

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **YIHUA SHI** 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 31, Plan M-615 municipally known as **34 MERGANSER CRESCENT**, 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 interior side yard;
2. To permit an interior side yard setback of 0.0m to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 0.3m (0.98 ft) provided the opposite side yard has a minimum setback of 1.2m (3.94 ft);
3. To permit a 0.9m (2.95 ft) path of travel to the principal entrance leading to a second unit whereas the by-law requires an unencumbered side yard width of 1.2m (3.94 ft.) to be provided as a path of travel from the front yard to the entrance to the second unit.

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.

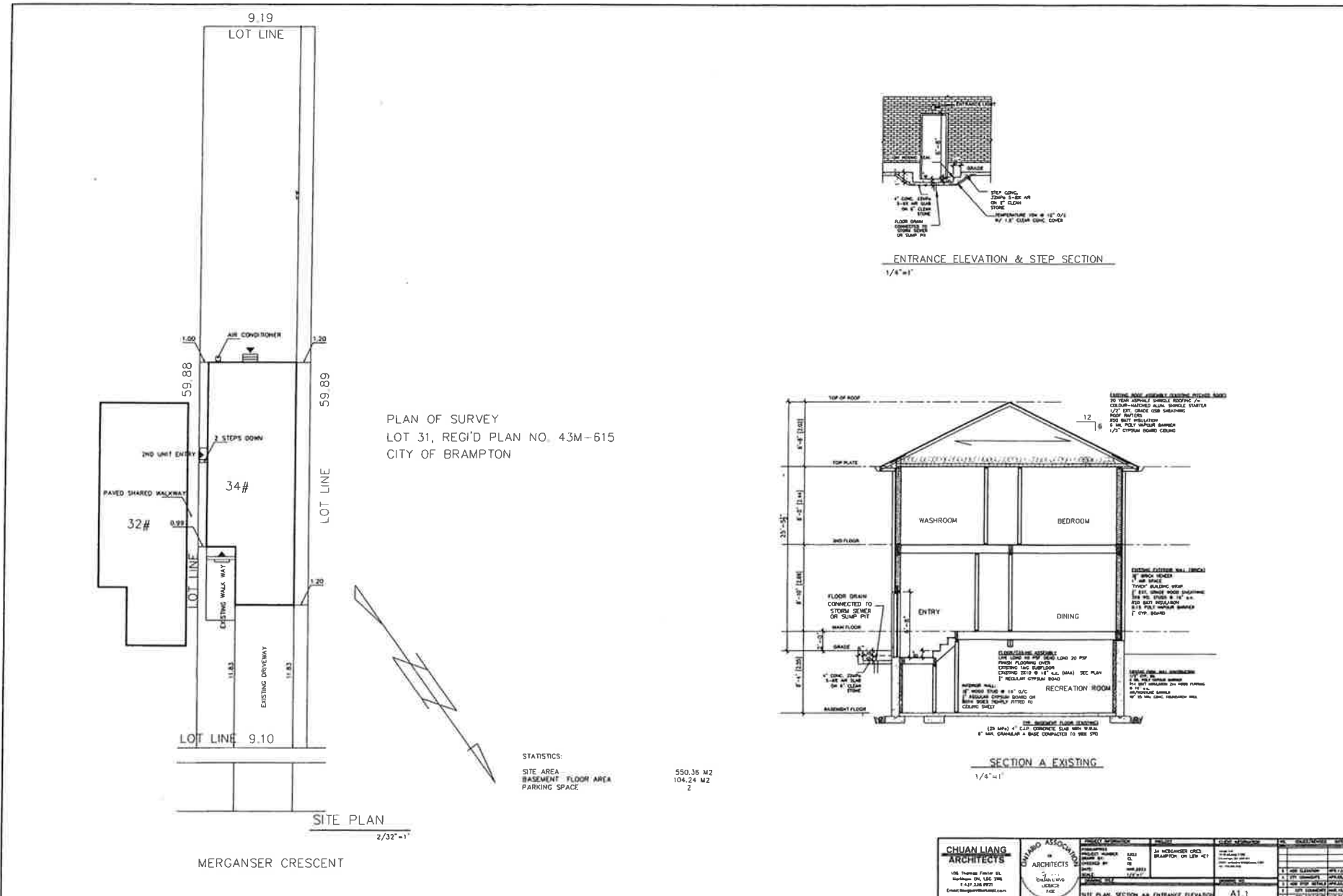
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

