

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

Application Number: A-2023-0285
Property Address: 55 MOUNTAIN RIDGE ROAD
Legal Description: LOT 49, PLAN 43M-1868, WARD 6
Agent: ANJU BHUTANI
Owner(s): VITHYANANTHA KULASEMRAMPILLAI, SIVAKALAI
PONNAMPALAM
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 A REQUIRED SIDE YARD, WHEREAS THE BY-LAW DOES NOT PERMIT EXTERIOR STAIRWAYS CONSTRUCTED BELOW ESTABLISHED GRADE IN THE REQUIRED INTERIOR SIDE YARD; AND
2. TO PERMIT AN INTERIOR SIDE YARD SETBACK OF 0.13 METRES TO A PROPOSED EXTERIOR STAIRWAY LEADING TO A BELOW GRADE ENTRANCE, WHEREAS THE BYLAW REQUIRES A MINIMUM SETBACK OF 0.3 METRES TO AN EXTERIOR STAIRWAY LEADING TO A BELOW GRADE ENTRANCE IN THE INTERIOR SIDE YARD PROVIDED THAT A CONTINUOUS SIDE YARD WIDTH OF NO LESS THAN 1.2 METRES (3.94 FEET) IS PROVIDED ON THE OPPOSITE SIDE OF THE DWELLING.

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.

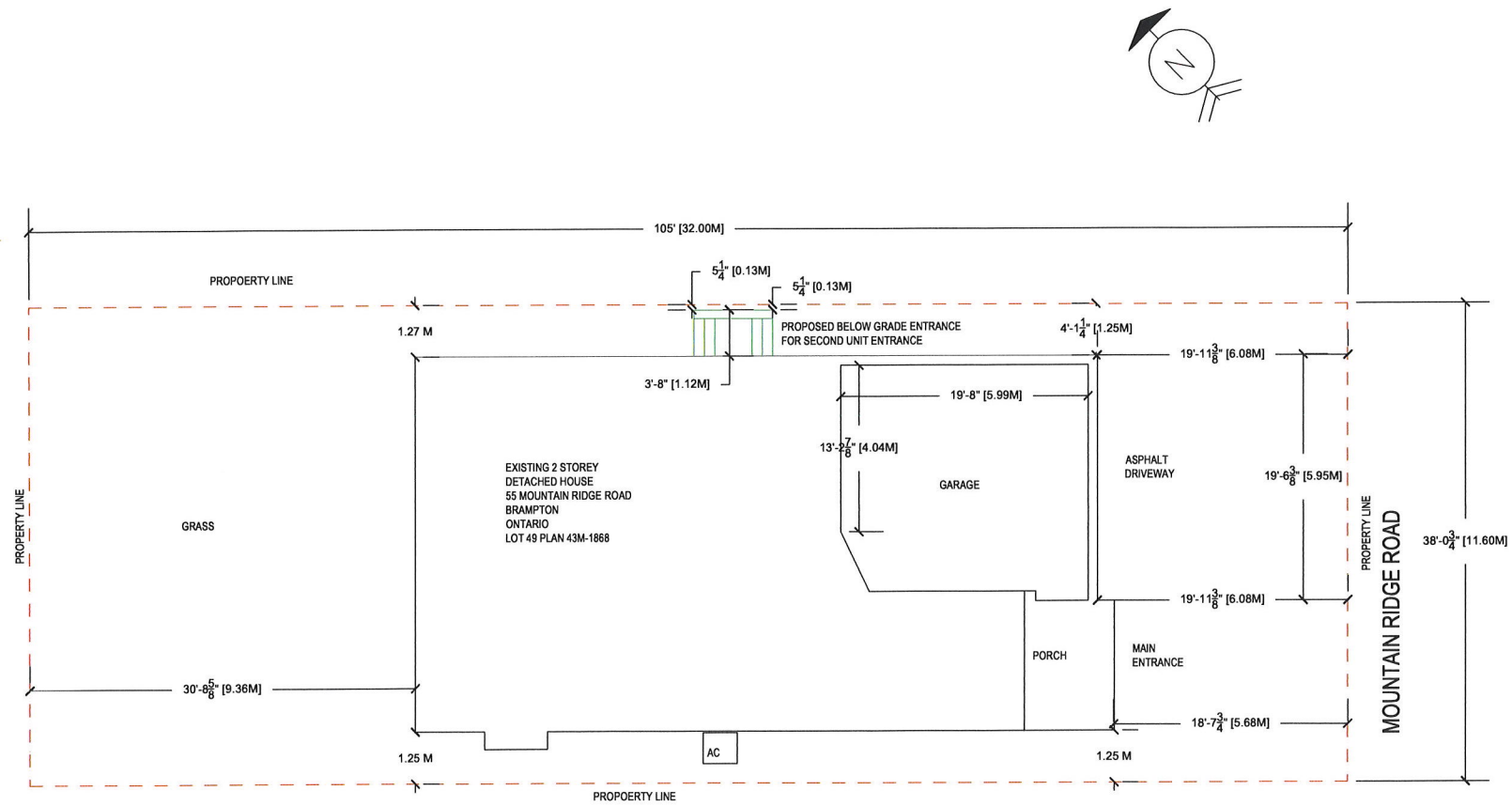
Viewing Application Materials: The application and related materials are available online at www.brampton.ca/en/city-hall/meetings-agendas and may be viewed in person in the City Clerk's Office during regular business hours. More information regarding the Committee of Adjustment is available at www.brampton.ca.

