



Minutes

Committee of Adjustment

The Corporation of the City of Brampton

Tuesday, December 19, 2023

Members Present: Jarmanjit Singh Dehriwal (Chair)
Baljit Mand (Vice-Chair)
Ron Chatha
Paul Khaira
James Reed
Sarbjeeet Saini
Thisaliny Thirunavukkarasu

Members Absent: Jotvinder Sodhi (Vice-Chair)
Manoharan Vaithianathan

Staff Present: Francois Hemon-Morneau, Principal Planner/Supervisor,
Development Services
Elizabeth Corazzola, Sign Co-Ordinator, Zoning and Sign By-law
Services
Ramsen Yousif, Planner, Development Services
Charles Ng, Planner, Development Services
Ellis Lewis, Assistant Development Planner, Development
Services
Megan Fernandes, Planning Technician, Development Services
Aferdita Dzaferovska, Planning Technician, Development
Services
Emily Mailling, Planning Technician, Development Services
Clara Vani, Legislative Coordinator

1. **Call to Order**

The meeting was called to order at 9:24 a.m. recessed at 12:12 p.m., reconvened at 12:44 p.m. and adjourned at 13:40 p.m.

As this Committee of Adjustment Committee meeting was conducted with electronic and in-person participation by Members of Committee, the meeting started with calling the roll for attendance at the meeting, as follows:

Members present during roll call: Jarmanjit Singh Dehriwal (Chair), Baljit Mand (Vice-Chair), Paul Khaira, James Reed, Sarbjeet Saini, Thisaliny Thirunavukkarasu, and Ron Chatha.

Members absent during roll call: Jotvinder Sodhi (Vice-Chair) (personal) and Manocharan Vaithianathan (personal).

1.1 December 19, 2023 - Application Location Site Map

2. Adoption of Minutes

2.1 Minutes - Committee of Adjustment - November 14, 2023

Moved by: S. Saini

Seconded by: B. Mand

That the minutes of the Committee of Adjustment hearing held November 14, 2023 be approved, as printed and circulated.

Carried

3. Region of Peel Comments

3.1 Region of Peel Comments - Dated December 11, 2023

4. Declarations of Interest under the Municipal Conflict of Interest Act

Nil

4.1 Review of the Agenda for Immediate Approval

The following items were considered to be routine and non-controversial by the Committee and were approved at one time.

Moved by: B. Mand

Seconded by: J. Reed

1. That the following agenda items and minor variance applications, before the Committee of Adjustment at its December 19, 2023 meeting, be approved subject to the conditions set out in the staff recommendation for each respective application:

Item#	Application #	Location
9.3	A-2023-0306	3 Gold Tree Street
9.4	A-2023-0311	49 Kennedy Road South, Unit 1
9.7	A-2023-0335	0 Circleview Crescent, Lot 114
9.8	A-2023-0336	30 Bellini Avenue
9.11	A-2023-0339	16 Monkton Circle
9.12	A-2023-0340	48 Broad Oak Court
9.15	A-2023-0343	15 Caboose Street
9.16	A-2023-0344	6 Fruitvale Circle
9.19	A-2023-0347	3 Carmel Crescent
9.23	A-2023-0353	11 Dragon Tree Crescent
9.25	A-2023-0355	72 Circus Crescent
9.26	A-2023-0356	25 Pennsylvania Avenue
9.27	A-2023-0357	8 Parliament Hill Place
9.30	A-2023-0360	17 Worthington Avenue, Unit 23
9.32	A-2023-0362	89 Wellington Street East
9.33	A-2023-0363	40 Lagerfeld Drive
9.35	A-2023-0365	NW Corner Bovaird Drive West and Creditview Road
9.36	A-2023-0366	139 Antibes Drive
9.38	A-2023-0369	7 Kambalda Road
9.39	A-2023-0380	71 Forsythia Road

2. This decision reflects that in the opinion of the Committee, for each application:
 1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
 2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan is maintained, and the variance is minor.

Carried

5. Withdrawals

5.1 A-2023-0234

PAYAL PATEL

30 ROBERTSON DAVIES DRIVE

PLAN M1253, LOT 65, WARD 2

Withdrawal Request, Manpreet Kohli, Punjab Design and Construction, dated November 30, 2023

That Application B-2023-0234 be withdrawn from consideration.

6. Deferrals

6.1 A-2022-0181

CREDITVIEW ENTERPRISES INC.

11953 CREDITVIEW ROAD AND 1577 MAYFIELD ROAD

CHINGUACOUSY CON 3 WHS W PT LOT 17 RP 43R16186 PARTS 2 AND 4 TO 6, WARD 6

The applicants are requesting the following variance(s):

1. To provide 473 parking spaces, whereas 530 parking spaces are required; and
2. To provide 2 drive through stacking spaces for a financial institution, whereas the by-law requires 4 stacking spaces for a financial institution.

Deferral Letter Request, Katherine Rauscher, MHBC, dated November 16, 2023

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2022-0181 be deferred no later than the last hearing of June 2024.

Carried

6.2 A-2022-0268

MOHAMMED IIYAS

2257 AND 2267 EMBLETON ROAD

CON 5 WHS PT LOT 5, WARD 6

The applicants are requesting the following variance(s):

1. To permit a Day Nursery, whereas the by-law does not permit the proposed use;
2. To permit 40% of the required front yard to be landscaped open space, whereas the by-law requires a minimum 70% of the required front yard to be landscaped open space;
3. To permit a front yard setback of 8.0 metres, whereas the by-law requires a minimum front yard setback of 12 metres;
4. To permit a side yard setback of 6.0 metres, whereas the by-law requires a minimum side yard setback of 7.5 metres; and
5. To permit a building height of 12 metres, whereas the by-law permits a maximum building height of 10 metres.

