

**APPLICATION # A-2023-0150**  
**WARD #8**

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **NELSON UMANA AND FATIMA MORALES** 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 159, Plan 866 municipally known as **62 GARSDALE CRESCENT**, Brampton;

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

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit an interior side yard setback of 1.72m (5.64 ft) to the exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft);
3. To permit an existing attached carport with an interior side yard setback of 0.46m (1.51 ft) whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft) to an attached carport.

**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)

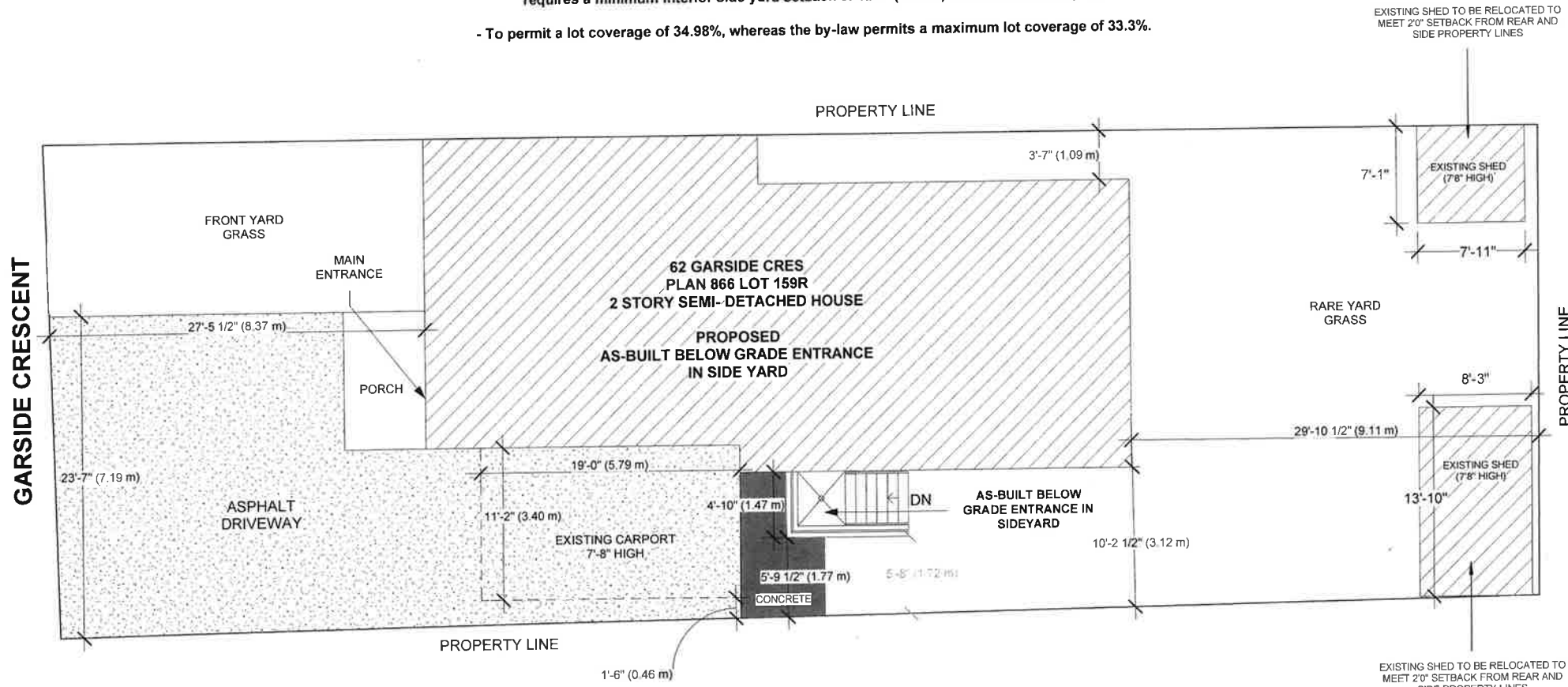
**MINOR VARIANCE**

-To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;

-To permit an interior side yard setback of 1.72m (5.64 ft) to the exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft);

-To permit an existing attached carport with an interior side yard setback of 0.46m (1.51 ft) whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft) to an attached carport;

- To permit a lot coverage of 34.98%, whereas the by-law permits a maximum lot coverage of 33.3%.



