

**APPLICATION # A-2022-0396**  
**WARD #6**

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **INDARJIT RAMLAGAN AND KALOUTI RAMLAGAN** 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 14, Plan 43M-1583 municipally known as **162 LUELLE CRESCENT**, Brampton;

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

1. To permit a below grade entrance having a setback of 9.7m (31.82 ft.) to the TransCanada Pipeline right-of-way whereas the by-law does not permit any permanent structures and excavations to be located within 10.0m (32.80 ft.) of the TransCanada pipeline right-of-way;
2. To permit a rear yard setback of 0.6m (1.97 ft.) to an existing accessory structure (shed) whereas the by-law does not permit any permanent structures to be located within 10.0m (32.80 ft.) of the TransCanada pipeline right-of-way;
3. To permit an existing driveway width of 7.5m (24.60 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 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.

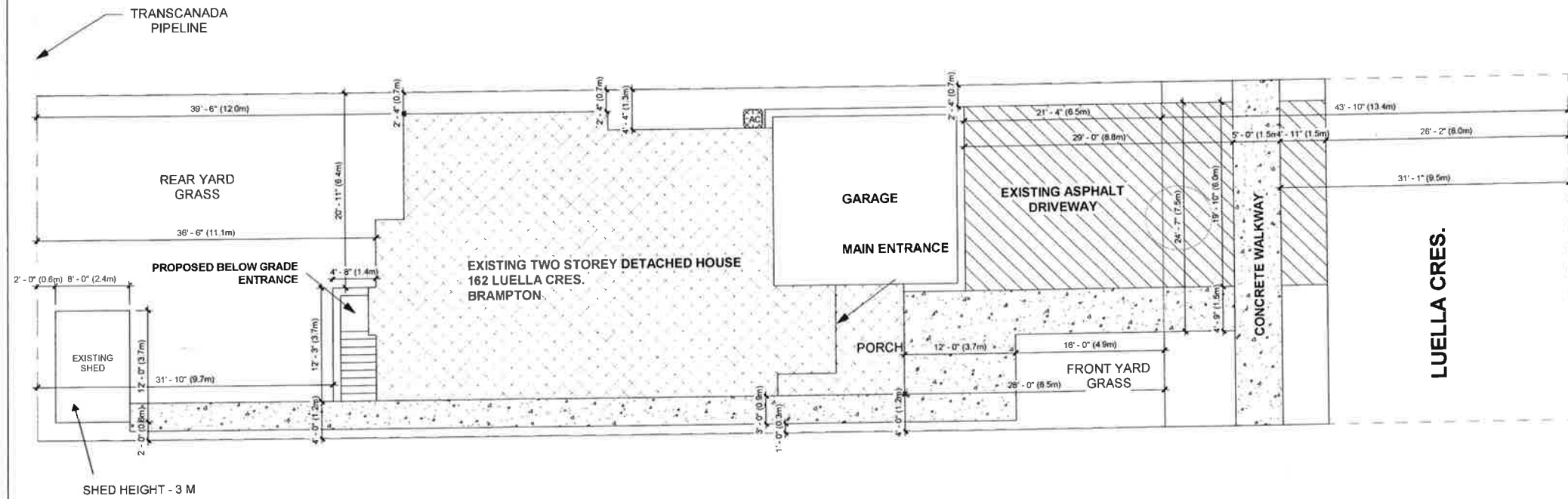
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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



No.	REVISION	DATE
2.	ISSUED FOR PERMIT	MAY 05/2022
1.	ISSUED FOR APPROVAL	NOV 24/2022

162 LUELLA CRES.,  
BRAMPTON, ON

SITE PLAN

RJ CAD SOLUTIONS

Date	NOV 24/2022	Scale	1 : 125
Drawn By	PS	Checked By	KS
Project Number	0001		
SHEET NUMBER	A1		

**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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](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.

Date: 2022/11/24  
Committee of Adjustment  
City of Brampton 2  
Wellington Street West,  
Brampton ON L3Z 2A9

RE: Minor Variance application for 162 Luella cres., Brampton

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

I am writing this cover letter for the property of 162 Luella cres., Brampton, ON, on behalf of a homeowner who wants to build a below-grade Separate entrance in the rear yard. As per the property survey, the setback between the dwelling and rear yard lot line is 11.1m. The TransCanada pipeline is passing near the rear yard lot line from where we need to leave 10m as per zoning. But we have setback of 9.7m of the below grade entrance from the rear yard lot line.

Reasons for Separate Entrance from backyard:

- The homeowner wants to make below grade entrance from the rear yard for second unit entrance with setback 9.7m, we are deficient of 0.3m.
- This supports design in the basement as well.
- The existing minimum setback of the side yard from the property line is 11.1 m and 10 m from TransCanada pipeline, we are proposing a below-grade separate entrance setback is 9.7m.
- Width of driveway is 7.5 m, when minimum requirement is 6.71m.