Deferral Letter Request, Sami Abu Shanb, Viewport Studio Inc., dated November 23, 2023

Moved by: B. Mand

Seconded by: S. Saini

That application A-2022-0268 be deferred no later than the last hearing of April 2024.

Carried

6.3 A-2023-0352

SURILA TALWAR BENNETT

46 ELGIN DRIVE

PLAN 872, LOT 94, WARD 3

The applicants are requesting the following variance(s):

1. To permit a driveway width of 8.8 metres, whereas the by-law permits a maximum driveway width of 7.32 metres.

To be deferred to the next hearing due to "...insufficient notice provided in accordance with the Planning Act."

Moved by: J. Reed

Seconded by: T. Thirunavukkarasu

That application A-2023-0352 be deferred no later than the last hearing of January 2024.

Carried

7. NEW CONSENT APPLICATIONS

7.1 B-2023-0029

TRIO GLOBAL INC.

10041 MCLAUGHLIN ROAD NORTH

PLAN M286, PT BLK 1 RP 43R26003 PARTS 16, 17, 18, WARD 2

The purpose of the application is to request the consent of the Committee of Adjustment for a lease in excess of 21 years.

Raphael Romeral of Dillon Consulting Agent, authorized agent was present online and presented an overview of the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved by: R. Chatha

Seconded by: J. Reed

That application B-2023-0029 is supportable, subject to the following conditions being imposed:

1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;

2. The Owner is to provide written confirmation to the City's Traffic Planning group that the lessee has legal access to the public right-of-way (ROW); and
3. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received.

Carried

8. DEFERRED CONSENT APPLICATIONS

Nil

9. NEW MINOR VARIANCE APPLICATIONS

9.1 A-2023-0283

KASHIF PANNU, SAIMA PANNU

51 MOORCROFT PLACE

PLAN 43M2092, LOT 75, WARD 8

The applicants are requesting the following variance(s):

1. To permit a proposed deck to encroach 4.27m (14 ft.) into the rear yard setback, resulting in a setback of 2.9m (9 ft.) from the deck to the rear yard lot line whereas the by-law permits a deck/balcony to encroach a maximum 2.0m (6.56 ft.) into the rear yard setback, resulting in a required setback of 4.0m (13.12 ft.) from the deck to the rear yard lot line;
2. To permit an accessory structure having a setback of 0.15m (0.49 ft.) to the rear lot line whereas the by-law requires a minimum 0.6m (1.97 ft.) to the nearest lot line; and
3. To permit an accessory structure having a setback of 0.30m (0.98 ft.) to the side lot line whereas the by-law requires a minimum 0.6m (1.97 ft.) to the nearest lot line.

The applicant was present online and presented an overview of the application.

Staff outlined the proposed conditions of the staff report.

The applicant agreed with the conditions.

Moved by: J. Reed

Seconded by: T. Thirunavukkarasu

That application A-2023-0283 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage on adjacent properties shall not be adversely affected; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.2 A-2023-0304

AHILRAJ SIVA

8488 CREDITVIEW ROAD

CON 3, WHS PT LOT 3, WARD 4

The applicants are requesting the following variance(s):

1. To permit a single detached dwelling, deck and covered deck in a Floodplain Zone, whereas the By-law does not permit the uses;
2. To permit a front yard setback of 7.04 metres, whereas the By-law requires a minimum front yard setback of 12.0 metres;
3. To permit an easterly interior side yard setback of 3.85 metres to the dwelling, whereas the By-law requires a minimum interior side yard setback of 7.5 metres;
4. To permit a proposed dwelling having a 0.0 metre setback to the Floodplain Zone Boundary, whereas the By-law requires a minimum yard depth of 15 metres to the Floodplain Zone;
5. To permit a proposed deck Having a setback of 0.0m to the floodplain zone boundary, whereas the by-law permits a deck to encroach a maximum 3.0m (9.84 ft.) into the required setback, resulting in a required depth of 12 metres from the deck to the floodplain zone; and
6. To permit a proposed deck Having a setback of 0.0m to the floodplain zone and 2.63m to the side lot line, whereas the by-law requires a minimum interior side yard setback of 7.5 metres to the deck.

Mehdy Ajvand, authorized agent was present online and provided an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved by: P. Khaira

Seconded by: T. Thirunavukkarasu

That application A-2023-0304 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the applicant pay CVC review fee of \$478 as noted on letter dated December 04 2023;
3. That the applicant obtain a CVC permit prior to applying for a building permit;
4. That the applicant obtain Custom Home Approval; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.3 A-2023-0306

JOSEPH REIS

3 GOLD TREE STREET

PLAN M1130, LOT 62, WARD 9

The applicants are requesting the following variance(s):

1. To permit a driveway width of 8.74 metres, whereas the By-law permits a maximum driveway width of 6.71 metres; and
2. To permit 0.36 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot line.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0306 is supportable in part, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage on adjacent properties should not be adversely affected;
3. That the owner obtain a Road Occupancy and Access Permit from the City of Brampton's Road Maintenance and Operations Section construction of works within the City's road allowance; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.4 A-2023-0311

CASTAR HOLDINGS INC.

49 KENNEDY ROAD SOUTH, UNIT 1

CON 1 EHS PART LOT 5, WARD 3

The applicants are requesting the following variance(s):

1. To permit a take-out restaurant, whereas the by-law does not permit a take-out restaurant.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0311 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That the use of the restaurant be limited to preparing food for take-out purposes; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

9.5 A-2023-0321

BHUPINDER SEERA

4 LAWNVIEW COURT

PLAN M105, PT LOT 142, RP 43R10142, PARTS 12, 36, WARD 2

The applicants are requesting the following variance(s):

1. To permit an interior side yard setback of 0.58 metre to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum interior side yard setback of 1.2 metres; and
2. 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 side yard.

