



Minutes

Committee of Adjustment

The Corporation of the City of Brampton

Tuesday, April 23, 2024

- Members Present: Jarmanjit Singh Dehriwal (Chair)
Baljit Mand (Vice-Chair)
Jotvinder Sodhi (Vice-Chair)
Ron Chatha
Paul Khaira
James Reed
Sarbjeeet Saini
- Members Absent: Thisaliny Thirunavukkarasu
Manoharan Vaithianathan
- Staff Present: Ross Campbell, Manager, Zoning and Sign By-law, Planning,
Building and Growth Management
Francois Hemon-Morneau, Principal Planner/Supervisor,
Planning, Building and Growth Management
Megan Fernandes, Planning Technician, Development Services
Ellis Lewis, Assistant Development Planner, Development
Services
Aferdita Dzaferovska, Planning Technician, Development
Services
Paul Brioux, Planner, Development Services
Clara Vani, Secretary-Treasurer/Legislative Coordinator

1. Call to Order

The meeting was called to order at 9:32 a.m. recessed at 11:48 a.m., reconvened at 12:12 p.m. and adjourned at 13:02 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, Jotvinder Sodhi (Vice-Chair) and Ron Chatha.

Members absent during roll call: Thisaliny Thirunavukkarasu (personal) and Manocharan Vaithianathan (personal).

2. Adoption of Minutes

2.1 Minutes - Committee of Adjustment - March 19, 2024

Moved by: S. Saini

Seconded by: B. Mand

That the minutes of the Committee of Adjustment hearing held March 19, 2024 be approved, as printed and circulated.

Carried

3. Region of Peel Comments

3.1 Region of Peel Comments

The Committee Chair J. Dehriwal noted correspondence received from the Region of Peel.

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

Nil

5. Withdrawals Requests

Nil

6. Review of the Agenda for Immediate Approval

Moved by: J. Reed

Seconded by: B. Mand

1. That the following agenda items and minor variance applications, before the Committee of Adjustment at its April 23, 2024, meeting, be approved subject to the conditions set out in the staff recommendation for each respective application:

Item #	Application #	Location
10.4	A-2024-0052	28 Estateview Circle
10.5	A-2024-0054	4 Montcalm Place
10.6	A-2024-0058	38 Fidelity Avenue
10.8	A-2024-0061	479 Veterans Drive
10.9	A-2024-0062	49 Nautical Drive
10.11	A-2024-0064	26 Kenview Blvd.
10.16	A-2024-0072	12039 Hurontario Street
10.18	A-2024-0074	1 Sailwind Road
10.19	A-2024-0075	96 Clockwork Drive
10.20	A-2024-0076	175 Heartview Road
10.21	A-2024-0077	88 Linkdale Road
10.25	A-2024-0084	35 Bellini Avenue
10.26	A-2024-0085	59 Avalanche Crescent

10.27	A-2024-0086	29 Rollingwood Drive
10.28	A-2024-0087	5 Sandmere Avenue
10.29	A-2024-0088	22 Zelda Road
10.31	A-2024-0090	15 Hercules Court
10.33	A-2024-0092	26 Commodore Drive
10.34	A-2024-0093	61 Truro Circle
10.35	A-2024-0094	40 Bellini Avenue
10.36	A-2024-0095	150 West Drive Unit 106
10.38	A-2024-0097	50 Commodore Drive
10.39	A-2024-0098	26 Pauline Crescent
10.40	A-2024-0099	72 Donald Stewart Road
10.41	A-2024-0100	21 Wellpark Way
10.42	A-2024-0101	171 Moffatt Avenue
10.43	A-2024-0102	56 Jordenson Drive

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

7. Deferral Requests

7.1 A-2022-0268

Mohammed Ilyas

2257 and 2267 Embleton Road

Con 5, WHS, Part Lot 5, Ward 6

The applicant(s) are requesting the following variance(s):

1. To permit a day nurse, whereas the by-law does not permit the use;
2. To permit 40% of the required front yard to be landscaped open space, whereas the zoning 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 metres, whereas the by-law requires a front yard setback of 12 metres;
4. To permit a side yard setback of 6 metres, whereas the by-law requires a 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.

