

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **NACHIKET DEVAL AND TANU MALHOTRA** 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 Lot 14, Plan M-101, Part 6 and 6A, Plan 43R-4811 municipally known as **32 FANSHAWE DRIVE**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s):

1. To permit a below grade entrance in a required side yard whereas the by-law does not permit a below grade entrance to be located in a required side yard;
2. To permit an interior side yard setback of 0.78m (2.56 ft) to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 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
Application for Consent: NO

File Number: _____
File Number: _____

The Committee of Adjustment has appointed **TUESDAY, May 9, 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.

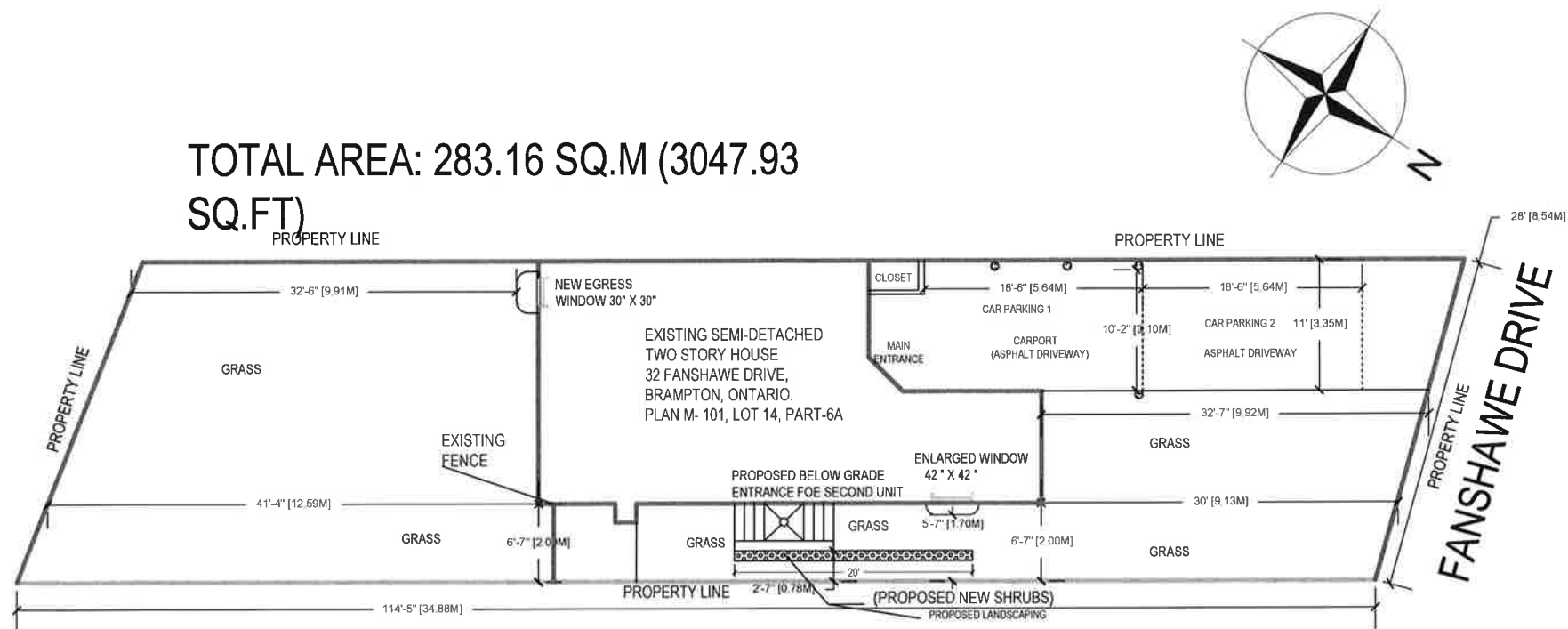
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this this 27th Day of April, 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



SCOPE OF WORK: PROPOSED BASEMENT APARTMENT (SECOND UNIT), 1 WINDOWS ENLARGEMENT, 1 NEW WINDOW AND PROPOSED BELOW GRADE ENTRANCE IN SIDE YARD FOR SECOND UNIT ENTRANCE.

