

55 Queen Street East
Suite 203
Toronto, Canada
M5C 1R6
Tel: (416) 364-7717
Fax: (416) 364-4813
Email: harvey@harvey-mandel.com

Harvey Mandel

barrister & solicitor

September 13, 2023

File no.

To whom this may concern

Dear sir

Re: 5 Mill Street North (firstly) and
124/128/139 Queen Street North and 3 Mill Street North, (secondly) Brampton

I acted on the purchase of these properties on July 8, 1994 for Cassar Property Management Inc..

The properties are municipally known as

1. 5 Mill Street North; and
2. 124/128/139 Queen Street North and 3 Mill Street North

Each of the properties has its own unique legal description (metes and bounds)

The two properties were transferred together in one deed to avoid the Planning Act problem.

The properties historically had separate legal descriptions and had separate assessment roll numbers which were at the time of registration (21-10-030-030-09800 and 21-10-030-030-18100) as recorded in the deed.

When the system was converted to the Polaris system, the person responsible for assigning the PINs used one PIN to describe both properties which should never have occurred.

I trust that this letter assist you in understanding that the two properties are really two separate pieces and the zoning requirements for one property do not affect the other property.

Yours truly,


HARVEY MARTIN MANDEL

HMM/ap



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)** Cassar Property Management Inc.
Address 26 Corkett Drive, Brampton ON L6X 1A6

Phone # 416-991-7812 **Fax #** _____
Email bernardjcassar@hotmail.com

2. **Name of Agent** (Planner) Franco Romano
Address 3 Godfrey's Lane, Mississauga ON L5H 2T1

Phone # 416-737-7526 **Fax #** _____
Email francodromano@rogers.com

3. **Nature and extent of relief applied for (variances requested):**
To expand the legal non-conforming use to permit new construction for fire damage replacement, interior alterations, and new construction of front wall, verandah, basement storage and roof, an enclosed rear staircase, and rear basement entrance whereas the by-law permits the legal non-conforming use as a triplex.

4. **Why is it not possible to comply with the provisions of the by-law?**
The legal non-conforming status of the existing development.

5. **Legal Description of the subject land:**
Lot Number Part Lots 55 and 56 in Block 4
Plan Number/Concession Number Plan BR-4
Municipal Address 5 Mill Street North

6. **Dimension of subject land (in metric units)**
Frontage 12065m for 5 Mill Street. 31.54m for entire landholding
Depth 27.51m for 5 Mill Street. 40m+/- for entire landholding.
Area 340.09sm for 5 Mill Street. 1198.72sm entire landholding.

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.)

Triplex residential building, 3 storeys, 253.03sm

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Repair fire damage, maintain and improve/enlarge triplex residential building, 3 storeys, 284.19sm

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	1.87m
Rear yard setback	11.39m
Side yard setback	2.2m
Side yard setback	0.91m

PROPOSED

Front yard setback	1.87m
Rear yard setback	11.39m
Side yard setback	2.2m
Side yard setback	0.91m

10. Date of Acquisition of subject land: 1994
11. Existing uses of subject property: triplex residential
12. Proposed uses of subject property: triplex residential
13. Existing uses of abutting properties: residential
14. Date of construction of all buildings & structures on subject land: 1910 approx.
15. Length of time the existing uses of the subject property have been continued: since early to mid 1900's

16. (a) What water supply is existing/proposed?

Municipal	<input checked="" type="checkbox"/>	Other (specify) _____
Well	<input type="checkbox"/>	

(b) What sewage disposal is/will be provided?

Municipal	<input checked="" type="checkbox"/>	Other (specify) _____
Septic	<input type="checkbox"/>	

(c) What storm drainage system is existing/proposed?

Sewers	<input checked="" type="checkbox"/>	Other (specify) _____
Ditches	<input type="checkbox"/>	
Swales	<input type="checkbox"/>	

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?

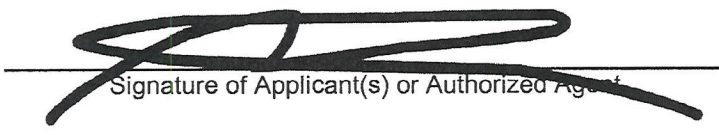
Yes ☐ No ☒

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 17 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, Bernard Cassar, 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.