Previously deferred March 28, 2023

(See Item 12.1)

Moved by: B. Mand

Seconded by: P. Khaira

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

Carried

7.2 A-2024-0063

Francisco Peiris Nirdoshan, Isanka Nanyakkara

72 Eldomar Avenue

Plan 487, Lot 61, Ward 3

The applicant(s) are requesting the following variance(s):

1. To permit a driveway width of 9.38 metres, whereas the by-law permits a maximum driveway width of 6.71 metres for driveways facing a flankage lot line.

(See Item 10.10)

Moved by: B. Mand

Seconded by: S. Saini

That application A-2024-0063 be deferred to no later than the last hearing of June 2024.

Carried

7.3 A-2024-0068

Baligh Graieb, Nora Graieb

10 Hazelwood Drive

Plan 717, Lot 100, Ward 7

The applicant(s) are requesting the following variance(s):

1. To permit an accessory structure (existing pergola) having a gross floor area of 37.53 square metres (404 sq ft), whereas the by-law permits a maximum gross floor area of 15 square metres for an individual accessory structure;
2. To permit a front yard setback of 0.855 metres to a proposed ground floor addition, whereas the by-law requires a minimum front yard setback of 9.0 metres;
3. To permit an interior side yard setback of 1.995 metres to a proposed second floor addition, whereas the by-law requires a minimum interior side yard setback of 2.8 metres;
4. To permit a lot coverage of 42%, whereas the by-law permits a maximum lot coverage of 25%;
5. To permit an accessory structure (existing shed) having a setback of 0.49 metres to the side lot line, whereas the by-law requires a minimum 0.6 metres to the nearest lot line;
6. To permit an accessory structure (existing pergola) having a gross floor area of 18.95 square metres (204 square feet), whereas the by-law

permits a maximum gross floor area of 15 square metres for an individual accessory structure;

7. To permit an accessory structure (existing pergola) having a height of 3.1 metre, whereas the by-law permits an accessory structure having a maximum height of 3.0 metres;
8. To permit an accessory structure (existing pergola) having a height of 3.2 metres, whereas the by-law permits an accessory structure having a maximum height of 3.0 metres; and
9. To permit a combined gross floor area of 71.34 square metres for three (3) accessory structures, whereas the by-law permits a maximum combined gross floor area of 20 square metres for two (2) accessory structures.

(See Item 10.12)

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0068 be deferred no later than the last hearing of July 2024.

Carried

7.4 A-2024-0071

1212949 Ontario Inc.

9353 Winston Churchill Blvd.

Con 6 WHS, Part Lot 7, Ward 6

The applicant(s) are requesting the following variance(s):

1. To permit an Industrial use (warehouse) in an Agricultural zone, whereas the by-law does not permit the use; and
2. To permit outside storage of stage rental equipment and oversized motor vehicles for a temporary period of two years, whereas the by-law does not permit outside storage.

(See Item 10.15)

Moved by: J. Reed

Seconded by: P. Khaira

That application A-2024-0071 be deferred no later than the last hearing of October 2024.

Carried

7.5 A-2023-0055

1000004087 Ontario Inc.

15 Hale Road

Con 2 EHS, Part Lot 1, RP 43R1794, Part 1, Ward 3

The applicant(s) are requesting the following variance(s):

1. To allow for motor vehicle sales as a permitted use, whereas motor vehicle sales is not permitted;
2. To allow for 17 parking spaces, whereas a minimum of 23 parking spaces are required;
3. To allow for the outside storage and display of motor vehicles for sale to be located in the front yard, whereas no outside storage is permitted unless in a rear or interior side yard and such storage shall be screened from view. by a solid fence; and
4. To permit a lot area of 1550 square meters, whereas the by-law requires a minimum lot area of 1800 square metres for a vehicle impound use.

Previously deferred October 3, 2023 and January 23, 2024

(See Item 12.2)

Moved by: P. Khaira

Seconded by: B. Mand

That application A-2023-0055 be deferred no later than the last hearing of June 2024.

Carried

7.6 A-2024-0079

Vishal Anand, Sonal Chaudhary

80 Donald Stewart Road

Plan 43M2100, Lot 14, Ward 6

The applicant(s) 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 0.1 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 (3.94 feet) is provided on the opposite side of the dwelling; and
3. To permit a 0.65-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.

(See Item 10.22)

Moved by: B. Mand

Seconded by: S. Saini

That application A-2024-0079 be deferred no later than the last hearing of May 2024.

