

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **ANTHONY MAXIN AND TERESA FRANCIS** 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 127, Plan 43M-1560. Part 1, Plan 43R-29677 municipally known as **38 TIANALEE CRESCENT**, Brampton;

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

1. To permit a below grade stairs to be located 7.45m (24.44 ft) from the Trans Canada Pipeline right-of-way whereas the by-law requires that no permanent structures shall be located within 10.0m (32.80 ft) of the limit of the Trans Canada Pipeline right-of-way;
2. To permit an existing deck to be located 6.66m (21.85 ft) from the Trans Canada Pipeline right-of-way whereas the by-law requires that no permanent structures shall be located within 10.0m (32.80 ft) of the limit of the Trans Canada Pipeline right-of-way.

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, June 20, 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

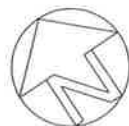
DATED at Brampton Ontario, this 8th Day of June, 2023.

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:

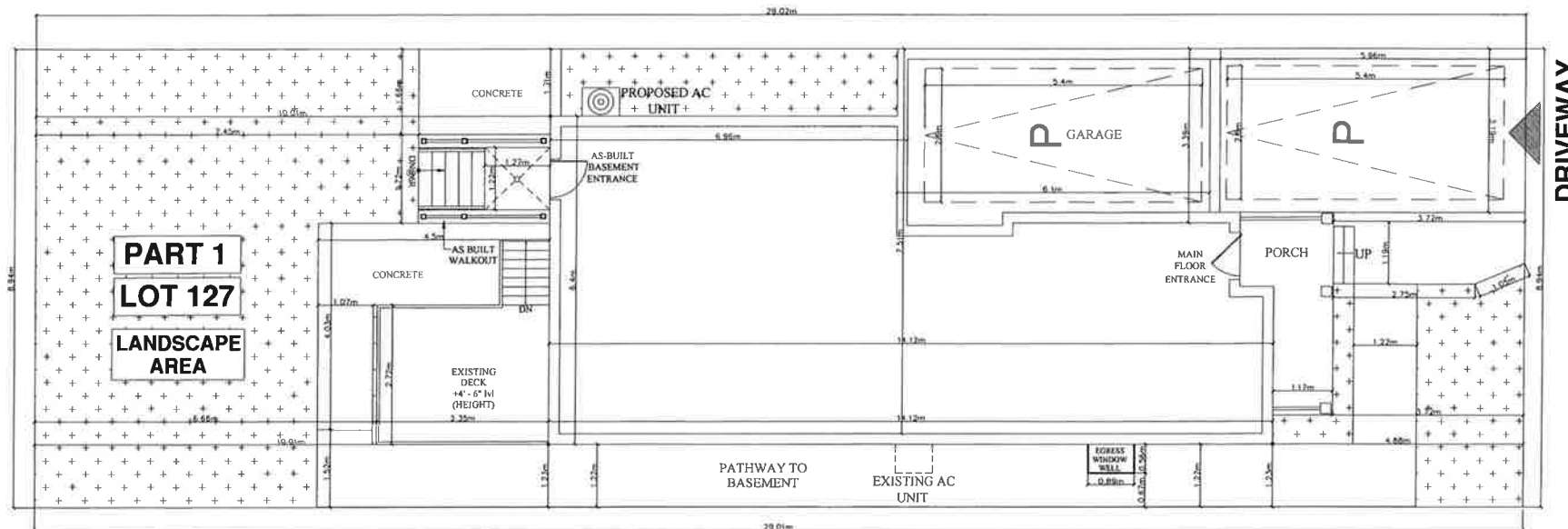
Jeanie Myers, Secretary-Treasurer
Committee of Adjustment, City Clerk's Office,
Brampton City Hall, 2 Wellington Street West,
Brampton, Ontario L6Y 4R2
Phone: (905)874-2117
Fax: (905)874-2119
jeanie.myers@brampton.ca

SITE PLAN

SCALE 1:100



38 TIANALEE CRESCENT



DRIVEWAY

GENERAL NOTES

DO NOT SCALE DRAWINGS
 PROPERTY RIGHTS RETAINED BY:
 BG CONSTRUCTION DESIGN
 ANY REPRODUCTION IN WHOLE OR IN PART
 UNDER THE RULES AND BY-LAWS OF THE
 CORPORATION IS STRICTLY FORBIDDEN.
 ANY REPRODUCTIONS MUST BE
 AUTHORIZED BY
 ALL DRAWINGS ARE IN METRIC SCALE

SCOPE OF WORK

PROPOSAL TO CONSTRUCT
 SECONDARY UNIT

THE UNDERSIGNED HAS REVIEWED AND
 TAKES RESPONSIBILITY FOR THIS DESIGN,
 AND HAS THE QUALIFICATIONS AND
 MEETS THE REQUIREMENTS SET OUT
 IN THE ONTARIO BUILDING CODE
 TO BE A DESIGNER.

