

APPLICATION # A-2022-0395
WARD #2

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **SONAL PATEL** 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 Block 2, Plan 43M-1680, Parts 1 and 2, Plan 43R-30448 municipally known as **142 BRUSSELS AVENUE**, Brampton;

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

1. To permit a below grade entrance to be located between the main wall of the dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and the flankage lot line;
2. To permit an existing fence having a maximum fence height of 2.4m (7.87 ft.) whereas the by-law permits a maximum height of 2.0m (6.56 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.

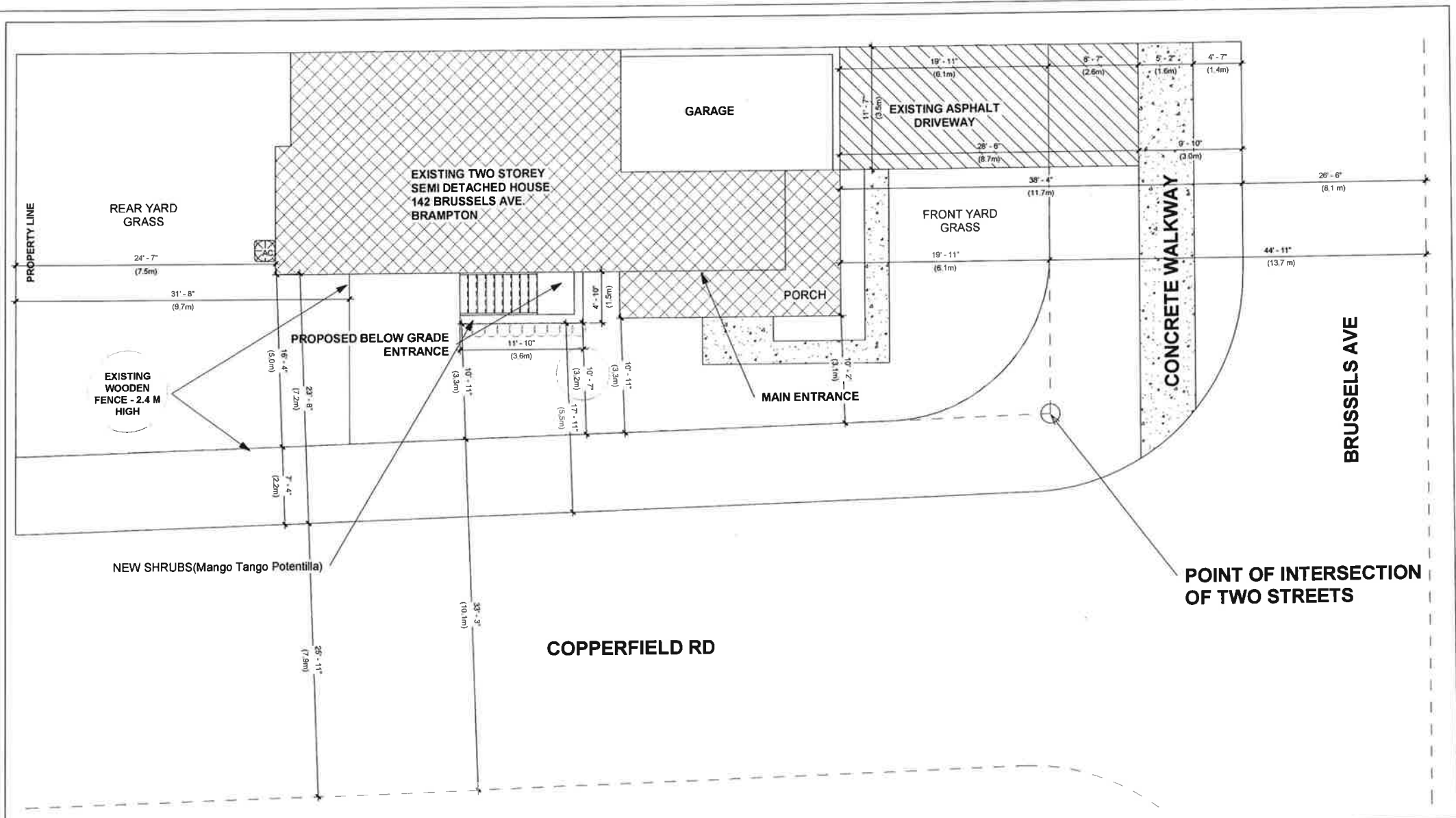
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 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



			142 BRUSSELS AVE., BRAMPTON, ON		Date JAN 06/22	Scale 1 : 100
			SITE PLAN		Drawn By PS	Checked By KS
			RJ CAD SOLUTIONS		Project Number 0001	
					SHEET NUMBER A1	
No.	REVISION	DATE				
1.	ISSUED FOR APPROVAL	JAN 06/22				

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.