Carried

8. **New Consent Applications**

8.1 B-2024-0002

Bhupinder Turna, Gurmehak Turna

218 McMurchy Avenue South

Plan 872, Lot 15, Ward 3

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 848.40 square metres. The proposed severed lot has a frontage of approximately 15.59 metres; a depth of approximately 26.36 metres and an area of approximately 405.89 square metres. It is proposed that 2 lots be established from the existing lot for future residential development of a single detached dwelling on the proposed severed lot.

Associated Files: A-2024-0046 (See Item 10.2) and A-2024-0047 (See Item 10.3)

A-2024-0046

Bhupinder Turna, Gurmehak Turna

218 McMurchy Avenue South

Plan 872, Lot 15, Ward 3

The applicant(s) are requesting the following variance(s):

1. To permit a lot area of 405.89 square meters, whereas the by-law requires a minimum lot area of 450 square metres;
2. To permit a lot depth of 26.36 metres, whereas the by-law requires a minimum lot depth of 30 metres;
3. To permit a rear yard setback of 6.12 metres to a proposed dwelling, whereas the by-law requires a minimum rear yard setback of 7.50 metres; and
4. To permit a lot coverage of 37.08%, whereas the by-law permits a maximum lot coverage of 30%.

Associated Files: B-2024-0002 (See Item 8.1) and A-2024-0047 (See Item 10.3)

A-2024-0047

Bhupinder Turna, Gurmehak Turna

218 McMurchy Avenue South

Plan 872, Lot 15, Ward 3

The applicant(s) are requesting the following variance(s):

1. To permit a lot area of 442.51 square metres, whereas the by-law requires a minimum lot area of 540 square metres for a corner lot;
2. To permit a lot width of 16.35 metres, whereas the by-law requires a minimum lot width of 18 metres for a corner lot;
3. To permit a lot depth of 27.04 metres, whereas the by-law requires a minimum lot depth of 30 metres;
4. To permit a front yard setback of 5.01 metres to an existing dwelling, whereas the by-law required a minimum front yard setback of 6.0 metres;
5. To permit a rear yard setback of 3.91 metres to an existing dwelling, whereas the by-law requires a minimum rear yard setback of 7.50 metres;
and
6. To permit a driveway width of 7.31 metres, whereas the by-law permits a maximum driveway width of 6.71 metres.

Associated Files: B-2024-0002 (See Item 8.1) and A-2024-0046 (See Item 10.2)

Aman Turna, authorized agent was present online and presented an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Mike Pacheco, Brampton resident was present online and expressed his objection and concerns in relation to safety and increased traffic in the area. With the increase in traffic the accident has increased. The trees will be removed.

Jan Poplawski, Brampton resident was present in person and expressed his concerns and opposition to the application, referring to the *Planning Act* as this application is not minor in nature. This application should not be heard from the Committee of Adjustment. These applications don't meet the four tests in the *Planning Act* making the application not minor. Requesting the applications have a further investigation from the staff as the applications are major and not minor.

Kathleen McDermott, Brampton resident was present in person and submitted a petition with over 60 signatures and photos in relations to the trees, cars parked on the lawn, cars blocking the fire hydrants, and excessive garbage at the residence. She expressed her opposition and concerns about the numerous bylaw contraventions and safety of the children attending school. Referred to

the WSP Consulting Group report posted on the City of Brampton in relation to the application being major in nature and not minor.

Jian Marcon, Brampton resident was present in person and expressed his opposition to the application in regards the safety of the school children at the bus stop. The increase in traffic and speeding of the vehicles in the area. Inquired how the staff consider this application minor. The report should be authentic and creditable.

Kasia Poplawska, Brampton resident was present in person and expressed her concerns and opposition to all three applications. The deterioration of the property and the neighborhood.

Staff outlined the proposed conditions of the staff report.

Member J. Sodhi advised that the committee is very passionate about safety concerns of all the area residents. Inquired if staff addressed all the concerns for the residents.

Francois Hemon-Morneau, Principal Planner/Supervisor advised additional materials required for staff to bring forward another recommendation. The traffic staff have not identified any issues or concerns with the bus shelter. Staff are happy to review further information.

Member J. Reed – We need to do something on housing stock. This is on a bus route. I know the area very well. Our mandate is to deal with consent, and this is consent. I am struggling, there is an argument that the housing stock needs to be increased. I am struggling with this one.

Member R. Chatha – Comments made passionately by neighbors. Changes may affect the area. It does come under the committee for the severance. This committee evaluates each application. This is a mature neighborhood. The petition with many signatures was received with many signatures from area residents, understandable that area residents are upset. The housing shortage allows for houses to make additional units. We do hear the concerns of the residents. The variance is minor in nature. I would like to hear more from the staff, committee members and the agent regarding the concerns raised by the public.