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



Notes:	
PROJECT ADDRESS:	
55 MOUNTAIN RIDGE ROAD	
BRAMPTON	
ONTARIO	
PROJECT DESCRIPTION:	
BASEMENT APARTMENT	
DRAWING DESCRIPTION:	
SITE PLAN	
SCALE: 3/32"=1'0"	DATE: JULY 10, 2023
DRAWING NO: A0	REVISION: 0



FILE NUMBER: A-2023-0285

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)** Vithyanantha Kulasemrampillai & Sivakalai Ponnampalam
Address 55 Mountain Ridge Road, ONTARIO L6Y 0T2

Phone # 647-456-9761 **Fax #** _____
Email sivakalaip29@gmail.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 0.13 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 0.13 M

5. **Legal Description of the subject land:**
Lot Number 49
Plan Number/Concession Number 43M - 1868
Municipal Address 55 Mountain Ridge Road, BRAMPTON, ONTARIO

6. **Dimension of subject land (in metric units)**
Frontage 11.60 M
Depth 32 M
Area 371.20 SQ.M.

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.)

2 STOREY DETACHED DWELLING(152 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 5.68 M

Rear yard setback	9.36 M
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Side yard setback	1.25 M
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Side yard setback	1.25 M
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PROPOSED

Front yard setback

Rear yard setback

Side yard setback

Side yard setback	0.13 M
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- | | | |
|-----|---|----------------------|
| 10. | Date of Acquisition of subject land: | 19 MAR, 2012 |
| 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: | 2012 |
| 15. | Length of time the existing uses of the subject property have been continued: | 11 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 11 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, 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 11 DAY OF
September, 2023.



A Commissioner etc.



Signature of Applicant or Authorized Agent

Mercelyn Osayamen Osaze
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires June 20, 2025. M.O

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1E-1474

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

2023-09-11

Date

DATE RECEIVED Sept 11, 2023 Anna

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: 55 Mountain Ridge Road, Brampton

I/We: Vithiyanantha Kulasegarampillai, Sivakalai Ponnampalam
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 10th day of July, 20 23.

P. Kulasegarampillai S. Ponnampalam
(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

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: 55 Mountain Ridge Road, Brampton

I/We, Vithiyanantha Kulasegerampillai Sivakalai Ponnampalam
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.