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



PLAN OF SURVEY  
 LOT 31, REG'D PLAN NO. 43M-615  
 CITY OF BRAMPTON

STATISTICS:

SITE AREA	550.36 M2
BASEMENT FLOOR AREA	104.24 M2
PARKING SPACE	2

SITE PLAN  
 2/32"=1"  
 MERGANSER CRESCENT

ENTRANCE ELEVATION & STEP SECTION  
 1/4"=1"

SECTION A EXISTING  
 1/4"=1"

<b>CHUAN LIANG ARCHITECTS</b> 108 Thomas Foster Rd. Markham, ON, L3R 9Y6 416-479-8871 Email: chuanliang@chuanliang.com	CHUAN LIANG ASSOCIATES ARCHITECTS 3 CHUAN LIANG ASSOCIATES ARCHITECTS INC.	PROJECT NUMBER	020	PROJECT NAME	34 MERGANSER CRESCENT BRAMPTON ON L3R 9Y1	DATE	2018.08.23	SCALE	AS SHOWN
		DRAWN BY	CS	CHECKED BY	CS	DATE	2018.08.23	SCALE	AS SHOWN
PROJECT NO. 122-17-17		SHEET NO.		SHEET TITLE		SHEET SCALE		SHEET NO.	
SITE PLAN, SECTION A & ENTRANCE ELEVATION		SHEET NO.		SHEET TITLE		SHEET SCALE		SHEET NO.	

**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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](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-2023-0147

*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)** YIHUA SHI  
**Address** 34 MERGANSER CRES. BRAMPTON ON L6W 4E7  
  
**Phone #** 416-889 8186 **Fax #** \_\_\_\_\_  
**Email** yihuashi1954@gmail.com

2. **Name of Agent** CHUAN LIANG  
**Address** 106 THOMAS FOSTER ST. MARKHAM ON L6C 2W6  
  
**Phone #** 437 238 9921 **Fax #** \_\_\_\_\_  
**Email** LIANGBAH@HOTMAIL.COM

3. **Nature and extent of relief applied for (variances requested):**  
1. Below grade entry provided in required side yard where no below grade entry allowed in required side yard.  
2. 0.99m wide passenger access provided for 2nd unit entry where 1.2m required.

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

5. **Legal Description of the subject land:**  
**Lot Number** lot 31  
**Plan Number/Concession Number** Reg. Plan 43M-615  
**Municipal Address** 34 MERGANSER CRES. BRAMPTON ON L6W 4E7

6. **Dimension of subject land (in metric units)**  
**Frontage** 9.1m  
**Depth** 59.89m  
**Area** 550.36m<sup>2</sup>

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.)

one single family dwelling 2-storeys 2,210sqft. GFA	→ gross floor area no. of storeys.
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PROPOSED BUILDINGS/STRUCTURES on the subject land:

Basement 2nd unit.
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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	11.83m
Rear yard setback	27.85m
Side yard setback	1.2m
Side yard setback	0.99m

**PROPOSED**

Front yard setback	11.83m
Rear yard setback	27.85m
Side yard setback	1.2m
Side yard setback	0.99m

10. Date of Acquisition of subject land: March 1, 2013
11. Existing uses of subject property: single family dwelling
12. Proposed uses of subject property: single family dwelling with 2nd unit
13. Existing uses of abutting properties: single family dwelling
14. Date of construction of all buildings & structures on subject land: Mar., 1986
15. Length of time the existing uses of the subject property have been continued: 37 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 \_\_\_\_\_

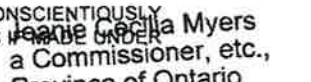
THIS 1 DAY OF May 2023

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, Yihua Shi OF THE owner OF 14 WINDLANDER CREEK BRAMPTON ON L6M 4E7

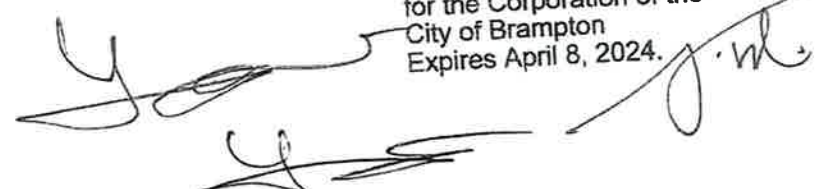
IN THE City \_\_\_\_\_ OF Brampton \_\_\_\_\_ SOLEMNLY DECLARE THAT:

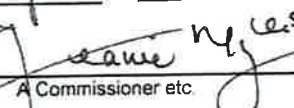
ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.


