

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

Application Number: A-2023-0281
Property Address: 13 GOLDEN GATE DRIVE
Legal Description: PARTS 61, 61A, PLAN M8813 GOLDEN GATE DRIVE
Agent: CHETAN DALAL
Owner(s): KIN MING YAU,
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 VARY SCHEDULE C, SECTION 128 OF THE BYLAW TO PERMIT A 4.27 METRE ROOF STRUCTURE ENCROACHMENT OVER AN EXISTING LANDSCAPE DECK INTO THE REQUIRED REAR YARD, WHEREAS THE BYLAW PERMITS A 2 METRE ROOF STRUCTURE ENCROACHMENT INTO THE REQUIRED BUILDING FOOTPRINT OUTLINE ON SECTION C - SECTION 128.
2. TO PERMIT A LOT COVERAGE OF 26.6%, WHEREAS THE BYLAW PERMITS A MAXIMUM LOT COVERAGE OF 25%.

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.

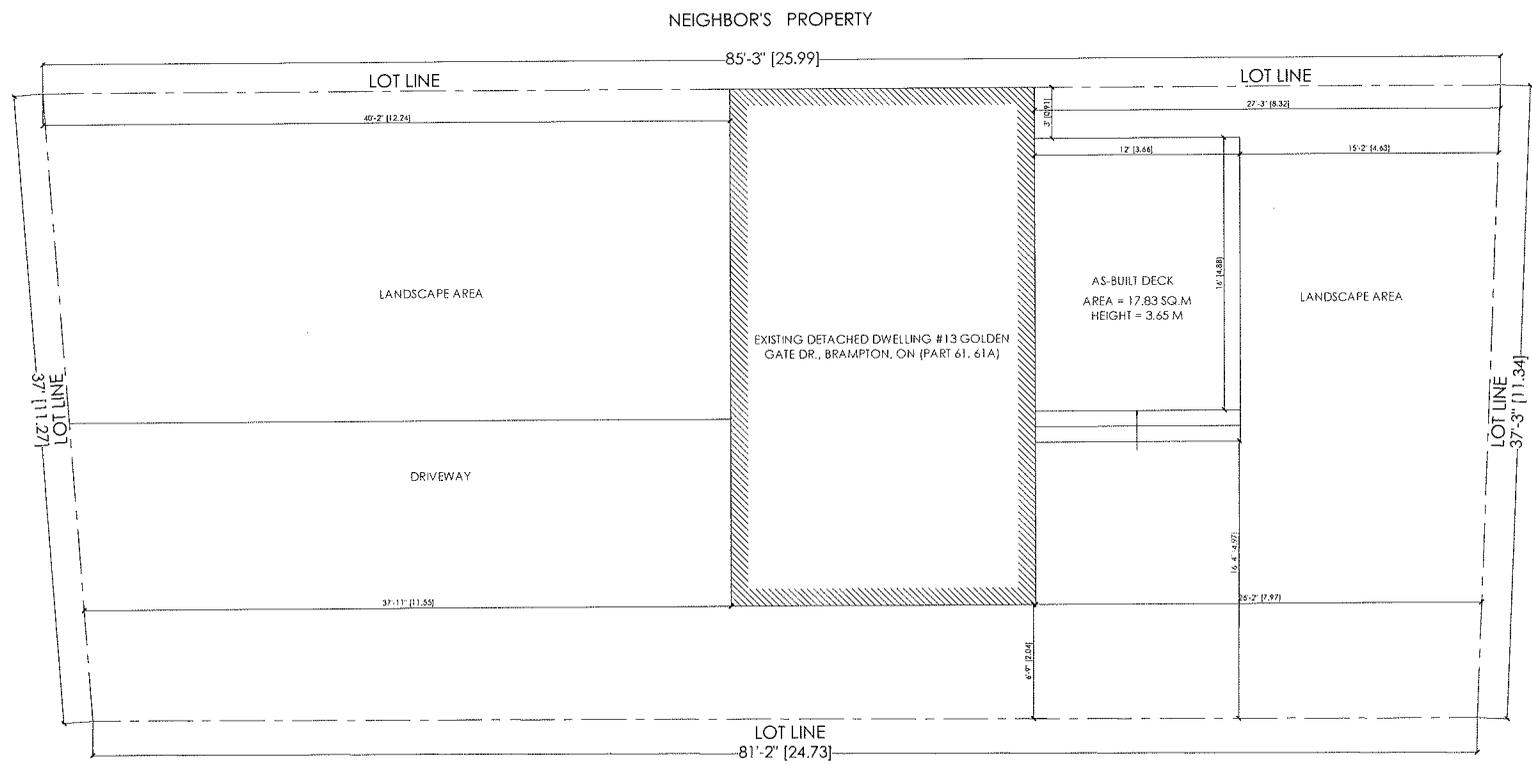
Viewing Application Materials: The application and related materials are available online at www.brampton.ca/en/city-hall/meetings-agendas and may be viewed in person in the City Clerk's Office during regular business hours. More information regarding the Committee of Adjustment is available at www.brampton.ca.