BASEMENT AREA: 66.33 SQ.M

Notes:

RELEASED FOR BUILDING PERMIT
*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 UNTIL SIGNED BY THE
CONSULTANT.
*DRAWINGS ARE NOT TO BE SCALED.

**HERITAGE
SOLUTIONS**
1-647-684-8500

PROJECT ADDRESS:

32 FANSHAWE DR
BRAMPTON
ONTARIO

PROJECT DESCRIPTION:

PROPOSED BASEMENT APARTMENT

DRAWING DESCRIPTION:

SITE PLAN

SCALE:
3/32"=1'0"

DATE:
NOV. 18, 2022

DRAWING NO:

A0

REVISION:

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 **May 9, 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, May 4, 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, May 4, 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, May 4, 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, May 4, 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.

FILE NUMBER: A-2023-0097

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)** NACHIKET DEVAL AND TANU MALHOTRA
Address 32 Fanshawe Drive Brampton ON- L6Z1A9

Phone # 647 619 0500 **Fax #** _____
Email nachiketdeval@gmail.com

2. **Name of Agent** DINESH BHUTANI
Address 18 Sparrow Crt Brampton ON-L6Y3P2

Phone # 416 908 1072 **Fax #** _____
Email heritagesolutions@yahoo.com

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

1) To permit a below grade entrance in a required side yard.

2) To permit an interior side yard setback 0.78 meter to the below grade entrance.

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

Since the existing setback is only 2.00m (6'-7") and after making the below-grade entrance leftover setback is 0.78m (2'-7"), therefore can not meet the zoning setback requirement of 1.20m after building the below-grade entrance, that is why the minor variance is required.

5. **Legal Description of the subject land:**
Lot Number 14, Part -6A
Plan Number/Concession Number 43M-101
Municipal Address 32 Fanshawe Drive Brampton ON- L6Z1A9

6. **Dimension of subject land (in metric units)**
Frontage 8.56m (28.09')
Depth 34.88m (114.45')
Area 283.16 sq.m (3047.9254sq.ft)

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.)

This is a single-family two-story attached end-unit row townhouse. The total floor area is 128.11 sq. meter (1379 sq. ft) plus the basement.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Proposing a second unit (Basement apartment) at this property, therefore, It is going to be a two dwelling home.

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 9.92m (32'-7"), and 9.13m(30'-0")

Rear yard setback 9.91m (32'-6"), and 41'-4" (12.59m)

Side yard setback 2.00m (6'-7")

Side yard setback N/A

PROPOSED

Front yard setback 9.92m (32'-7"), and 9.13m(30'-0")

Rear yard setback 9.91m (32'-6"), and 41'-4" (12.59m)

Side yard setback 0.78m (2'-7")

Side yard setback N/A

10. Date of Acquisition of subject land: July 27th-2021
11. Existing uses of subject property: Single Dwelling Attached Row Townhouse.
12. Proposed uses of subject property: Two Dwelling Attached Row Townhouse.
13. Existing uses of abutting properties: Residential Row Townhouses.
14. Date of construction of all buildings & structures on subject land: Built in 1976
15. Length of time the existing uses of the subject property have been continued: 47 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 _____

Dinesh bhutani

Signature of Applicant(s) or Authorized Agent

DATED AT THE 20 _____ OF March 2023

THIS 20 _____ DAY OF March, 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, Dinesh Bhutani, 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
 Peel THIS 6th DAY OF

April, 2023

Jeanie Cecilia Myers
A Commissioner etc.

Jeanie Cecilia Myers
a Commissioner, etc.,
Province of Ontario
for the Corporation of the
City of Brampton
Expires April 8, 2024.

Dinesh bhutani

Signature of Applicant or Authorized Agent

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.