Date: 2023/01/06
Committee of Adjustment
City of Brampton 2
Wellington Street West,
Brampton ON L3Z 2A9

A-2022-0395

RE: Minor Variance application for 142 Brussels ave., Brampton

Dear member of the Committee of Adjustment and Secretary-Treasurer,

I am writing this cover letter for the property of 142 Brussels ave., Brampton, ON, on behalf of a homeowner who wants to build a below-grade Separate entrance on an exterior side yard. As per the property survey, the setback between the dwelling and side lot line is 5 m from house and 3.3 m from porch.

Reasons for Separate Entrance from sideyard:

- The homeowner wants to keep privacy in the backyard since he has a side yard of 3.3 m which has a deficit of only 0.1m from porch.
- This supports design in the basement as well.
- The existing minimum setback of the side yard from the property line is 3.3 m, we are proposing a below-grade separate entrance setback is 3.2m.
- The existing fence height is 2.4 M.

My kind request is to consider this application and grant a permit for the above matter.

Thank you,

Kruti Shah, P.Eng.

Kruti Shah

Digitally signed by Kruti Shah
Reason: I am the author of this document
Contact info:
rjcadinfo@gmail.com
Date: 2023.01.06
15:13:48-05'00'

RJ Cad Solutions



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

FILE NUMBER: A-2022-0395

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)** SONAL PATEL
Address 142 BRUSSELS AVE., Brampton, ON, L6Z 0E1

Phone # 647-215-1614 **Fax #** _____
Email sonalgoti@yahoo.com

2. **Name of Agent** Kruti Shah
Address 4 Abacus rd, Brampton, ON, L6T 5J6

Phone # 6475325893 **Fax #** _____
Email kruti@rjcadolutions.com

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

1. TO PERMIT A BELOW GRADE ENTRANCE TO BE LOCATED BETWEEN THE MAIN WALL OF THE BUILDING AND THE FLANKAGE LOT LINE, AND

2. TO PERMIT AN EXTERIOR SIDE YARD SETBACK OF 3.2m TO A BELOW GRADE ENTRANCE (THE BY-LAWS REQUIRES A MINIMUM OF 3 m)

3. TO PERMIT 2.4 M HIGH EXISITNG FENCE

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

1. SET BACK FROM THE EXISTING BUILDING OF EXTERIOR SIDE YARD IS 3.3 m FROM PORCH AND 5 M FROM HOUSE. WE ARE PROPOSING BELOW GRADE SEPERATE ENTRANCE FROM EXTERIOR SIDE YARD WHICH IS 3.2m. IN SETBACK TO SUPPORT THE DESIGN OF BASEMENT.

2. TO ALLOW 2.4 M HIGH EXISTING FENCE (BY LAW - 2 M HIGH).

5. **Legal Description of the subject land:**
Lot Number BLOCK 12, PART 1
Plan Number/Concession Number 43M-1680
Municipal Address 142 BRUSSELS AVE.

6. **Dimension of subject land (in metric units)**
Frontage 5.75
Depth 25.18
Area 329.4

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.)

GROUND FLOOR AREA - 76.6 SQ. M. , GROSS FLOOR AREA - 175.6 SQ.M.,
NUMBER OF STOREY - 2

PROPOSED BUILDINGS/STRUCTURES on the subject land:

BELOW GRADE ENTRANCE ON EXTERIOR SIDE 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 4.41
Rear yard setback 7.5
Side yard setback 0
Side yard setback 3.3, 5

PROPOSED

Front yard setback 4.41
Rear yard setback 7.5
Side yard setback 0
Side yard setback 3.3, 3.2

10. Date of Acquisition of subject land: 2010

11. Existing uses of subject property: SINGLE UNIT DWELLING

12. Proposed uses of subject property: SINGLE UNIT DWELLING(TWO UNIT DWELLING APPLICATION WILL BE SUBMITTED LATER)

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 _____

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY _____ OF BRAMPTON _____

THIS 8 DAY OF ~~NOVEMBER~~ DECEMBER, 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.