Mazhar Raja authorized agent was present online and provided an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the proposed conditions of the staff report.

Donna Brennan, Brampton resident was present and expressed her objection to the application in respect to privacy and her concern of the safety of all the tenants in the home. The location of the door does not give first responders easy access.

Member P. Khaira inquired if the basement was a finished basement.

Mazhar Raja authorized agent advised they were applying to make the basement a legal unit.

Member R. Chatha sympathized with the area residents and advised the owner must comply with all the codes and construction. Requested a condition amendment in regard to screening in the location of the entrance.

F. Hemon-Morneau, Principal Planner/Supervisor, Development Services advised against implementing the condition in regard to screening.

Member B. Mand inquired if there is a possibility of installing a cover on the stairs.

F. Hemon-Morneau, Principal Planner/Supervisor, Development Services advised this would be an addition to the home.

E. Corrazola, Sign Co-Ordinator advised if the entrance is enclosed, different variances would be required.

Committee Chair J. Dehriwal commented that precedent has been set in the past. Many staircases have been approved. The basement would have to be in compliance, if other issues residents are to contact 311.

Member R. Chatha agreed he would like to see an enclosed staircase. The authorized agent would have to apply for new variances.

The agent agreed with the conditions.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2023-0321 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That drainage on adjacent properties and the subject property shall not be adversely affected; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.6 A-2023-0334

SUNNY DOSHI, SATBIR KAUR DOSHI

317 CONESTOGA DRIVE

PLAN M631, LOT 49, WARD 2

The applicants are requesting the following variance(s):

1. To permit a driveway width of 8.84 metres, whereas the by-law permits a maximum driveway width of 6.71 metres; and

2. To permit 0.0 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot line.

Sukhjit Josan, authorized agent was present online and provided an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the reasons for refusal.

Moved by: B. Mand

Seconded by: J. Reed

That application A-2023-0334 be refused.

Carried

9.7 A-2023-0335

SCOTTISH HEATHER DEVELOPMENTS

0 CIRCLEVIEW CRESCENT LOT 114

CHINGUACOUSY CON 5 WHS PT LOTS 4 AND 5, RP 43R34909 PT PART 1
RP 43R34910 PT PART 1, RP 43R39357 PARTS 2 AND 3, WARD 6

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 4.93 metres, whereas the by-law requires a minimum rear yard setback of 6 metres;
2. To permit an exterior side yard setback of 4.15 metres, whereas the by-law requires a minimum exterior side yard setback of 4.5 metres; and
3. To permit a proposed porch to encroach 2.43 metres into the exterior side yard, resulting in a setback of 2.07 metres from the porch to the flankage lot line, whereas the by-law permits a porch to encroach a maximum of 1.8 metres into the exterior side yard, resulting in a required setback of 2.7 metres from the porch to the flankage lot line.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0335 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That a clause be included within the Agreement of Purchase and Sale for the property advising of the variances affecting the property. In the event the property has been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser acknowledges and accepts the variances; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.8 A-2023-0336

SURJIT THIND

30 BELLINI AVENUE

PLAN M538, LOT 14, WARD 10

The applicants are requesting the following variance(s):

1. To permit a building height of 12.06 metres, whereas the by-law permits a maximum building height of 10.6 metres.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0336 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision; and
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.9 A-2023-0337

SAURABH SINGH

68 MULLIS CRESCENT

PLAN M984, LOT 100, WARD 4

The applicants are requesting the following variance(s):

1. To permit a lot coverage of 34%, whereas the by-law permits a maximum lot coverage of 30%.

Tanvir Rai of Noble Prime Solutions, authorized agent was present online and provided an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Gayle Praturlon, Brampton resident was present online and expressed her opposition to the application in respect to her concerns with the home having four (4) apartments already. The increase in individuals in the home will cause parking overflow to the street, security and privacy for all the neighbors. The drainage in the backyard causing the backyard to flood in the event of a heavy rainfall.

Leslie Caine, Brampton resident was present and expressed his opposition to the application in respect to safety and submitted a petition to the Committee. The residents are not against the lot coverage, we are against the garden suites.

The Committee Chair J. Dehriwal received the petition.

Member S. Saini advised that the Committee of Adjustment does not have jurisdiction in regard to the Additional Residential Units (ARU's).

Staff outlined the proposed conditions of the staff report.

Tanvir Rai, authorized agent advised the City of Brampton is allowing the garden suites. The application is for the lot coverage.

Member J. Reed advised both Federal and Provincially mandating for Additional Residential Units (ARU's).

Committee Chair J. Dehriwal advised the Additional Residential Units (ARU's) are Provincial mandate and Committee of Adjustment is following those guidelines.

The authorized agent agreed to the conditions.

Member R. Chatha expressed he was not in favor of this application.

Moved by: S. Saini

Seconded by: B. Mand

That application A-2023-0337 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That the owner submit a Garden Suites Architectural Control Review Application prior to the submission of a Building Permit Application;
3. That drainage on adjacent properties should not be adversely affected; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.10 A-2023-0338

SWARANJIT SINGH, SUKHBINDER KAUR

34 DELORAINE DRIVE

PLAN 756, LOT 395, WARD 7

The applicants are requesting the following variance(s):

1. To permit an interior side yard setback of 1.5 metres, whereas the by-law requires a minimum interior side yard setback of 1.8 metres.