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: 2022.11.29 15:52:37-05'00'

RJ Cad Solutions



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)** INDARJIT RAMLAGAN, KALOUTI RAMLAGAN  
**Address** 162 LUELLA CRES., Brampton, ON, L7A 3H8

**Phone #** \_\_\_\_\_ **Fax #** \_\_\_\_\_  
**Email** \_\_\_\_\_

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

**Phone #** 6475323593 **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 REAR LOT LINE WHERE TRANSCANADA PIPELINE IS RUNNING, AND

2. TO PERMIT A REAR YARD SETBACK OF 9.7m TO A BELOW GRADE ENTRANCE (THE BY-LAWS REQUIRES A MINIMUM OF 10 m)

3. WIDTH OF DRIVEWAY IS 7.5 M. WHEN MINIMUM REQUIREMENT IS 6.71m

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

1. SET BACK FROM THE EXISTING BUILDING OF REAR YARD IS 11.1m. WE ARE PROPOSING BELOW GRADE SEPERATE ENTRANCE FROM REAR YARD WHICH IS 9.7m HOWEVER ZONING BY LAW COMPLIES 10M, WE ARE DEFICIENT 0.3M.

2. WIDTH OF DRIVEWAY IS 7.5 M, WHEN MINIMUM REQUIREMENT IS 6.71m.

5. **Legal Description of the subject land:**  
**Lot Number** 14  
**Plan Number/Concession Number** 43M-1583  
**Municipal Address** 162 LUELLA CRES

6. **Dimension of subject land (in metric units)**  
**Frontage** 11.3  
**Depth** 37  
**Area** 418

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 - 122.5 SQ. M. , GROSS FLOOR AREA - 322 SQ.M.,  
NUMBER OF STOREY - 2

PROPOSED BUILDINGS/STRUCTURES on the subject land:

BELOW GRADE ENTRANCE IN REAR 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 6.4  
Rear yard setback 11.2  
Side yard setback 0.6  
Side yard setback 1.2

PROPOSED

Front yard setback 6.4  
Rear yard setback 9.7  
Side yard setback 0.6  
Side yard setback 1.2

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<sup>th</sup> DAY OF NOVEMBER, 2022

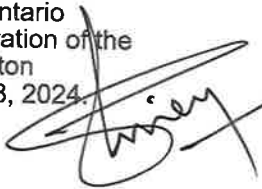
IF THIS APPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE SUBJECT LANDS, WRITTEN AUTHORIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF THE APPLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE CORPORATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.

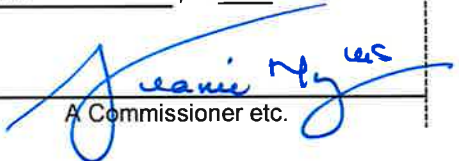
I, HIRSH  
KRUT SHAH, P.ENG, OF THE CITY \_\_\_\_\_ OF BRAMPTON

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 8<sup>th</sup> DAY OF  
NOVEMBER December, 2022

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

  
A Commissioner etc.

Submit by Email

FOR OFFICE USE ONLY

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

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

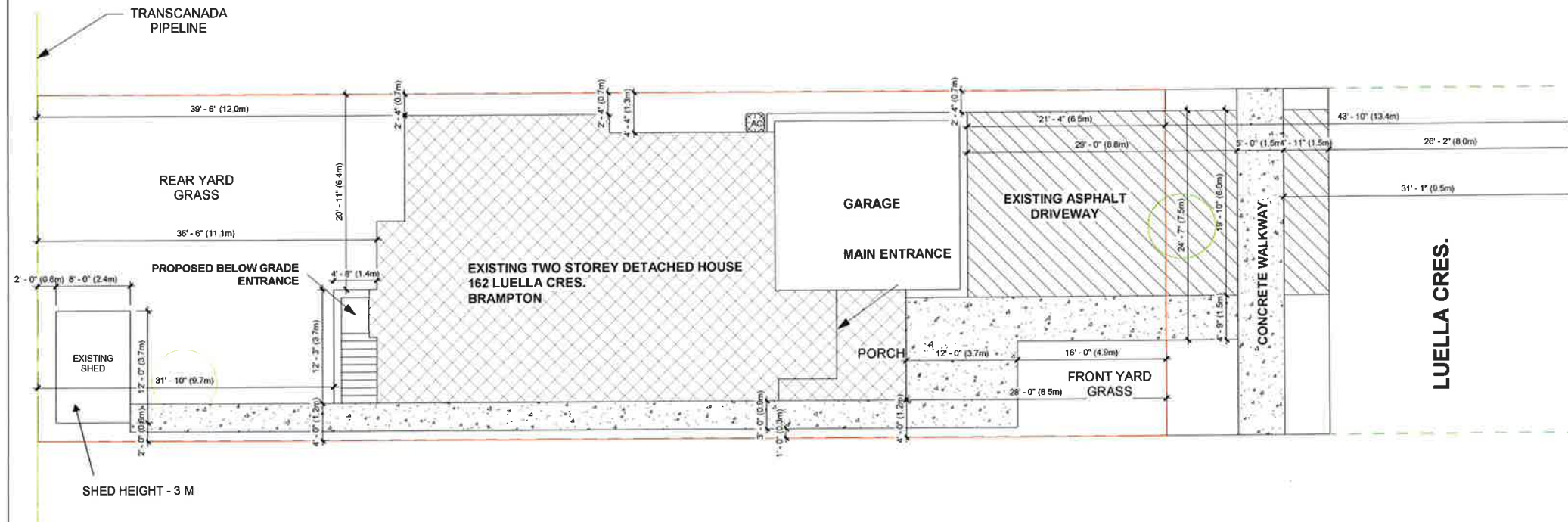
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