**LOT AREA: 357.66 SQM**  
**MAIN DWELLING COVERAGE: 105.40 SQM**  
**CARPORT COVERAGE: 19.71 SQM**  
**TOTAL LOT COVERAGE: 125.11 SQM**  
**(34.98% OF LOT AREA)**

**SITE PLAN**

STAMP	
01 ISSUED FOR VARIANCE	MAY 11/23
ADDRESS: <b>62 GARSIDE CRES, BRAMPTON, ON.</b>	
DRAWN BY: SHK	CHECKED BY: TR
PROJECT NUMBER: 23R-27775	
<b>NOBLE PRIME SOLUTIONS LTD</b>	
2131 WILLIAMS PARKWAY, UNIT-19 BRAMPTON, ON. (437) 888 1800	
DATE: MAY 11/23	DRAWN BY: A-1
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](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.

## AMENDMENT LETTER

June 7, 2023

To: Committee of Adjustment  
**NELSON UMANA AND FATIMA MORALES**  
**PART OF LOT 159, PLAN 866**  
**A-2023-0150 – 62 GARSIDE CRESCENT**

---

Please **amend** application **A-2023-0150** to reflect the following:

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit an interior side yard setback of 1.72m (5.64 ft) to the exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft);
3. To permit an existing attached carport with an interior side yard setback of 0.46m (1.51 ft) whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft) to an attached carport.
4. To permit a lot coverage of 34.98%, whereas the by-law permits a maximum lot coverage of 33.3%.

*Navpreet Kaur*

Applicant/Authorized Agent



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

FILE NUMBER: A-2023-0150

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)** NELSON UMANA & MORALES  
**Address** 62 GARSIDE CRES. BRAMPTON, ON, L6S 1H6  
**Phone #** 416-885-3435 **Fax #** \_\_\_\_\_  
**Email** NELSONUMANA74@YAHOO.CA

2. **Name of Agent** NAVPREET KAUR (NOBLE PRIME SOLUTIONS LTD)  
**Address** UNIT#19, 2131 WILLIAMS PARKWAY, BRAMPTON, ON, L6S 5Z4  
**Phone #** 437-888-1800 **Fax #** \_\_\_\_\_  
**Email** application@nobleltd.ca

3. **Nature and extent of relief applied for (variances requested):**  
 -TO PERMIT A BELOW GRADE ENTRANCE IN SIDE YARD HAVING A SETBACK OF 1.72m, WHEREAS ZONING BY-LAW REQUIRES MINIMUM SIDE YARD SETBACK OF 3.0m.

4. **Why is it not possible to comply with the provisions of the by-law?**  
 -ZONING BY-LAW REQUIRES MINIMUM SIDE YARD SETBACK OF 3.0m WHEREAS A BELOW GRADE ENTRANCE IN SIDE YARD HAVING A SETBACK OF 1.72m IS PROPOSED.

5. **Legal Description of the subject land:**  
**Lot Number** 159R  
**Plan Number/Concession Number** 866  
**Municipal Address** 62 GARSIDE CRES, BRAMPTON, ON, L6S 1H6

6. **Dimension of subject land (in metric units)**  
**Frontage** 10.72M  
**Depth** 33.43M  
**Area** 357.66SQM

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.)

2 STORY SEMI- DETACHED HOUSE WITH AREA OF 139 SQM

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

AS-BUILT BELOW GRADE ENTRANCE IN SIDE 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 8.37M  
 Rear yard setback 9.11M  
 Side yard setback 1.09M  
 Side yard setback 1.77M

**PROPOSED**

Front yard setback 8.37M  
 Rear yard setback 9.11M  
 Side yard setback 1.09M  
 Side yard setback 1.72M

10. Date of Acquisition of subject land: MARCH 2022
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: 1980
15. Length of time the existing uses of the subject property have been continued: 42 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 _____

Navpreet Kaur  
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON  
THIS 12<sup>th</sup> 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, JINTESH BHAILA, 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 12<sup>th</sup> DAY OF  
May, 2023  
Jeanie 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.