Abhishek Rajgor of MEM Engineering, authorized agent was present online and presented an overview of the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2023-0338 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached herein as Appendix A;
2. That drainage on adjacent properties shall not be adversely impacted; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.11 A-2023-0339

PAWAN BERRY, UMA BERRY

16 MONKTON CIRCLE

PLAN 43M1952, LOT 14, WARD 4

The applicants are requesting the following variance(s):

1. To permit a home occupation with building containing two dwelling units, whereas the by-law permits a home occupation within a single detached dwelling.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0339 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision; and
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.12 A-2023-0340

PARMOD KUMAR

48 BROAD OAK COURT

PLAN M740, LOT 103, WARD 4

The applicants are requesting the following variance(s):

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;

2. To permit an interior side yard setback of 0 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum interior side yard setback of 1.2 metres; and
3. To permit a 0.9 metre wide pedestrian path of travel leading to the principal entrance of a additional residential unit, whereas the by-law requires an unobstructed pedestrian path of travel having a minimum width of 1.2 metres leading to the principal entrance of an additional residential unit.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0340 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. The owner shall obtain a building permit within 60 days of the decision of approval or extended at the discretion of the Chief Building Official;
3. That the below grade entrance shall not be used to access an unregistered second unit;
4. That drainage on adjacent properties should not be adversely affected; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.13 A-2023-0341

BHARAT SHUSHAN GUPTA, SUMAN GUPTA

15 HUMBERSIDE AVENUE

PLAN M1296, LOT 118, WARD 2

The applicants are requesting the following variance(s):

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 0.06 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law 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 is provided on the opposite side of the dwelling.

Harjinder Singh, authorized agent was present online and presented an overview of the application and advised was in communication with the Engineering Department to come to an agreement and requested a deferral.

Member J. Reed inquired with staff the reason for the application being refused.

F. Hemon-Morneau, Principal Planner/Supervisor, Development Services advised this is a front to back drainage situation and the entrance needs to be moved.

Moved by: J. Reed

Seconded by: B. Mand

That application A-2023-0341 be deferred no later then the last meeting of February 2024.

Carried

9.14 A-2023-0342

DONA LEELAMANI WEERARATNA, AJANTA JAYANATH WEERARATNA
28 LITTLE BRITAIN CRESCENT
PLAN 43M1979, LOT 81, WARD 6

The applicants are requesting the following variance(s):

1. To permit a 0.67 metre wide pedestrian path of travel leading to the principal entrance of a additional residential unit, whereas the by-law requires an unobstructed pedestrian path of travel having a minimum width of 1.2 metres leading to the principal entrance of an additional residential unit.

Tanvir Rai, authorized agent was present online and presented an overview of the application and requested a deferral.

F. Hemon-Morneau, Principal Planner/Supervisor, Development Services advised the agent and Planning staff were in discussions to come to an agreement.

Member R. Chatha advised he agreed with staff recommendations. He is not in support of the entrance by the lot line.

Member P. Khaira inquired if the door was going into the basement.

Tanvir Rai, authorized agent advised the door was leading into the home.

Moved by: R. Chatha

Seconded by: J. Reed

That application A-2023-0342 be refused.

Carried

9.15 A-2023-0343

CHARU ARORA, VISHAL ARORA

15 CABOOSE STREET

PLAN 43M2054, LOT 39, WARD 6

The applicants are requesting the following variance(s):

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 0.25 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law 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 is provided on the opposite side of the dwelling.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0343 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That drainage on adjacent properties should not be adversely affected; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.16 A-2023-0344

RUSHDEEP SINGH

6 FRUITVALE CIRCLE

PLAN 43M2058, LOT 330, WARD 6

The applicants are requesting the following variance(s):

1. To permit a 1.12 metre rear yard setback to a deck off the main floor, whereas the By-law requires a minimum rear yard setback of 3.5m to a deck off the main floor.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0344 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. The owner shall obtain a building permit within 60 days of the decision of approval or extended at the discretion of the Chief Building Official;
3. That drainage on adjacent properties should not be adversely affected; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.17 A-2023-0345

PIARA KARDAY, RAVINDER KARDAY

481 VETERANS DRIVE

PLAN 43M2044, LOT 227, WARD 6

The applicants are requesting the following variance(s):

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 by-law does not permit exterior stairways constructed below established grade to be located between the main wall of a dwelling and the flankage lot line; and
2. To permit an exterior side yard setback of 1.73 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum exterior side yard setback of 3.0 metres.

Shivang Tarika, authorized agent was present online and presented an overview of the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: T. Thirunavukkarasu

Seconded by: J. Reed

That application A-2023-0345 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the owner implement planting to adequately screen the below grade entrance and minimize visual impact on the streetscape in a manner satisfactory to the Director of Development Services;
3. That drainage on adjacent properties shall not be adversely affected;
4. That the below grade entrance shall not be used to access an unregistered second unit; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

9.18 A-2023-0346

GOURAV KAPOOR

3 ELMCREST DRIVE

PLAN 43M1896, LOT 132, WARD 4

The applicants are requesting the following variance(s):

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 0.11 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum side yard setback of 1.2 metres.

Shivang Tarika, authorized agent was present online and presented an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Bimal Shrestha, Brampton resident was present online and expressed his opposition to the application in respect to his concerns with privacy and how it would affect his property.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2023-0346 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the below grade entrance shall not be used to access an unregistered second unit;

3. That drainage on adjacent properties should not be adversely affected;
and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.19 A-2023-0347

RAISIN CHABA

3 CARMEL CRESCENT

PLAN 43M1616, LOT 106, WARD 10

The applicants are requesting the following variance(s):

1. To permit a driveway width of 8.2 metres, whereas the by-law permits a maximum driveway width of 6.71 metres.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0347 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision; and
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.20 A-2023-0348

ILHAM REHMAN

133 TIMBERLANE DRIVE

PLAN M1020, BLK 80 PLAN M979, BLK 103, WARD 4

The applicants are requesting the following variance(s):

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;

2. To permit an interior side yard setback of 0.0 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law 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 is provided on the opposite side of the dwelling;
3. To permit a 1.04 m wide pedestrian path of travel leading to the principal entrance of an additional residential unit, whereas the by-law requires an unobstructed pedestrian path of travel having a minimum width of 1.2m leading to the principal entrance of an additional residential unit;
4. To permit a driveway width of 8.05 metres, whereas the By-law permits a maximum driveway width of 6.71 metres; and
5. To permit a 0.2 metre of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot line.