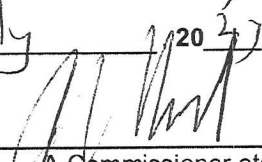
DECLARED BEFORE ME AT THE

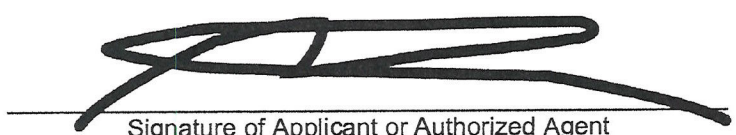
City _____ OF Toronto _____

IN THE _____ OF _____

THIS 17 DAY OF

July 2023.


A Commissioner etc.


Signature of Applicant or Authorized Agent

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

Revised 2022/02/17

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: 5 MILL STREET NORTH

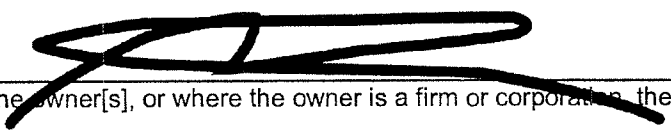
I/We, CASSAR PROPERTY MANAGEMENT INC. C/O BERNARD CASSAR
please print/type the full name of the owner(s)

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

FRANCO ROMANO, ACTION PLANNING CONSULTANTS
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 17 day of July, 20²³.


(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

Bernard Cassar
(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

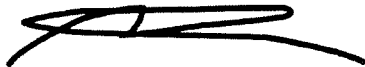
To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

LOCATION OF THE SUBJECT LAND: 5 MILL STREET NORTH

I/We, CASSAR PROPERTY MANAGEMENT INC. C/O BERNARD CASSAR
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 17 day of July, 2023.



(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

Bernard Cassar

(where the owner is a firm or corporation, please print or type the full name of the person signing.)

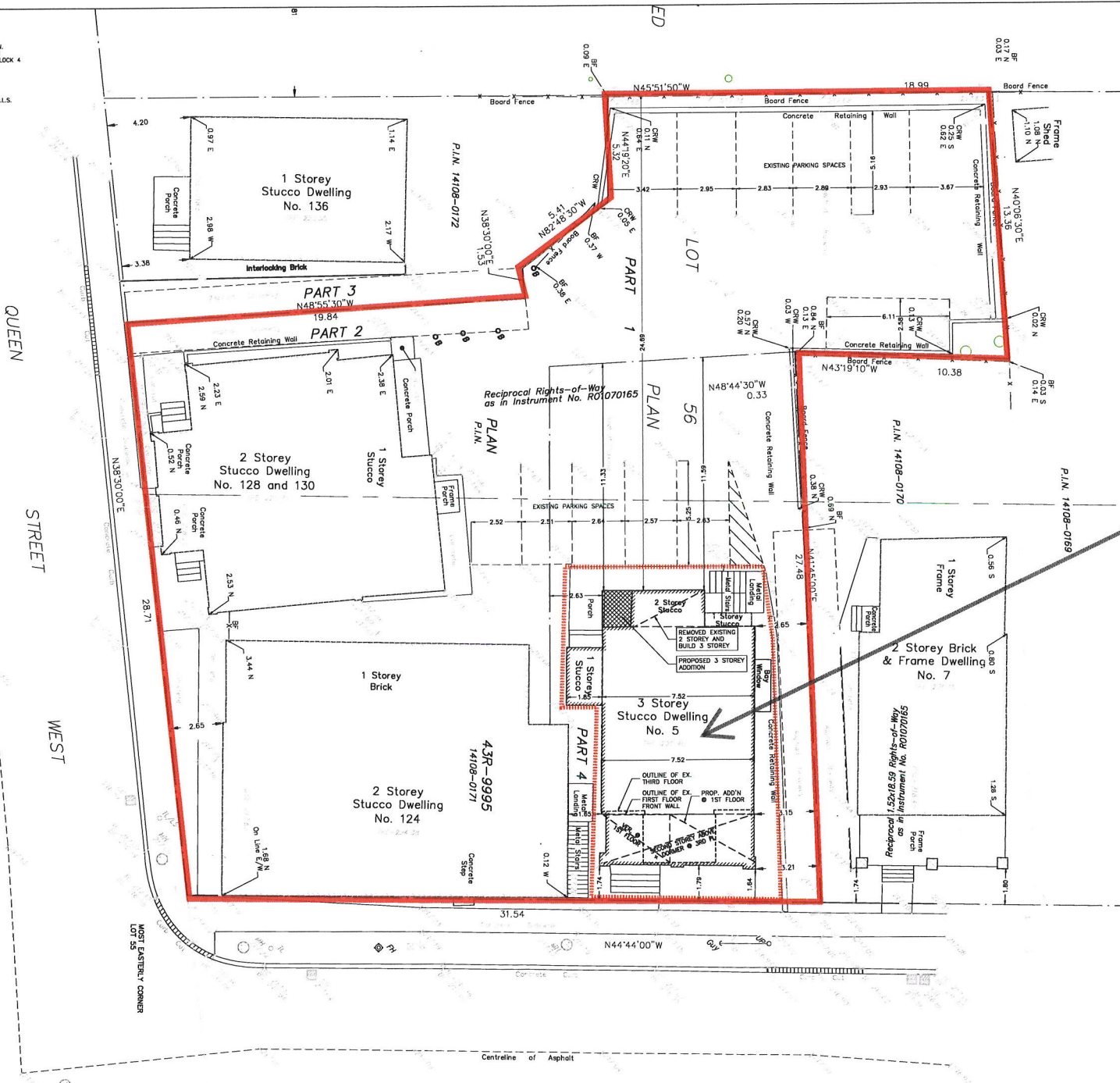
NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION

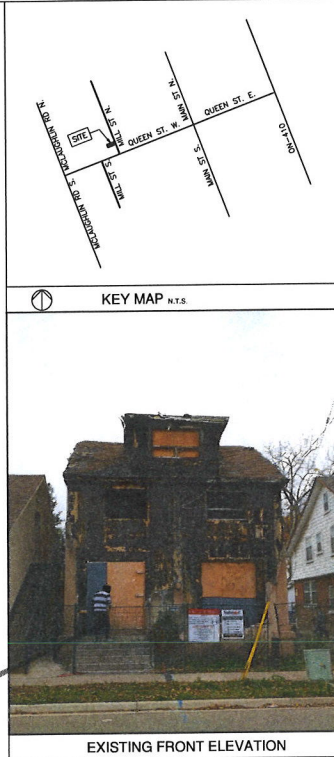
NOTE :

SEE SURVEY BY O.L.S. FOR VERIFICATION.
SURVEY INFORMATION TAKEN FROM PLAN
SHOWING PART OF LOTS 55 & 56 IN BLOCK 4
PLAN REFERRED TO AS BR-4
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEELE
PREPARED BY : AMANT SURVEYING INC.
CHRIS B. SCHNEIDER, O.L.S.
DATED: AUGUST 16TH 2023

1 SITE PLAN
SCALE 1:100 M



MILL STREET NORTH
(By Registered Plan BR4)
P.I.N. 14123-0131



ENTIRE LANDHOLDING
5 MILL ST. NORTH AREA

SITE STATISTICS			
	EXISTING	PROPOSED	TOTAL
FIRST FLOOR	88.07 M ²	10.86 M ²	98.93 M ²
SECOND FLOOR	94.90 M ²	2.78 M ²	97.68 M ²
THIRD FLOOR	70.06 M ²	17.42 M ²	87.48 M ²
GROSS FLR. AREA	253.03 M ²	31.16 M ²	284.19 M ²
	74.40 %	9.16 %	83.56 %

COMBINE LOT AREA 1108.72 M²
#5 LOT AREA = 340.09 M²
ZONED AS: CMU-1
MAX FSI = 2.0 (657.32 M²)

SCOPE OF WORK:
1- REBUILD EXISTING FLOORS AND ROOF
DUE TO FIRE DAMAGE
2- PROPOSED ADDITION AT REAR
3- PROPOSED BASEMENT ENTRANCE AT REAR

NOTES
All drawings and specifications are an instrument of service and remain the exclusive property of Ambient Designs Ltd., and are protected under the Copyright Act. They may not be reproduced, distributed, altered or submitted for approval without written permission of the Designer.
Do not scale drawings, dimensions to take precedent over scale.
Contractor to check and verify all levels and dimensions on drawings and on site and report any discrepancies to Ambient Designs Ltd. and obtain clarification prior to commencing with the work.
The contractor accepts all responsibility for working with drawings, not marked "Issued for Construction" and for any changes to the drawings without the express approval of Ambient Designs Ltd.
All work to conform to all governing codes and By-laws