HIREN

I, KELPI SHAH, P.ENG, 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 _____ OF BRAMPTON _____

IN THE PROVINCE _____ OF _____

ONTARIO THIS 8th DAY OF

December
NOVEMBER _____, 2022

Signature of Applicant or Authorized Agent

Submit by Email

J. Chau
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: R3B – SECTION 1270

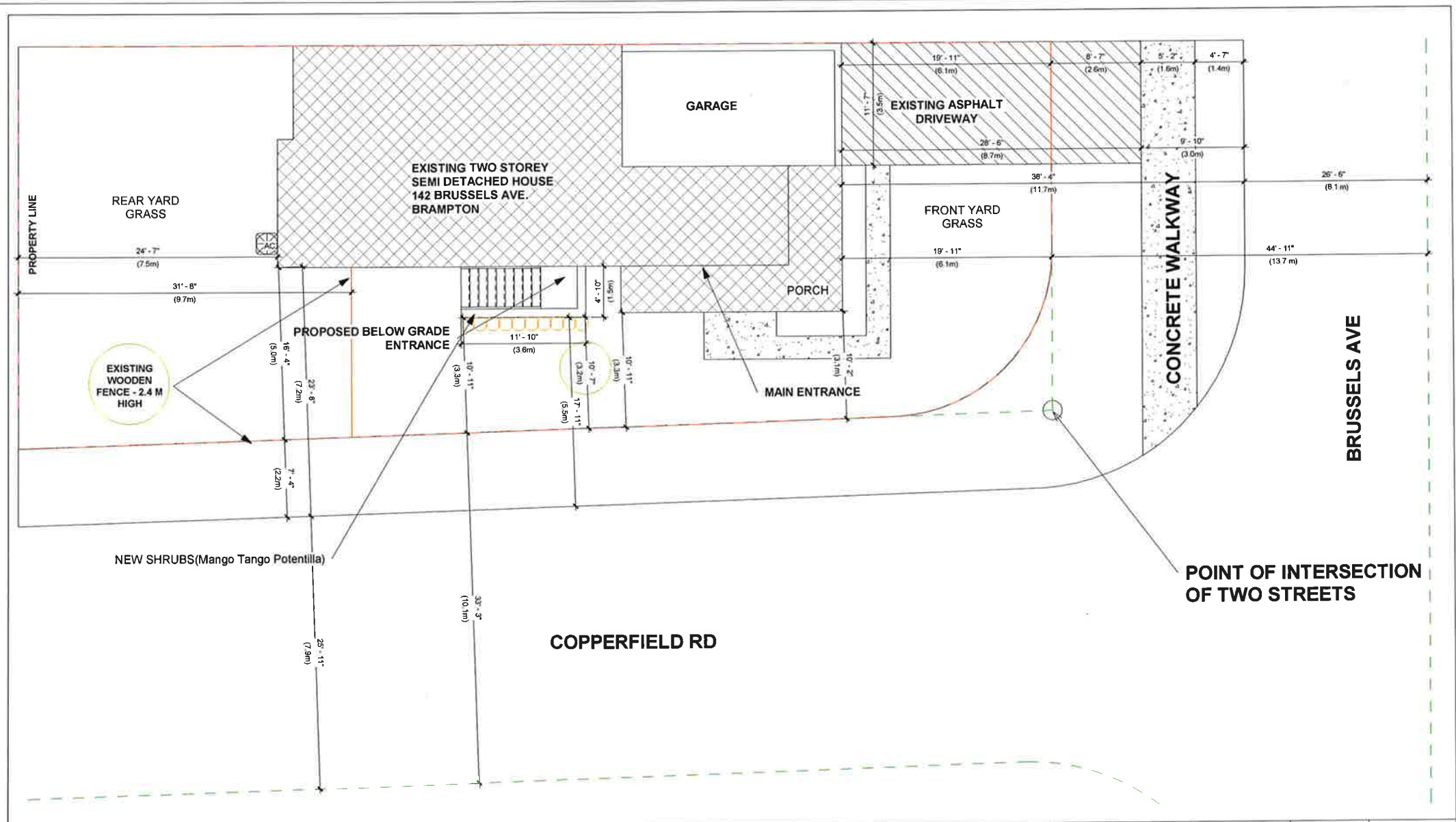
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

