

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

Application Number: A-2023-0237
Property Address: 49 TILLER TRAIL
Legal Description: PT LOT 85, PLAN M-1310, WARD 5
Agent: SHIVANG TARIKA
Owner(s): AAMIR FIDA, QURAT UL AIN
Other applications: nil
under the *Planning Act*

Meeting Date and Time: Tuesday, OCTOBER 24, 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 PROPOSED EXTERIOR STAIRWAY LEADING TO A BELOW GRADE ENTRANCE IN THE REQUIRED INTERIOR SIDE YARD, WHEREAS THE BYLAW DOES NOT PERMIT EXTERIOR STAIRS CONSTRUCTED BELOW ESTABLISHED GRADE IN THE REQUIRED INTERIOR SIDE YARD; AND
2. TO PERMIT AN INTERIOR SIDE YARD SET BACK OF 0.05 METRE (0.16 FEET) TO THE PROPOSED EXTERIOR STAIRWAY LEADING TO A BELOW GRADE ENTRANCE, WHEREAS THE BYLAW REQUIRES A MINIMUM INTERIOR SIDE YARD SETBACK OF 1.21 METRE (3.94 FEET).

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 **4:00 pm on Thursday, October 19, 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 **4:00 pm on Thursday, October 19, 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.

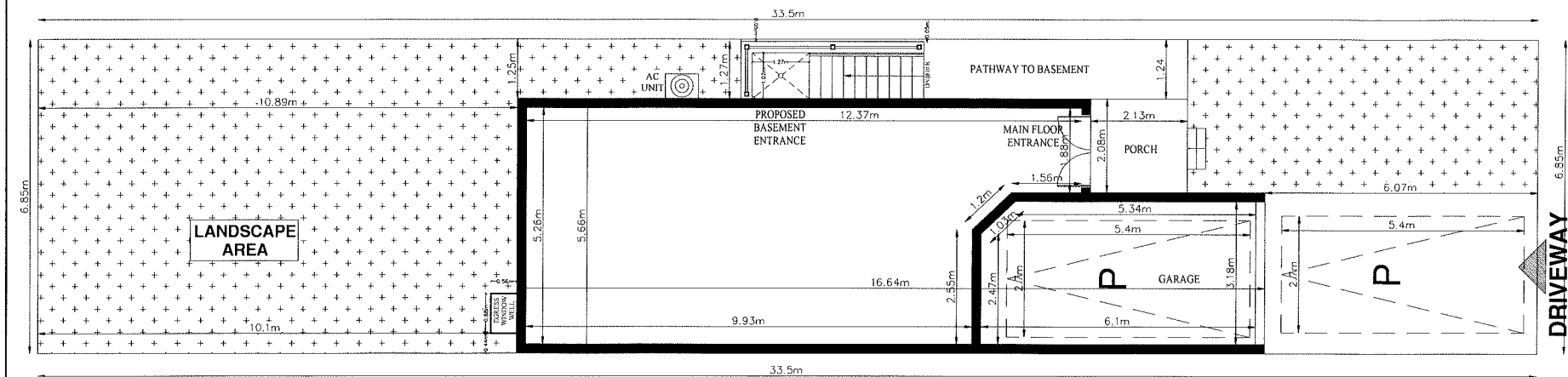
Viewing Application Materials: The application and related materials are available online at www.brampton.ca/en/city-hall/meetings-agendas and may be viewed in person in the City Clerk's Office during regular business hours. More information regarding the Committee of Adjustment is available at www.brampton.ca.

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.

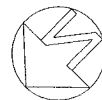
Owners are requested to ensure that their tenant(s) are notified of this application and meeting date. This notice is to be posted by the owner of any land that contains seven or more residential units in a location that is visible to all of the residents.

