

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **VIVEK KUMAR KHANNA AND BASUDHA KHANNA** 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 248, Plan 765 municipally known as **198 EARNSCLIFF CIRCLE**, Brampton;

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

1. To permit an as-built below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in the required interior side yard;
2. To permit an interior side yard setback of 1.96m (6.43 ft.) to an as-built below grade entrance whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 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, February 14, 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.

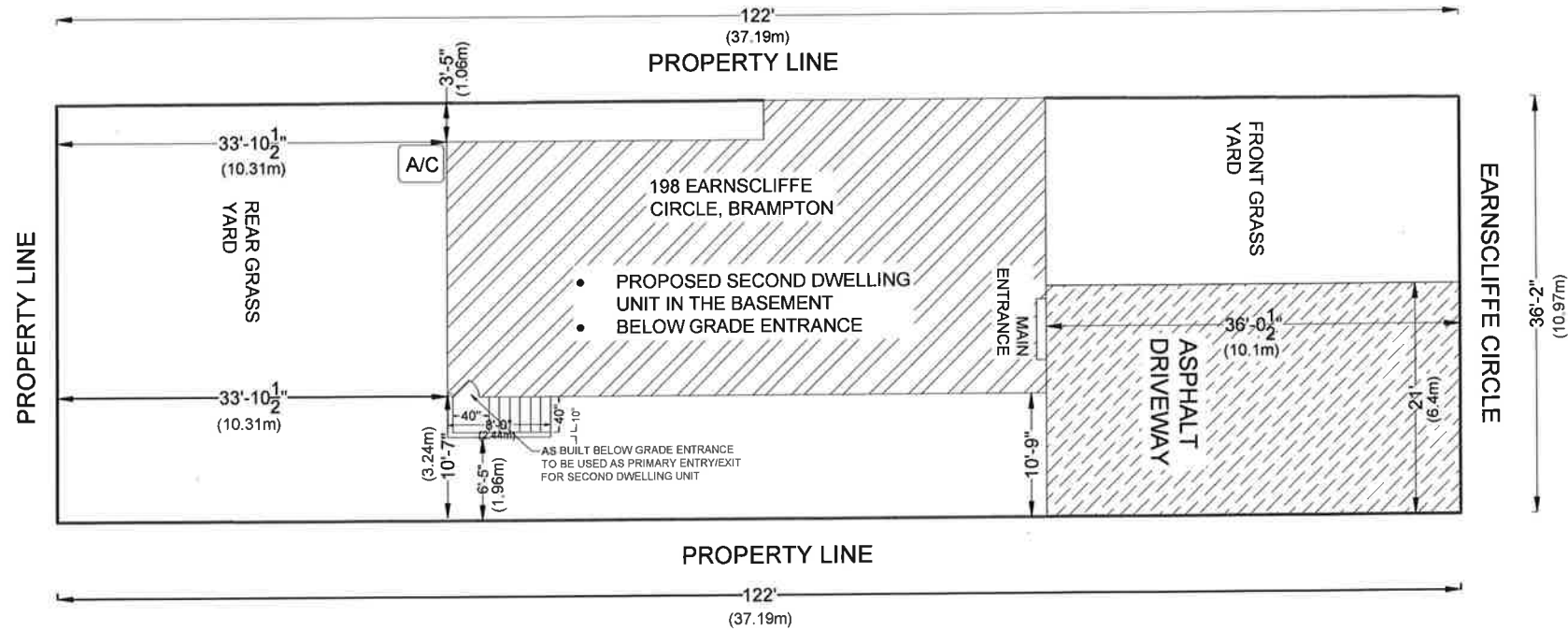
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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

DATED at Brampton Ontario, this this 3rd Day of February, 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)



• EXISTING ACCESSORY STRUCTURE / SHED OVER THE BELOW GRADE ENTRANCE TO BE DEMOLISHED

LOT AREA = 407.97Sqm  
 LOT FRONTAGE = 10.97m  
 LOT DEPTH = 37.19m

**GENERAL NOTES**

- RELEASED FOR BUILDING PERMIT
- CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK SITE AND REPORT DISCREPANCIES TO THE CONSULTANTS BEFORE PROCEEDINGS.
  - 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 UNIT SIGNED BY THE CONSULTANT.
  - DRAWINGS ARE NOT TO BE SCALED.