Shivang Tarika, authorized agent was present online and presented an overview of the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: J. Reed

Seconded by: S. Saini

That application A-2023-0348 is supportable in part, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That Variance 4 to permit a driveway width of 8.05 metres be refused;
4. That drainage on adjacent properties should not be adversely affected;

5. That the applicant is to contact the City's Forestry Department to review any existing trees effected by the proposed work 'prior to' and as a condition of minor variance/ CofA approval;
6. That the owner shall obtain a building permit within 60 days of the decision of approval or at the discretion of the Chief Building Official; and
7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.21 A-2023-0349

RAMAN GREWAL

78 LANEWOOD STREET

PLAN M1271, LOT 25, WARD 9

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 2.4 metres to a proposed sunroom addition, whereas the by-law requires a minimum rear yard setback of 7.5 metres.

Jordan DeJong-Schillings of Four Seasons Sunrooms, authorized agent was present online and presented an overview of the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: T. Thirunavukkarasu

Seconded by: J. Reed

That application A-2023-0349 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision; and
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.22 A-2023-0350

ARUNESH SAXENA, TANVI MUKESH CHANDWANI

11 FLORIBUNDA CRESCENT

PLAN M489, LOT 69, WARD 3

The applicants are requesting the following variance(s):

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 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; and
2. To permit a proposed exterior side yard setback of 2.2 metres to a stairway leading to a below grade entrance, whereas the by-law requires a minimum exterior side yard setback of 3.0 metres.

Pooja Shah, authorized agent was present online and presented an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: P. Khaira

Seconded by: S. Saini

That application A-2023-0350 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the existing fence used to screen the below grade entrance remain as provided, and not be removed or lowered, but may be repaired or replaced when necessary;
3. That drainage on adjacent properties shall not be adversely affected;
4. That the below grade entrance shall not be used to access an unregistered second unit; and

5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.23 A-2023-0353

ANKUR GUPTA

11 DRAGON TREE CRESCENT

PLAN M1349, LOT 117, WARD 9

The applicants are requesting the following variance(s):

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 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; and
2. To permit a proposed exterior side yard setback of 2.95 metres to a stairway leading to a below grade entrance, whereas the by-law requires a minimum exterior side yard setback of 3.0 metres.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0353 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the owner implement planting to adequately screen the below grade entrance and minimize visual impact on the streetscape in a manner satisfactory to the Director of Development Services;
3. That drainage on adjacent properties shall not be adversely affected;
4. That the below grade entrance shall not be used to access an unregistered second unit; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

9.24 A-2023-0354

DEEPAK ANAND, JYOTI ANAND

70 LEAGATE STREET

PLAN 43M1583, LOT 80, WARD 6

The applicants are requesting the following variance(s):

1. To permit 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.

Anju Bhutani, authorized agent was present online and presented an overview of the application.

Azad Baksh, Brampton resident was present and inquired if the application is regarding a second unit or a walk out.

Anju Bhutani, authorized agent advised this was the beginning stages to a second unit.

Azad Baksh, Brampton resident expressed his opposition to the application in respects to his concerns with the increase in noise, excess garbage all over, safety and privacy of the residents in the area. The home has over ten (10) people living in it.

Member R. Chatha inquired if Zoning has reduced site visits and properties not being inspected.

F. Hemon-Morneau, Principal Planner/Supervisor, Development Services advised city staff are evaluating only what is in the applications.

Member R. Chatha expressed he is not in support of this application for the reason the driveway has been extended to the property line and the side entrance is exposed and not in the side yard or the back yard.

Ellis Lewis, Assistant Development Planner advised the entrance is covered by the backyard fence.

F. Hemon-Morneau, Principal Planner/Supervisor, Development Services advised staff are agreeable to a condition in regard to the driveway and proposed Condition 6.

The Committee Chair J. Dehriwal inquired if there is any enforcement on the property.

E. Corrazola, Sign Co-Ordinator advised there is enforcement action for the basement apartment but not for the driveway.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: R. Chatha

Seconded by: S. Saini

That application A-2023-0354 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That the existing fence used to screen the below grade entrance remain as provided, and not be removed or lowered, but may be repaired or replaced when necessary;
3. That drainage on adjacent properties should not be adversely affected;
4. That the applicant obtain a building permit for the below grade entrance within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
5. That the below grade entrance shall not be used to access an unregistered second unit;
6. That the driveway be brought into compliance with the Zoning By-law not later than April 30, 2024, or an extended deadline at the discretion of the Director of Development Services; and
7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.25 A-2023-0355

FARZANA BAGAM

72 CIRCUS CRESCENT

PLAN 43M2074, LOT 7, WARD 6

The applicants are requesting the following variance(s):

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 0.12 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum setback of 1.2 metres.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0355 be approved, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That drainage on adjacent properties should not be adversely affected;
4. That the applicant obtain a building permit for the below grade entrance within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.26 A-2023-0356

SURJIT SINGH BOPARAI

25 PENNSYLVANIA AVENUE

PLAN M952, LOT 131, WARD 4

The applicants are requesting the following variance(s):

1. To permit a proposed garden suite with a gross floor area of 37.16 square metres, whereas the by-law permits a garden suite to have a maximum gross floor area of 35 square meters; and
2. To permit a rear yard setback of 1.74 metres to a proposed garden suite, whereas the by-law requires a minimum rear yard setback of 2.5 metres to a proposed garden suite.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0356 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the owner submit a Garden Suites Architectural Control Review Application prior to the submission of a Building Permit Application;
3. That drainage on adjacent properties should not be adversely affected; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.27 A-2023-0357

