

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.

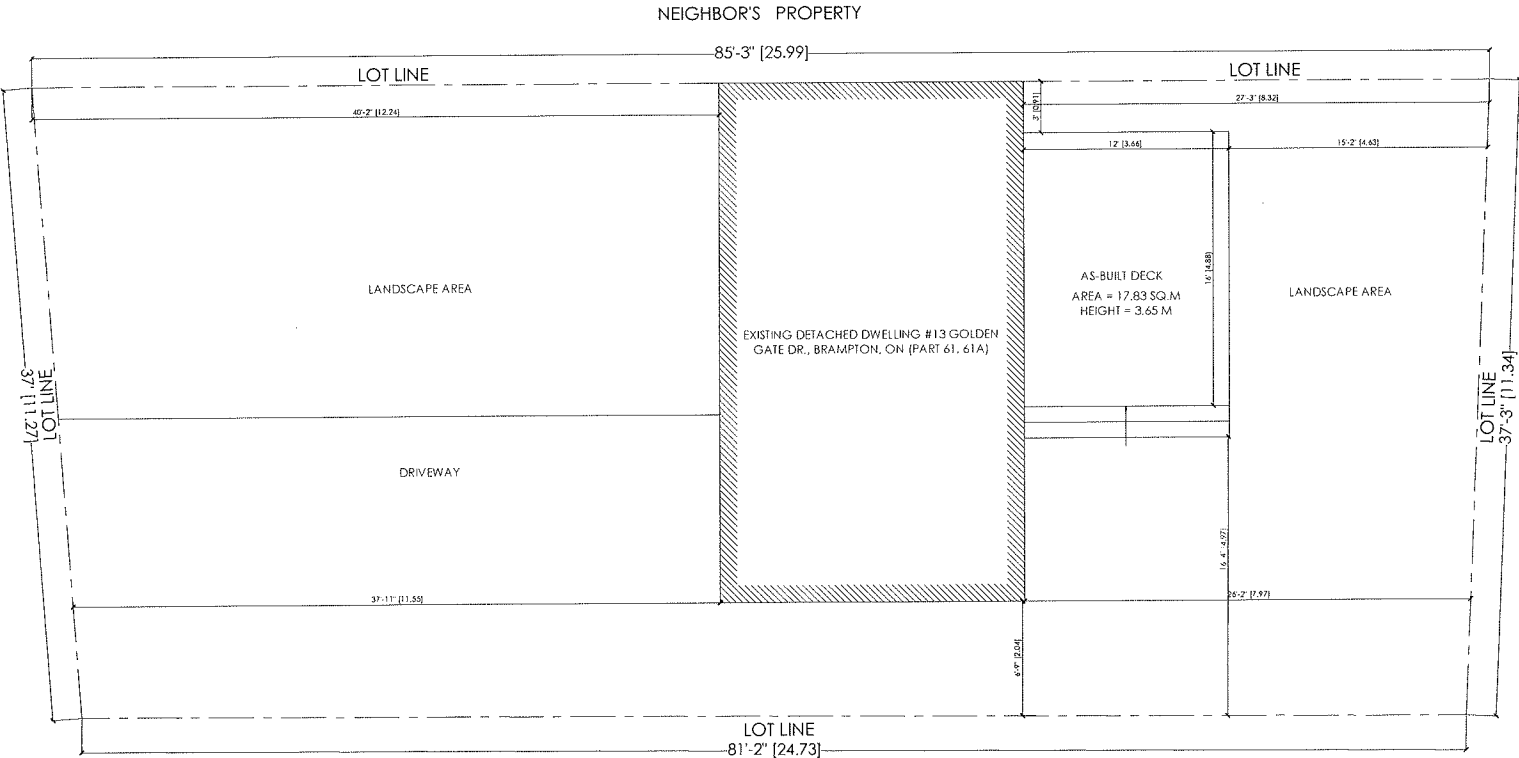
Viewing Application Materials: The application and related materials are available online at www.brampton.ca/en/city-hall/meetings-agendas and may be viewed in person in the City Clerk's Office during regular business hours. More information regarding the Committee of Adjustment is available at www.brampton.ca.

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.

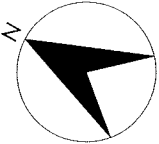
Owners are requested to ensure that their tenant(s) are notified of this application and meeting date. This notice is to be posted by the owner of any land that contains seven or more residential units in a location that is visible to all of the residents.

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



SCOPE OF WORK		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 SIGNATURE 124730 BCIN	SITE PLAN	
PROPOSAL TO CONSTRUCT A COVERED DECK						JUNE 2023	A1
						SCALE - 1:100	

FILE NUMBER:

A-2023-0281

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

☐

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.)