NO	REVISION/ISSUE	DATE
01	REVISED FOR MV	JAN, 2023
01	ISSUED FOR PERMIT	SEPT 19, 2022

**FIRM NAME AND ADDRESS**  
 RATIO ENGINEERING INC.  
 1200 Derry Rd East, Mississauga, ON

**PROJECT TITLE**  
 198 EARNSCLIFFE CIRCLE,  
 BRAMPTON, ON L6T 2B7

**SHEET TITLE**  
 SITE PLAN

SCALE : NOT TO BE SCALED	DRAWING NO. A - 1
DATE : SEPT 16, 2022	
DRAWN BY : H. SOOD	
CHECKED BY : D. VERMA	

**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 **February 14, 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, February 9, 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, February 9, 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, February 9, 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, February 9, 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.

Flower City



brampton.ca

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

FILE NUMBER: A-2023-0014

*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) Vivek Kumar Khanna & Vasudha Khanna  
Address 198 Eamscliffe Circle, Brampton, ON, L6T 2B7  
  
Phone # +1-647-877-6310 Fax # \_\_\_\_\_  
Email vivek.khanna927@gmail.com

2. Name of Agent Dhruv Verma  
Address 1200 Derry Road E, Mississauga, ON  
  
Phone # +1-647-842-9812 Fax # \_\_\_\_\_  
Email info@ratioengineering.ca

3. Nature and extent of relief applied for (variances requested):  
To permit the existing below grade entrance between the main wall of the dwelling and the side (left) lot line.  
To permit the exterior side yard setback of 1.2M for Below Grade Entrance, Whereas the By law requires a Minimum set back of 3M from side wall of the below grade entrance to the lot line

4. Why is it not possible to comply with the provisions of the by-law?  
The existing setback between the side lot line and the retaining wall of below grade entrance is 2.286 M, whereas as per By law Min of 3M of setback is required. The said property has the Zoning Type R2A(1) and Special Section as 100

5. Legal Description of the subject land:  
Lot Number 248  
Plan Number/Concession Number Plan 765 PT  
Municipal Address 198 Eamscliffe Circle, Brampton, ON, L6T 2B7

6. Dimension of subject land (in metric units)  
Frontage 10.97 M  
Depth 37.19 M  
Area 407.97 SQM

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.)

1 Store bungalow (Semi Detached). Approx (80 SqM)

**PROPOSED BUILDINGS/STRUCTURES** on the subject land:

Below Grade Entrance on the left side of the existing dwelling.

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 10.97M  
Rear yard setback 10.36M  
Side yard setback 3.28M  
Side yard setback NA

**PROPOSED**

Front yard setback 10.97M  
Rear yard setback 10.36M  
Side yard setback 2.28M  
Side yard setback NA

10. Date of Acquisition of subject land: Aug, 2017
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: 1968
15. Length of time the existing uses of the subject property have been continued: 54 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 8th 11th DAY OF January, 2023

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, Dhruv Verma, 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 11th DAY OF  
Jan., 2023

[Signature]  
A Commissioner etc.

[Signature]  
a Commissioner, etc.,  
Province of Ontario  
for the Corporation of the  
City of Brampton  
Expires April 8, 2024.