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

DECLARED BEFORE ME AT THE

City OF Brampton  
IN THE Region OF  
 Peel  THIS  8<sup>th</sup>  DAY OF  
 May  20  23

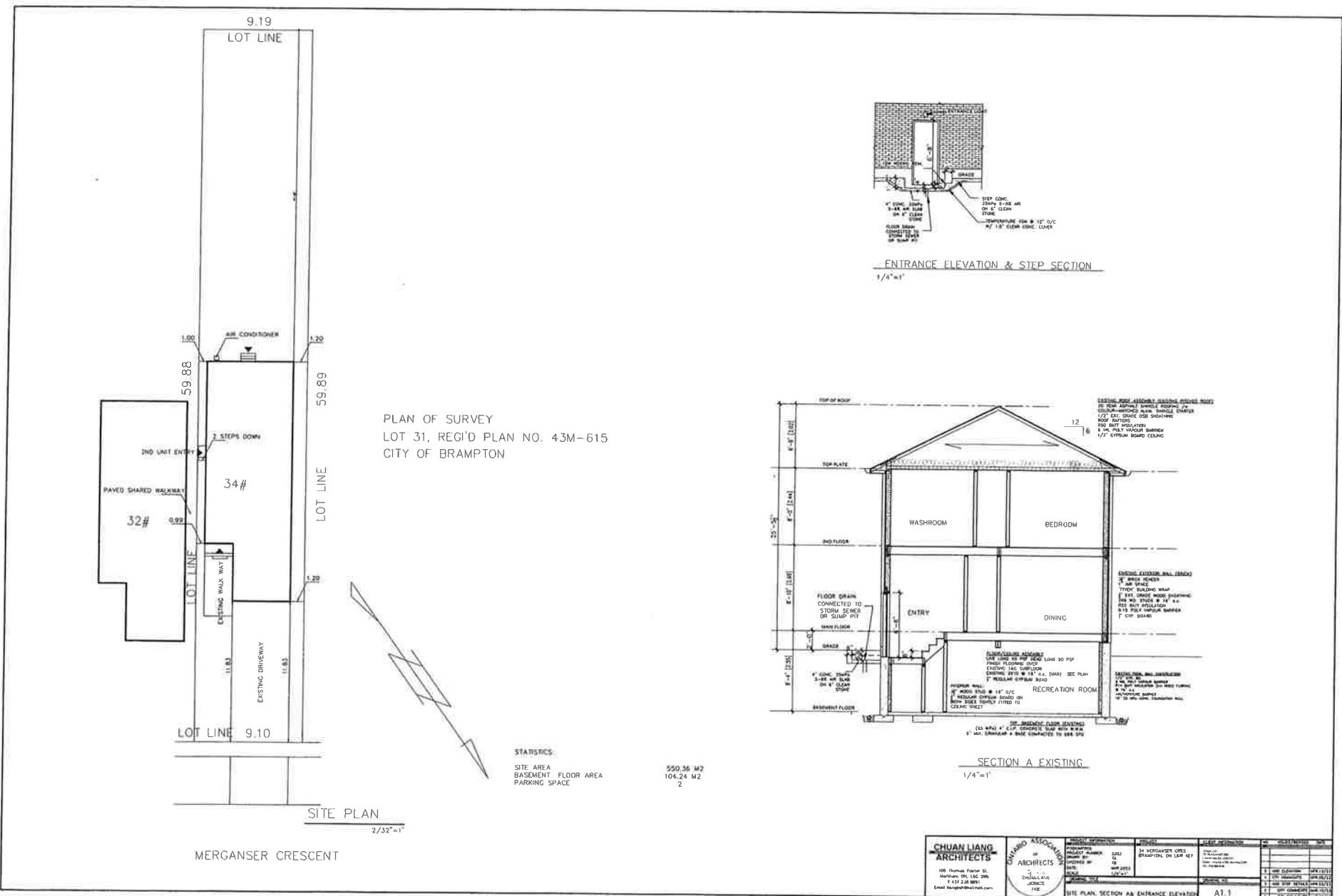
  
\_\_\_\_\_  
Signature of Applicant or Authorized Agent

  
A Commissioner etc.