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 _____

Chetan Dalal
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.

[Signature]
A Commissioner etc.

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

Chetan Dalal

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.

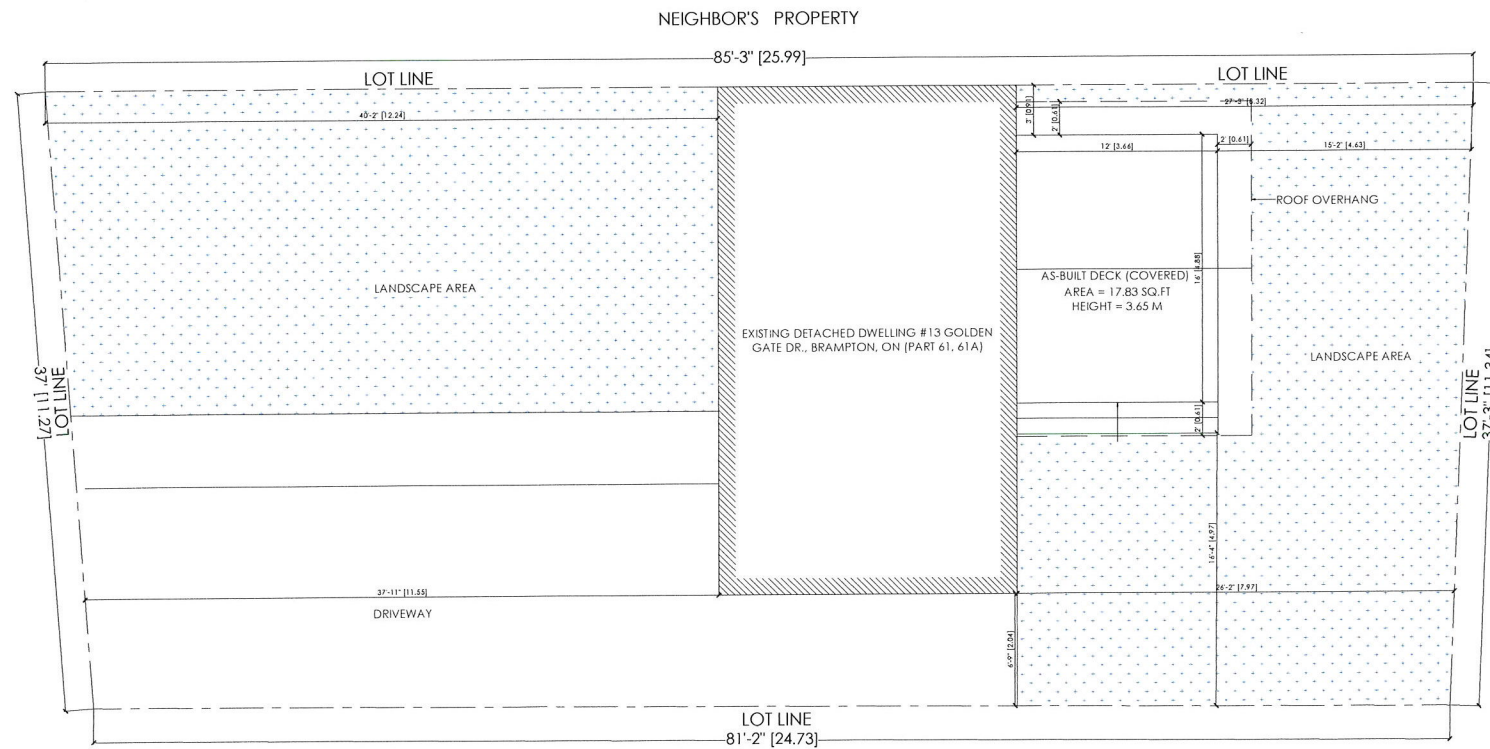
Zoning Officer

Date

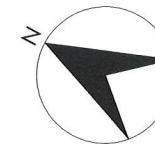
DATE RECEIVED _____

Date Application Deemed
Complete by the Municipality

Revised 2020/01/07



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%)