[Signature]  
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.

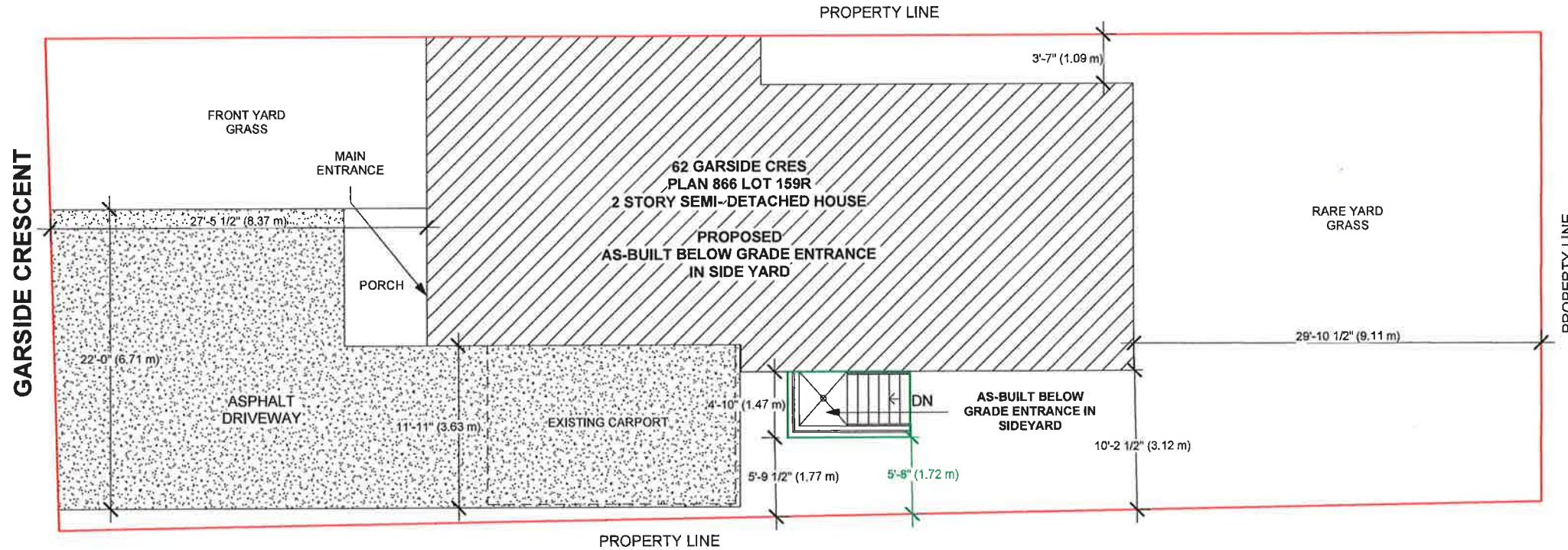
\_\_\_\_\_  
Zoning Officer

\_\_\_\_\_  
Date

DATE RECEIVED May 12, 2023.  
Date Application Deemed Complete by the Municipality \_\_\_\_\_

**MINOR VARIANCE**

-TO PERMIT A BELOW GRADE ENTRANCE IN SIDE YARD HAVING A SETBACK OF 1.72m,  
WHEREAS ZONING BY-LAW REQUIRES MINIMUM SIDE YARD SETBACK OF 3.0m.