DEVENDER UPPAL

8 PARLIAMENT HILL PLACE

PLAN 43M1573, LOT113, WARD 10

The applicants are requesting the following variance(s):

1. To permit a driveway width of 9.32 metres, whereas the by-law permits a maximum driveway width of 9.14 metres; and
2. To permit 0.31 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot line.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0357 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. The Owner must obtain a Road Occupancy and Access Permit from the City of Brampton's Road Maintenance and Operations Section for any construction of works within the City's road allowances; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.28 A-2023-0358

BALVIR BHATIA, SURJIT BHATIA

586 QUEEN MARY DRIVE

PLAN 43M2090, LOT 5, WARD 6

The applicants are requesting the following variance(s):

1. To permit a proposed above grade entrance in a side yard having a minimum width of 1.06 metres extending from the rear wall of the dwelling up to the door, whereas the by-law permits an above grade entrance when the side yard within which the door is located has a minimum width of 1.2 metre extending from the front wall of the dwelling up to and including the door; and
2. To permit a 1.06 metre wide pedestrian path of travel leading to the principal entrance of an additional residential unit, whereas the by-law requires an unobstructed pedestrian path of travel having a minimum width of 1.2m leading to the principal entrance of an additional residential unit.

Tanvir Rai, authorized agent was present online and presented an overview of the application.

Staff outlined the proposed conditions and the reasons for deferral of the application.

Tanvir Rai, authorized agent inquired if the application could come back earlier than the suggested date.

The Committee Chair J. Dehriwal advised the application can come back once the subdivision is assumed.

The authorized agent agreed to the conditions.

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2022-0358 be deferred no later than the last hearing of June 2024.

Carried

9.29 A-2023-0359

INDERJIT SINGH SAINS

130 NEWBRIDGE CRESCENT

PLAN M338, PT LOT 88, RP 43R10806 PART 36, WARD 7

The applicants are requesting the following variance(s):

1. To permit a proposed above grade entrance in a side yard having a minimum width of 0.96 metres extending from the front wall of the dwelling up to the door, whereas the by-law permits an above grade entrance when the side yard within which the door is located has a minimum width of 1.2 metre extending from the front wall of the dwelling up to and including the door; and
2. To permit a 0.96 metre wide pedestrian path of travel leading to the principal entrance of an additional residential unit, whereas the by-law requires an unobstructed pedestrian path of travel having a minimum width of 1.2m leading to the principal entrance of an additional residential unit.

Bhaskar Joshi, authorized agent was present online and presented an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: S. Saini

Seconded by: B. Mand

That application A-2023-0359 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the above grade entrance shall not be used to access an unregistered second unit;
3. That drainage on adjacent properties should not be adversely affected;
4. That the owner provides the required \$660.00 planning review fee to the TRCA as noted in their letter dated December 8, 2023; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.30 A-2023-0360

CABBAGE PATCH DEVELOPMENTS INC.

23-17 WORTHINGTON AVENUE

PLAN M1386 BLK 324 CON 3 WHS PT LOT 11, RP 43R24092 PT PART 1,
WARD 6

The applicants are requesting the following variance(s):

1. To permit a dog kennel in unit D5, whereas the by-law does not permit the use of a dog kennel.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0360 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That the Kennel shall be limited to a maximum gross floor area of 464 square metres (4,995 square feet); and

3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.31 A-2023-0361

MAQSOOD AHMED

27 DEESIDE CRESCENT

PLAN 809, PT LOT 178, WARD 7

The applicants are requesting the following variance(s):

1. To permit a proposed exterior stairway leading to a below grade entrance located between the main wall of the dwelling and the front 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 front lot line; and
2. To permit a front yard setback of 5.9 metres to a proposed stairway leading to a below grade entrance, whereas the by-law requires a minimum front yard setback of 7.6m.

Anju Bhutani, authorized agent was present online and presented an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Member J. Reed inquired why a drainage clause was not added.

Staff proposed a Condition 5 in regard to the drainage.

The authorized agent agreed to the added condition.

Moved by: J. Reed

Seconded by: B. Mand

That application A-2023-0361 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;

2. That the applicant implement planting to screen the proposed below grade entrance in a manner satisfactory to the Director of Development and Design Services;
3. That the proposed landscape buffer as depicted in Appendix B shall be maintained, and shall not be removed, but may be repaired when necessary;
4. That the below grade entrance shall not be used to access an unregistered second unit;
5. That drainage on adjacent properties shall not be adversely affected; and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.32 A-2023-0362

15274702 CANADA INC.

89 WELLINGTON STREET EAST

PLAN BR 21, PT LOT 88, RP 43r5605 PART 2, WARD 3

The applicants are requesting the following variance(s):

1. To permit an Additional Residential Unit (ARU), whereas the by-law does not permit the use.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0362 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision; and
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.33 A-2023-0363

DANIELS CREIT MOUNT PLEASANT CORPORATION

40 LAGERFELD DRIVE

PLAN 43M1927, PT BLK 4, RP 43R39900 PARTS 2 TO 12, 20 TO 24, 27, 28, 31 TO 39, WARD 6

The applicants are requesting the following variance(s):

1. To permit a parking space depth of 5.3 metres, whereas the by-law requires a minimum parking space depth of 5.4 metres.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0363 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That no more than 1% of the required parking spaces be permitted with a reduced parking space depth of 5.3m; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.34 A-2023-0364

TACC HOLBURN (BLOCK 140) INC.

4400 QUEEN STREET EAST

PLAN 43M2092, BLK 140, WARD 8

The applicants are requesting the following variance(s):

1. To permit a sales office having a gross floor area of 253.9 square metres, whereas, the by-law permits a minimum gross floor area of 23,200 square metres for a commercial use; and
2. To permit a sales office having a building height of 1-storey, whereas the by-law permits a minimum building height of 3-storeys.