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.

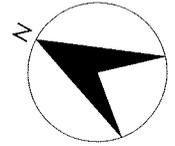
Dated this 20th day of September 2023

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



SITE PLAN
SCALE (1:100)
LOT AREA = 3081.95 SQFT / 286.32 SM
LOT COVERAGE = 755.69 SQFT / 70.20 SM

NEIGHBOR'S PROPERTY



| |
|--------------------------------------|
| SCOPE OF WORK |
| PROPOSAL TO CONSTRUCT A COVERED DECK |

13 GOLDEN GATE DR., BRAMPTON, ON

JND
DESIGN STUDIO

JND DESIGN STUDIO INC.

Ph. No.: +1-647-512-5278
E: contact@jnddesignstudio.ca

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

QUALIFICATION REQUIREMENT
REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5.1 OF DIVISION C OF O.B.C.

CHETAN DALAL
NAME

Chetan
SIGNATURE

124730
BCIN

| | |
|---------------|-----------|
| SITE PLAN | |
| JUNE 2023 | A1 |
| SCALE - 1:100 | |



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)** Kin Ming Yau
Address 13 Golden Gate Dr. Brampton, ON, L6S 2K5

Phone # 6477727580 **Fax #** _____
Email ming-yau@hotmail.com

2. **Name of Agent** Chetan Dalal
Address 67 Education Road, Brampton, ON, L6P3P3

Phone # 6475125278 **Fax #** _____
Email contact@jnddesignstudio.ca

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

1. To vary Schedule 'C', Section 128 of the by-law to permit a 4.27m roof structure encroachment over an existing landscape deck into the required rear yard whereas the by-law permits a 2m roof structure encroachment into the required building footprint outline on Schedule 'C' Section 128;

2. To permit a lot coverage of 26.6% whereas the by-law permits a maximum lot coverage of 25%.

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

The owner wants to legalize the as-built deck without modifying the existing design.

5. **Legal Description of the subject land:**
Lot Number PARTS 61,61A
Plan Number/Concession Number M88
Municipal Address 13 Golden Gate Dr, Brampton, ON, L6S 2K5

6. **Dimension of subject land (in metric units)**
Frontage 9.98m
Depth 24.71m
Area 246.60

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.)

Ground Floor area= 51 sqm, Gross floor area=102 sqm , No. of storeys= 2 (1 Above ground + 1 below ground).
 Width= 9.22 m, Length= 5.38m, Height=6.24m.
 Deck - 17.83 sqm, Height = 3.65m

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 | 12.21m |
| Rear yard setback | 8.30m |
| Side yard setback | 0.00m |
| Side yard setback | 2.00m |

PROPOSED

| | |
|--------------------|--------|
| Front yard setback | 12.21m |
| Rear yard setback | 8.30m |
| Side yard setback | 0.00m |
| Side yard setback | 2.00m |

10. Date of Acquisition of subject land: 2006

11. Existing uses of subject property: Residential

12. Proposed uses of subject property: Single unit dwelling

13. Existing uses of abutting properties: Residential

14. Date of construction of all buildings & structures on subject land: 1996

15. Length of time the existing uses of the subject property have been continued: 27

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 _____ |

Dutay

Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton

THIS 06 DAY OF September, 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, Chetan Dalal, 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 6 DAY OF

September, 2023.

