

APPLICATION # A-2022-0327
WARD 6

DEFERRED APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **PUSHKAR CHAVAN AND VAISHAKHI CHAVAN** 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 36, Plan 43M-2015 municipally known as **43 ELYSIAN FIELDS CIRCLE**, Brampton;

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

1. To permit an above grade door in the side wall where a minimum side yard width of 0.66m (2.17 ft.) is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m (3.94 ft.) extending from the front wall of the dwelling up to and including the door;
2. To permit a 0.66m (2.17 ft.) path of travel leading to a principle entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) be provided as a path of travel from the front yard to the entrance for a second unit;
3. To permit a 0.4m (1.31 ft.) setback to an existing accessory structure (gazebo) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot lines for an accessory structure;
4. To provide 0.0m of permeable landscaping abutting the side property line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip abutting the side property line;
5. To permit a driveway width of 8.56m (28.08 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 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, 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 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 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

- * CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK SITE AND REPORT DISCREPANCIES TO THE CONSULTANTS 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 UNLESS SIGNED BY THE CONSULTANT.
- * DRAWINGS ARE NOT TO BE SCALED.

LEGENDS:-

NO.	DATE	DESCRIPTION	BY

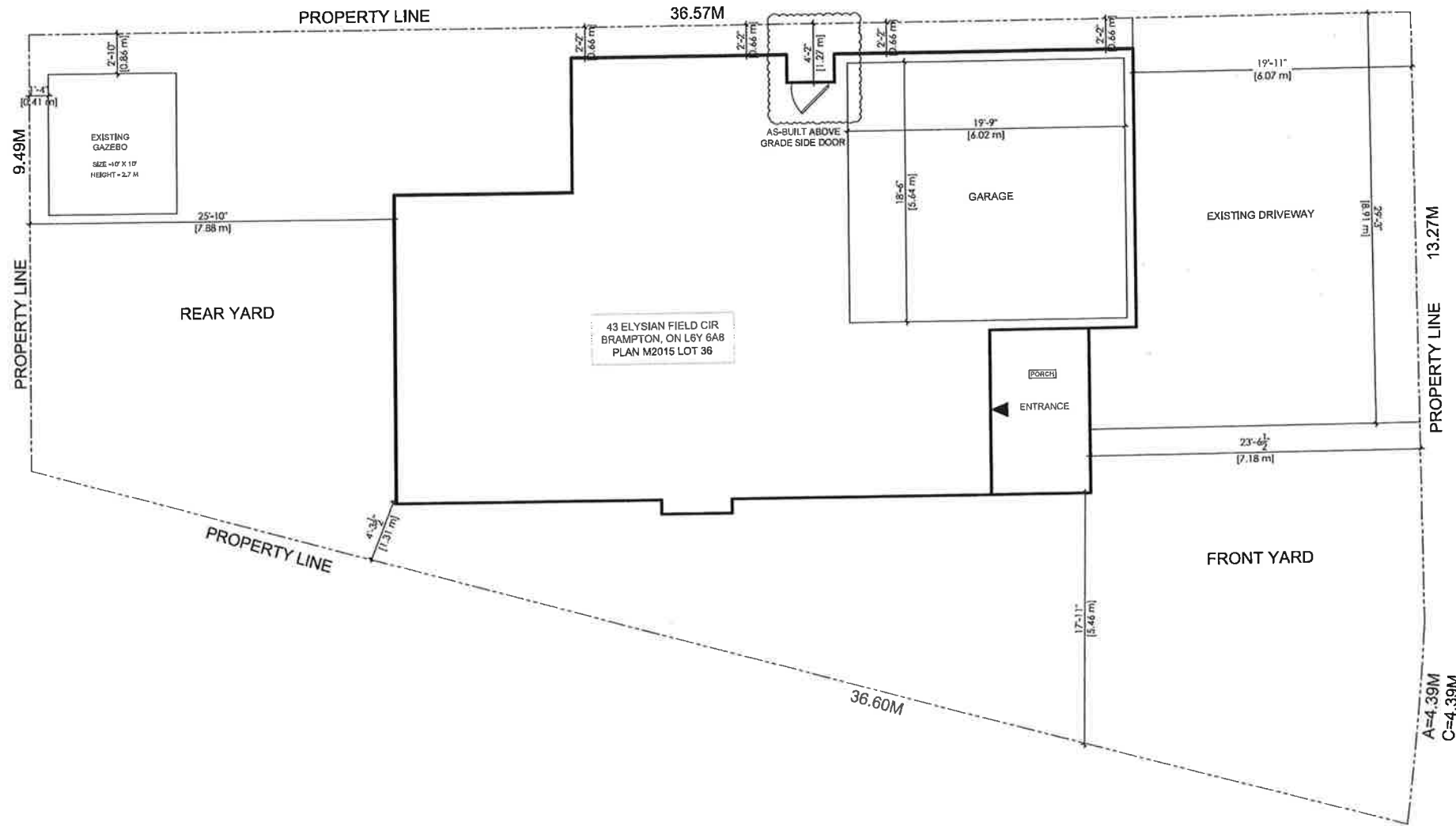
Firm Name and Address
MEM ENGINEERING INC
 2365 DERRY ROAD EAST
 MISSISSAUGA, ON, L5S 1V8
 416-558-8755
 Email:harry@memengineering.ca