QUALIFICATION INFORMATION			
Required unless design is exempt under 3.1.1 of the building code			
DESIGNER	DATE	BY	
AMANT SURVEYING INC.	2023		
DESIGNER	DATE	BY	
CHRIS B. SCHNEIDER	2023		
DESIGNER	DATE	BY	
CHRIS B. SCHNEIDER	2023		

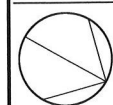
7	REV. SITE PLAN AS PER SURVEY	AUG. 20 '23	M.R.
6	REV. AS PER CLIENT COMMENTS	MAY. 03 '23	M.R.
5	ISSUED FOR MUNICIPAL REVIEW	MAR. 31 '23	M.R.
4	ISSUED FOR APPROVALS	DEC. 10 '20	M.R.
3	ISSUED FOR REVIEW	NOV. 24 '20	M.R.
2	ISSUED FOR REVIEW	JUL. 27 '20	M.R.
1	ISSUED FOR REVIEW	JUN. 08 '20	M.R.
NO	ISSUE/REVISIONS	DATE	BY

AMBIENT DESIGNS LTD.
DESIGN & BUILDING CONSULTANTS
1115 COLLEGE STREET TORONTO, ONTARIO M6H 1B5
T: (416) 597-5531 E: ambient@ambientdesigns.ca

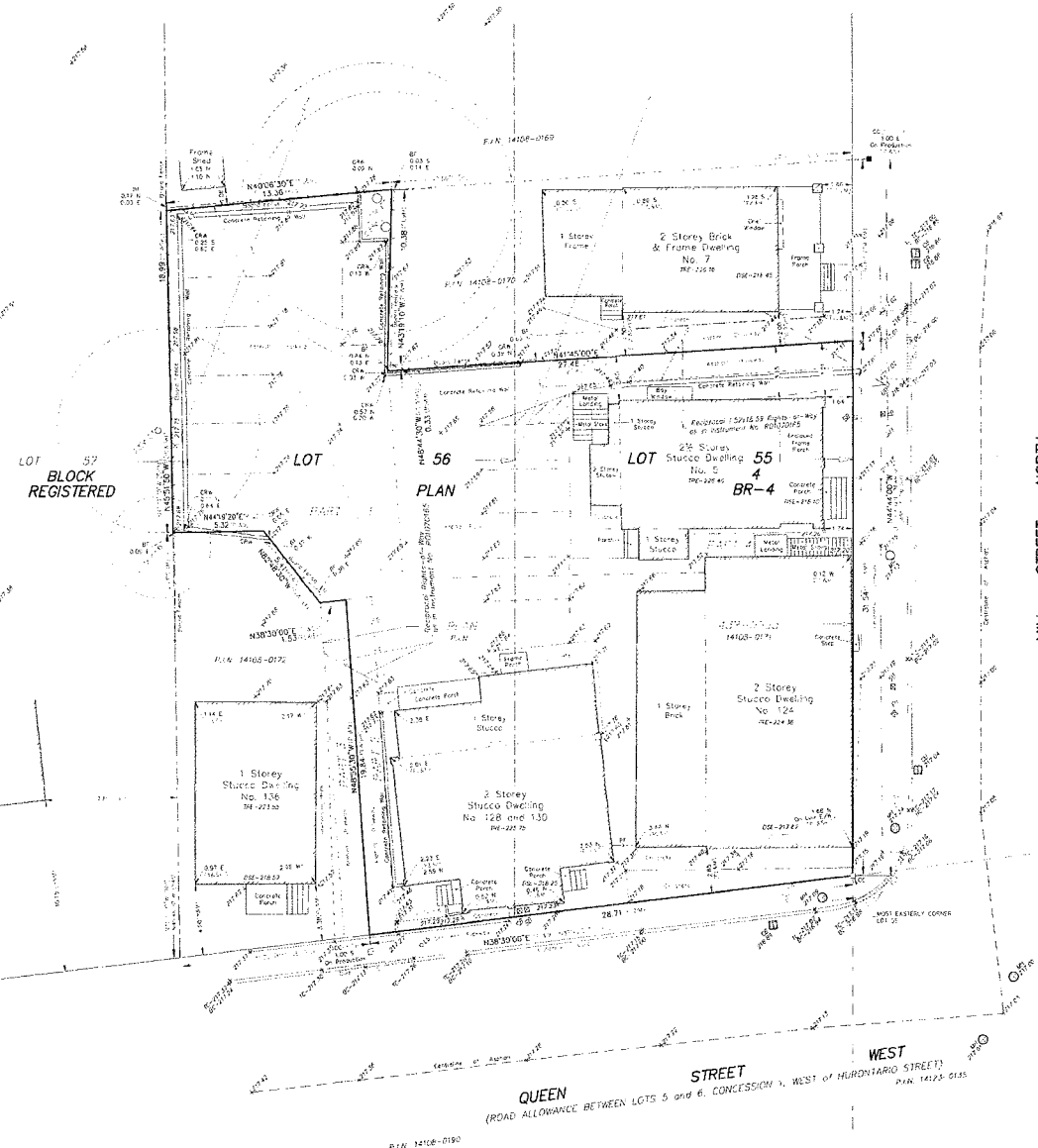
PROJECT NAME
**PROPOSED ADDITION
& ALTERATIONS
AT
5 MILL STREET NORTH
CITY OF BRAMPTON**