J. Chau
Zoning Officer

January 10, 2023
Date

DATE RECEIVED December 8, 2022

Date Application Deemed Complete by the Municipality _____



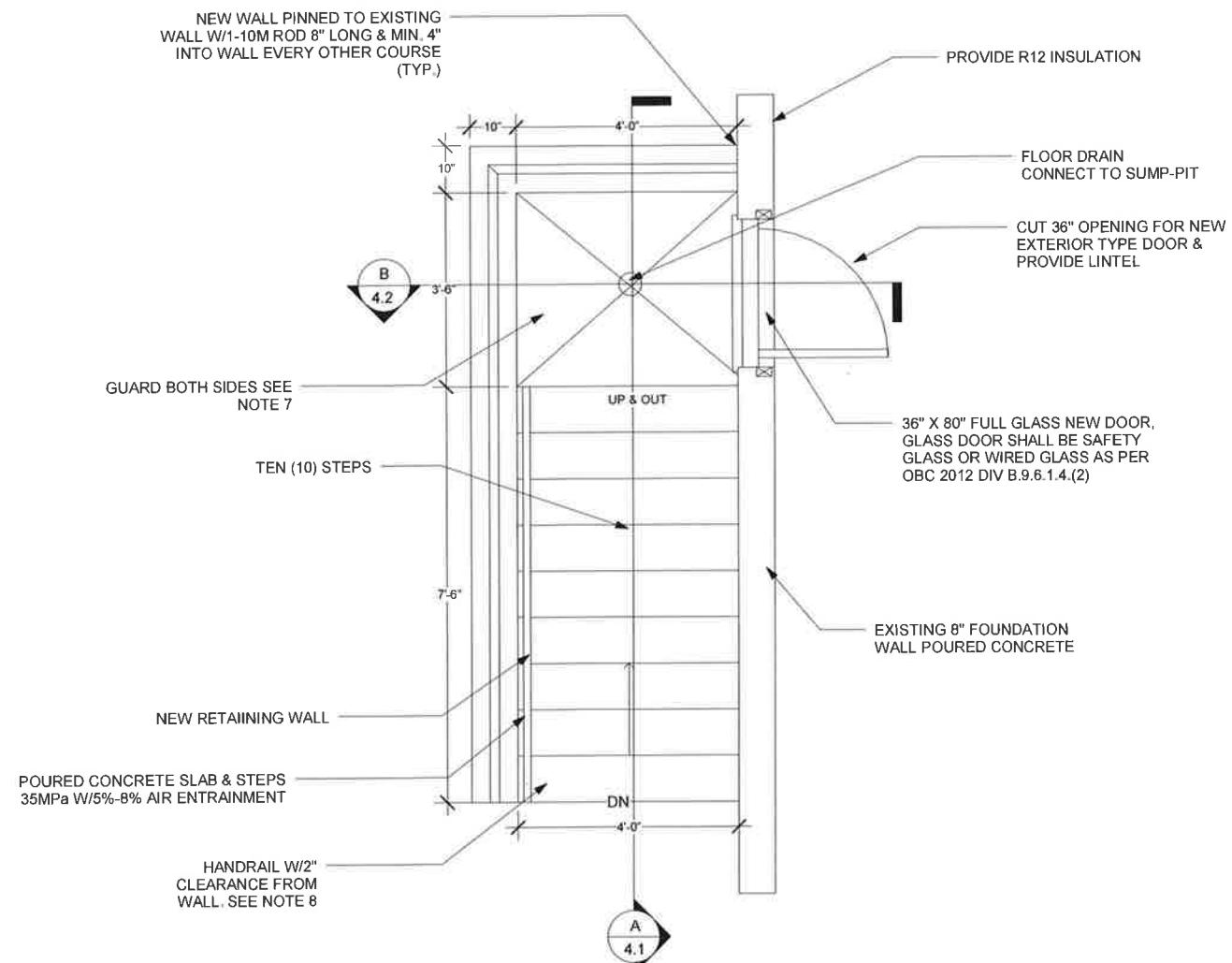
No.	REVISION	DATE
1.	ISSUED FOR APPROVAL	JAN 06/22