PROJECT TITLE:
 43 Elysian Fields Cir
 Brampton, ON L6Y 6A8

SHEET TITLE:
SITE PLAN

CLIENT EMAIL:

SCALE: 1/8"=1'-0"	DRAWING NO.:
PLOT DATE: 06-08-2022	A100
DRAWN BY: SB	
CHECKED BY: HS	



SITE PLAN
 SC: 1/8" - 1'-0"

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.

AMENDMENT LETTER

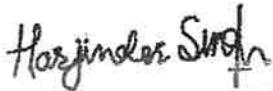
November 1, 2022

To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE
PUSHKAR CHAVAN AND VAISHAKHI CHAVAN
LOT 36, PLAN 43M-2015
A-2022-0327- 43 ELYSIAN FIELDS CIRCLE**

Please **amend** application **A-2022-0327** to reflect the following:

1. To permit an above grade door in the side wall where a minimum side yard width of 0.66m (2.17 ft.) is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m (3.94 ft.) extending from the front wall of the dwelling up to and including the door;
2. To permit a 0.66m (2.17 ft.) path of travel leading to a principle entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) be provided as a path of travel from the front yard to the entrance for a second unit;
3. To permit a 0.4m (1.31 ft.) setback to an existing accessory structure (gazebo) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot lines for an accessory structure;
4. To provide 0.0m of permeable landscaping abutting the side property line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip abutting the side property line;
5. To permit a driveway width of 8.56m (28.08 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).



Applicant/Authorized Agent

Flower City



brampton.ca

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

FILE NUMBER: A-2022-0321

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)** PUSHKAR CHAVAN and VAISHAKHI CHAVAN
Address 43 ELYSIAN FIELDS CIR. BRAMPTON, L6Y 6E8
Phone # 847-321-6720 **Fax #** _____
Email PUSHKARCHAVAN@GMAIL.COM

2. **Name of Agent** HARJINDER SINGH
Address UNIT 28, 2355 DERRY ROAD EAST, MISSISSAUGA, ON L5S 1V6
Phone # 905-617-6755 **Fax #** _____
Email MEM.PENG@OUTLOOK.COM

3. **Nature and extent of relief applied for (variances requested):**
To permit above grade door in the side wall where minimum side yard width of 0.66m is provided extending from the front wall of the dwelling up to the door
To permit a path of travel of 0.66m to the primary entrance to second unit.
To permit the existing driveway width of 8.56m

4. **Why is it not possible to comply with the provisions of the by-law?**
By law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m extending from the front wall of the dwelling up to and including door.
By-law requires a minimum unencumbered side yard width of 1.2m to be provided as path of travel from front yard to entrance for the second unit
By law permits a maximum driveway width of 7.32 m

5. **Legal Description of the subject land:**
Lot Number 36
Plan Number/Concession Number PLAN M2015
Municipal Address 43 ELYSIAN FIELD CIR BRAMPTON, ON L6Y 6E8

6. **Dimension of subject land (in metric units)**
Frontage 17.66M
Depth 36.57M
Area 408.39M

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.)

EXISTING 2 STOREY SEMI- DETACHED DWELLING.
SINGLE FAMILY DWELLING
GROSS FLOOR AREA-220.04 M2
HEIGHT OF PROPERTY -8.5 M, WIDTH-9.62 M, LENGTH - 16.02 M

PROPOSED BUILDINGS/STRUCTURES on the subject land:

TWO UNIT DWELLING

As- built above grade door in the side wall where minimum side yard width of 0.66m is provided extending from the front wall of the dwelling up to the door

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 6.07M
Rear yard setback 7.88 M
Side yard setback 1.31M
Side yard setback 0.66M

PROPOSED

Front yard setback 6.07M
Rear yard setback 7.88M
Side yard setback 1.33M
Side yard setback 0.66M

10. Date of Acquisition of subject land: 2022
11. Existing uses of subject property: SINGLE FAMILY DWELLING
12. Proposed uses of subject property: SECOND UNIT DWELLING
13. Existing uses of abutting properties: RESIDENTIAL
14. Date of construction of all buildings & structures on subject land: 2015
15. Length of time the existing uses of the subject property have been continued: 7 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 _____

Hasjinder Singh
Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ CITY _____ OF BRAMPTON
THIS 25 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, Raman Kumar, 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 13th DAY OF
October, 2022

Jeanie Cecilia Myers
a Commissioner, etc.,
Province of Ontario
for the Corporation of the
City of Brampton
Expires April 8, 2024.
Raman Kumar
Signature of Applicant or Authorized Agent

Jeanie Myers
A Commissioner etc.