Dated this 13th day of October 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



49 TILLER TRAIL

GENERAL NOTES

DO NOT SCALE DRAWINGS
PROPERTY RIGHTS RETAINED BY:
BG CONSTRUCTION DESIGN
ANY REPRODUCTION IN WHOLE OR IN PART
UNDER THE RULES AND BY-LAWS OF THE
CORPORATION IS STRICTLY FORBIDDEN.
ANY REPRODUCTIONS MUST BE
AUTHORIZED BY
ALL DRAWINGS ARE IN METRIC SCALE

SCOPE OF WORK

PROPOSAL TO CONSTRUCT
SECONDARY UNIT AND
BELOW GRADE ENTRANCE
FROM RIGHT SIDE

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

QUALIFICATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT
UNDER DIV. C32.5.1 OF THE BUILDING CODE

SHIVANG TARIKA 106440
NAME SIGNATURE BCIN

SHIVANG TARIKA

NO	REVISION / ISSUE	DATE

GENERAL NOTES

CITY : BRAMPTON

49 TILLER TRAIL

EXISTING DWELLING

PROJECT
MAY 2023
SCALE 1:100

SHEET

A5



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)** Aamir Fida & Qurat UI Ain
Address 49 Tiller Trail, Brampton, ON, L6X4R6

Phone # 4164020013 **Fax #** _____
Email a.fida@hotmail.com

2. **Name of Agent** Shivang Tarika
Address 106 Morningside Dr, Georgetown, L7G0M2, ON

Phone # 4168212630 **Fax #** _____
Email shivang@relysolution.com

3. **Nature and extent of relief applied for (variances requested):**
A. To Propose an exterior stairway leading to a below grade entrance in the required interior side yard.
B. Proposed Interior side Yard Set back is 0.05m to the below Grade Stairway and the required is 1.21m.

4. **Why is it not possible to comply with the provisions of the by-law?**
The owner of the property wants to build a second dwelling unit to manage his mortgage. However to provide a second dwelling unit the entrance has to be below the grade which is not possible on rear yard and the other side of the property due to insufficient space and privacy reason. So the only space where owner can construct the entrance is the side of the property. The entrance is designed in such a way that it doesn't block the passage to +

5. **Legal Description of the subject land:**
Lot Number 85R
Plan Number/Concession Number M1310
Municipal Address 49 Tiller Trail, Brampton, ON, L6X4R6

6. **Dimension of subject land (in metric units)**
Frontage 6.85 M
Depth 33.5 M
Area 233.14 SQM

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.)

Ground Floor Area: 90.63 SQM
Gross Floor Area: 215.48 SQM
No. of Levels: 2
Width: 5.66 M
Length: 16.64 M

PROPOSED BUILDINGS/STRUCTURES on the subject land:

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 6.07 M
Rear yard setback 10.89 M
Side yard setback 0.00
Side yard setback 1.24 M

PROPOSED

Front yard setback 60.07M
Rear yard setback 10.67 M
Side yard setback 0.00
Side yard setback 0.05 M

10. Date of Acquisition of subject land: 2023
11. Existing uses of subject property: Residential - Single Dwelling Unit
12. Proposed uses of subject property: Residential - Two Dwelling Unit
13. Existing uses of abutting properties: Residential
14. Date of construction of all buildings & structures on subject land: 2008
15. Length of time the existing uses of the subject property have been continued: 15yrs

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 _____

Paras

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON
THIS 25 DAY OF JULY, 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, PARAS NARANGI, OF THE TOWN OF GEORGETOWN
IN THE REGION OF HALTOW 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
25th THIS DAY OF
July, 2023

Jm.
Jeanie Cecilia Myers
a Commissioner, etc.,
Province of Ontario
for the Corporation of the
City of Brampton
Expires April 8, 2024.

Jeanie Myers
A Commissioner etc.

Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R2A-816

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

Connor Cowan

Zoning Officer

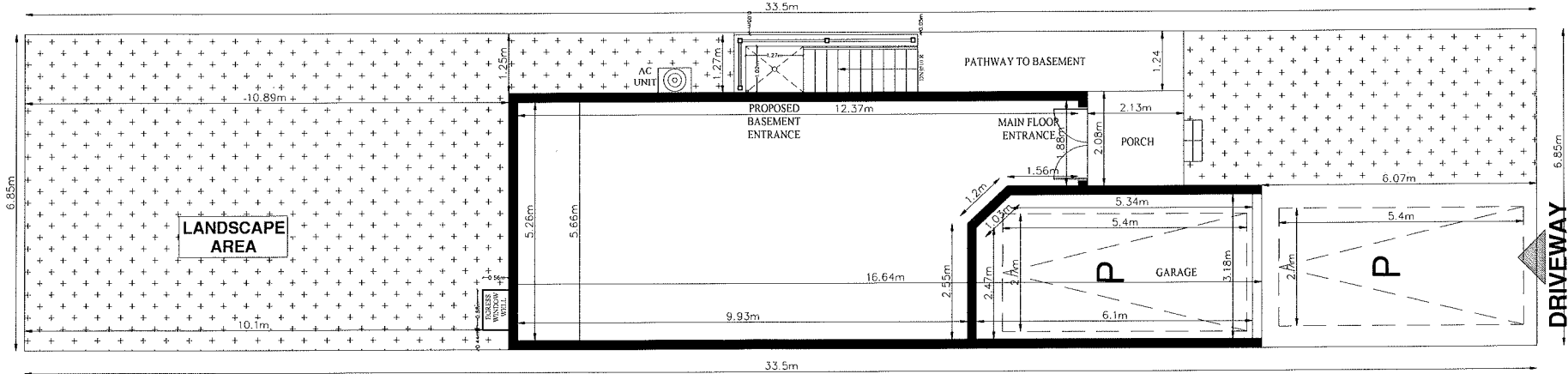
2023-07-21

Date

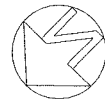
DATE RECEIVED

Date Application Deemed
Complete by the Municipality

July 25, 2023



SITE PLAN
SCALE 1:100



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SHIVANG TARIKA **106440**
NAME SIGNATURE BCIN

