

APPLICATION # A-2022-0389
WARD #9

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **MAYFIELD (RCH) PROPERTIES 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 Lot 2, Plan 43M-2102 municipally known as **6 KESSLER DRIVE**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) for a proposed single detached dwelling:

1. To permit a rear yard setback of 7.38m (24.22 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

OTHER PLANNING APPLICATIONS:

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, January 24, 2023 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, the Minister, a specified person or a public body.

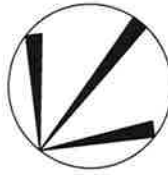
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 12th Day of January, 2023.

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



NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES. IF MIN. DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE.

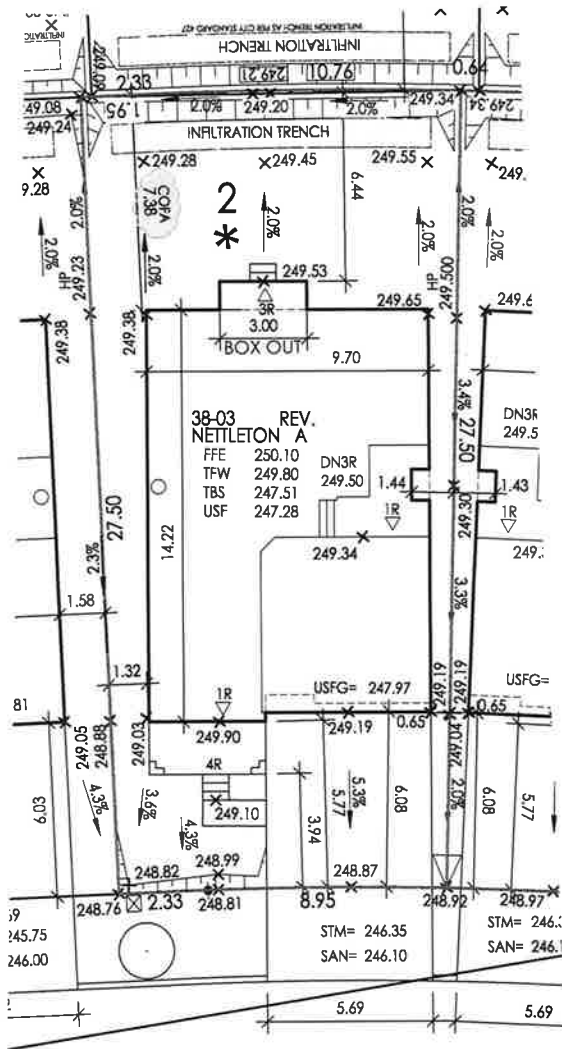
BUILDING STATISTICS	
REG. PLAN No.	43M-2102
ZONE	R1F-13-2368
LOT NUMBER	LOT 2
LOT AREA(m) ²	335.08
BLDG AREA(m) ²	X
LOT COVERAGE(%)	X
No. OF STOREYS	2
MEAN HEIGHT(m)	8.34
INT. GARAGE DIMS(m)	5.59 x 5.80
GARAGE DOOR(m)	2 - 2.44m

LEGEND	
FFE FINISHED FLOOR ELEVATION	SP SUMP PUMP
TFW TOP OF FOUNDATION WALL	☒ BELL PEDESTAL
TBS TOP OF BASEMENT SLAB	☐ CABLE PEDESTAL
USF UNDER SIDE FOOTING	☐ CATCH BASIN
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△ DOOR	⊕ WATER VALVE CHAMBER
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AC AIR CONDITIONING	⊕ HYDRO METER
DS DOWN SPOUT TO SPLASH PAD	⊕ GAS METER
DS DOWN SPOUT CONNECTED TO STIM	○ MANHOLE - STORM
SW SWALE DIRECTION	● MANHOLE - SANITARY
-X- CHAINLINK FENCE	
-XX- PRIVACY FENCE	
-XXX- SOUND BARRIER	
FOOTING TO BE EXTENDED TO 1.22 (MIN) BELOW GRADE	

NOTE: USF IS BASED ON 150mm (6") FOOTING DEPTH. CONTRACTOR TO CONFIRM WITH WORKING DRAWINGS FOR SPECIFIC SIZES THAT MAY SUPERSEDE THIS SIZE.