QUALIFICATION INFORMATION
 REQUIRED UNLESS DESIGN IS EXEMPT
 UNDER DIV. C.32.5.1 OF THE BUILDING CODE

SHIVANG TARIKA 106440
 NAME SIGNATURE BCIN

SHIVANG TARIKA

| NO | REVISION / ISSUE | DATE |
|----|------------------|------|
| | | |

SITE PLAN

CITY : BRAMPTON

38 TIANALEE CRESCENT

EXISTING DWELLING

| | |
|------------------|-----------|
| PROJECT | SHEET |
| MAR 2023 | A1 |
| SCALE 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 **June 20, 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, June 15, 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, June 15, 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, June 15, 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 **4:30 pm Thursday, June 15, 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

June 7, 2023

To: Committee of Adjustment
ANTHONY MAXIN
PART OF BLOCK 127, PLAN 43M-1560
A-2023-0159 – 38 TIANALEE CRESCENT

Please amend application **A-2023-0159** to reflect the following:

1. To permit a below grade stairs to be located 7.45m (24.44 ft) from the Trans Canada Pipeline right-of-way whereas the by-law requires that no permanent structures shall be located within 10.0m (32.80 ft) of the limit of the Trans Canada Pipeline right-of-way.
2. To permit an existing deck to be located 6.66m (21.85 ft) from the Trans Canada Pipeline right-of-way whereas the by-law requires that no permanent structures shall be located within 10.0m (32.80 ft) of the limit of the Trans Canada Pipeline right-of-way.

Whitney Fair

Applicant/Authorized Agent



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

FILE NUMBER: A-2023-0159

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)** Antony Maxin & Teresa Francis
Address 38 Tianalee, Brampton, ON, L7A 2X2
Phone # +1 437 331 3639 **Fax #** _____
Email antonymxn23@gmail.com

2. **Name of Agent** Shivang Tarika
Address 106 Morningside Dr. Georgetown, L7G0M2, ON
Phone # 4168212630 **Fax #** _____
Email shivang@relysolution.com

3. **Nature and extent of relief applied for (variances requested):**
A. To Propose an exterior stairway leading to a below grade entrance in the required interior rear yard.
B. Proposed Interior rear Yard Set back is 7.45m to the below Grade Stairway and the required is 10m

4. **Why is it not possible to comply with the provisions of the by-law?**
The owner of the property wants to build a second dwelling unit to manage his mortgage. However to provide a second dwelling unit the entrance has to be below the grade which is not possible on side yard and the other side of the property due to insufficient space and privacy reason. So the only space where owner can construct the entrance is the back of the property. The Required set back from the trans Canada pipe line rite of way is 10m and

5. **Legal Description of the subject land:**
Lot Number 127
Plan Number/Concession Number M 1560
Municipal Address 38 Tianalee, Brampton, ON, L7A 2X2

6. **Dimension of subject land (in metric units)**
Frontage 8.94M
Depth 29.02M
Area 259.42SQM

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.)

| |
|------------------------------|
| Ground Floor Area: 101.26sqm |
| Gross Floor Area: 259.16sqm, |
| No. of Levels: 2 |
| Width: 7.51M |
| Length: 14.12M |

PROPOSED BUILDINGS/STRUCTURES on the subject land:

| |
|--|
| |
|--|

- 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 | 3.72M |
| Rear yard setback | 10M |
| Side yard setback | 1.31M |
| Side yard setback | 1.22M |

PROPOSED

| | |
|--------------------|-------|
| Front yard setback | 3.72M |
| Rear yard setback | 7.45M |
| Side yard setback | 1.31M |
| Side yard setback | 1.22M |

10. Date of Acquisition of subject land: 2020

11. Existing uses of subject property: Residential - Single Dwelling Unit

12. Proposed uses of subject property: Residential - Two Dwelling Unit

13. Existing uses of abutting properties: Residential

14. Date of construction of all buildings & structures on subject land: 2003

15. Length of time the existing uses of the subject property have been continued: 17 yrs

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 _____

[Handwritten Signature]

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON
THIS 18 DAY OF MAY, 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, PARAS NARANG, OF THE TOWN OF GEORGETOWN
IN THE REGION OF HALTON 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 18th DAY OF
May, 2023

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

[Handwritten Signature]