SHIVANG TARIKA

NO	REVISION / ISSUE	DATE

GENERAL NOTES

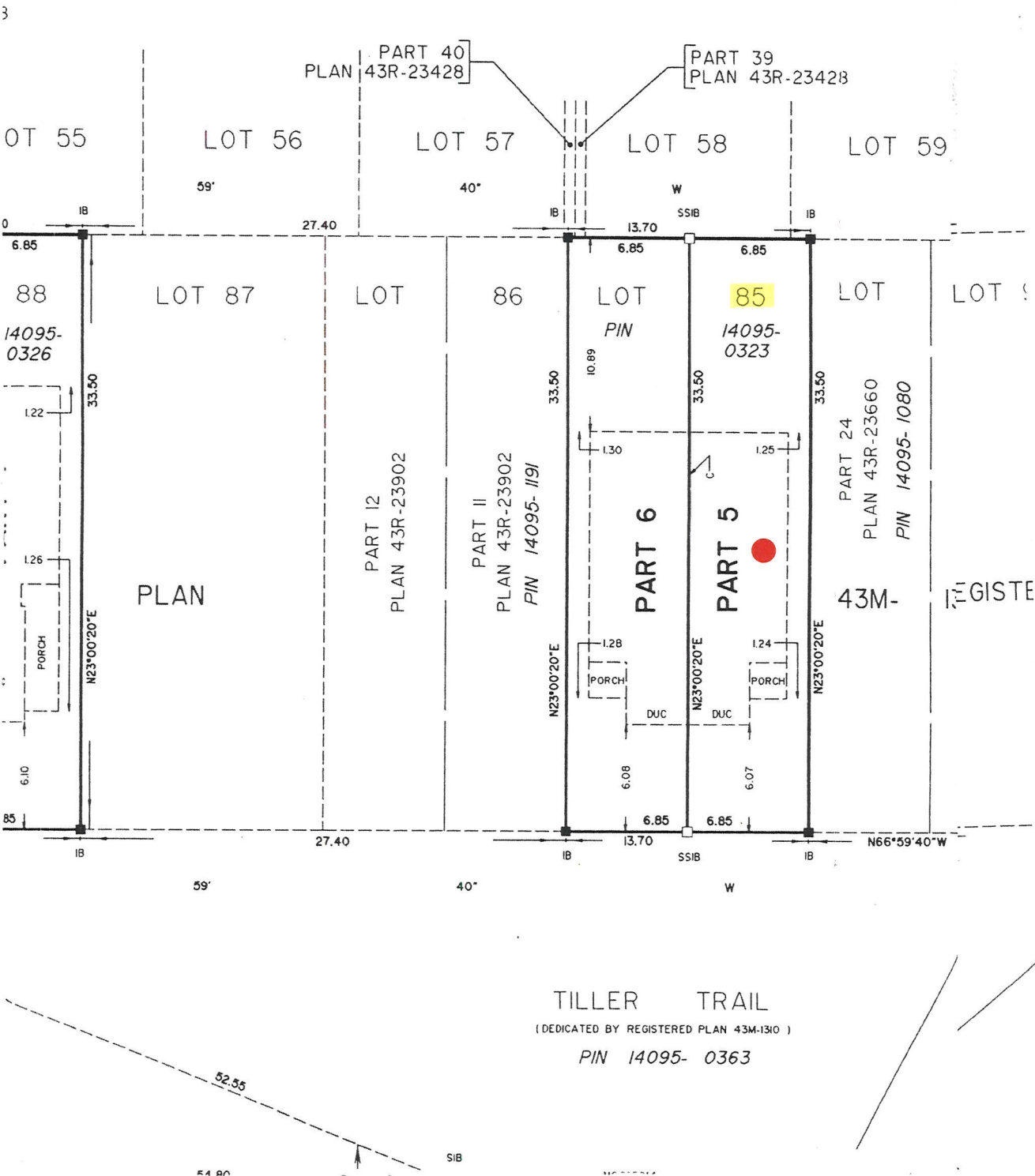
CITY : BRAMPTON

49 TILLER TRAIL

EXISTING DWELLING

PROJECT	SHEET
MAY 2023	A5
SCALE 1:100	

SCHEDULE					SCHEDULE									
PART	LOT	PLAN	P.I.N.	AREA (Sq m.)	PART	LOT	PLAN	P.I.						
1	ALL OF 17	REGISTERED PLAN 43M-1311	ALL OF 14095-0102	229.5	5	ALL OF 85	REGISTERED PLAN 43M-1310	ALL 14095						
2				229.5	6									
3	ALL OF 18		ALL OF 14095-0103	229.5	7	ALL OF 88		ALL 14095						
4				229.5	8									
					9	ALL OF 89			ALL 14095					
					10									
										11	ALL OF 95	ALL 14095		
										12				



Zoning Non-compliance Checklist

File No.
A- 2023-0237

Applicant: Shivang Tarika
Address: 49 Tiller Trail
Zoning: R2A-816
By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE			
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT / SIDE / REAR			
BUILDING SIZE			
BUILDING HEIGHT			
COVERAGE			
BELOW GRADE ENTRANCE	To permit a proposed exterior stairway leading to a below grade entrance in a required side yard.	Whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard.	10.23.1
BELOW GRADE ENTRANCE	To permit an interior side yard setback of 0.05m to a proposed exterior stairway leading to a below grade entrance	whereas the by-law requires a minimum interior side yard setback of 0.9m.	10.23.2
ACCESSORY STRUCTURE SETBACKS			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPED OPEN SPACE			
ENCROACHMENTS			
TWO-UNIT DWELLING			
SCHEDULE "C"			
OTHER – DECK			

Garnet Gandy

Reviewed by Zoning

2023-07-21

Date