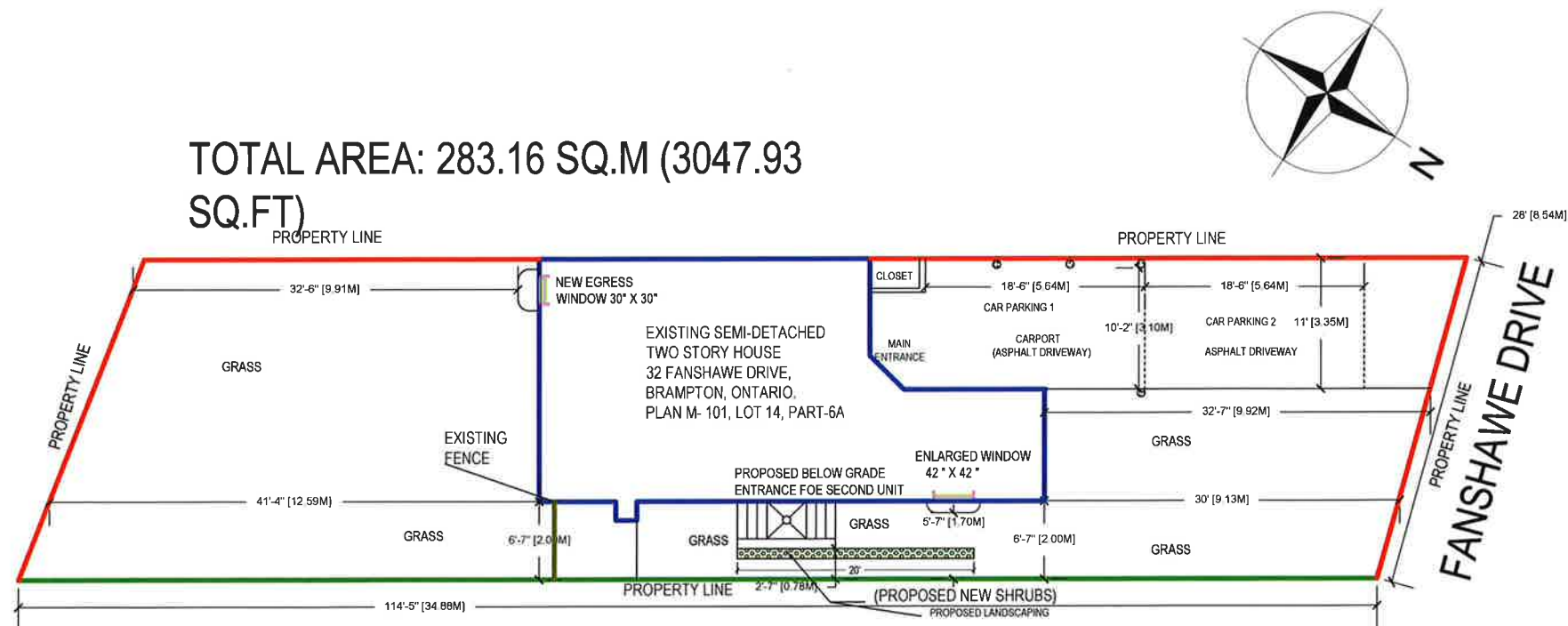
Zoning Officer

Date

DATE RECEIVED

Date Application Deemed
Complete by the Municipality

Revised 2022/02/17



SCOPE OF WORK: PROPOSED BASEMENT APARTMENT (SECOND UNIT), 1 WINDOWS ENLARGEMENT, 1 NEW WINDOW AND PROPOSED BELOW GRADE ENTRANCE IN SIDE YARD FOR SECOND UNIT ENTRANCE.