CLIENT(S)
SHEET TITLE

SITE PLAN



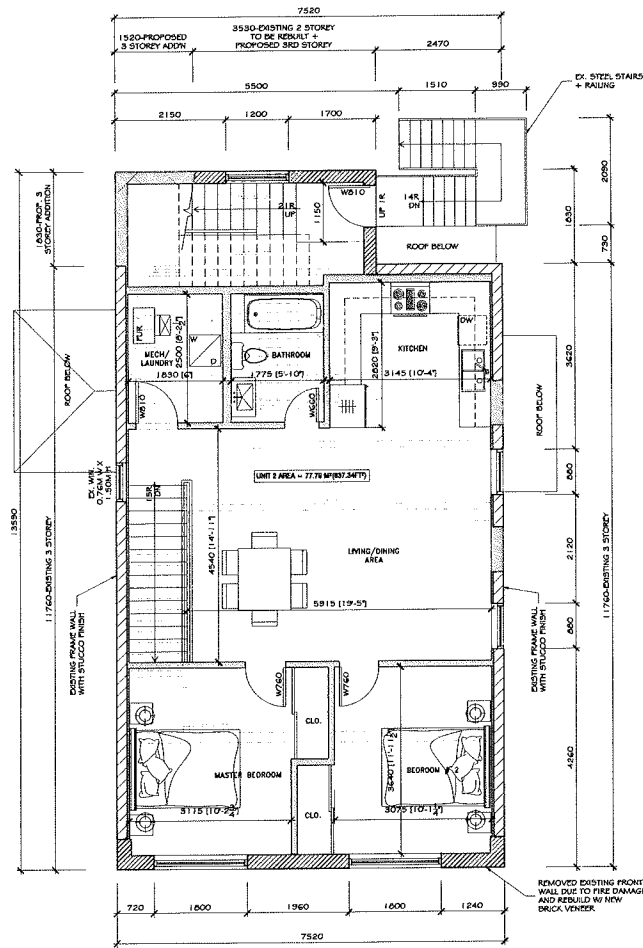
SCALE: 1:100 M
DATE: MAY 2020
DRAWN BY: M.R.
CHECKED BY: V.H.
PROJECT NO: A20130
SHEET NO: A1



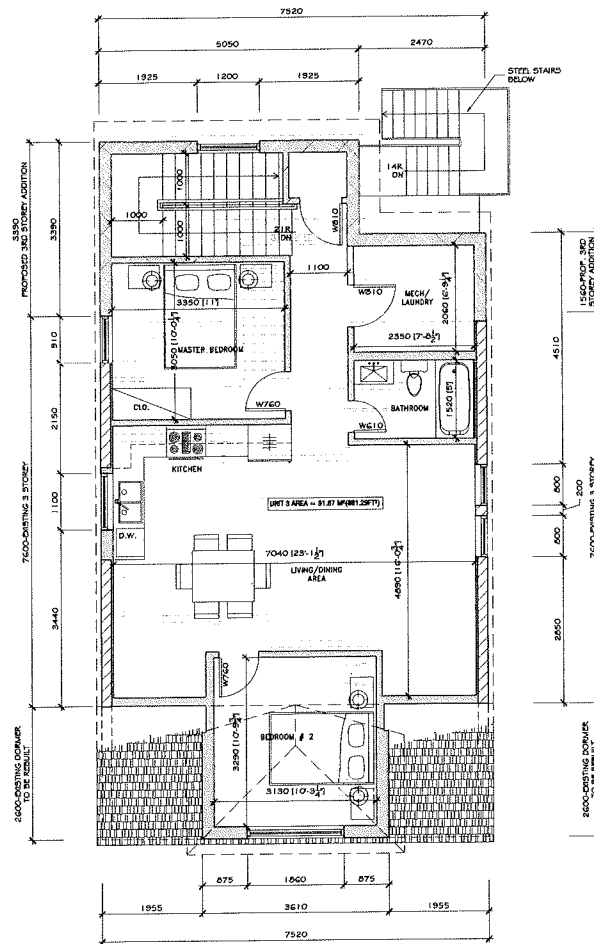
 **AVANTI**
SURVEYING INC.