ISSUED OR REVISION COMMENTS				
NO.	DESCRIPTION	DATE	DWN	CHK
1	ISSUED FOR PRE-SITE ONLY	18-JUN-21	D.H	
2	ISSUED FOR REVIEW	05-AUG-21	D.H	NC
3	REVISED PER ENG COMM	23-AUG-21	D.H	NC
4	ISSUED FINAL	05-MAY-22	D.H	NC

IMPORTANT FOOTING NOTE:
 - IT IS THE RESPONSIBILITY OF THE BUILDER TO VERIFY FROM THE ARCHITECTURAL DRAWINGS BEFORE CONSTRUCTION, WHETHER ADDITIONAL THICKNESS MAY BE REQUIRED.
 - LOT GRADING PLANS ASSUME A TBS TO USF DISTANCE OF 0.23, BASED ON FOOTING THICKNESS UP TO 6".
 - IF ADDITIONAL FOOTING THICKNESS IS REQUIRED THE USF IS TO BE LOWERED BY THE FOLLOWING AMOUNTS:
 - UP TO 9" FOOTING, LOWER USF BY 0.07
 - 10" FOOTING, LOWER USF BY 0.10
 - 11" FOOTING, LOWER USF BY 0.13
 - 12" FOOTING, LOWER USF BY 0.15
 - 13" FOOTING, LOWER USF BY 0.18
 - 14" FOOTING, LOWER USF BY 0.20



1
 INFILTRATION TRENCH AS PER CITY STANDARD 427

KESSLER DRIVE

GRADING CERTIFICATION:
 1. THE PROPOSED LOT GRADING AND DRAINAGE IS APPROVED AS BEING IN CONFORMITY WITH THE OVERALL APPROVED GRADING PLANS FOR THE SUBDIVISION.
 2. THE BUILDER IS RESPONSIBLE FOR RELOCATION OF ALL THE UTILITIES ON SITE.
 3. THE BUILDER MUST TOPSOIL AND SOO ALL BOULEVARDS.
 4. DOWNSPOUTS SHALL DISCHARGE TO THE GROUND VIA SPLASH PADS.
 5. BRICKLINE TO BE 150mm TO 200mm ABOVE FINAL GRADE AT HOUSE.

NOTE:
 LATERAL SEWERS AS-BUILT ELEVATIONS AND UTILITY LOCATIONS WERE NOT AVAILABLE AT THE TIME OF CERTIFICATION. SCHAEFFER'S WILL NOT ACCEPT LIABILITY ARISING FROM THIS MATTER. REVISIONS MAY BE REQUIRED UPON AVAILABILITY OF LATERAL ELEVATIONS AND UTILITY LOCATIONS. ALSO UNDERGROUND SEWERS WHERE NOT CONSTRUCTED WHEN SITE PLANS REVIEWED AND APPROVED.

RN DESIGN
 WWW.RNDESIGN.COM
 T:905-738-3177
 WWW.THEPLUSGROUP.CA

I, NELSON CUNHA DECLARE THAT I HAVE REVIEWED AND TAKEN DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF RN DESIGN LTD, UNDER DIVISION C, PART-3 SUBSECTION-3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES.

QUALIFIED DESIGNER BCIN: 21032
 FIRM BCIN: 26995
 DATE:

SIGNATURE:

CLIENT
MAYFIELD (RCH) PROPERTIES INC.

PROJECT/LOCATION
**MAYFIELD VILLAGE PHASE 6
 BRAMPTON**

DRAWING
SITE PLAN

DRAWN BY D.H	SCALE 1:250
PROJECT No. 21034	LOT NUMBER LOT 2

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 **January 24, 2023** 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, January 19, 2023.**

- 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, January 19, 2023.**
 2. To participate in-person, please email the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, January 19, 2023.**
- 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, January 19, 2023.** 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.

EXPLANATORY LETTER

To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

LOCATION OF THE SUBJECT LAND: KESSLER DRIVE, BRAMPTON ON
A-2022-0389 - A-2022-0393

To whom it may concern,

Lots in questions: Lot 1-2, Block 161-163

The purpose of this minor variance application is to request that a rear yard set back ranging from 7.20-7.40m be allowed for the subject properties, Lots 1-2, Block 163-161, whereas zone R1F-13-2368 requires 7.5m. Due to the pie shaped lot the side lot lines converge towards the front and left (Northern) side of the lots. This creates a deficiency that ranges from 0.10-0.30 metres on that side of the lot. It is to be noted that most of the rear wall of the building complies with the 7.5m rear yard requirement.