Nick Sesito, authorized agent was present and presented an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2023-0364 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the proposed variance be allowed for a temporary period of three (3) years from the date of the Committee's decision or until all dwelling units under plan of subdivision 21T-13004B are sold, whichever occurs first;
3. That the sales office shall relate only to subdivision application 21T-13004B;
4. The owner and builders shall enter into a temporary sales office agreement with the City for a period of three years from the date of the decision of approval or until such time as all lots in the specifically referenced Planning development application are sold, whichever comes first;
5. The owner shall provide securities in the amount of \$40,000 to ensure the removal of the sales pavilion, parking areas, temporary access and all associated signage and flags;
6. A building permit is required prior to the erection of the temporary sales pavilion;
7. All signage associated with the temporary sales pavilion shall be in accordance with the sign by-law and shall not be installed or displayed until such time as appropriate permits have been issued;
8. That the applicant to contact the City's Forestry and Open Space Department to review any existing trees effected by the proposed temporary sales office; and
9. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

9.35 A-2023-0365

BOVAIRD COMMERCIAL CENTRE LTD.

N/W CORNER BOVAIRD DRIVE WEST AND CREDITVIEW ROAD

PLAN 43M1927 PT BLK 1, RP 43R38813 PARTS 12 TO 16, WARD 6

The applicants are requesting the following variance(s):

1. To allow Lands Zoned R4A-3522 and R4A-3523 on the attached sketch to permit the uses in the C3-3525 Zone and be subject to the requirements and restrictions of the C3-3525 zone;
2. To permit a 0.0m setback to lands zoned R4A-3522 and R4A-3523;
3. To permit a Mixed Use Development Building that is not within 25 metres of Lagerfeld Drive, whereas the By-law requires a Mixed Use Development Building having a minimum height of 2 storeys be located within 25 metres of Lagerfeld Drive;
4. To permit a 4.95 metre setback to a lot line abutting a public street, whereas the By-law permits a maximum setback of 4.5 metres to a lot line abutting a public street;
5. To permit a building height of 3 storeys for a Mixed Use Development building located within 12 metres of Bovaird Drive West, whereas the By-law Requires a minimum building height of 6 storeys for a Mixed Use Development Building located within 12 metres of Bovaird Drive West;
6. To allow all garbage, refuse and waste containers to be located outside of the Mixed Use Development Building and to permit the waste collection loading area to be located more than 9.0m from the main entrance, whereas the By-law requires all garbage, refuse and waste containers be located within the Mixed Use Development building and the waste loading area to be located a minimum of 9.0 metres from the main entrance;
7. To provide 210 parking spaces, whereas the By-law requires a minimum 384 parking spaces; and
8. To provide 2 loading spaces, whereas the by-law requires a minimum of 3 loading spaces.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0365 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That the applicant finalize site plan approval under application SPA-2023-0007, execute a site plan agreement and post any required securities to the satisfaction of the Director of Development Services; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.36 A-2023-0366

2742416 ONTARIO INC.

139 ANTIBES DRIVE

CHINGUACOUSY CON 3 WHS PT LOT 6, RP 43R38151 PART 1, WARD 5

The applicants are requesting the following variance(s):

1. To permit an interior side yard setback of 0.9 metres to a proposed single detached dwelling, whereas the by-law requires a minimum interior side yard setback of 1.2 metres to an Open Space (OS) zone.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0366 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage on adjacent properties should not be adversely affected; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

9.37 A-2023-0368

PD COMMERCIAL LAKELANDS INC.

885 BOVAIRD DRIVE EAST

PL 43M1613 BLK 497, WARD 1

The applicants are requesting the following variance(s):

1. To permit a day nursery, whereas the by-law does not permit the use;
2. To permit a front yard setback of 1.5 metres to a proposed commercial building, whereas the by-law requires a minimum 4.5 metre front yard depth of 4.5 metre, measured from the westerly property line;
3. To permit an exterior side yard setback of 3.0 metre (at Bovaird Dr.) to a proposed commercial building, whereas the by-law requires a minimum 4.5 metre exterior side yard setback;
4. To permit an exterior side yard setback of 1.5 metre (at Sea Lion Rd.) to a proposed commercial building, whereas the by-law requires a minimum 4.5 metre exterior side yard setback;
5. To permit a landscape open space strip of 3.0 metre along the northerly property lines, whereas the by-law requires a minimum of 4.5 metre be provided along the northerly and westerly property lines;
6. To permit a landscape open space strip of 1.5 metre along the westerly property lines, Whereas the by-law requires a minimum of 4.5 metre be provided along the northerly and westerly property lines;
7. To permit a landscape open space strip of 1.5 metre along the southerly property lines, whereas the by-law requires a minimum of 6.0 metre be provided along the southerly and easterly property lines;
8. To permit a landscape open space strip of 3.0 metres along the easterly property lines, whereas the by-law requires a minimum of 6.0 metres be provided along the southerly and easterly property lines;
9. To permit a retaining wall within a landscaped open space, whereas the by-law does not permit retaining walls within a landscaped open space;

10. To permit a commercial building having a maximum building height of 3 storeys, whereas the by-law permits a maximum building height of 2 storeys;
11. To permit a setback to 1.5 metre to a utility structure, whereas the by-law requires the yard regulations required for the zone be complied with; and
12. To permit a minimum of 73 parking spaces, whereas the by-law requires a minimum of 82 parking spaces.