Abd
A Commissioner etc.

Laurie Dianne Robinson
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires April 22, 2024.

Dutay

Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

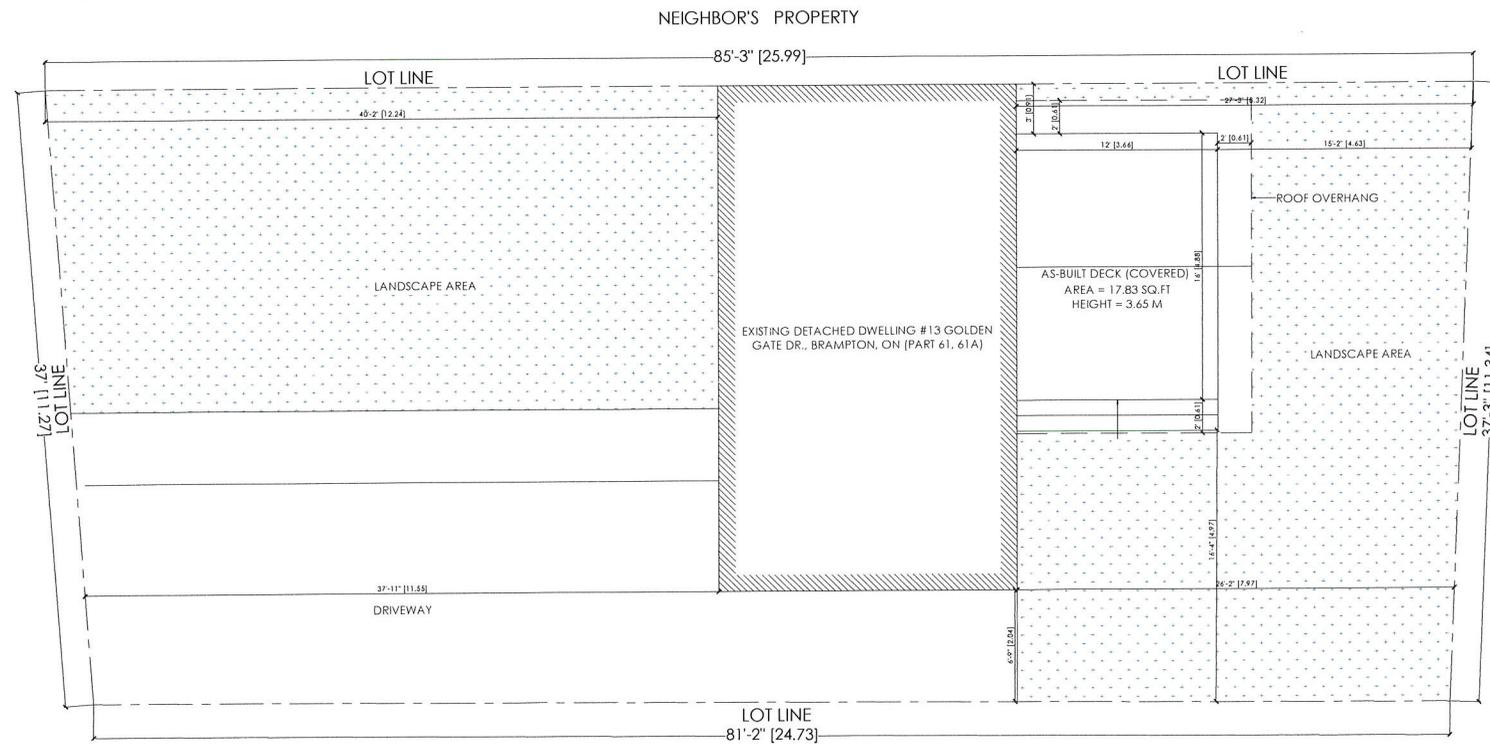
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