Dated this 28th day of November, 2022

DAVID HUIE (RN DESIGN LTD)

Applicant



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)** MAYFIELD (RCH) Properties INC
Address 171 Basaltic Homes Rd#1 Concord, ON L4K 1G4

Phone # _____ **Fax #** _____
Email _____

2. **Name of Agent** David Dyce Huie (RN Design LTD)
Address 8395 Jane Street
Vaughan, ON M2J 0A4

Phone # 905 738 3177 **Fax #** _____
Email DavidH@rdesign.com

3. **Nature and extent of relief applied for (variances requested):**
 Requesting a rear yard reduction from required 7.50m setback to 7.38m

4. **Why is it not possible to comply with the provisions of the by-law?**
 Due to the pie shaped lot, the side lot lines are diverging towards the front of the lot. Note that the opposite side of the home complies with the 7.50m rear yard requirement.

5. **Legal Description of the subject land:**
Lot Number Lot 2
Plan Number/Concession Number 43M-2102
Municipal Address 6 Kessler Drive

6. **Dimension of subject land (in metric units)**
Frontage 11.28m
Depth 27.50m
Area 335.08m

7. **Access to the subject land is by:**

Provincial Highway	<input type="checkbox"/>	Seasonal Road	<input type="checkbox"/>
Municipal Road Maintained All Year	<input checked="" type="checkbox"/>	Other Public Road	<input type="checkbox"/>
Private Right-of-Way	<input type="checkbox"/>	Water	<input type="checkbox"/>

- 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.)

N/A

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Single detached dwelling
 Ground floor Area: 138.52m2 Building length:14.22m
 Gross area: N/A Building height:8.34m
 Stories: 2
 Building width:9.70m

- 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 N/A
 Rear yard setback N/A
 Side yard setback N/A
 Side yard setback N/A

PROPOSED

Front yard setback 5.77m
 Rear yard setback 7.38m
 Side yard setback 1.32(L)
 Side yard setback 0.65m(R)

- 10. Date of Acquisition of subject land: July 19 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: 2023
- 15. Length of time the existing uses of the subject property have been continued: Vacant land

- 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 _____

D. Dyce

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY _____ OF BRAMPTON _____

THIS 25 DAY OF NOVEMBER, 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, David Huie, OF THE City OF Brampton

IN THE Province OF Ontario 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 Markham OF Markham

IN THE Province OF

Ontario THIS 28th DAY OF

November, 2022.

[Signature]

A Commissioner etc.

Hailian Wang
Licensed Paralegal and Notary Public
Law Society of Ontario Licensee #P16391

Signed electronically before me in Markham, Ontario while the Declarant was located in Brampton, ON on November 28, 2022 in accordance with Reg. 431/20 and the Ontario Electronic Commerce Act and securely online via video.

David Huie

Signature of Applicant or Authorized Agent
David Huie

Submit by Email



FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1F-9-2368

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

December 5, 2022

Date

DATE RECEIVED

December 5, 2022

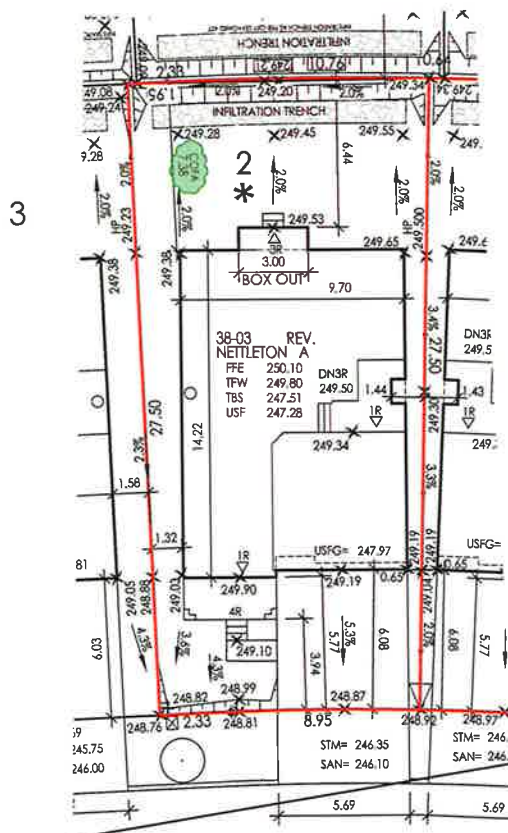
Date Application Deemed Complete by the Municipality



NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES. IF MIN. DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE

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—X— CHAINLINK FENCE	☐ MANHOLE - SANITARY
—XX— PRIVACY FENCE	☐ FOOTING TO BE EXTENDED TO 1.22 (MIN) BELOW GRADE
—XXX— SOUND BARRIER	NOTE: USF IS BASED ON 150mm (6") FOOTING DEPTH. CONTRACTOR TO CONSULT WITH WORKING DRAWINGS FOR SPECIFIC SITES THAT MAY SUPERSEDE THIS SITE.



