

Application for Minor VarianceSection 45 of the *Planning Act*, R.S.O. 1990 c.P.13

Application Number: A-2023-0271
Property Address: 5 BLACKSTONE RIVER DRIVE
Legal Description: LOT 69, PLAN 43M-1946
Agent: ANJU BHUTANI
Owner(s): JAGAT SINGH KAINURA, REKHA KAINURA
Other applications: nil
under the *Planning Act*
Meeting Date and Time: Tuesday, October 3, 2023 at 9:00 am
Meeting Location: Hybrid in-person and virtual meeting – Council Chambers,
4th Floor Brampton City Hall, 2 Wellington Street West

Purpose of the Application:

1. TO PERMIT A BELOW GRADE ENTRANCE TO BE LOCATED WITHIN A REQUIRED INTERIOR SIDE YARD, WHEREAS THE BYLAW DOES NOT PERMIT ANY STAIRS CONSTRUCTED BELOW THE ESTABLISHED GRADE WITHIN A REQUIRED SIDE YARD.
2. TO ALLOW FOR A REDUCED INTERIOR SIDE YARD SETBACK OF 0.21 METRE TO BELOW GRADE STAIRS RESULTING IN A COMBINED SIDE YARD SETBACK OF 0.83 METRE, WHEREAS THE BYLAW REQUIRES A MINIMUM COMBINED SIDE YARD SETBACK OF 1.8 METRE.
3. TO PERMIT A MAXIMUM DRIVEWAY WIDTH OF 6.81 METRE, WHEREAS THE BYLAW PERMITS A MAXIMUM DRIVEWAY WIDTH OF 5.2 METRE.

Participate in the Meeting:

- Send an email with your written comments to coa@brampton.ca. Written submissions must include your name and mailing address, the application number or property address you are commenting on, and must be received no later than **12:00 pm on Friday, September 29, 2023**
- Participate in person by attending the meeting on the date and time noted above. You are encouraged to register for in person attendance by emailing coa@brampton.ca and indicating if you plan to address Committee.
- Participate virtually (computer, tablet or smartphone). To participate virtually via WebEx, you must register in advance, no later than **12:00 pm on Friday, September 29, 2023**, by emailing coa@brampton.ca, and providing your name, mailing address, phone number and email address. Confirmation of registration and participation instructions will be provided.

Note: Information provided in your correspondence, virtual or in-person delegation will become part of the public meeting record and will be posted on the City's website. If you do not participate in the public meeting, Committee may make a decision in your absence and you will not be entitled to any further notice in the proceedings.