SITE PLAN

STAMP

01 ISSUED FOR VARIANCE MAY 11/23

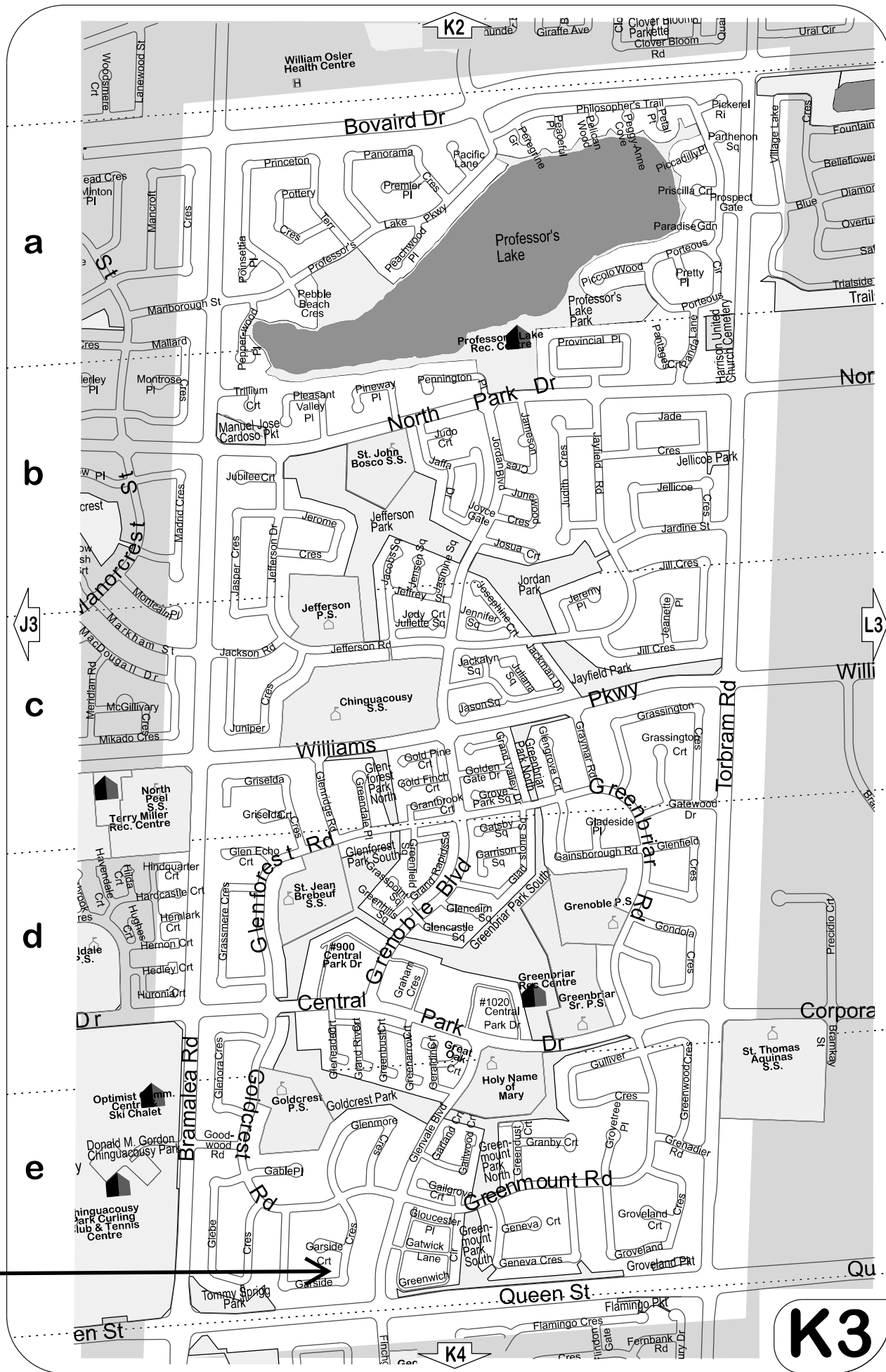
ADDRESS:  
62 GARSIDE CRES,  
BRAMPTON, ON.

DRAWN BY: SHK CHECKED BY: TR  
PROJECT NUMBER: 23R-27775

**NOBLE PRIME SOLUTIONS LTD**  
2131 WILLIAMS PARKWAY,  
UNIT-19  
BRAMPTON, ON.  
(437) 888 1800

DATE: MAY 11/23 SCALE: 1/8" = 1'-0"  
SCALE: A-1





a

b

c

d

e