310 North Queen St., Unit 102, Toronto ON M5K
Tel: (416) 291-1174 • Fax: (416) 821-9355
E-MAIL: info@avantisurveying.com

PROJECT 23-1	CHECKED BY	DATE
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1 SECOND FLOOR PLAN
SCALE 1:50 M



2 THIRD FLOOR PLAN
SCALE 1:50 M

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The contractor accepts all responsibility for working with drawings, not marked "Issued for Construction" and for any changes to the drawings without the express approval of Ambient Designs Ltd.

All work to conform to all governing codes and By-laws.

The Designer has received a letter from the City of Brampton dated 10/10/2020 regarding the proposed addition to the existing building. The City of Brampton has approved the proposed addition to the existing building.	
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6	REV. AS PER CLIENT COMMENTS	MAY. 03 '23	M.R.
5	ISSUED FOR MUNICIPAL REVIEW	MAR. 31 '23	M.R.
4	ISSUED FOR APPROVALS	DEC. 10 '20	M.R.
3	ISSUED FOR REVIEW	NOV. 24 '20	M.R.
2	ISSUED FOR REVIEW	JUL. 27 '20	M.R.
1	ISSUED FOR REVIEW	JUN. 08 '20	M.R.
NO.	ISSUE/REVISIONS	DATE	BY
BCIN 20050			

AMBIENT DESIGNS LTD.
 DESIGN & BUILDING CONSULTANTS
 1115 COLLEGE STREET TORONTO, ONTARIO M6H 1B5
 T: (416) 537-8531 E: ambient@ambientdesigns.ca

