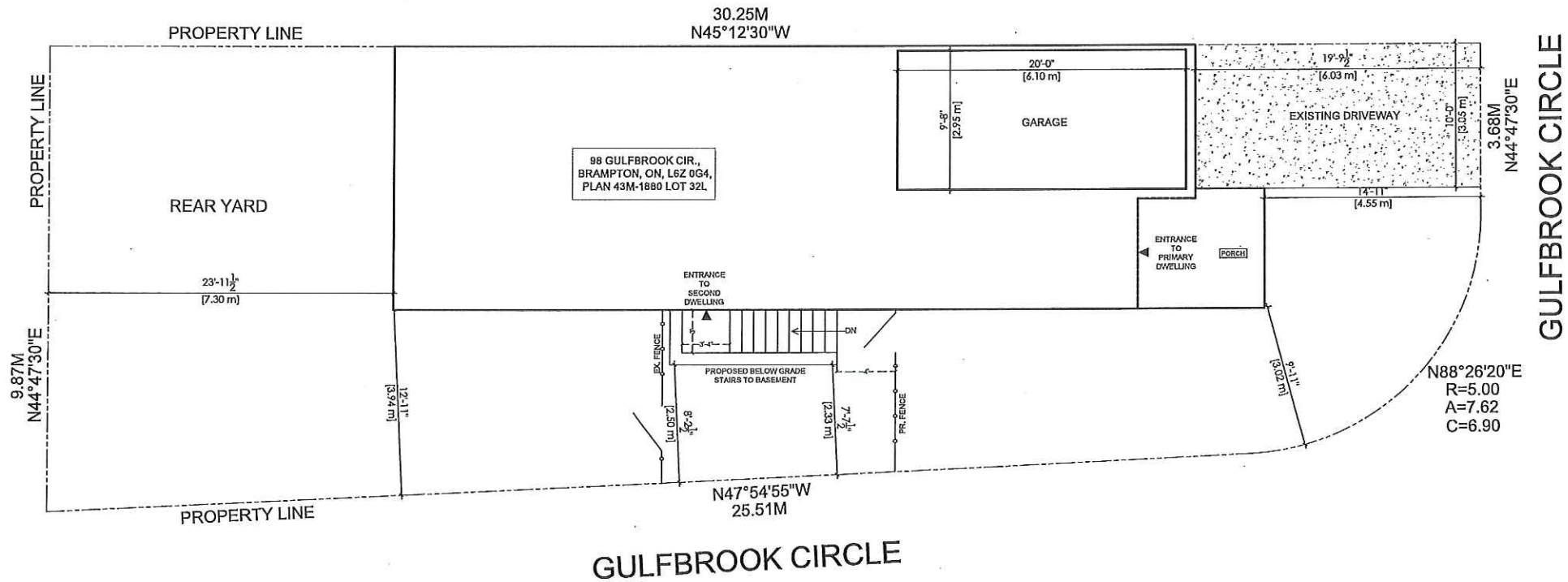
J. Chau
Zoning Officer

September 20, 2022
Date

DATE RECEIVED Sept 22, 2022

Date Application Deemed Complete by the Municipality _____

Revised 2022/02/17



General Notes		
* CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK SITE AND REPORT DISCREPANCIES TO THE CONSULTANT BEFORE PROCEEDING. * ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF CONSULTANTS AND MUST BE RETURNED AT THE COMPLETION OF WORK. * THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY THE CONSULTANT. * DRAWINGS ARE NOT TO BE SCALED.		
LEGENDS:-		
REVISION		
NO	DATE	DESCRIPTION
Firm Name and Address		
MEM ENGINEERING INC		
2355 DERRY ROAD EAST		
MISSISSAUGA, ON, L5S 1V8		
416-558-6755		
Email:harry@memengineering.ca		
PROJECT TITLE:		
98 GULFBROOK CIR., BRAMPTON, ON		
SHEET TITLE:		
SITE PLAN		
CLIENT EMAIL:		
CLIENT CONTACT:		
SCALE:	DRAWING NO.:	
1/18"=1'-0"	A100	
PLOT DATE:		
12-09-2022		
DRAWN BY:		
GO		
CHECKED BY:		
HS		