142 BRUSSELS AVE.,
BRAMPTON, ON

SITE PLAN

RJ CAD SOLUTIONS

Date	JAN 06/22	Scale	1 : 100
Drawn By	PS	Checked By	KS
Project Number	0001		
SHEET NUMBER	A1		



- ### GENERAL NOTES
1. DOOR MUST COMPLY WITH OBC 2012- DIV. B.9.7.5.2 TO PROVIDE RESISTANCE TO FORCED ENTRY
 2. LINTEL SHALL HAVE AN EVEN AND LEVEL BEARING AND SHALL HAVE MIN. 6"(152mm) OF EARING @ END SUPPORTS AS PER OBC 2012- DIV. B. 9.20.5.2.
 3. EXTERIOR LIGHT SHALL COMPLY WITH THE OBC 2012 - DIV. B.9.34.2.1
 4. EXTERIOR LIGHT SHALL COMPLY WITH THE OBC 2012 - DIV. B.9.34.2.1
 5. ALL PLUMBING SHALL CONFORM TO THE OBC- O.REG.332/12, AS AMENDED, DIVISION B, PART 7.
 6. DRAIN SHALL BE CONNECTED TO STORM DRAIN OR SUMP PIT WITH A PUMP, NOT WEEPING TILE OR SANITARY DRAIN