BASEMENT AREA: 66.33 SQ.M

Notes:

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PROJECT ADDRESS:

32 FANSHAW DR
BRAMPTON
ONTARIO

PROJECT DESCRIPTION:

PROPOSED BASEMENT APARTMENT

DRAWING DESCRIPTION:

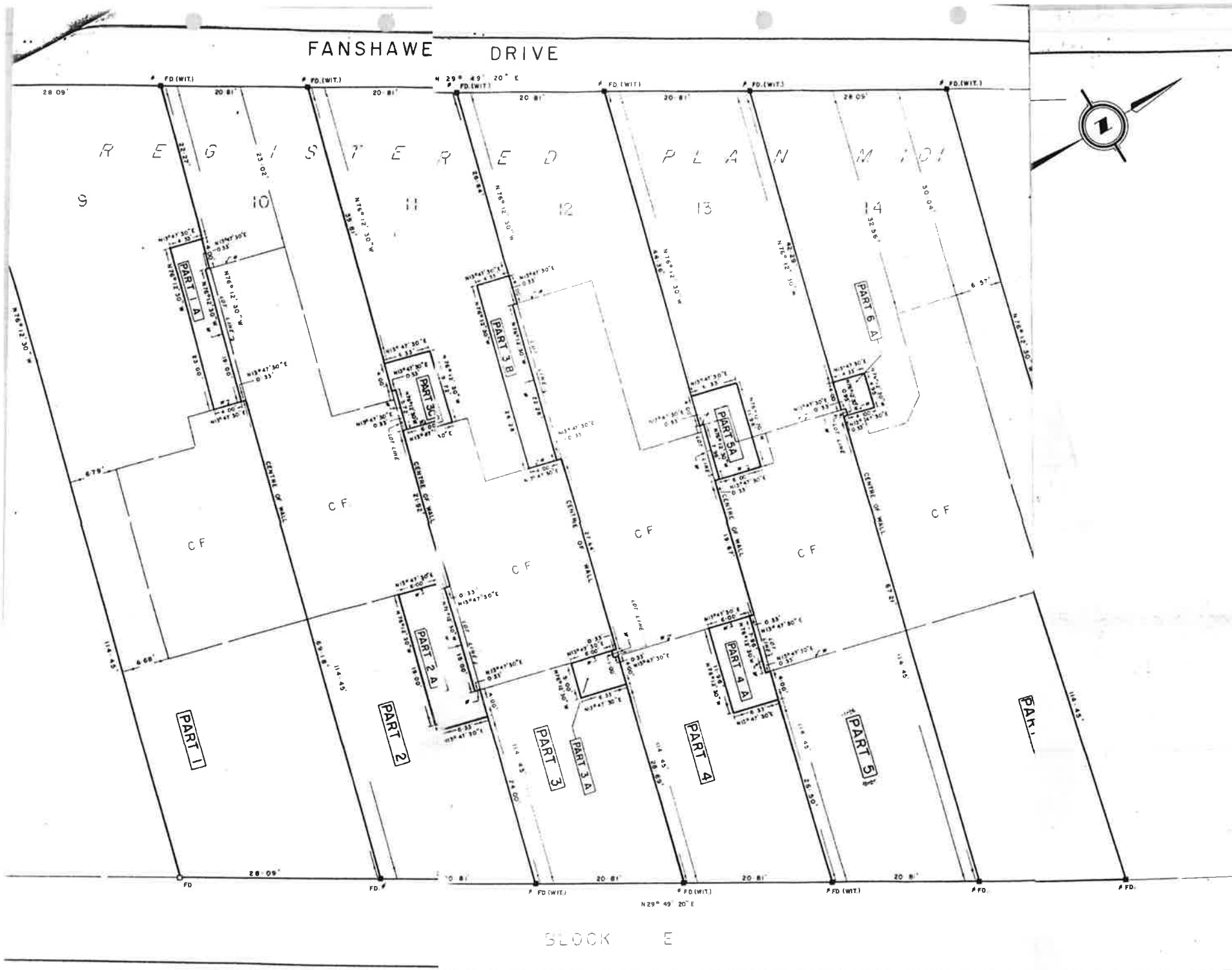
SITE PLAN

SCALE:
3/32"=1'0"