Zoning Officer

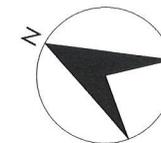
Date

DATE RECEIVED _____

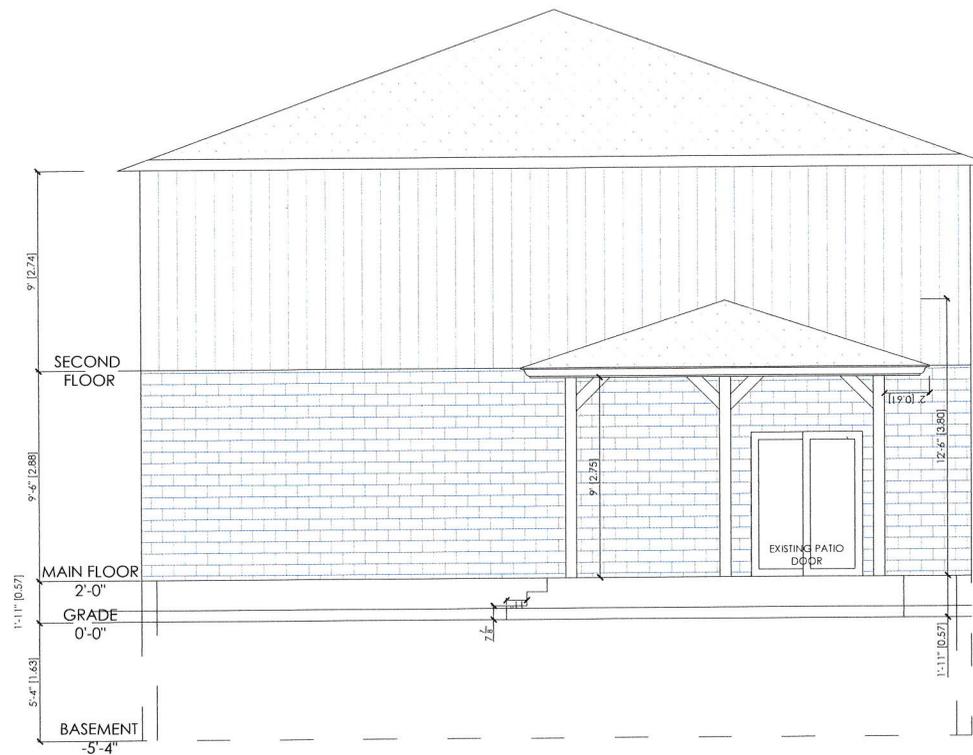
Date Application Deemed Complete by the Municipality _____



SITE PLAN
 SCALE (1:100)
LOT COVERAGE:
 LOT AREA = 3081.95 SQFT / 286.32 SM
 DWELLING FOOTPRINT AREA: 541.69 SFT / 50.32 SM
 ATTACHED ROOFED DECK AREA: 280.00 SFT / 26.01 SM
 TOTAL LOT COVERAGE: 821.69 SFT / 76.33 SM (26.6%)
 LANDSCAPE AREA: 1471.20 SFT / 136.67 SM (47.7%)