Submit by Email

FOR OFFICE USE ONLY

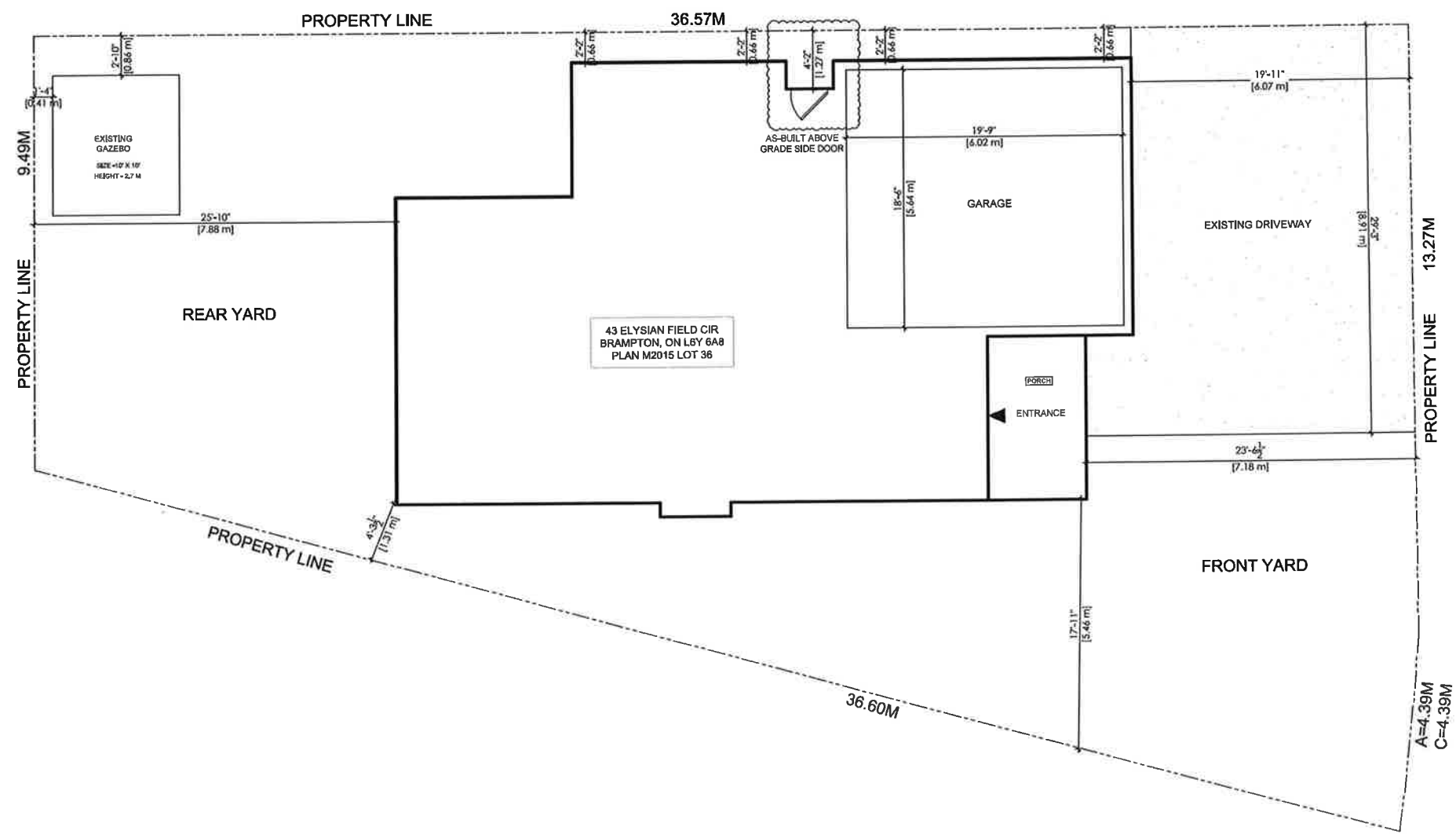
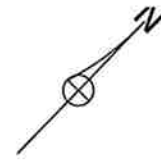
Present Official Plan Designation: _____

Present Zoning By-law Classification: R1F-10.4-2430

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 _____ October 7, 2022
Zoning Officer Date

DATE RECEIVED October 13, 2022
Date Application Deemed Complete by the Municipality _____