The Committee Chair J. Dehriwal requested information if the variance is minor in nature.

Francois Hemon-Morneau, Principal Planner/Supervisor advised the application meets the criteria under the *Planning Act* that it is minor in nature. There is no

major concerns raised from technical staff. There will be several condition that the applicant must fulfill.

Member P. Khaira requested additional traffic studies for this application as area residents have concerns for increased traffic in the area.

Member J. Reed expressed that he believes the application is too intense. I cannot support the staff report.

Member S. Saini requested that we require additional studies regarding this application. There are many residents that are upset, and we should defer this application for additional studies.

Member R. Chatha agrees the traffic studies is required. The bus shelter is in proximity. There is an impact with putting a new house in a mature neighborhood, especially at an intersection. We require additional information and time. I would of have liked the authorized agent to be present and present the application and answer questions of the public as well as the committee questions and concerns.

Arpana Saini, authorized agent present online we agree with the deferral and have no objection with obtaining a traffic study as well as an arborist. In regards with the garbage, this is a bylaw offence and falls under the City of Brampton bylaw section.

Member J. Sodhi regarding safety of the area for the bus stop and the schools in the area we require additional studies. Requesting the property owner to ensure the garbage is cleaned up and be respectful of the city. We are responsible to make it a better place for everyone.

The Committee Chair J. Dehriwal we all have the same concerns and will require additional studies for this application.

Francois Hemon-Morneau, Principal Planner/Supervisor confirms that a traffic study is required for the intersection, the bus shelter, the stop sign, and an arborist report.

The Committee Chair J. Dehriwal confirms those are the studies requested.

Member R. Chatha agrees with discussions with staff and the authorized agent to obtain the additional studies.

Member J. Reed the additional studies will not change my decision.

Member P. Khaira advises the property owner that the property should remain clean.

Bhupinder Turna, applicant, was present and advised committee there is construction at the home causing the garbage at the home.

Moved by: R. Chatha

Seconded by: S. Saini

That application B-2024-0002 and A-2024-0046 and A-2024-0047 be deferred no later than the last hearing of August 2024.

Carried

9. Validation of Title Application

9.1 B-2024-0004

Duca Financial Services Credit Union Limited

48 Nostalgia Court

Plan M1527, Part Lot 32, RP 43R28260, Part 4, Ward 5

The purpose of the application is to request the consent of the Committee of Adjustment to validate the title of lands legally described as Part of Lot 32, Plan 43M1527, and Part 4, Plan 43R-28260, having frontage on Nostalgia Court of approximately 7.89 metres, a depth of approximately 33 metres and an area of approximately 362 square metres.

Kevin Dias, Gowling WLG (Canada) LLP was present online and presented an overview of the application.

Staff outlined the proposed conditions of the staff report.

Moved by: S. Saini

Seconded by: J. Reed

That application B-2024-0004 is supportable.

Carried

9.2 B-2024-0005

Michael Nicholson

48 Nostalgia Court

Plan M1527, Part Lot 32, RP 43R28260, Part 4, Ward 5

The purpose of the application is to request the consent of the Committee of Adjustment to validate the title of lands legally described as Part of Lot 32, Plan 43M1527, and Part 4, Plan 43R-28260, having frontage on Nostalgia Court of approximately 7.89 metres, a depth of approximately 33 metres and an area of approximately 362 square metres.

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

Staff outlined the proposed conditions of the staff report.

Moved by: J. Reed

Seconded by: J. Sodhi

That application B-2024-0004 is supportable.

Carried

10. New Minor Variance Applications

10.1 A-2024-0009

Pragnesh Vyas, Falguni Vyas

37 Riverstone Drive

Plan 43M1714, Lot 73, Part Block 390 and RP 43R33348, Part 1, Ward 8

The applicant(s) 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; and
2. To permit a 0.65-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 1.2 metres leading to the principal entrance of an additional residential unit.

Pragnesh Vyas, authorized agent was present and requested a deferral of the application.

Staff had no objections.

Moved by: J. Sodhi

Seconded by: S. Saini

That application A-2024-0009 be deferred no later than the last hearing of July 2024.