DATE:
NOV. 18, 2022

DRAWING NO:
A0

REVISION:
0



LT-3142

PLAN 43R-4811
APPROVED 18 Feb. 1977
T. Phosor
ASST. EXAMINER OF SURVEYS

PLAN 43R-4811
RECORDED UNDER No. 113011
REGISTERED March 8, 1977
at 2:05 PM
Veri Porter
LAND REGISTRAR

PARTS 1, 1A, 2, 2A, 3, 3A, 3B, 3C, 4, 4A, 5, 5A, 6, 6A - PART OF PARCEL PLAN-1, SECTION M-101.

PLAN OF SURVEY OF
LOTS 9, 10, 11, 12, 13 AND 14
REGISTERED PLAN M-101
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

SCALE: 1" = 10' 1977
R.B. LAWRYSHYN O.L.S.

NOTES:
BEARINGS HEREON ARE ASTRONOMIC, DERIVED FROM THE SOUTHEASTERLY LIMIT OF FANSHAW DRIVE SHOWN AS N29°49'20"E ON REGISTERED PLAN M-101

ALL HANGING LINES SHOWN ON THIS PLAN HAVE BEEN VERIFIED

- DENOTES 1" SQ. 4' LONG STANDARD IRON BAR PLANTED
- S S I B DENOTES 1" SQ. 2' LONG SHORT STANDARD IRON BAR PLANTED
- DENOTES 1/2" SQ. 2' LONG IRON BAR PLANTED
- FD DENOTES SURVEY MONUMENT FOUND
- WIT DENOTES WITNESS
- W DENOTES OUTSIDE FACE OF WALL
- DENOTES 3/8" ROUND 2' LONG IRON BAR PLANTED


SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY

1. THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.
2. THAT I WAS PRESENT AT AND DID PERSONALLY SUPERVISE THE SURVEY REPRESENTED BY THIS PLAN.
3. THAT THIS PLAN CONTAINS A TRUE COPY OF THE FIELD NOTES OF THE SURVEY.
4. THAT THE SURVEY WAS COMPLETED ON THE 12th DAY OF JANUARY 1977