PROJECT NAME

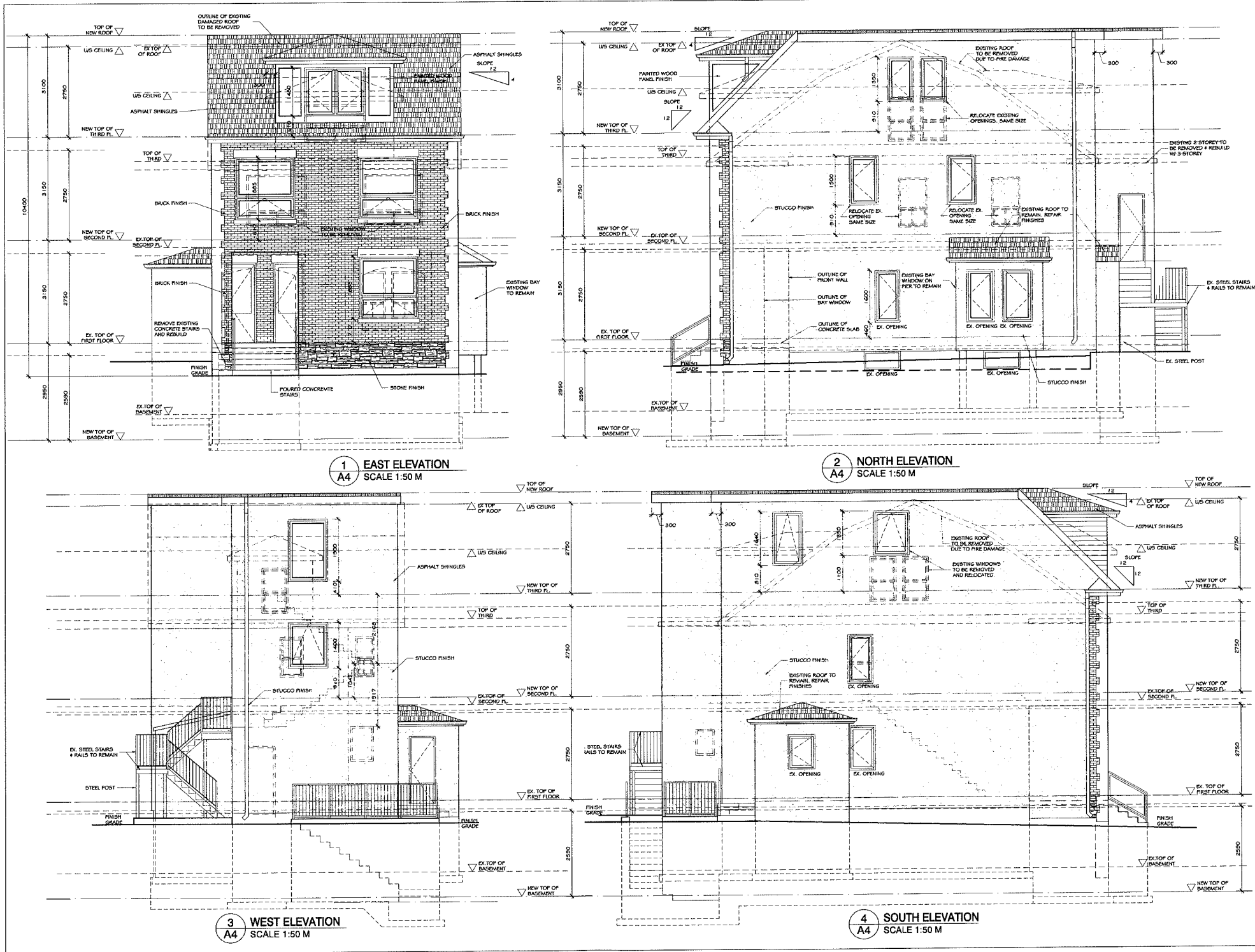
**PROPOSED ADDITION
 & ALTERATIONS
 AT
 5 MILL STREET NORTH
 CITY OF BRAMPTON**

CLIENT(S):

SHEET TITLE

**SECOND & THIRD
 FLOOR PLANS**

	SCALE:	PROJECT NO.
	1:50 M	A20130
	DATE:	SHEET NO.
	MAY 2020	
DRAWN BY:	M.R.	A3
	CHECKED BY:	
V.H.		REVIEW



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The contractor accepts all responsibility for working with drawings, not marked "Issued for Construction" and for any changes to the drawings without the express approval of Ambient Designs Ltd.

All work to conform to all governing codes and by-laws.

The undersigned has created a final responsibility for the drawings and for the construction of the building and for the construction of the building and for the construction of the building.

QUALIFICATION INFORMATION

Required above design is exempt under 33(1) of the Building Code Act.

DATE: 2020-05-20

SCALE: 1:50 M

PROJECT: 20059

DATE: 2020-05-20

SCALE: 1:50 M

PROJECT: 20059

6	REV. AS PER CLIENT COMMENTS	MAY, 03 '23	M.R.
5	ISSUED FOR MUNICIPAL REVIEW	MAR, 31 '23	M.R.
4	ISSUED FOR APPROVALS	DEC, 10 '20	M.R.
3	ISSUED FOR REVIEW	NOV, 24 '20	M.R.
2	ISSUED FOR REVIEW	JUL, 27 '20	M.R.
1	ISSUED FOR REVIEW	JUN, 08 '20	M.R.
NO.	ISSUE/REVISIONS	DATE	BY

PROJECT NAME

PROPOSED ADDITION & ALTERATIONS AT 5 MILL STREET NORTH CITY OF BRAMPTON

CLIENT(S)

SHEET TITLE

ELEVATIONS

SCALE: 1:50 M

DATE: MAY 2020

DRAWN BY: M.R.

CHECKED BY: V.H.

PROJECT NO. A20130

SHEET NO.

A4

Zoning Non-compliance Checklist

A-2023-0313

File No.

A-2022-

Applicant: Cassar Property Management Inc.
Address: 5 Mill Street North
Zoning: CMU1
By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE	To add a third unit to a legal non-conforming two unit dwelling.	Whereas, the by-law does not permit a third unit.	
	To expand the envelope of a legal non-conforming use.	Whereas, the by-law does not permit the expansion of a legal non-conforming use.	
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT/ SIDE / REAR			
BUILDING SIZE			
SIDE DOOR			
COVERAGE			
PARKING			
DRIVEWAY			
ACCESSORY STRUCTURE			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPE OPEN SPACE			
SCHEDULE 'C'			
FENCE HEIGHT			

Rose Bruno
Reviewed by Zoning

March 17, 2023
Date