Carried

10.2 A-2024-0046

Brought forward and dealt with under Item 8.1

10.3 A-2024-0047

Brought forward and dealt with under Item 8.1

10.4 A-2024-0052

Jaswinder Singh Multani, Harminder Singh Multani, Harbhajan Kaur Multani

28 Estateview Circle

Plan M440, Lot 35, Ward 10

The applicant(s) are requesting the following variance(s):

1. To permit a proposed storage shed having a gross floor area of 129.42 square metres, whereas the by-law permits a maximum gross floor area of 23 square metres for an individual accessory building;
2. To permit a door to the proposed storage shed having a height of 3.66 metres, whereas the by-law permits a door to an accessory building to have a maximum height of 2.4 metres;
3. To permit a garden suite located in the front yard (where Luross Gate is the front lot line), whereas the by-law permits a garden suite in the rear or interior side yard; and
4. To permit a garden suite having a total gross floor area of 99.4 square metres (including 77.36 square metres dwelling and 22.04 square metres attached garage), whereas the by-law permits a garden suite having a maximum gross floor area of 80 square metres in a Residential Estate zone.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0052 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 commercial or industrial uses shall operate from the storage shed;
3. That drainage on adjacent properties shall not be adversely affected;
4. That the applicant/owner submit a Custom Home Application for the proposed Garden Suite;
5. That the applicant 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. A tree removal permit may be required; and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.5 A-2024-0054

Hector Pereira Ulises

4 Montcalm Place

Plan M72, Lot 60, Ward 7

The applicant(s) are requesting the following variance(s):

1. To permit a lot coverage of 32.9%, whereas the by-law permits a maximum lot coverage of 30%.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0054 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 for the covered deck 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

10.6 A-2024-0058

Pauly Jacob, Ancy Paul

38 Fidelity Avenue

Plan M1511, Lot 312, Ward 6

The applicant(s) 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 0.05 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.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0058 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

10.7 A-2024-0060

Rajvant Saini, Babita Rani

67 Donald Stewart Road

Plan 43M2099, Lot 18, Ward 6

The applicant(s) are requesting the following variance(s):

1. To permit a proposed above grade entrance in a side yard having a minimum width of 0.63 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 (3.94 feet) extending from the front wall of the dwelling up to and including the door; and
2. To permit a 0.63 metres 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.

Shivang Tarika, Rely Solutions, authorized agent was present online and provided an overview of the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed with the conditions.

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0060 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 the above grade entrance shall not be used to access a registered or unregistered second unit;
3. That drainage on adjacent properties should not be adversely affected;
4. That variance 2 be refused; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.8 A-2024-0061

Praveen Koya, Naga Mahitha Yalamanchili

479 Veterans Drive

Plan 43M2044, Lot 252, Ward 6

The applicant(s) are requesting the following variance(s):

1. To permit a proposed exterior side yard setback of 3.49 metres to a stairway leading to a below grade entrance, whereas the by-law requires a minimum exterior side yard setback of 4.5 metres.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0061 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 below grade entrance shall not be used to access an unregistered second unit;

3. 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;
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

10.9 A-2024-0062

Gurmanpreet Singh, Japneet Kaur Sansoya

49 Nautical Drive

Plan M1298, Lot 209, Ward 9

The applicant(s) 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 0.17 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 (3.94 feet) is provided on the opposite side of the dwelling.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0062 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 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;
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

10.10 A-2024-0063

Brought forward and dealt with under Item 7.2

10.11 A-2024-0064

Metrus (Terra) Properties Inc.

26 Kenview Blvd.

Plan 43M811, Part Block 3, RP 43R33440, Part 3, RP 43R40551, Parts 2, 8 and 9, Ward 8

The applicant(s) are requesting the following variance(s):

1. To permit outside storage for an existing manufacturing building, whereas the by-law does not permit the use.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0064 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be generally limited to that shown on the sketch attached to the Notice of Decision or to that modified and approved as part of the future Site Plan Application review process;

2. That the applicant apply for and obtain Site Plan Approval within 90 days of Committee's Decision or extended for an approved period of time by 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

10.12 A-2024-0068

Brought forward and dealt with under Item 7.3

10.13 A-2024-0069

2417563 Ontario Inc.

73 Eastern Avenue

Plan 518, Part Block G, Ward 3

The applicant(s) are requesting the following variance(s):

1. To permit a motor vehicle sales establishment, whereas the by-law does not permit the use.

The applicant was present in person and advised committee he is looking for an extension.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the reasons for refusal.