[Signature]  
Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

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

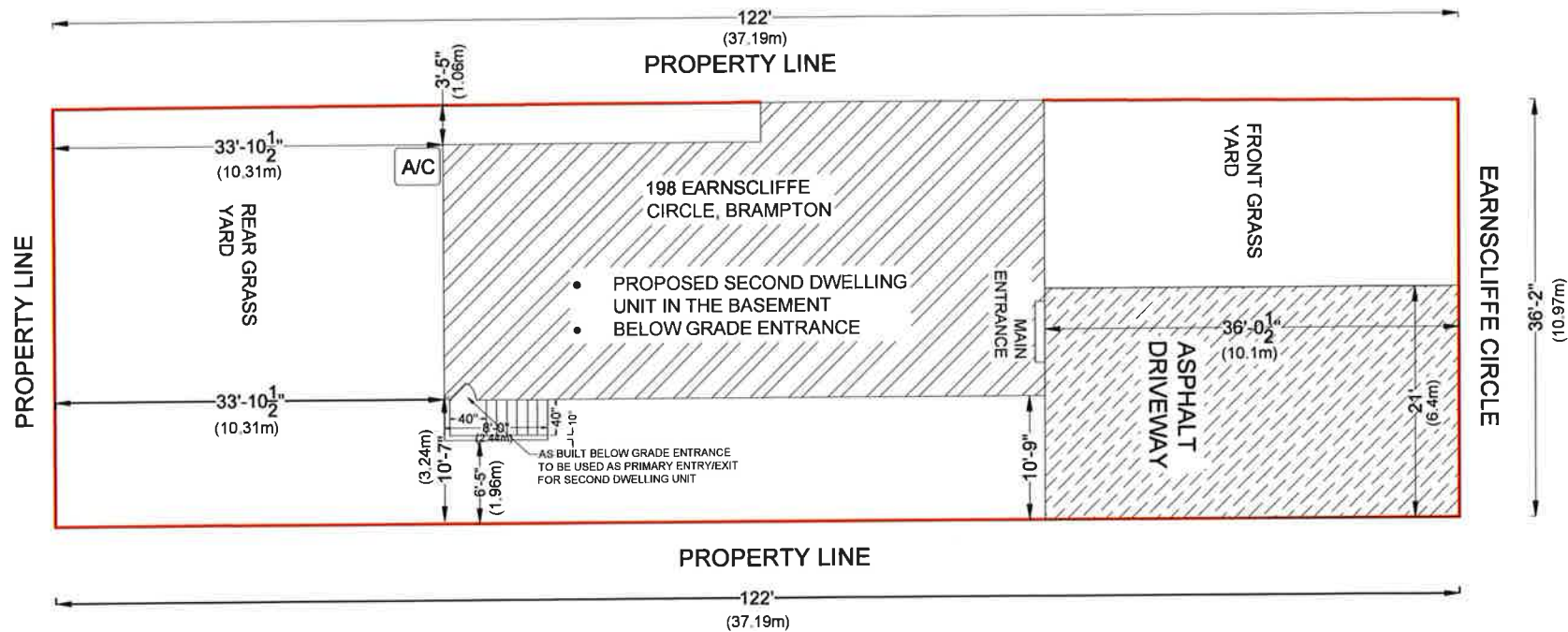
Present Zoning By-law Classification: \_\_\_\_\_

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 January 11, 2023  
Date Application Deemed Complete by the Municipality \_\_\_\_\_



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LOT AREA = 407.97Sqm  
 LOT FRONTAGE = 10.97m  
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NO.	REVISION/ ISSUE	DATE

FIRM NAME AND ADDRESS  
 RATIO ENGINEERING INC.  
 1200 Derry Rd East, Mississauga, ON