SITE PLAN

SC: 1/18" - 1'-0"

PLAN OF SURVEY OF
LOTS 17, 20, 21, 22, 23, 24,
25, 26, 27, 28, 29, 32, 33,
34, 35, 36, 37, 38 AND 39
PLAN 43M-1880
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

SCALE 1:300
10m 20metres
RADY-PENTEK & EDWARD SURVEYING LTD., O.L.S.

METRIC
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN
METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE
SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND
THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 29 DAY OF Aug., 2012.
DATE Aug 20, 2012.

S. SINGH
ONTARIO LAND SURVEYOR

NOTES

- DENOTES MONUMENT FOUND
SSIB DENOTES SHORT STANDARD IRON BAR
IB DENOTES IRON BAR
P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
PL DENOTES PLAN 43M-1880
D.U.C. DENOTES DWELLING UNDER CONSTRUCTION
P DENOTES PORCH
C DENOTES CENTRELINE OF WALL
(WT) DENOTES WITNESS
SCP DENOTES SPECIFIED CONTROL POINT

ALL FOUND MONUMENTS BY RADY-PENTEK & EDWARD
SURVEYING LTD., O.L.S.
ALL SET MONUMENTS ARE IRON BARS
UNLESS NOTED OTHERWISE.
ALL TIES TO CONCRETE FOUNDATION

BEARINGS ARE GRID, UTM ZONE 17, NAD83 (ORIGINAL), DERIVED FROM:
SOP 04219920140 NORTH 4843000.25 EAST 599534.75
SCP 04219910109 NORTH 4841538.77 EAST 598024.18
COORDINATES ARE UTM ZONE 17, NAD83 (ORIGINAL), TO URBAN ACCURACY PER
SEC. 14 (2) OF OREG. 216/10, AND CANNOT, IN THEMSELVES, BE USED TO
RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY
THE COMBINED SCALE FACTOR OF 0.9997.

I REQUIRE THIS PLAN TO BE DEPOSITED
UNDER THE LAND TITLES ACT.

DATE Aug 20, 2012
2/2/12
17 SINCE O.L.S.