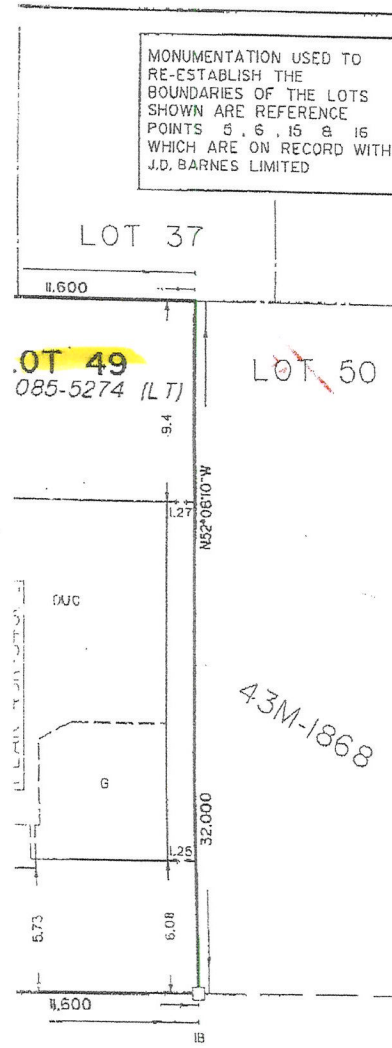
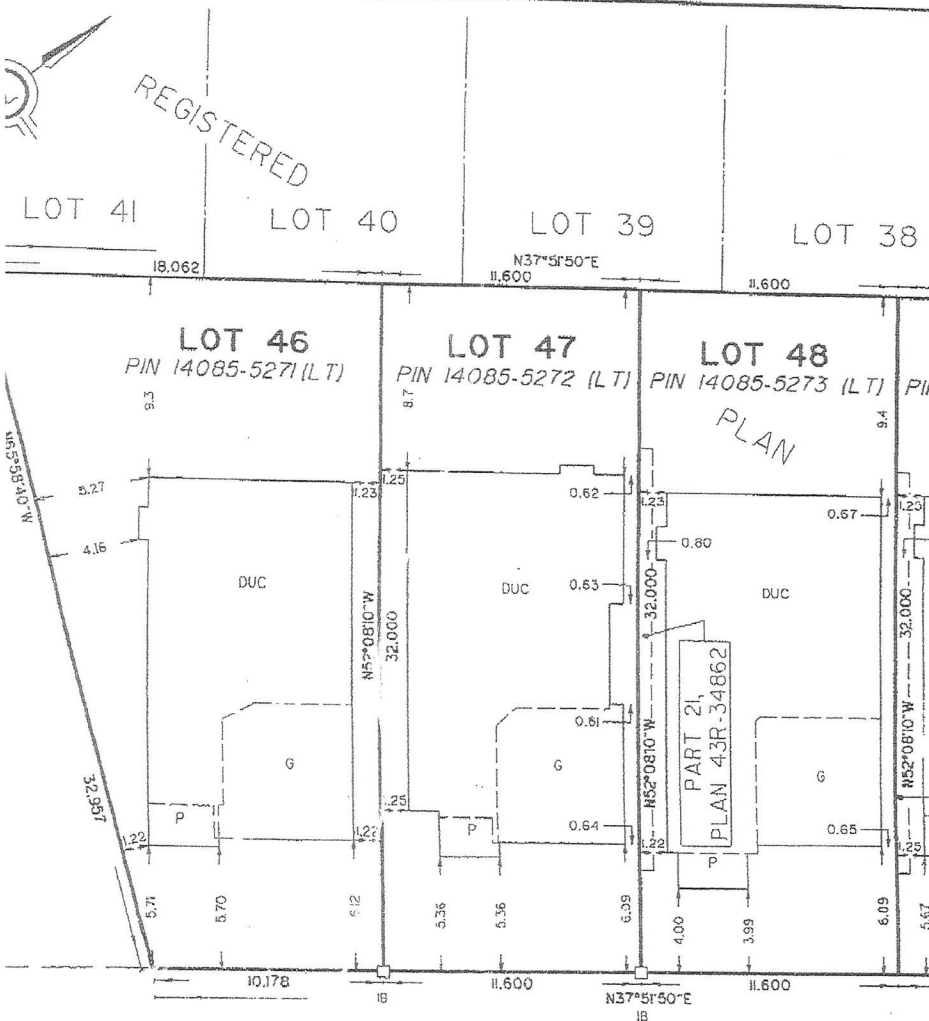
Dated this 10th day of July, 2023.

P. Sivakalai K. Ponnampalam
(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.



MONUMENTATION USED TO RE-ESTABLISH THE BOUNDARIES OF THE LOTS SHOWN ARE REFERENCE POINTS 5, 6, 15 & 16 WHICH ARE ON RECORD WITH J.D. BARNES LIMITED

SURVEYOR'S PART 1 - PL LOTS 46 REGISTERED CITY OF REGIONAL M SCALE 1:250

J. D. BARNES © COPYRIGHT METRIC DISTANCE CAN BE

PART 2 - S - DESCRIPTION LOTS 46, 47, 48 - REGISTERED EASE NONE REGISTERED - ADDITIONAL REMARK PLAN PREPARED BY

NOTES BEARINGS ARE GRID LIMIT OF MOUNTAIN HAVING A BEARING

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ALL BUILDING TIES

SURVEYOR'S I CERTIFY THAT: 1. THIS SURVEY ACCORDANCE WITH SURVEYORS ACT UNDER THEM. 2. THE SURVEY OF JUNE, 2012.

MOUNTAIN RIDGE ROAD (DEDICATED BY REGISTERED PLAN 43M-1868)

43M-1868

DATE Oct 15/12



Zoning Non-compliance Checklist

File No.

Applicant: Vithyanantha Kulasemrampillai & Sivakalai Ponnampalam

Address: 55 Mountain Ridge Rd

Zoning: R1E-1474

By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE			
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS - SIDE	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
BUILDING SETBACKS - SIDE	To permit an interior side yard setback of 0.13m to a proposed exterior stairway leading to a below grade entrance	whereas the by-law requires a minimum setback of 0.3m to an exterior stairway leading to a below grade entrance in the interior side yard provided that a continuous side yard width of no less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling.	10.23.2
BUILDING SIZE			
BUILDING HEIGHT			
COVERAGE			
BELOW GRADE ENTRANCE			
ACCESSORY STRUCTURE SETBACKS			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPED OPEN SPACE			
ENCROACHMENTS			
TWO-UNIT DWELLING			
SCHEDULE "C"			
OTHER – DECK			



Reviewed by Zoning

2023-09-11

Date