1
INFILTRATION TRENCH AS PER CITY STANDARD 427

3

KESSLER DRIVE

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QUALIFIED DESIGNER BCIN: 21032
 FIRM BCIN: 26955
 DATE:

SIGNATURE:

CLIENT
MAYFIELD (RCH) PROPERTIES INC.

PROJECT/LOCATION
**MAYFIELD VILLAGE PHASE 6
 BRAMPTON**

DRAWING
SITE PLAN

DRAWN BY
 D,H

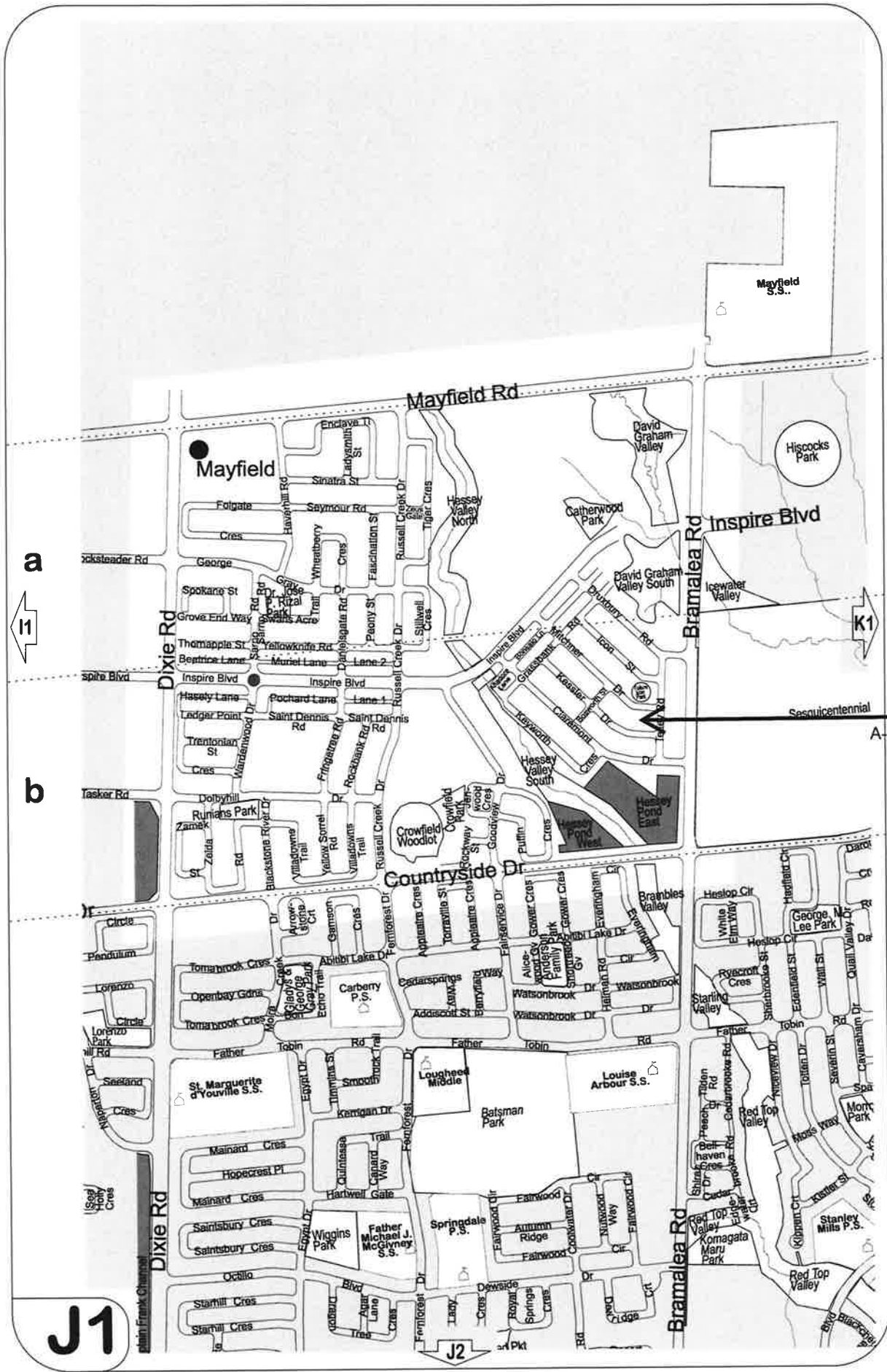
SCALE
 1:250

PROJECT No.
 21034

LOT NUMBER
 LOT 2

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A-2022-0389 - A-2022-0393

a

b

J1

J2