No.	REVISION	DATE
1.	ISSUED FOR PERMIT	NOV.11/22

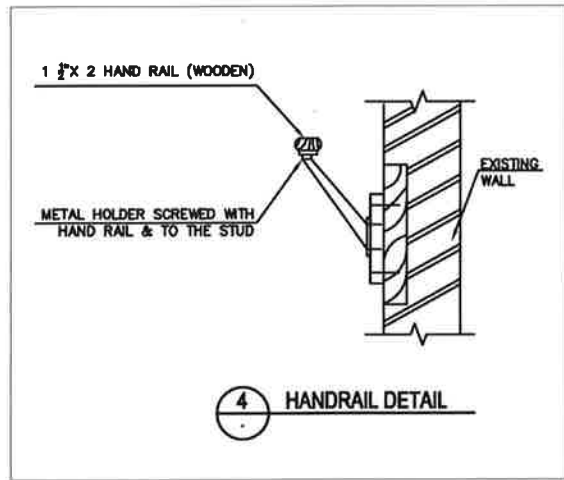
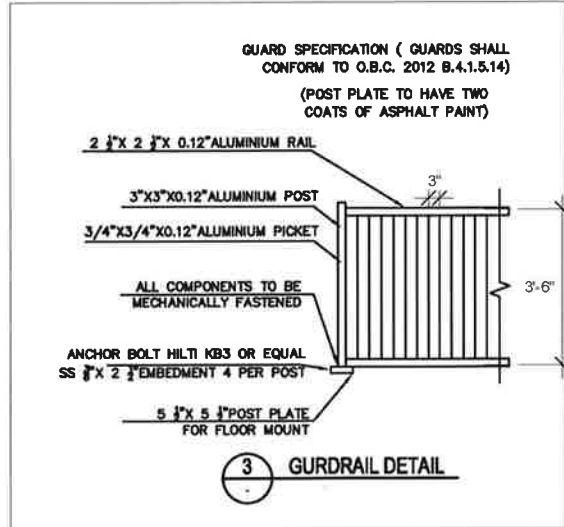
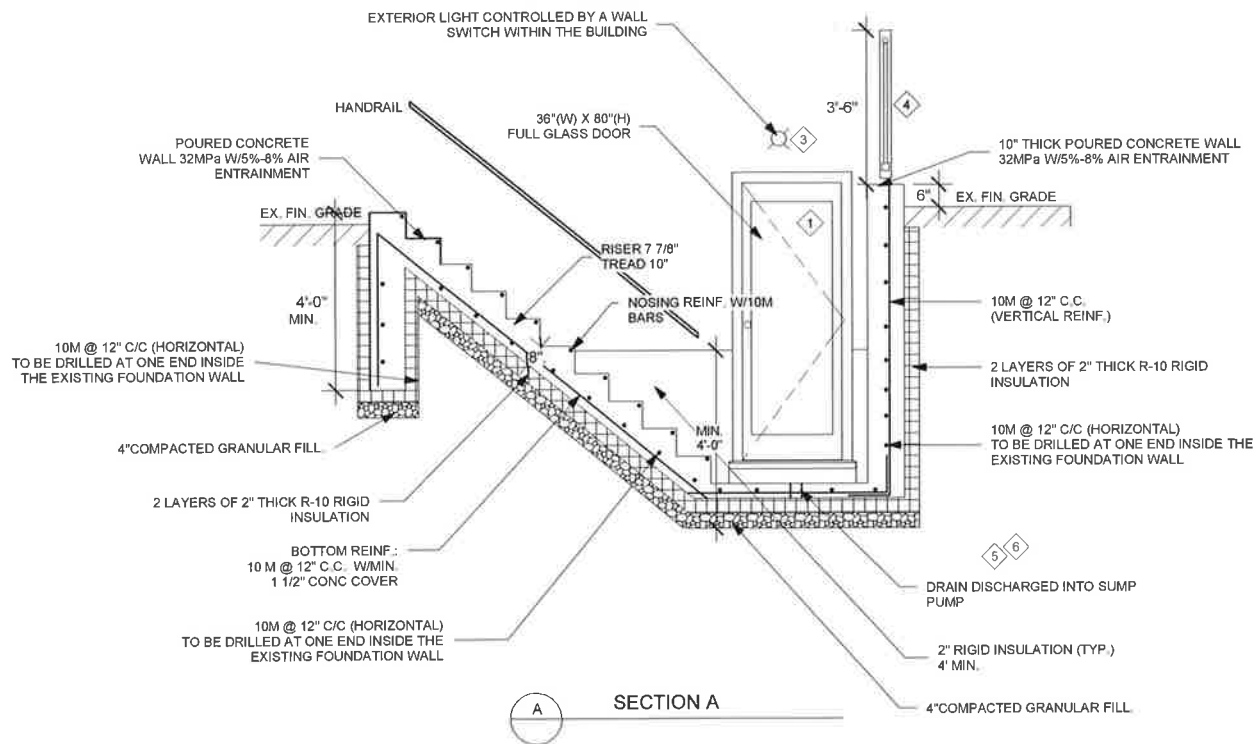


142 BRUSSELS AVE.,
BRAMPTON ON.

WALK OUT STAIR - PLAN

RJ CAD SOLUTIONS

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Project Number	19R-19330		
SHEET NUMBER	A1		