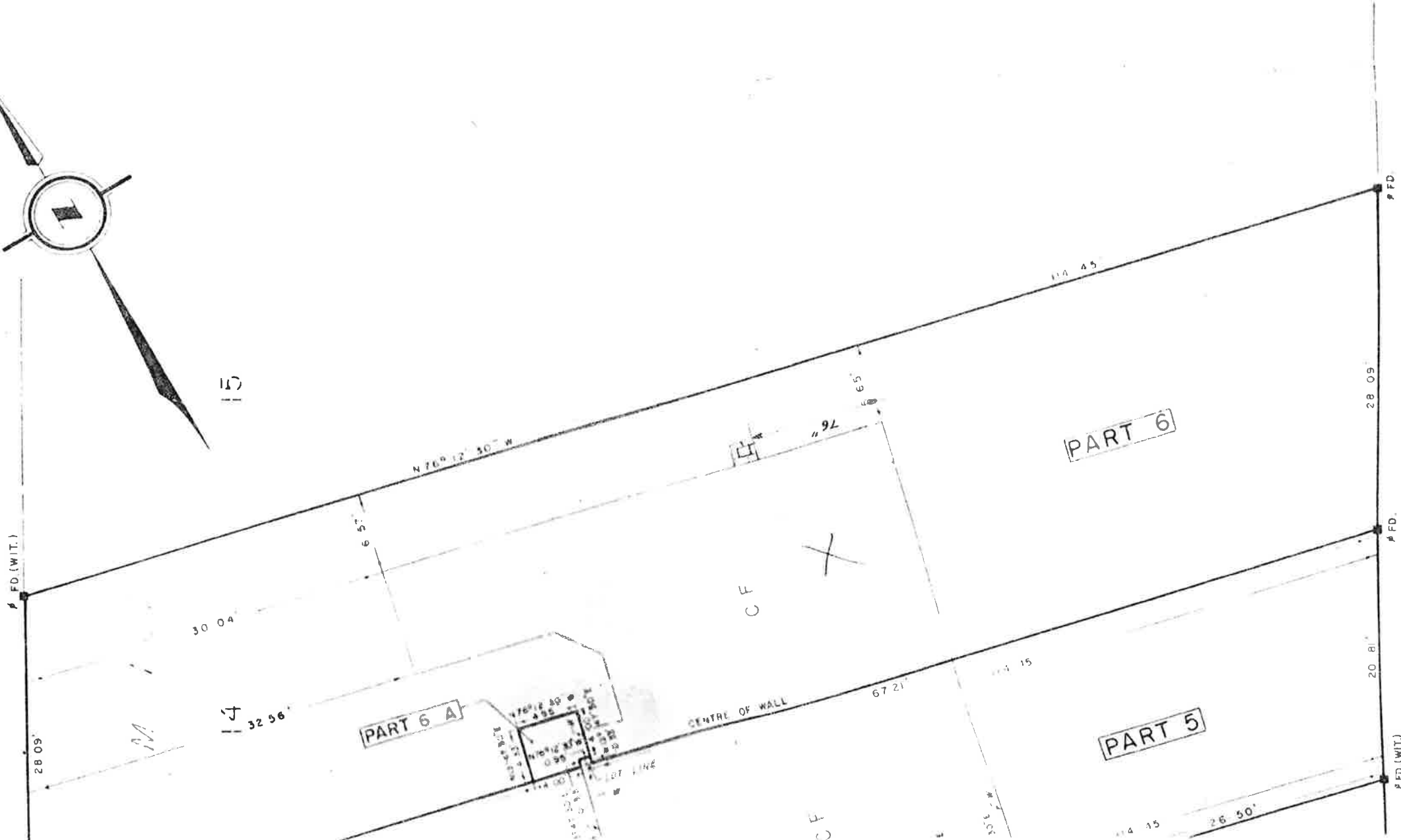
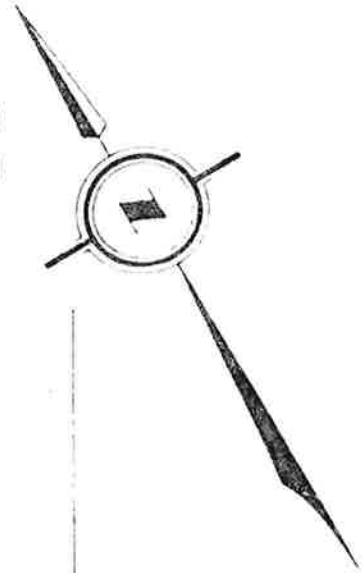
DATE FEBRUARY 3, 1977

R.B. Lawryshyn
O.L.S.
ONTARIO LAND SURVEYOR



J. D. BARNES LIMITED, Surveyors

Cadastral, Geodetic, Photogrammetric and Engineering Surveys			
PERFORMED		BRAMPTON	
DRAWN BY: D.H.		CHECKED BY: J.R.W.	REFERENCE NO: 76-60-41-444-1-2