PROJECT TITLE  
 198 EARNSCLIFFE CIRCLE,  
 BRAMPTON, ON L6T 2B7

SHEET TITLE  
 SITE PLAN

SCALE : NOT TO BE SCALED	DRAWING NO. A - 1
DATE : SEPT 16, 2022	
DRAWN BY : H. SOOD	
CHECKED BY: D. VERMA	

**PLAN OF SURVEY OF  
LOTS 247 TO 249 PLAN 765 PEEL  
TOWNSHIP OF CHINGUACOUSY**

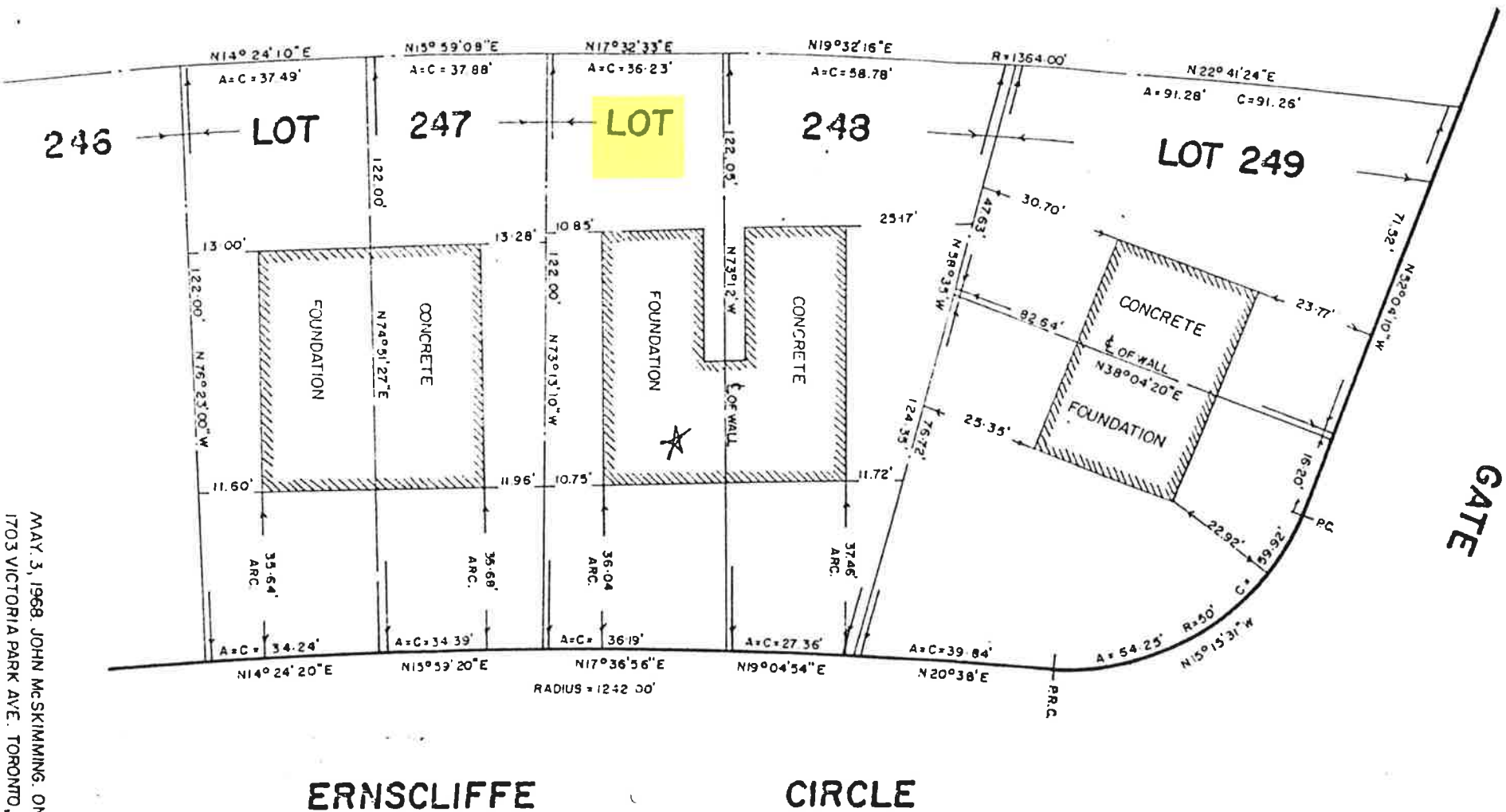
SCALE - 1" = 30'

**DOCUMENTS RELEASED PURSUANT TO A REQUEST  
UNDER THE  
MUNICIPAL FREEDOM OF INFORMATION AND  
PROTECTION OF PRIVACY ACT R.S.O. 1990c. M56  
COPYRIGHT ACT R.S., 1985, c. C42 APPLIES TO THE  
USE AND REPRODUCTION OF THESE DOCUMENTS**

BRAMALEA CONST. LTD.  
70 BRAMALEA ROAD,  
BRAMALEA, ONT.