NOTE

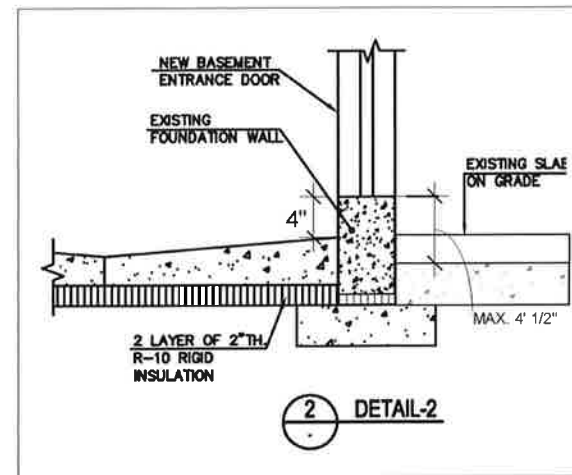
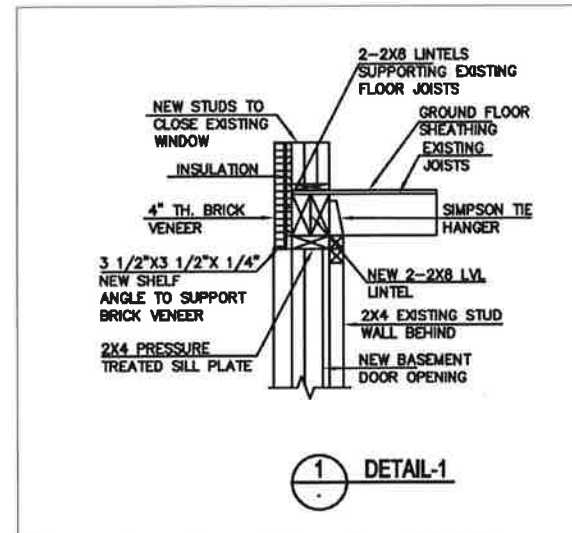
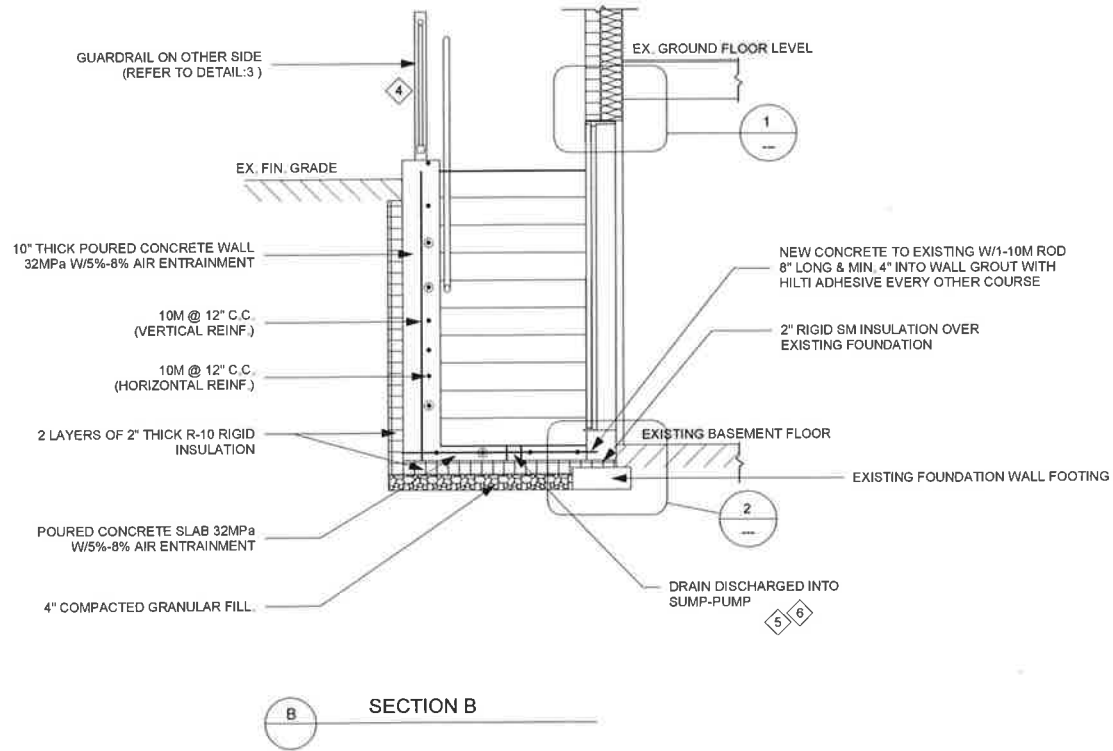
FOR DETAILED SPECIFICATIONS AND LEGEND - SEE DWG A-7

No.	REVISION	DATE
1.	ISSUED FOR PERMIT	NOV.11/22



142 BRUSSELS AVE.,
BRAMPTON ON.
WALK-OUT STAIR - SECTION A
RJ CAD SOLUTIONS

Date	NOV.11/22	Scale	3/8" = 1'-0"
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Project Number	19R-19330		
SHEET NUMBER	A2		