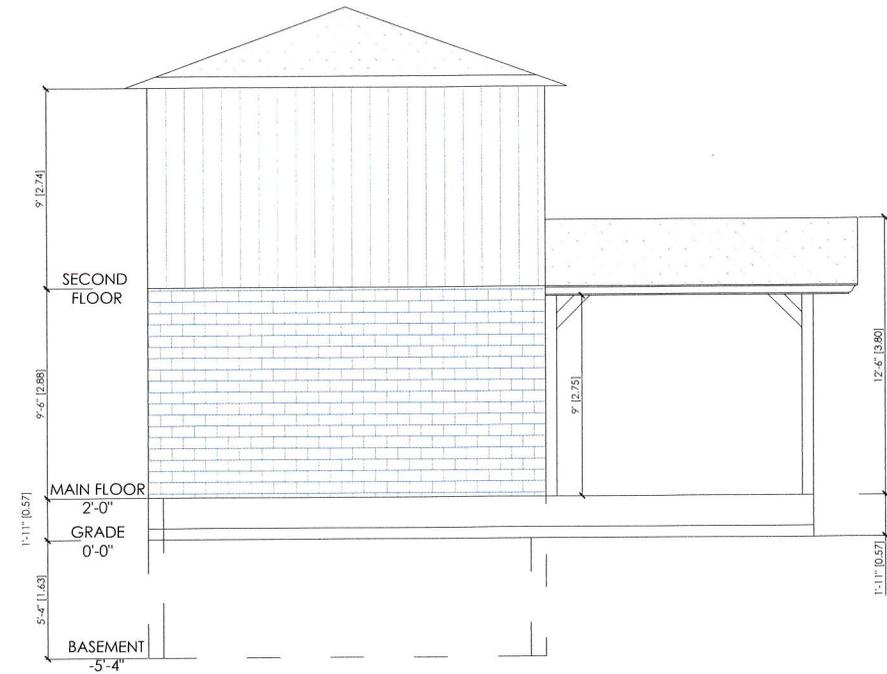
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|--------------------------------------|----------------------------------|-----------|----|---------------|
| SCOPE OF WORK | 13 GOLDEN GATE DR., BRAMPTON, ON | | | SITE PLAN |
| PROPOSAL TO CONSTRUCT A COVERED DECK | | JUNE 2023 | A1 | SCALE - 1:100 |



REAR SIDE ELEVATION
SCALE (1:75)

LIMITING DISTANCE CALCULATION
 SETBACK: 4'-0" (1.21 M)
 WALL AREA: 930.25 SF (86.42 SM)
 ALLOWED GLAZING AREA: 7% (60.96 SF)
 PROVIDED GLAZING AREA: 4.94% (46.00 SF)

| | | | | |
|--------------------------------------|----------------------------------|----------|----|----------------|
| SCOPE OF WORK | 13 GOLDEN GATE DR., BRAMPTON, ON | | | REAR ELEVATION |
| PROPOSAL TO CONSTRUCT A COVERED DECK | | MAY 2023 | A2 | |
| | | | | SCALE - 1:75 |



RIGHT SIDE ELEVATION
SCALE (1:75)

LIMITING DISTANCE CALCULATION
 SETBACK: 4'-0" (1.21 M)
 WALL AREA: 930.25 SFT (86.42 SM)
 ALLOWED GLAZING AREA: 7% (60.96 SFT)
 PROVIDED GLAZING AREA: 4.94% (46.00 SFT)

| | | | | |
|---|---|--|--|-----------------------------|
| <p>SCOPE OF WORK</p> | <p>13 GOLDEN GATE DR., BRAMPTON, ON</p> | | | <p>RIGHT SIDE ELEVATION</p> |
| <p>PROPOSAL TO CONSTRUCT A COVERED DECK</p> | | | | <p>MAY 2023</p> |

SCALE - 1:75

Zoning Non-compliance Checklist

File No.

Applicant: Kin Ming Yau
 Address: 13 Golden Gate
 Zoning: R3A(4) – 128, Mature Neighbourhood
 By-law 270-2004, as amended

| Category | Proposal | By-law Requirement | Section # |
|--|--|--|------------|
| USE | | | |
| LOT DIMENSIONS AREA / DEPTH / WIDTH | | | |
| BELOW GRADE ENTRANCE | | | |
| SETBACKS | To vary Schedule 'C', Section 128 of the by-law to permit a 4.27m roof structure encroachment over an existing landscape deck into the require rear yard | whereas the by-law permits a 2m roof structure encroachment into the required building footprint outline on Schedule 'C- Section 128 | 128 & 6.13 |
| BUILDING HEIGHT | | | |
| PARKING | | | |
| LOT COVERAGE | To permit a lot coverage of 26.6%, | whereas the by-law permits a maximum lot coverage of 25% | 16.5.2.i |
| SCHEDULE "C" | | | |
| FENCE HEIGHT | | | |
| ACCESSORY STRUCTURE HEIGHT | | | |
| ACCESSORY STRUCTURE SETBACK | | | |
| DRIVEWAY WIDTH | | | |
| LANDSCAPE OPEN SPACE | | | |
| GARAGE DOOR HEIGHT | | | |

L Barbuto
 Reviewed by Zoning

July 27, 2023
 Date