PLAN OF
LOTS 9
REGIST
CITY OF
REGIONAL
SCALE : 1"
R.B. LAWR

NOTES:
BEARINGS HEREON
FANSHAW DRIVE

NO.	DESCRIPTION	DENO.
1
2
3
4

SURVEYOR

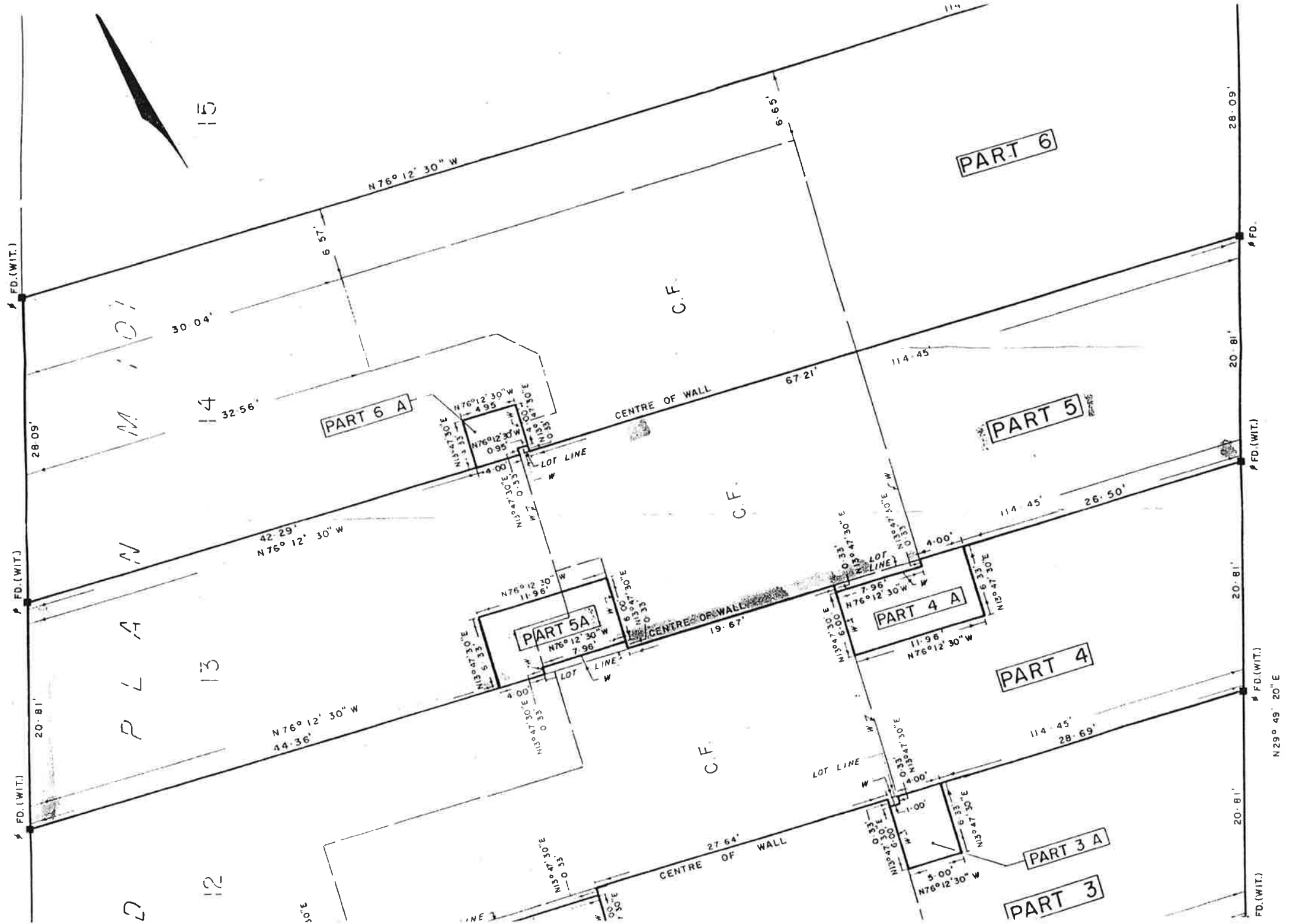
- I HEREBY CERTIFY
- 1 THAT THIS SURVEY ACT
- UNDER
- 2 THAT I WAS PRESENTED BY THE
- 3 THAT THIS PLAN
- 4 THAT THE SURVEY

DATE FEB 9



Cadastral Ge
DRAWN BY D.H.

E



BLOCK E



A-2023-0097