Signature of Applicant or Authorized Agent

[Handwritten Signature]
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

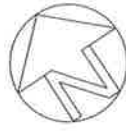
Date

DATE RECEIVED MAY 18, 2023

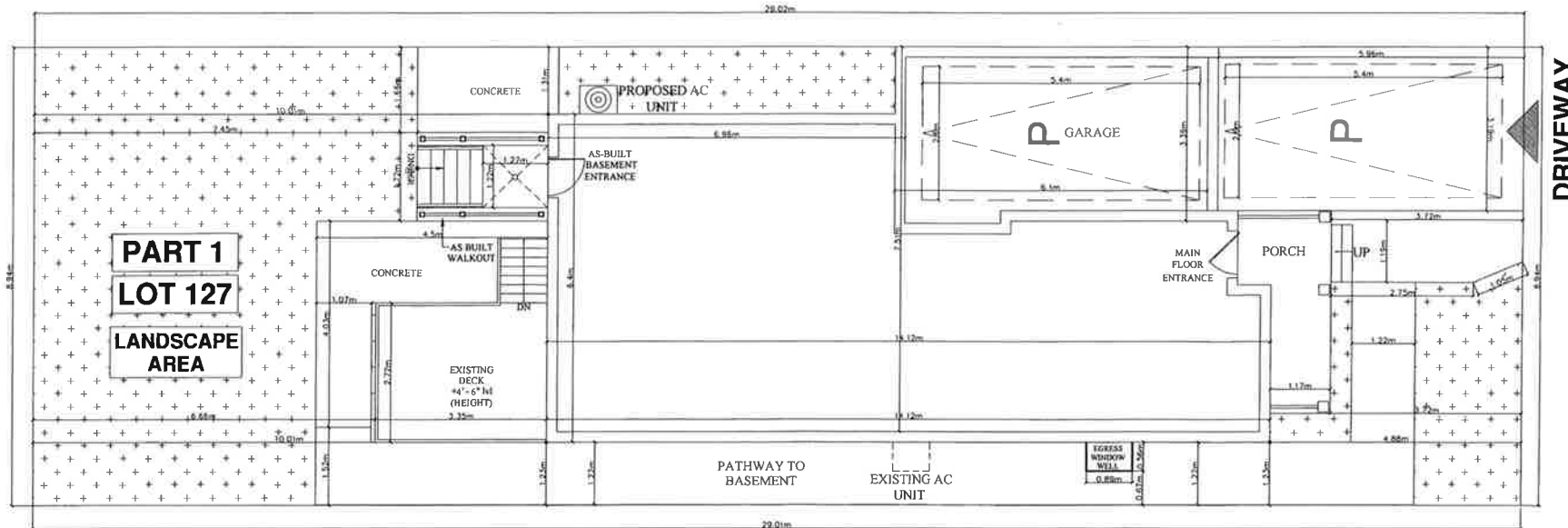
Date Application Deemed Complete by the Municipality _____

SITE PLAN

SCALE 1:100



38 TIANALEE CRESCENT



GENERAL NOTES

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SCOPE OF WORK

PROPOSAL TO CONSTRUCT
 SECONDARY UNIT

THE UNDERSIGNED HAS REVIEWED AND
 TAKES RESPONSIBILITY FOR THIS DESIGN,
 AND HAS THE QUALIFICATIONS AND
 MEETS THE REQUIREMENTS SET OUT
 IN THE ONTARIO BUILDING CODE
 TO BE A DESIGNER.

QUALIFICATION INFORMATION
 REQUIRED UNLESS DESIGN IS EXEMPT
 UNDER DIV. C3.2.5.1 OF THE BUILDING CODE

SHIVANG TARIKA 106440
 NAME SIGNATURE BCIN

SHIVANG TARIKA

| NO | REVISION / ISSUE | DATE |
|----|------------------|------|
| | | |

SITE PLAN

CITY : BRAMPTON

38 TIANALEE CRESCENT

EXISTING DWELLING

PROJECT

MAR 2023

SCALE 1/8"=1'-0"

SHEET

A1

| SCHEDULE REGISTERED PLAN | | | |
|--------------------------|-------|-----------------|--------------------|
| PART | BLOCK | REGISTERED PLAN | ALL OF PIN |
| 1 | 127 | 43M-1560 | PIN 14253-3859(LT) |
| 2 | | | |
| 3 | | | |
| 4 | | | |

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE November 25, 2004
Douglas E Hunt
 Douglas E Hunt
 ONTARIO LAND SURVEYOR

PLAN 43R-29677

RECEIVED AND DEPOSITED

DATE Dec 1, 2004
M. Judge
 ASS'T DEP.
 LAND REGISTRAR FOR THE
 LAND TITLES DIVISION OF
 PEEL (No 43)

PLAN OF SURVEY OF
 BLOCK 127
 REGISTERED PLAN 43M-1560
 CITY OF BRAMPTON
 REGIONAL MUNICIPALITY OF PEEL

SCALE 1 : 300



HUNT SURVEYS INC

METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

NOTES:

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIMIT OF TIANALEE CRESCENT, AS SHOWN ON REGISTERED PLAN 43M-1560 HAVING A BEARING OF N38°04'25"W.