NOTE

FOR DETAILED SPECIFICATIONS, NOTES - SEE DWG A-7

1.	ISSUED FOR PERMIT	NOV.11/22
No.	REVISION	DATE

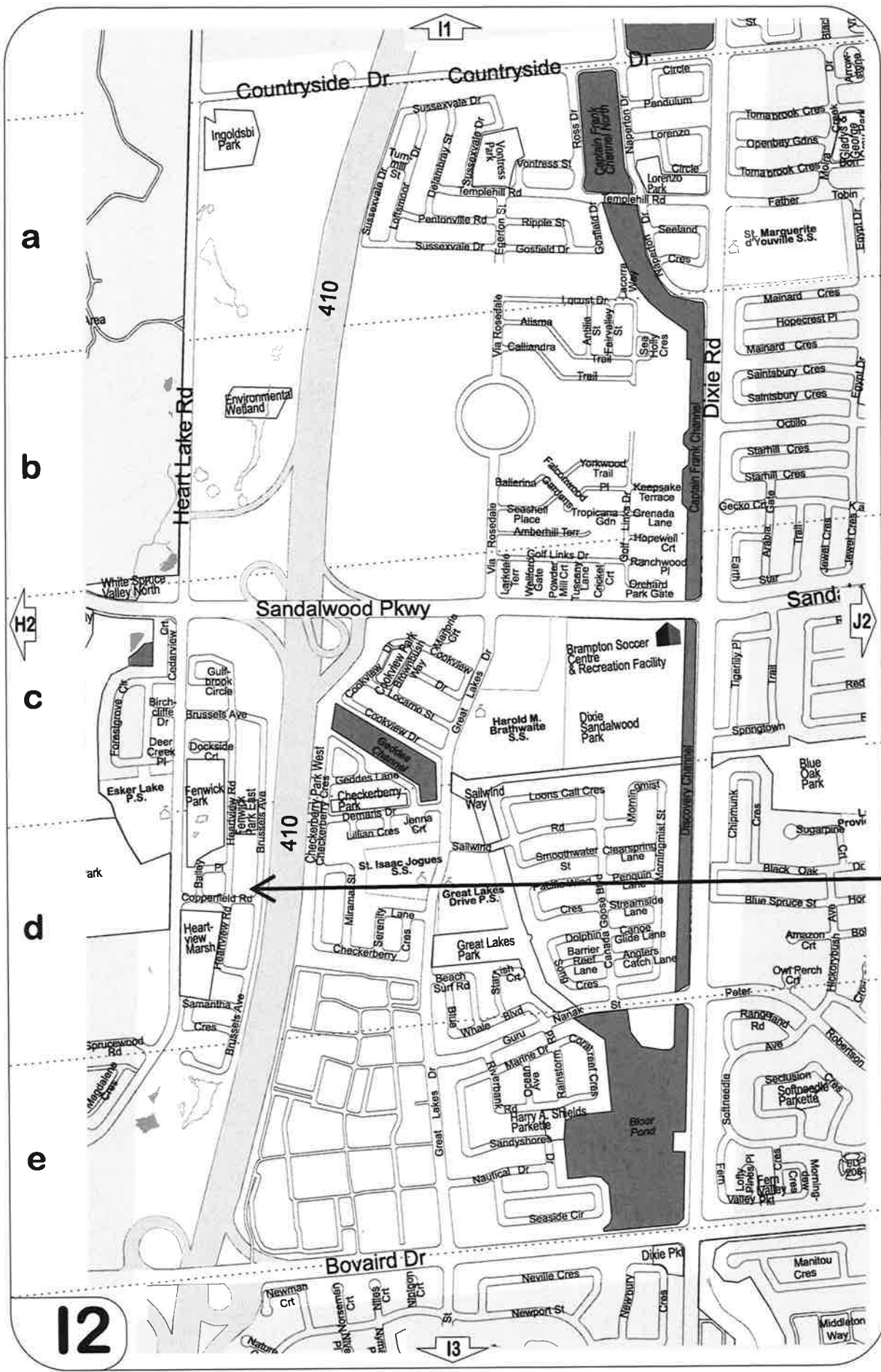


142 BRUSSELS AVE.,
BRAMPTON ON.

WALK-OUT STAIR - SECTION B

RJ CAD SOLUTIONS

Date	NOV.11/22	Scale	3/8" = 1'-0"
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Project Number	19R-19330		
SHEET NUMBER	A3		



A-2022-0395

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b

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12

11

13

H2

J2