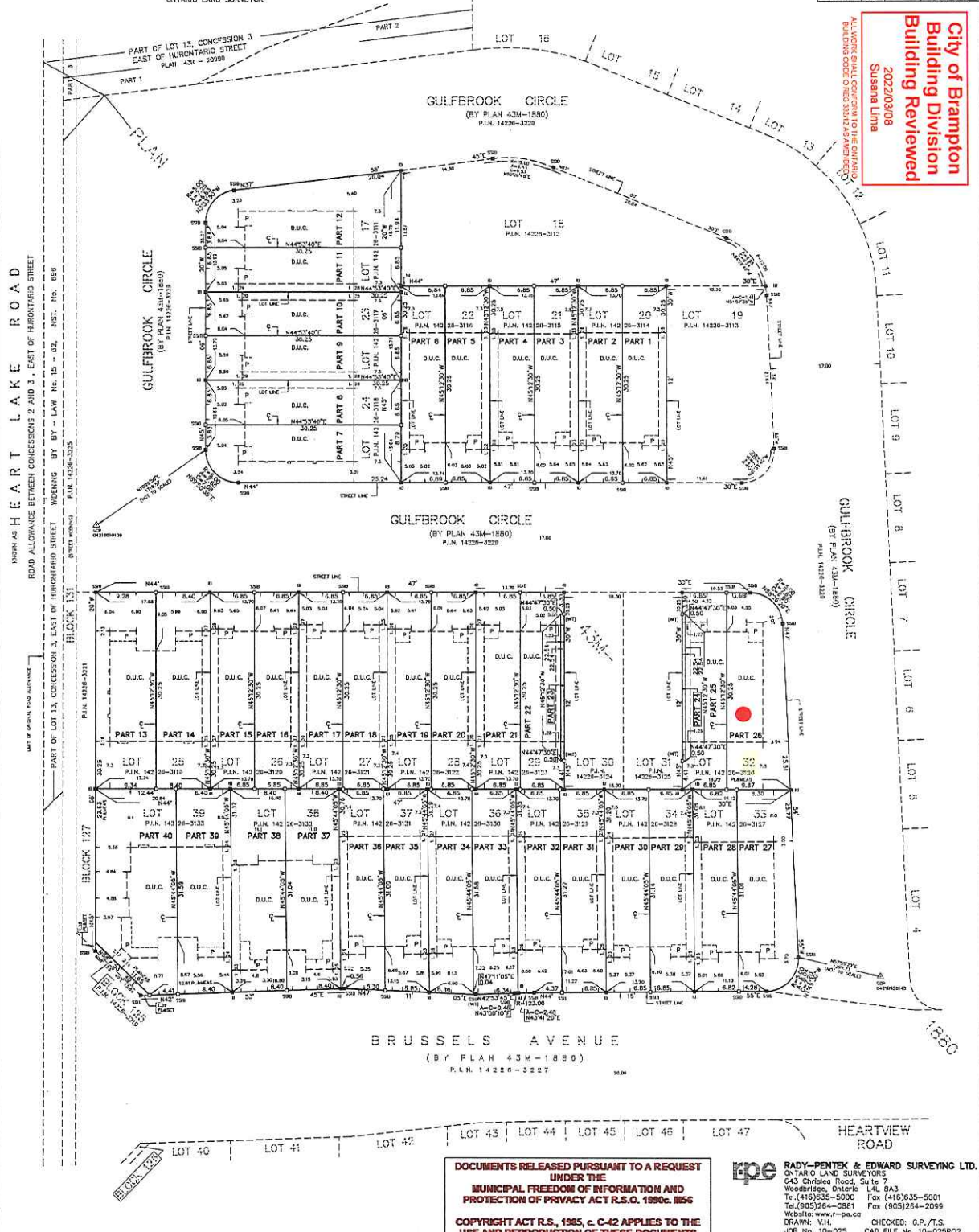
PLAN 43R-34887

RECEIVED AND DEPOSITED

DATE Oct 10, 2012

Sandra Barbosa
REPRESENTATIVE FOR LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF PEEL REGION (16A-43)

SCHEDULE			
PART	ALL OF LOT	PLAN	ALL OF PLAN
1 & 2	29	14226-3114	
3 & 4	29	14226-3115	
5 & 6	22	14226-3116	
7 & 8	24	14226-3118	
9 & 10	23	14226-3117	
11 & 12	17	14226-3111	
13 & 14	25	14226-3119	
15 & 16	26	14226-3120	
17 & 18	27	14226-3121	
19 & 20	28	14226-3122	
21, 22 & 23	29	14226-3123	
24, 25 & 26	32	14226-3126	
27 & 28	33	14226-3127	
29 & 30	34	14226-3128	
31 & 32	35	14226-3129	
33 & 34	36	14226-3130	
35 & 36	37	14226-3131	
37 & 38	38	14226-3132	
39 & 40	39	14226-3133	