FOR OFFICE USE ONLY	
Present Official Plan Designation:	_____
Present Zoning By-law Classification:	<u>R1D-2570</u>
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	<u>MAY 9.23</u> Date

DATE RECEIVED MAY 8, 2023

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



PLAN OF SURVEY  
 LOT 31, REG'D PLAN NO. 43M-615  
 CITY OF BRAMPTON

ENTRANCE ELEVATION & STEP SECTION  
 1/4"=1'

SECTION A EXISTING  
 1/4"=1'

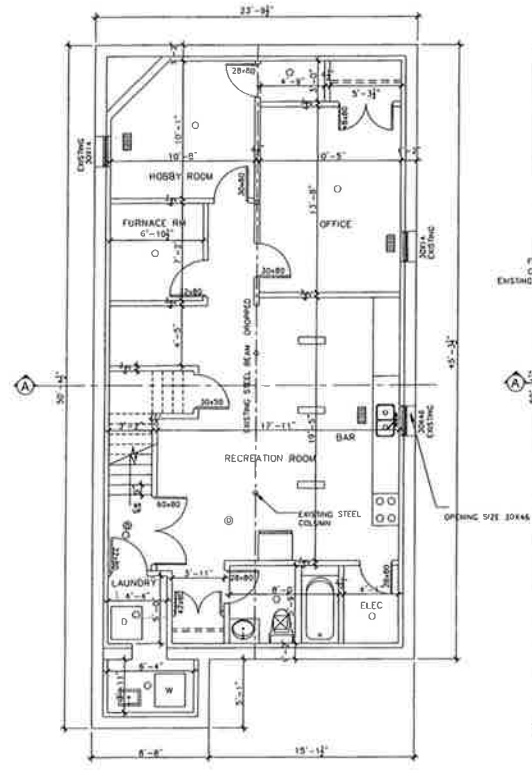
STATISTICS:  
 SITE AREA  
 BASEMENT FLOOR AREA  
 PARKING SPACE

550.36 M2  
 104.24 M2  
 2

SITE PLAN  
 2/32"=1'