\_\_\_\_\_  
Zoning Officer

\_\_\_\_\_  
Date

DATE RECEIVED December 8, 2022

Date Application Deemed Complete by the Municipality \_\_\_\_\_

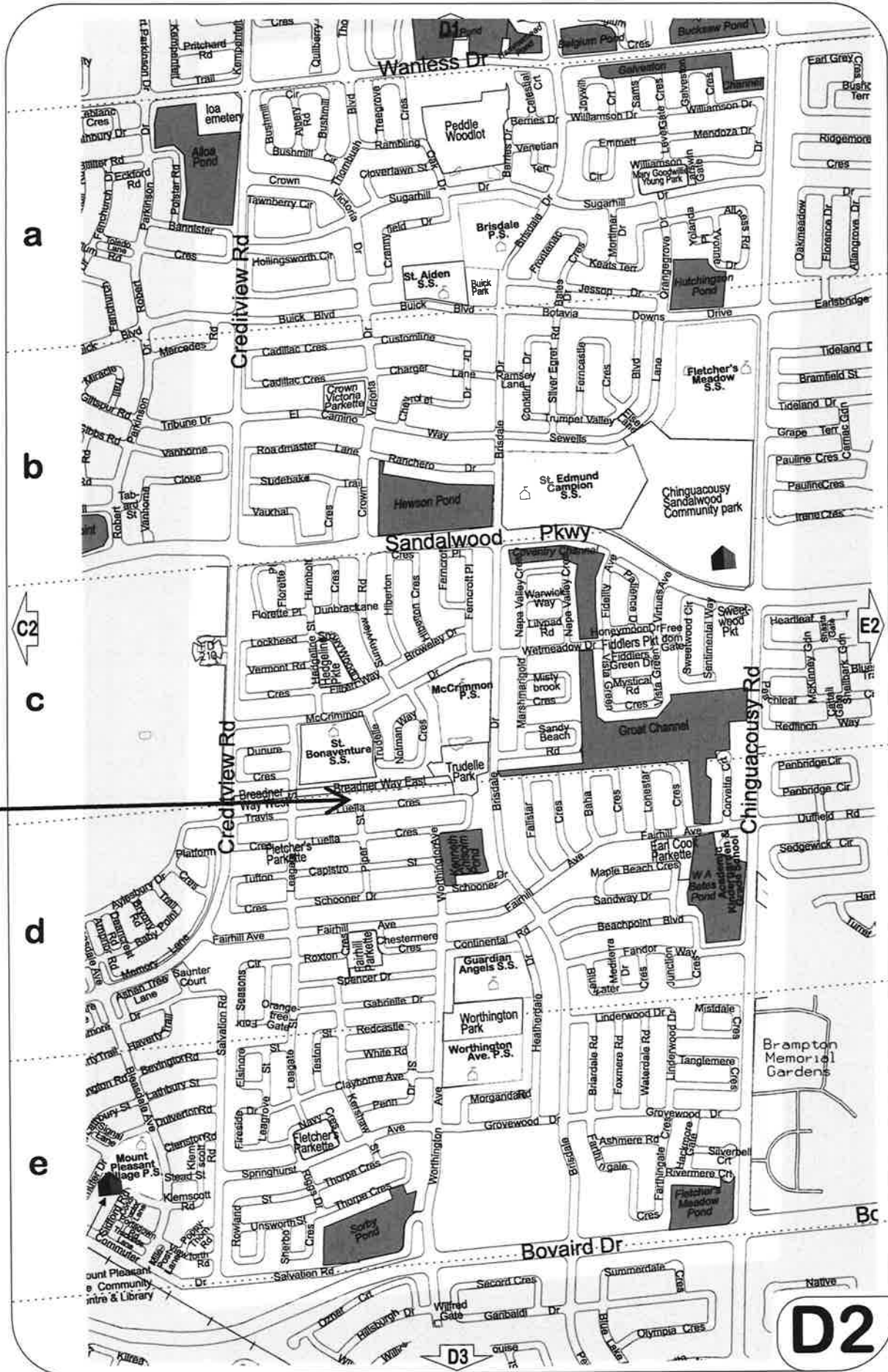


No.	REVISION	DATE
2.	ISSUED FOR PERMIT	MAY 05/2022
1.	ISSUED FOR APPROVAL	NOV. 24/2022

162 LUELLA CRES., BRAMPTON, ON
<b>SITE PLAN</b>
<b>RJ CAD SOLUTIONS</b>

Date NOV. 24/2022	Scale 1 : 125
Drawn By PS	Checked By KS
Project Number 0001	
SHEET NUMBER <b>A1</b>	





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A-2022-0396

D2