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- MEAS. DENOTES MEASURED
- P DENOTES REGISTERED PLAN 43M-1560
- (B65) DENOTES D. McLEAN O.L.S
- (1534) DENOTES DOUGLAS E. HUNT O.L.S

SURVEYOR'S CERTIFICATE

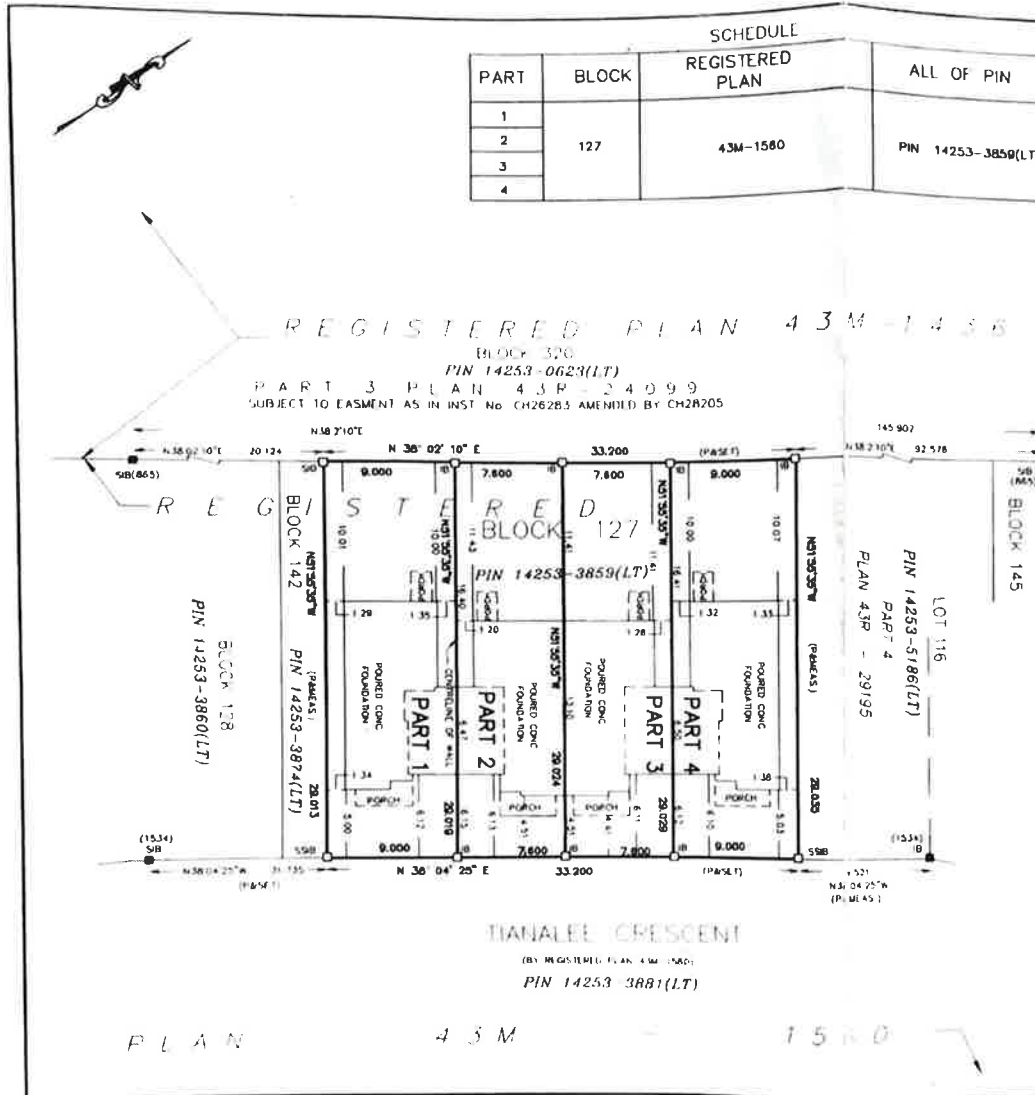
- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON October 26 2004.

DATE: October 29 2004
Douglas E Hunt
 Douglas E Hunt
 ONTARIO LAND SURVEYOR

SURVEYING MAPPING
 LAND INFORMATION SERVICES
 OFFICE OF ORIGIN
 45-A West Wilmot Street, Unit 207
 RICHMOND HILL, ONTARIO
 L4B 2P2
 TELEPHONE (905) 784-8759
 FAX (905) 784-8812

HUNT SURVEYS
 I N C.

DRAWN BY: E.K. CHECKED BY: D.E.H. REFERENCE NO. BLOCK 127
 30401rp-block-127.DWG





A-2023-0159

E2

E3

a

b

c

d

e

D2

F2