General Notes

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LEGENDS:-

NO.	DATE	DESCRIPTION	BY

Firm Name and Address
MEM ENGINEERING INC
 2355 DERRY ROAD EAST
 MISSISSAUGA, ON, L5S 1V8
 416-558-8755
 Email: harry@memengineering.ca

PROJECT TITLE:
 43 Elysian Fields Cir
 Brampton, ON L5Y 6A8

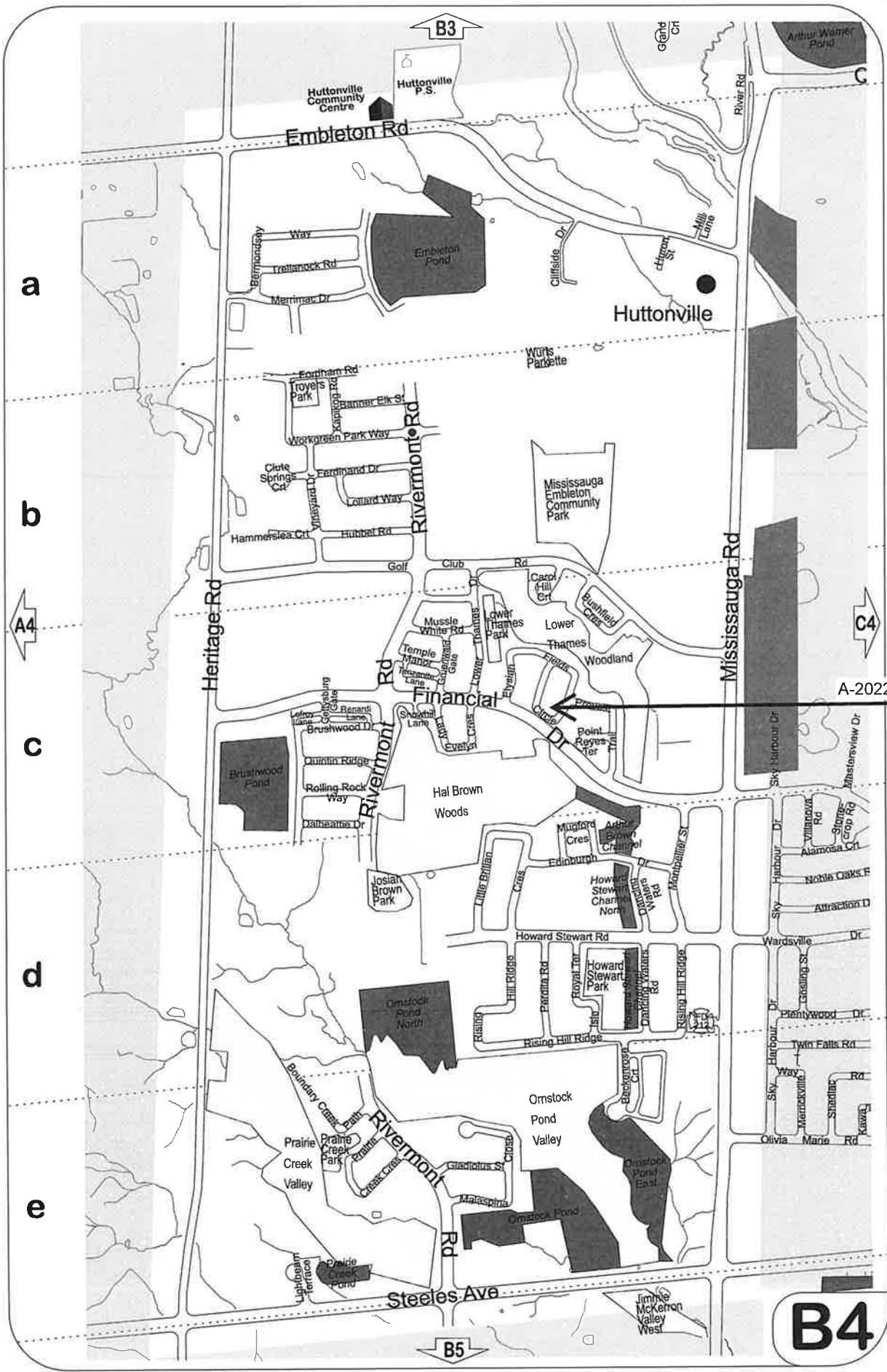
SHEET TITLE:
SITE PLAN

CLIENT EMAIL:

SCALE: 1/8" = 1'-0"	DRAWING NO.: A100
PLOT DATE: 06-08-2022	
DRAWN BY: SB	
CHECKED BY: HS	

SITE PLAN

SC: 1/8" - 1'-0"



a

b

c

d

e

B3

A4

C4

A-2022-0327

B4

B5