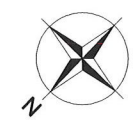
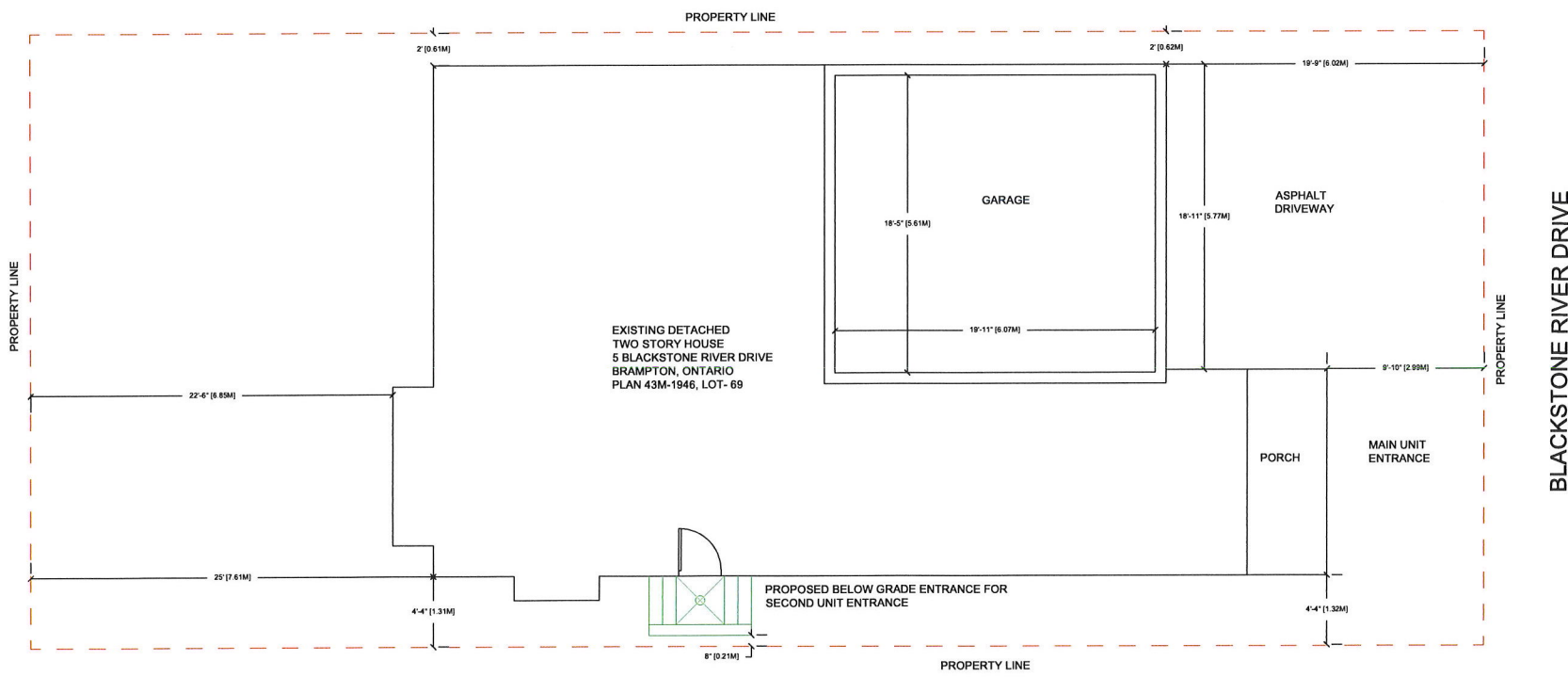
Viewing Application Materials: The application and related materials are available online at www.brampton.ca/en/city-hall/meetings-agendas and may be viewed in person in the City Clerk's Office during regular business hours. More information regarding the Committee of Adjustment is available at www.brampton.ca.

Appeal Process: If you wish to be notified of the decision of Committee, you must submit a written request to coa@brampton.ca. This will also entitle you to be advised of an appeal of the matter to the Ontario Land Tribunal (OLT). Please be advised that only the applicant, municipality, certain public bodies and the Minister can appeal a decision to the OLT. If a decision is appealed, you may request participant status by contacting olt.clo@ontario.ca.

Owners are requested to ensure that their tenant(s) are notified of this application and meeting date. 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.

Dated this 21st day of September 2023

Secretary Treasurer
Committee of Adjustment, City Clerk's Office
2 Wellington Street West, Brampton, L6Y 4R2
P: 905.874.2117
E: coa@brampton.ca



SCOPE OF WORK: PROPOSED BASEMENT APARTMENT,2 NEW WINDOWS AND 2 WINDOWS ENLARGEMENT

Notes:	
PROJECT ADDRESS: 5 BLACKSTONE RIVER DRIVE BRAMPTON ONTARIO	
PROJECT DESCRIPTION: BASEMENT APARTMENT	
DRAWING DESCRIPTION: SITE PLAN	
SCALE: 1: 100	DATE: JUNE 05, 2023
DRAWING NO: A0	REVISION: 0

FILE NUMBER: A-2023-0271

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)

JAGAT SINGH KAITURA & REKHA KAITURA

Address

5 BLACKSTONE RIVER DRIVE, BRAMPTON, ONTARIO L6R 3V5

Phone #

647-638-6974

Fax #

Email

jagatsinghin@yahoo.com
2.

Name of Agent

ANJU BHUTANI

Address

18 SPARROW COURT

BRAMPTON

ONTARIO L6Y 3P2

Phone #

647-654-8500

Fax #

Email

abhutani@cheerful.com
3.

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

1. To permit a below grade entrance in a required interior 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 0.21 meters to a below grade entrance whereas the by-law requires a minimum combined interior side yard setback of 1.8 meters.
4.