SCOPE OF WORK

PROPOSAL TO CONSTRUCT A COVERED DECK

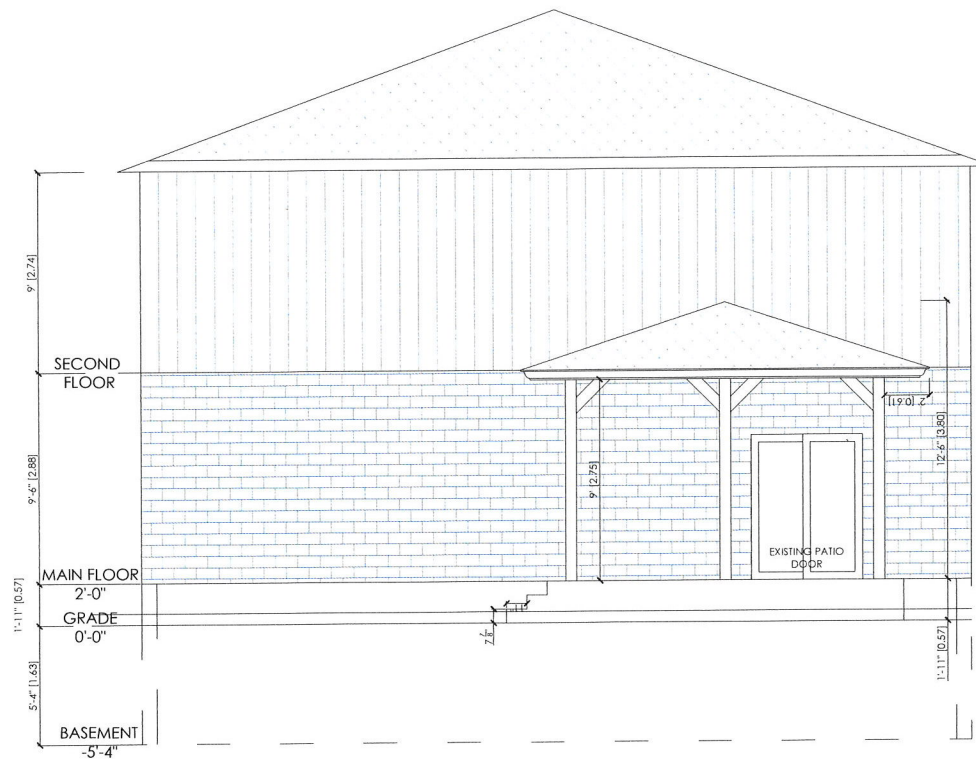
13 GOLDEN GATE DR., BRAMPTON, ON

SITE PLAN

JUNE 2023

SCALE - 1:100

A1



REAR 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)

SCOPE OF WORK

PROPOSAL TO CONSTRUCT A COVERED DECK

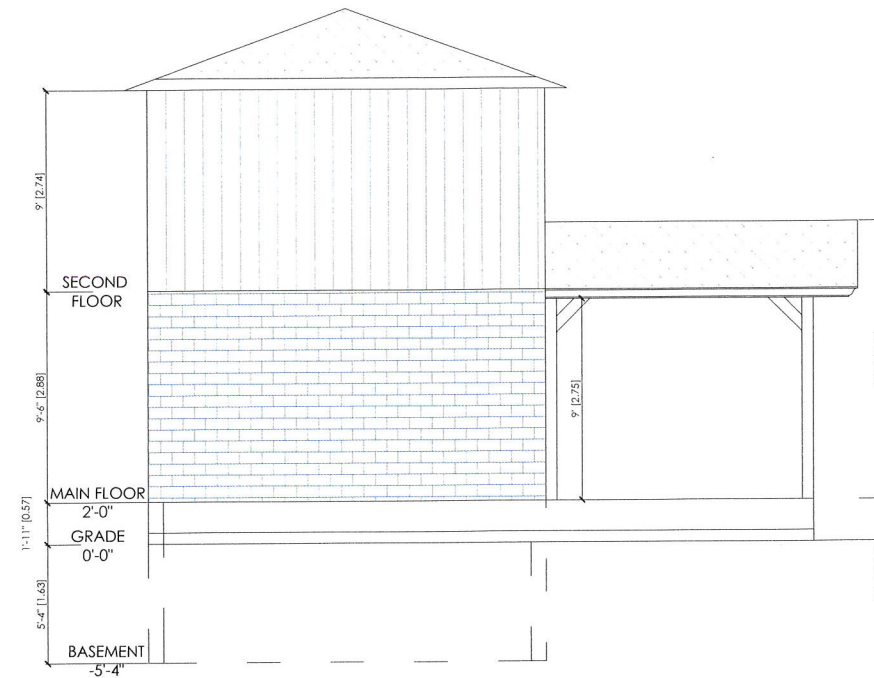
13 GOLDEN GATE DR., BRAMPTON, ON

REAR ELEVATION

MAY 2023

SCALE - 1:75

A2



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)

SCOPE OF WORK

PROPOSAL TO CONSTRUCT A COVERED DECK

13 GOLDEN GATE DR., BRAMPTON, ON

RIGHT SIDE ELEVATION

MAY 2023

SCALE - 1:75

A3

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