Member B. Mand inquired with staff, this is an additional application that is being refused. The applications are being refused due to the Queen Street corridor construction. We are unsure of when the corridor construction will take place. I would be in support to give them an extension of three or four years.

Francois Hemon-Morneau, Principal Planner/Supervisor, we are aware of the approvals for these properties. Those applications have different zoning bylaws. On the south side of Eastern Avenue have an industrial designation. We do agree the zoning bylaws are met. We do believe the application does not meet the long-term goals that the city is trying to achieve.

Member B. Mand, suggests that a condition, regarding the Queen Street corridor expansion, be implemented if the application is extended.

Member R. Chatha understands the long-term intention of staff, the redevelopment of the neighborhood to combat the growth. I am not satisfied with the way the vehicles are parked. The compliance of your previous application conditions should be followed. The parking of the vehicles is a concern. You have several vehicles you can display outside and the remaining vehicles inside the building or in the back.

Member S. Saini inquired if the business is running.

Applicant advised the business is running.

Member J. Sodhi, agrees with Member R. Chatha in regards with the safety and following the conditions implemented on the application.

Member J. Reed, inquired with staff if the conditions would remain the same.

Francois Hemon-Morneau, Principal Planner/Supervisor, read out the conditions staff are suggesting should the application be approved.

Member B. Mand requested a five-year extension.

Francois Hemon-Morneau, Principal Planner/Supervisor, advised staff will do the will of the committee.

Member R. Chatha advised there should be an additional condition regarding the cars displayed for car sales.

Ross Campbell, Manager, Zoning and Sign By-Law, advised committee that in the past there wasn't an impound yard at the location. The site has been modified. I suggest they go through Site Plan Approval.

Member R. Chatha, this is a continuation of the existing business. For the applicant, how many vehicles do you require for display.

The Applicant advised there are 10 to 15 vehicles for sale.

Member R. Chatha advises staff to add a condition regarding the vehicles for display.

Francois Hemon-Morneau, Principal Planner/Supervisor, inquired on the additional conditions requested by the committee member, regarding the cars on display for sale.

Member B. Mand, inquires with the applicant if 10 vehicles can fit.

Applicant agreed 10 vehicles can fit.

Ross Campbell, Manager, Zoning and Sign By-Law, advised committee there are only 9 spots available, which results no visitor parking. We must ensure there is available area for movement of other neighbors. I would suggest a deferral to complete a thorough evaluation.

Member R. Chatha suggests reducing the spots from 10 to 4 or 5 parking spots for vehicle sales and the remaining for visitor parking.

Ross Campbell, Manager, Zoning and Sign By-Law, advises the committee additional time is required to review the application. With the impound yard there is a requirement for the visitor parking spots.

Member R. Chatha suggests display signage that the visitor parking be in the rear and reduce the spots to 4 for vehicle sales display.

Member R. Mand, advises the location can have the visitors parking on the left-hand side.

Ross Campbell, Manager, Zoning and Sign By-Law, recommends capping the number of vehicles. Staff does not recommend making signage a condition.

Francois Hemon-Morneau, Principal Planner/Supervisor, read out the conditions for.

The applicant inquired if the requirement of a new site plan is required.

Francois Hemon-Morneau, Principal Planner/Supervisor, advises the applicant and committee with all the changes at the location a new site plan is required.

Member R. Chatha advises on a business aspect, there was truck parking previously, that is no longer there. Can a similar plan be provided as provided previously. The area is larger currently then the previous application.

Ross Campbell, Manager, Zoning and Sign By-Law, confirms it is a larger area.

Member R. Chatha requests a better site plan, where the measurements can be clearer. I would request an amendment with the additional word "limited" on Condition 6.

Moved by: R. Chatha

Seconded by: S. Saini

That application A-2024-0069 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 or as amended through a future Site Plan application.
2. That the motor vehicle sales establishment use only be permitted in conjunction with a motor vehicle repair shop and be limited to a maximum gross floor area of 265 square metres;
3. That the approval be granted for a temporary period of 5 years from the final date of the Committee's decision;
4. That no vehicle for sale or storage shall be parked or stored within a required parking space, or on the City's Right-of-Way or Railway lands at any time;
5. Any vehicles parked on the City's Right of Way or Railway lands shall be removed within 30 days from the final date of the Committees decision;
6. That a limited site plan application shall be submitted within 90 days of the Committees decision and be approved and implemented within a period of 60 days, or within a period of time as approved by the director of Development Services;
7. That there be no parking of motor vehicles for sale only be permitted in accordance with the approved site plan application;
8. A maximum of four (4) vehicles offered for sale may be displayed in front of the existing fence and building.
9. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.14 A-2024-0070