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

INTERIOR SIDE YARD SETBACK SHOULD BE 1.2M AFTER PROPOSED BELOW GRADE ENTRANCE AND IN THIS CASE SETBACKS LEFT AFTER PROPOSED BELOW GRADE ENTRANCE IS 0.21 M
5.

Legal Description of the subject land:

Lot Number

69

Plan Number/Concession Number

43M - 1946

Municipal Address

5 BLACKSTONE RIVER DRIVE, BRAMPTON, ONTARIO L6R 3V5
6.

Dimension of subject land (in metric units)

Frontage

11.60 M

Depth

27.50 M

Area

319 SQ.M.
7.

Access to the subject land is by:

Provincial Highway

Municipal Road Maintained All Year

Private Right-of-Way

Seasonal Road

Other Public Road

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.)

2 STOREY DETACHED DWELLING(200 SQ.METER)

PROPOSED BUILDINGS/STRUCTURES on the subject land:

N/A

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

2.99M

Rear yard setback

6.8M

Side yard setback

0.61 M

Side yard setback

1.31 M

PROPOSED

Front yard setback

Rear yard setback

Side yard setback

Side yard setback

0.21 M

10. Date of Acquisition of subject land:

21 JULY, 2014

11. Existing uses of subject property:

SINGLE UNIT DWELLING

12. Proposed uses of subject property:

TWO UNIT DWELLING

13. Existing uses of abutting properties:

RESIDENTIAL

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

2014

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

9 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 ~~15~~ 25 DAY OF ~~JUNE~~ Aug, 20 23.

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, ANJU 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

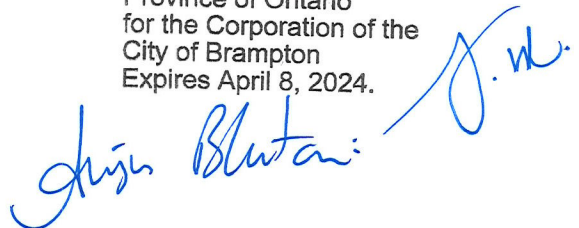
City OF Brampton

IN THE Region OF Peel THIS 25th DAY OF

August, 20 23

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 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

August 25, 2023



FILE NUMBER:

A-2023-0271

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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)** JAGAT SINGH KAINURA & REKHA KAINURA
Address 5 BLACKSTONE RIVER DRIVE, BRAMPTON, ONTARIO L6R 3V5

Phone # 647-638-6974 **Fax #** _____
Email jagatsinghin@yahoo.com
2. **Name of Agent** ANJU BHUTANI
Address 18 SPARROW COURT
BRAMPTON
ONTARIO L6Y 3P2
Phone # 647-654-8500 **Fax #** _____
Email abhutani@cheerful.com
3. **Nature and extent of relief applied for (variances requested):**
PROPOSED BELOW GRADE ENTRANCE IN SIDE YARD FOR SECOND UNIT DWELLING ENTRANCE

4. **Why is it not possible to comply with the provisions of the by-law?**
INTERIOR SIDE YARD SETBACK SHOULD BE 1.2M AFTER PROPOSED BELOW GRADE ENTRANCE AND IN
THIS CASE SETBACKS LEFT AFTER PROPOSED BELOW GRADE ENTRANCE IS 0.21 M

5. **Legal Description of the subject land:**
Lot Number 69
Plan Number/Concession Number 43M - 1946
Municipal Address 5 BLACKSTONE RIVER DRIVE, BRAMPTON, ONTARIO L6R 3V5
6. **Dimension of subject land (in metric units)**
Frontage 11.60 M
Depth 27.50 M
Area 319 SQ.M.
7. **Access to the subject land is by:**
Provincial Highway ☐
Municipal Road Maintained All Year ☒
Private Right-of-Way ☐
Seasonal Road ☐
Other Public Road ☐
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.)
N/A

PROPOSED BUILDINGS/STRUCTURES on the subject land:
N/A

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	2.99M
Rear yard setback	6.8M
Side yard setback	0.61 M
Side yard setback	1.31 M
PROPOSED	
Front yard setback	
Rear yard setback	
Side yard setback	
Side yard setback	0.21 M

10. Date of Acquisition of subject land: 21 JULY, 2014
11. Existing uses of subject property: SINGLE UNIT DWELLING
12. Proposed uses of subject property: TWO UNIT DWELLING
13. Existing uses of abutting properties: RESIDENTIAL
14. Date of construction of all buildings & structures on subject land: 2014
15. Length of time the existing uses of the subject property have been continued: 9 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?