**ERNSCLIFFE**

**GATE**



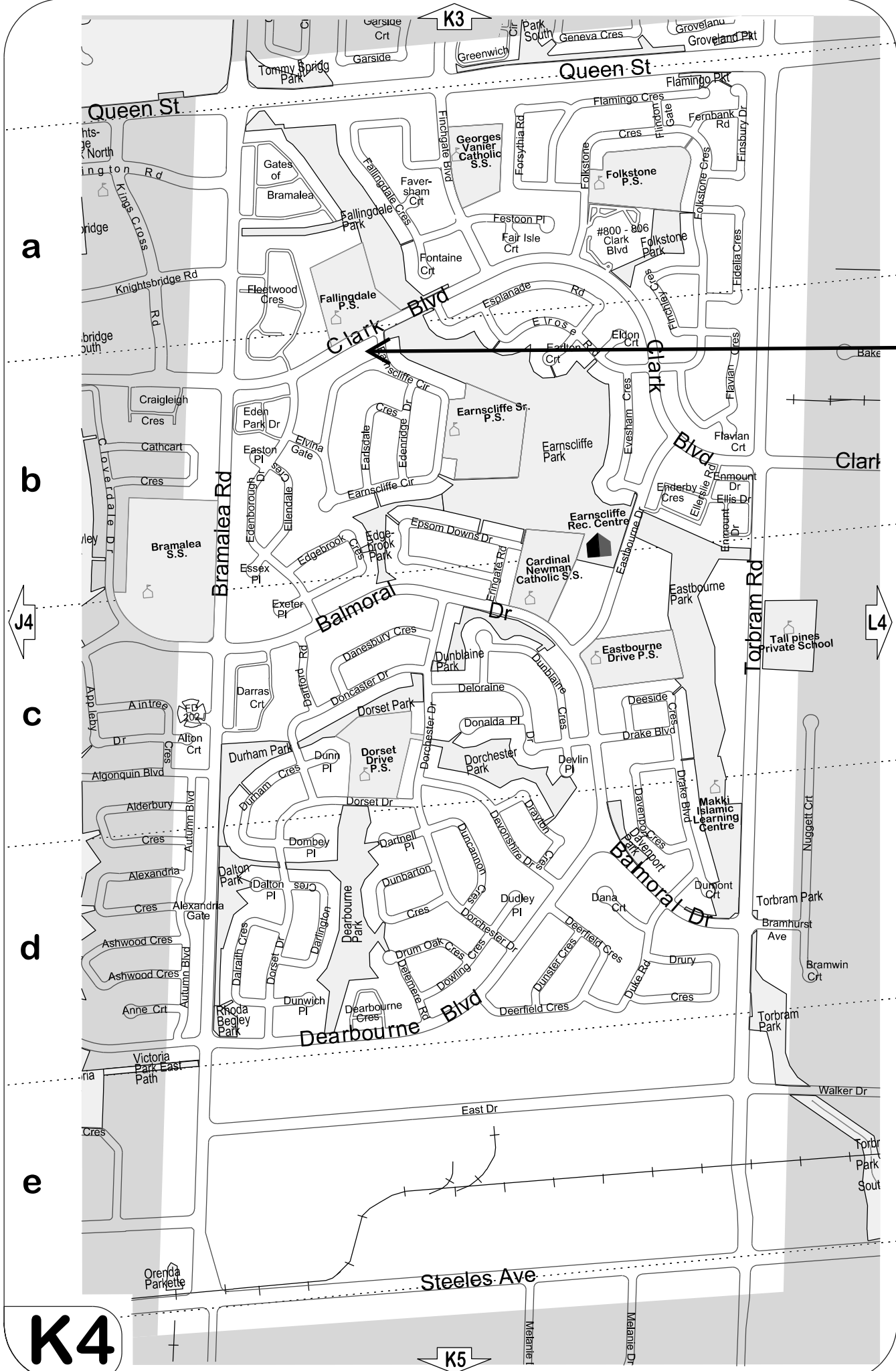
MAY 3, 1968, JOHN MCKIMMING, ONT. LAND SURVEYOR,  
1703 VICTORIA PARK AVE. TORONTO, ONT. T5T-5454.

PER

*John McKimming*

OLS





A-2023-0014

K4

K5

a

b

c

d

e

J4

L4