

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

Application Number: A-2023-0288
Property Address: 2 SEASTAR ROAD
Legal Description: LOT 73, PLAN 43M-1769, WARD 4
Agent: BAO TRUONG
Owner(s): BRINDER SINGH PARIHAR, AMIT PARIHAR
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 LOCATED BETWEEN THE MAIN WALL OF THE DWELLING AND THE FLANKAGE LOT LINE, WHEREAS THE BYLAW DOES NOT PERMIT A STAIRWAY CONSTRUCTED BELOW ESTABLISHED GRADE TO BE LOCATED BETWEEN THE MAIN WALL OF A DWELLING AND THE FLANKAGE LOT LINE; AND
2. TO PERMIT A PROPOSED EXTERIOR SIDE YARD SETBACK OF 2.09 METRE TO A STAIRWAY LEADING TO A BELOW GRADE ENTRANCE, WHEREAS THE BY-LAW REQUIRES A MINIMUM EXTERIOR SIDE YARD SETBACK OF 3 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 **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



For Office Use Only
(to be inserted by the Secretary-Treasurer
after application is deemed complete)

FILE NUMBER: A 2023-0288

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)** BRINDER SINGH PARIHAR & AMIT PARIHAR
Address 2 SEASTAR RD. BRAMPTON, ONTARIO L6Y 0N9

Phone # 647 885 8345 **Fax #** _____
Email info@andyparhar.com

2. **Name of Agent** BAO TRUONG
Address 67 HUMBERSTONE CRES. BRAMPTON

Phone # 416 892 0407 **Fax #** _____
Email baothaitruong0704@gmail.com

3. **Nature and extent of relief applied for (variances requested):**
The homeowner is planning to apply for second unit dwelling basement apartment for his property. He would like to propose to build the below grade entrance between the main wall of the wall and the flankage lot line. He is hoping to get a relief from zoning restriction.

4. **Why is it not possible to comply with the provisions of the by-law?**
As per zoning by law, below grade entrance is not allowed to be proposed on the flankage lot line. The owner would like to put the below grade entrance between the main wall of the wall and the flankage lot line outside the fence instead of his rear yard for privacy matter.

5. **Legal Description of the subject land:**
Lot Number 73
Plan Number/Concession Number 43M - 1769
Municipal Address 2 SEASTAR RD

6. **Dimension of subject land (in metric units)**
Frontage 13.47 m
Depth 30.64
Area 401.38

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.)

SINGLE DETACHED TWO GARAGE HOUSE, EXISTING FINISHED BASEMENT
 GROSS FLOOR AREA: 306.86 m², MAIN FLOOR AREA: 76.83, SECOND FLOOR:
 116.04 m². THERE ARE 2 STOREYS, 13.68 m LONG, 9.53 m LONG
 BUILDER DECK: 1.44 m x 4.39 m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

LEGALIZE EXISTING BASEMENT FOR SECOND UNIT DWELLING, PROPOSE TO PUT BELOW GRADE ENTRANCE BETWEEN THE MAINWALL OF THE HOUSE AND THE FLANKAGE LOT LINE.

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 5.24 m
 Rear yard setback 11.16 m
 Side yard setback 0.65
 Side yard setback (flankage lot line) 1.8 m

PROPOSED

Front yard setback no change to the existing setback
 Rear yard setback no change to the existing setback
 Side yard setback no change to the existing setback
 Side yard setback no change to the existing setback

10. Date of Acquisition of subject land: MAY 2009
11. Existing uses of subject property: SINGLE UNIT DWELLING
12. Proposed uses of subject property: TWO UNIT DWELLING
13. Existing uses of abutting properties: TWO UNIT DWELLING
14. Date of construction of all buildings & structures on subject land: MAY 2009
15. Length of time the existing uses of the subject property have been continued: MAY 2009 - PRESENT

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 12th 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, BAO TRUONG _____, 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 12 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. HJ

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: R1D-1381 _____

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

JOHN C. CABRAL _____
Zoning Officer

SEPTEMBER 08, 2023 _____
Date

DATE RECEIVED Clara

Date Application Deemed Complete by the Municipality

Sept 12, 2023

APPOINTMENT AND AUTHORIZATION OF AGENT

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

LOCATION OF THE SUBJECT LAND: 2 SEASTAR RD., BRAMPTON, ONTARIO L6Y 0N9

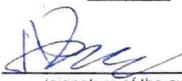
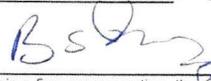
I/We, BRINDER SINGH PARIHAR & AMIT PARIHAR
please print/type the full name of the owner(s)

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

BAO TRUONG
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 1 day of Sep, 2018.

 
(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

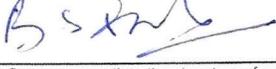
To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2
coa@brampton.ca

LOCATION OF THE SUBJECT LAND: 2 SEASTAR RD, BRAMPTON, ONTARIO L6Y 0N9

I/We, BRINDER SINGH PARIHAR & AMIT PARIHAR
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 1 day of Sep, 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

2 Seastar Rd, Brampton

Ontario, L6Y 0N9

September 03 , 2023

To Whom It Might Concern:

My name is Bao Truong and I am authorized by my clients, Brinder Singh Parihar and Amit Parihar, at the address 2 Seastar Rd to apply for minor variance for his second unit dwelling basement. As per advice by the planning department, it was determined that our proposal of putting the below grade entrance between the main wall of the dwelling and the flankage lot line is not allowed by zoning by law. Homeowner will greatly appreciate if he could get a relief from zoning restriction so he could build the below grade entrance between the main wall of the house and the flankage lot line instead of the rear yard due to privacy matter. Thank you so much for your time and consideration.

Sincerely,

Bao Truong

BCIN# 108954

C: 416-892-0407

Email: baothaitruong0704@gmail.com

Zoning Non-compliance Checklist

File No.

Applicant: BAO TRUONG

Address: 2 Seastar Rd, Brampton, ON L6Y 0N9

Zoning: R1D-1381

By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE			
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BELOW GRADE ENTRANCE	To permit a proposed exterior stairway leading to a below grade entrance located between the main wall of the dwelling and the flankage lot line.	whereas the by-law does not permit a stairway constructed below established grade to be located between the main wall of a dwelling and the flankage lot line.	10.23
SETBACKS	To permit a proposed exterior side yard setback of 2.09m to a stairway leading to a below grade entrance	Whereas the by-law requires a minimum exterior side yard setback of 3m.	1381.2(g)
BUILDING HEIGHT			
OUTSIDE STORAGE			
LOT COVERAGE			
DRIVEWAY			
FENCE HEIGHT			
ACCESSORY STRUCTURE HEIGHT			
ACCESSORY STRUCTURE SETBACK			
DRIVEWAY WIDTH			
LANDSCAPE OPEN SPACE			
GARAGE DOOR HEIGHT			

John C. Cabral
Reviewed by Zoning

SEP. 08, 2023
Date