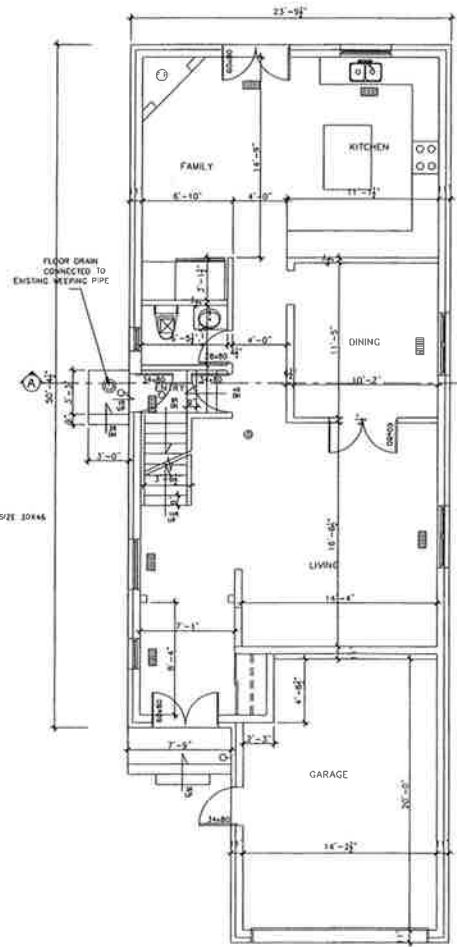
MERGANSER CRESCENT

<b>CHUAN LIANG ARCHITECTS</b> 105 Huron Street Markham, ON L3R 9W8 1-416-491-8881 Email: chuanliang@chuanliang.com	PROJECT ASSOCIATED ARCHITECTS CHUAN LIANG ARCHITECTS	PROJECT NUMBER: 2023-01 DRAWN BY: JB DATE: 2023-07-27	PROJECT NAME: 34 MORGANER CRESCENT, BRAMPTON, ON L6P 4E7	SHEET NUMBER: 11 OF 11	DATE: 2023-07-27
		PROJECT TYPE: RESIDENTIAL	PROJECT NO: 2023-01	DRAWN BY: JB	DATE: 2023-07-27
SITE PLAN, SECTION A & ENTRANCE ELEVATION			A1.1		

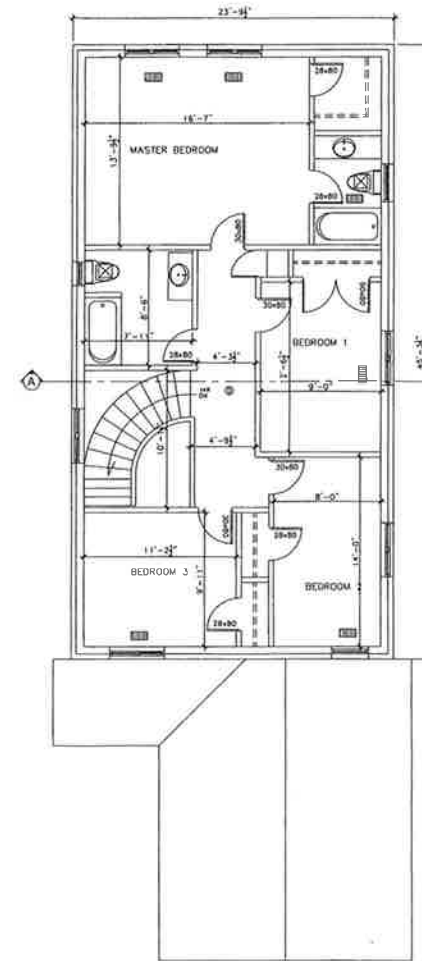


**AS-BUILT BASEMENT PLAN**  
1/4"=1' 1122 SQFT

- LEGEND**
- ⊕ COMBINATION SMOKE & CO DETECTOR
  - ▭ AS BUILT SUPPLY AIR FLOOR REGISTER
  - ⊗ BATH ROOM EXHAUST (FAN MTR. EXHAUST MTR. SUPPLY DUCT PIPE EXHAUST DIRECTLY TO OUTDOOR)
  - ⊕ EXTERIOR ENTRANCE LIGHT EXISTING
  - INTERIOR WALL:  
3" WOOD STUD @ 16" O/C  
1" REGULAR GYPSUM BOARD ON BOTH SIDES TIGHTLY FITTED TO CEILING SHEET
  - FLUSH MOUNT CEILING LIGHT
  - ▭ FLUORESCENT FLUSH MOUNT CEILING LIGHT