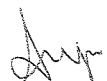
Yes ☐ No ☒

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 15 DAY OF JUNE, 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, ANJU BHUTANI, OF THE _____ CITY _____ OF _____ BRAMPTON _____

IN THE _____ OF _____ 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 _____

OF _____

IN THE _____ OF _____

THIS _____ DAY OF _____

, 20 _____

Signature of Applicant or Authorized Agent

A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1F - 2368

This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

HOTHU S.

Zoning Officer

JULY 10 2023

Date

DATE RECEIVED _____

APPOINTMENT AND AUTHORIZATION OF AGENT

To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

LOCATION OF THE SUBJECT LAND: 5 Blackstone River Drive, Brampton , ON L6R3V5

I/We, Jagat Singh Kaintura/ Rekha Kaintura

please print/type the full name of the owner(s)

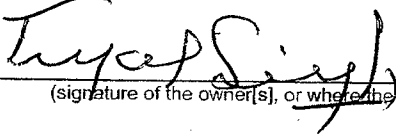
the undersigned, being the registered owner(s) of the subject lands, hereby authorize

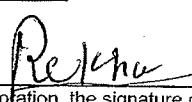
Anju Bhutani

please print/type the full name of the agent(s)

to make application to the **City of Brampton Committee of Adjustment** in the matter of an application for **minor variance** with respect to the subject land.

Dated this 5th day of June, 2023.





(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

(where the owner is a firm or corporation, please print or type the full name of the person signing.)

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

NOTE: Unit owners within a Peel Standard Condominium Corporation are to secure authorization from the Directors of the Condominium Corporation in a form satisfactory to the City of Brampton, prior to submission of an application. Signatures from all Members of the Board of Directors are required.

PERMISSION TO ENTER

To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

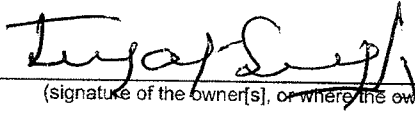
LOCATION OF THE SUBJECT LAND: 5 Blackstone River Drive, Brampton , ON L6R3V5

I/We, Jagat Singh Kaintura/ Rekha Kaintura

please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject land, hereby authorize the Members of the City of Brampton Committee of Adjustment and City of Brampton staff members, to enter upon the above noted property for the purpose of conducting a site inspection with respect to the attached application for Minor Variance and/or consent.

Dated this 5th day of June, 2023.

(signature of the owner(s), or where the owner is a firm or corporation, the signature of an officer of the owner.)

(where the owner is a firm or corporation, please print or type the full name of the person signing.)

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION

Zoning Non-compliance Checklist

File No.
A-2023-0271

Applicant: Jagat & Rekha Kaintura
Address: 5 Blackstone River Dr
Zoning: R1F – 2368
By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE			
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT/ SIDE / REAR	To permit a below grade entrance to be located within a required interior side yard	Whereas the by-law does not permit any stairs constructed below the established grade within a required side yard	10.23
	To allow for a reduced interior side yard setback of 0.21m to below grade stairs resulting in a combined side yard setbacks of 0.83m	Whereas the by-law requires a minimum combined side yard setback of 1.8m	13.5.2
BUILDING SIZE			
BUILDING HEIGHT			
COVERAGE			
PARKING			
DRIVEWAY	To permit a maximum driveway width of 6.81m	Whereas the by-law permits a maximum driveway width of 5.2m	10.9
ACCESSORY STRUCTURE SETBACKS			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPE OPEN SPACE			
SCHEDULE 'C'			
FENCE HEIGHT			

HOTHU S.
Reviewed by Zoning

JULY 10 2023
Date