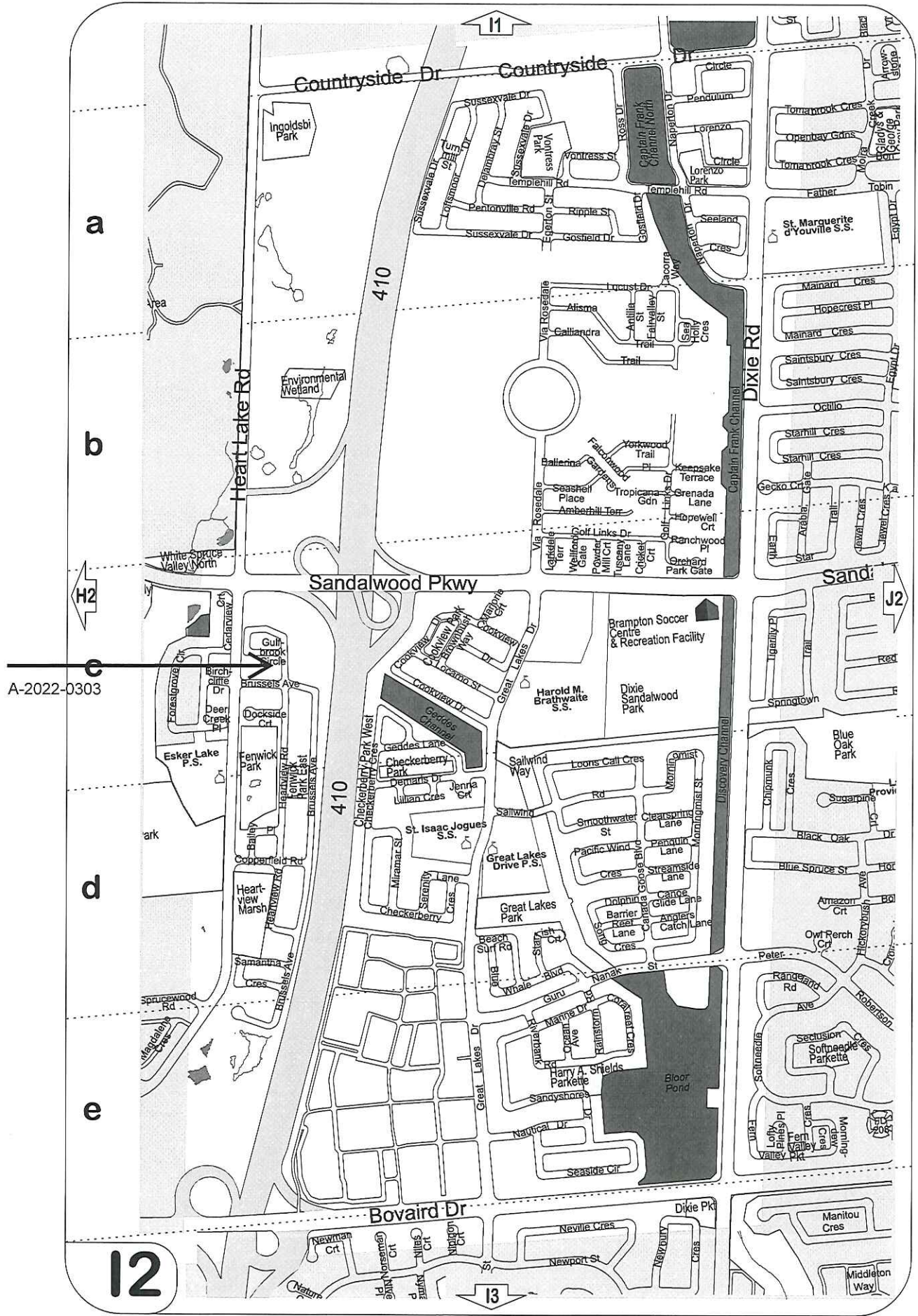
DOCUMENTS RELEASED PURSUANT TO A REQUEST
UNDER THE
MUNICIPAL FREEDOM OF INFORMATION AND
PROTECTION OF PRIVACY ACT R.S.O. 1990c.1636

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

RPE

RADY-PENTEK & EDWARD SURVEYING LTD.
ONTARIO LAND SURVEYORS
643 Christie Road, Suite 7
Woodbridge, Ontario L4L 8A3
Tel: (416) 635-5000 Fax: (416) 635-5001
Tel: (905) 264-2881 Fax: (905) 264-2099
Website: www.r-pe.ca
DRAWN: V.H. CHECKED: G.P./T.S.
JOB No. 10-025 CAD FILE No. 10-025R02

Oct 02, 2012 - 14:56:52



A-2022-0303

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