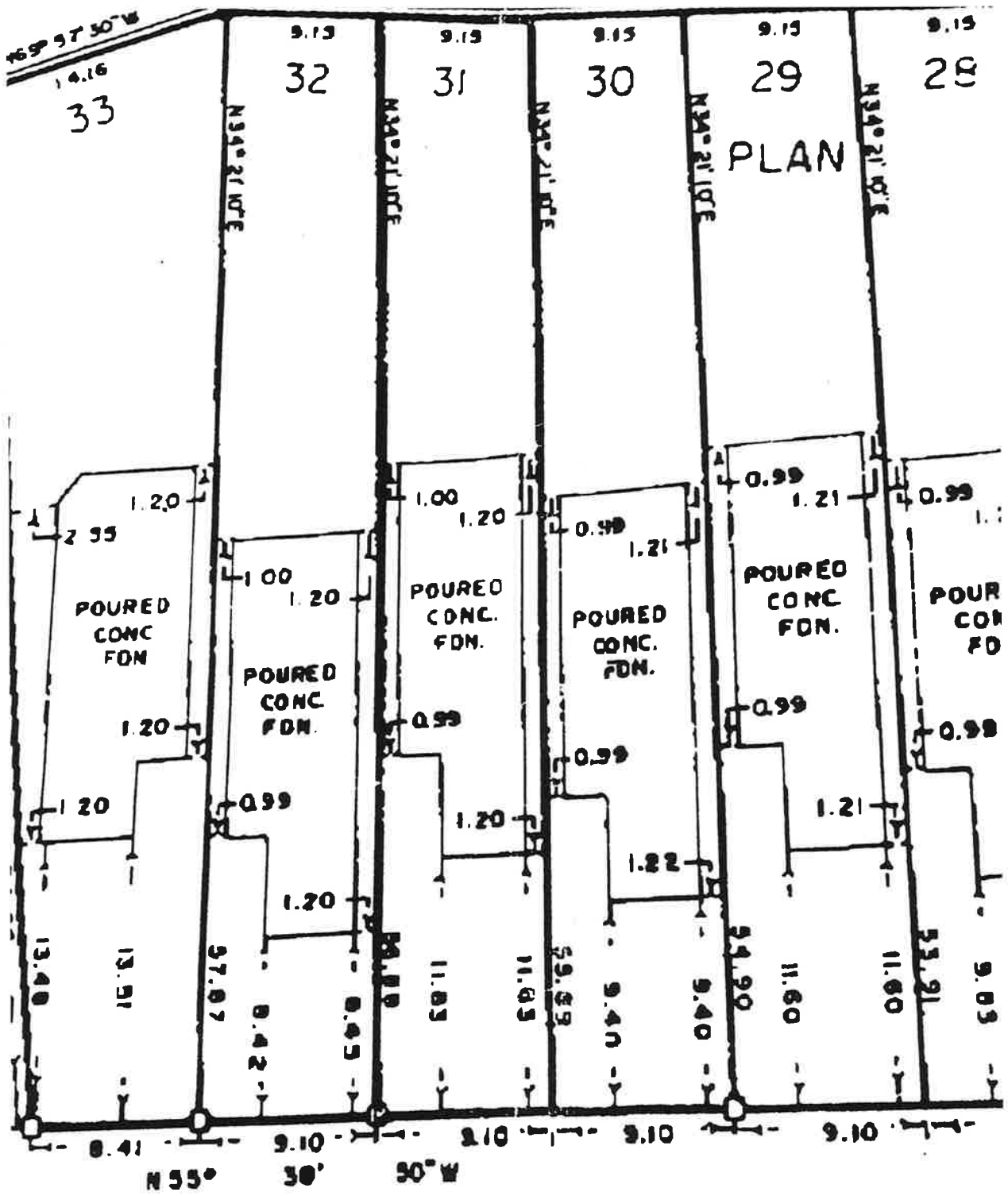
**EXISTING MAIN FLOOR PLAN**  
1/4"=1' 1132 SQFT



**EXISTING 2ND FLOOR PLAN**  
1/4"=1' 1078 SQFT

<b>CHUAN LIANG ARCHITECTS</b> 188 Thompson Center Dr. Westborough, MA 01581-2998 Tel: 508.336.8881 Email: chuanliang@chuanliang.com	<b>CHUAN LIANG ASSOCIATES ARCHITECTS</b> 1000 W. Main St. Westborough, MA 01581-2998 Tel: 508.336.8881 Email: chuanliang@chuanliang.com	PROJECT NO. 2011-001 PROJECT NAME: 188 THOMPSON CENTER DRIVE WESTBOROUGH, MA 01581-2998	DATE OF PRELIMINARY DESIGN: 08/2011 DATE OF PRELIMINARY PERMITS: 09/2011 DATE OF PRELIMINARY CONTRACT: 10/2011 DATE OF PRELIMINARY SCHEDULE: 11/2011
		PROJECT NO. 2011-001 PROJECT NAME: 188 THOMPSON CENTER DRIVE WESTBOROUGH, MA 01581-2998	DATE OF PRELIMINARY DESIGN: 08/2011 DATE OF PRELIMINARY PERMITS: 09/2011 DATE OF PRELIMINARY CONTRACT: 10/2011 DATE OF PRELIMINARY SCHEDULE: 11/2011
FLOOR PLANS		A2.1	





MERGANSER

EDICATED

BY

REGISTERED

A-2023-0147



G5