Patrick Pearson, authorized agent was present online and presented an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: T. Thirunavukkarasu

Seconded by: J. Reed

That application A-2023-0368 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the owner finalize site plan approval under City File SPA-2023-0084, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.38 A-2023-0369

JASVIR SINGH SARANA, PRABHSIMRAN KAUR SARANA

7 KAMBALDA ROAD

PL 43M2099, LOT 117, WARD 6

The applicants are requesting the following variance(s):

1. To permit a proposed above grade entrance in a side yard having a minimum width of 0.65 metres extending from the front wall of the dwelling up to the door, whereas the by-law permits an above grade entrance when the side yard within which the door is located has a minimum width of 1.2 metres extending from the front wall of the dwelling up to and including the door.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0369 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage on adjacent properties shall not be adversely affected;
3. That the above grade entrance shall not be used to access a registered or unregistered second unit; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.39 A-2023-0380

JOEL CABRAL

71 FORSYTHIA ROAD

PL 811, PT LOT 547, WARD 8

The applicants are requesting the following variance(s):

1. To permit an accessory structure (existing garage/shed) having a gross floor area of 15.85 square metres, whereas the by-law permits a maximum gross floor area of square metres for an individual accessory structure;
2. To permit a combined gross floor area of 25.25 square metres for two accessory structures, whereas the by-law permits a maximum combined gross floor area of 20 square metres for two (2) accessory structures; and
3. To permit an accessory structure (existing garage/shed) in the interior side yard having a setback of 0.1m, whereas the by-law does not permit an

accessory structure to encroach into the minimum interior side yard setback of 1.2 m required for the main building.

This application was approved under the Review of the Agenda section, as follows:

That application A-2023-0380 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage on adjacent properties is not adversely affected;
3. That drainage from the existing accessory structures must flow onto the owners property;
4. That the owner obtain a building permit within 60 days of the final date of decision or extended at the discretion of the Chief Building Official; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10. DEFERRED MINOR VARIANCE APPLICATIONS

10.1 A-2020-0155

EMELISA PINCH

93 FREDERICK STREET

PLAN 340, LOT 1, WARD 3

The applicants are requesting the following variance(s):

1. To permit a detached garage with a gross floor area of 55.55 square metres, whereas a maximum gross floor area for a detached garage shall not exceed 48 square meters.

Emelisa Pinch the applicant was present online and presented an overview of the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: B. Mand

Seconded by: P. Khaira

That application A-2020-0155 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage from the proposed detached garage shall flow directly onto the applicants property; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.2 A-2023-0012

GREENWAY REAL ESTATE INC.

5 COPPER ROAD

PLAN M269, PT BLK C, RP 43R13197 PART 1, WARD 3

The applicants are requesting the following variance(s):

1. To permit the sales and/or truck leasing of transport trucks and trailers as an accessory use to the existing warehouse and truck terminal use, whereas the by-law does not permit the use.

Arlene Beaumont, authorized agent was present online and presented an overview of the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2023-0012 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;

2. That the proposed lease and sale of trucks and trailers shall be accessory and subordinate to the primary permitted outside storage of trucks and trailers; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.3 A-2023-0197

PRADEEPKUMAR JAISWAL, AMITA JAISWAL

8 NEWSTEAD CRESCENT

PLAN 889, LOT 134, WARD 1

The applicants are requesting the following variance(s):

1. To permit a reduced side yard set back of 0.61 metres to a proposed addition, whereas the by-law requires a minimum interior side yard setback of 1.8 metres.

Valiuddin Mohammad, authorized agent was present online and presented an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Teresa Brewer, Brampton resident was present online and expressed her opposition to the application in respects to her concerns with the increase in driveway. The driveway already can hold four (4) cars.

Eric Organ, Brampton resident was present and expressed his opposition to the application in respects to his concerns with the garage being so close to the property line. The backyard has a concrete pad that covers 80% and causes flooding in the backyard when there is a heavy rainfall.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2023-0197 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the applicant obtain a Custom House Architectural Control approval prior to the submission of a building permit application; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.4 A-2023-0276

2778830 ONTARIO LIMITED

2548 EMBLETON ROAD

CON 6 WHS PART LOT 6, WARD 6

The applicants are requesting the following variance(s):

1. To permit a banquet hall, whereas the By-law does not permit the use; and
2. To vary Schedule 'C', Section 596 of the by-law to permit the location of the buildings, landscaping and parking area as per the site plan attached to the public notice, whereas the by-law requires that all buildings, landscaping and parking be located in accordance with Schedule 'C-Section 596.

Andrew Walker of Gagnon Walker Domes Ltd., authorized agent was present and presented an overview of the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: J. Reed

Seconded by: B. Mand

That application A-2023-0276 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;

2. That variance 1 to permit a Banquet Hall use whereas the by-law does not permit a Banquet Hall be limited to a five (5) year temporary period;
3. That the applicant submit a Site Plan application within 60 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services;
4. That the applicant obtain a change of use permit for the existing structure to permit the Banquet Hall use;
5. That no additional outdoor accessory structures or activities associated with the banquet hall use be permitted on the subject property;
6. That no noise producing devices (i.e. speakers) be permitted to be located outside of the existing building; and,
7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.5 A-2023-0287

AVTAR SINGH NANRA, DAVINDER KAUR MANKOO

37 POSSESSION CRESCENT

PLAN 43M1992, LOT 38, WARD 10

The applicants are requesting the following variance(s):

1. To permit a driveway width of 8.0 metres whereas the By-law permits a maximum driveway width of 7.32 metres.

Prabhjot Kaur, authorized agent was present and presented an overview of the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved by: T. Thirunavukkarasu

Seconded by: S. Saini

That application A-2023-0287 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. The Owner must obtain a Road Occupancy and Access Permit from the City of Brampton's Road Maintenance and Operations Section for any construction of works within the City's road allowances; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

11. Adjournment

Moved by: B. Mand

Seconded by: P. Khaira

That Committee do now adjourn to meet again for a Regular Meeting of the Committee of Adjustment on January 23, 2024 at 9:30 a.m. or at the call of the Chair.

Carried