Thakorbhai Mistry, Sunilkumar Thak Mistry, Ankitaben Sunilkumar Mistry

30 Palm Tree Road

Plan 43M1613, Part Lot 224, RP 43R29518, Part 57, Ward 1

The applicant(s) are requesting the following variance(s):

1. To permit an existing landing used to access an additional residential unit having a height of 0.96 metres (3 feet 2 inches) above ground level,

whereas the by-law permits a landing having a maximum height of 0.6 metres (2 feet) above ground level.

Lekesh Verma, Quintic Engineering, authorized agent 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., Sodhi

Seconded by: S. Saini

That application A-2024-0070 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 above grade entrance shall not be used to access an unregistered second unit;
3. That the applicant obtain a building permit for the above 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;
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

10.15 A-2024-0071

Brought forward and dealt with under Item 7.4

10.16 A-2024-0072

2797180 Ontario Inc.

12039 Hurontario Street

Con 1 EHS Part Lot 18, Ward 2

The applicant(s) are requesting the following variance(s):

1. To permit a building height of 38.90 metres, whereas the by-law permit a maximum height of 9 storeys (28.5 metres).

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0072 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 finalize site plan approval under City File SPA-2022-0106, 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

10.17 A-2024-0073

Simarjeet Singh Makker, Preeti Cheema

47 Bushwood Trail

Plan 43M2099, Part Block 167, RP 43R40473, Parts 1 and 2, Ward 6

The applicant(s) are requesting the following variance(s):

1. To permit a proposed exterior side yard setback of 1.78 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.

Tanvir Rai, Noble Prime Solutions Ltd., 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 applicant agreed with the conditions.

Moved by: S. Saini

Seconded by: J. Sodhi

That application A-2024-0073 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 below grade entrance shall not be used to access an unregistered second unit;
3. 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;
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

10.18 A-2024-0074

Sandra Gomes, Carlos Desousa

1 Sailwind Road

Plan M1288, Lot 72, Ward 9

The applicant(s) are requesting the following variance(s):

1. To permit a rear yard setback of 5.89 metres to a privacy wall, whereas the by-law permits a rear yard setback of 7.5 metres;
2. To permit a driveway width of 7.23 metres, whereas the by-law permits a maximum driveway width of 6.71 metres;
3. To permit 0.30 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;

4. To permit an accessory structure (existing shed) in the exterior side yard, whereas by-law does not permit an accessory structure in the exterior side yard; and
5. To permit an accessory structure (existing shed) having a setback of 0.05 metres from the rear and side lot lines, whereas the by-law requires a minimum of 0.6 metres to the nearest lot line.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0074 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 building permit for the existing rear covered porch 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;
3. That the Owner 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;
4. That drainage on adjacent properties shall 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

10.19 A-2024-0075

Hargobind Sharma, Niharika Sharma

96 Clockwork Drive

Plan 43M2099, Lot 125, Ward 6

The applicant(s) are requesting the following variance(s):

1. To permit a proposed above grade entrance in a side yard having a minimum width of 0.64 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 (3.94 feet) 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:

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0075 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 below grade entrance shall not be used to access an unregistered or registered second unit; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.20 A-2024-0076

Syed Muhammad Saqib, Sana Saqib

175 Heartview Road

Plan 43M1880, Part Lot 78, RP 43R35439, Part 25, Ward 2

The applicant(s) 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 0.15 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.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0062 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

10.21 A-2024-0077

8032882 Canada Inc.

88 Linkdale Road

Plan 970, Lot 73, Ward 1

The applicant(s) are requesting the following variance(s):

1. To permit a rear yard setback of 6.07 metres to a proposed rear addition, whereas the by-law requires a minimum rear yard setback of 8.48 metres.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0077 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 rear addition (gazebo) remain as an “open-style” construction;
3. That drainage from the addition shall not adversely impact the adjacent properties; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.22 A-2024-0079

Brought forward and dealt with under Item 7.6

10.23 A-2024-0081

Himanshu Shah, Krunaliben Shah

74 Parity Road

Plan 43M2009, Lot 127, Ward 5

The applicant(s) are requesting the following variance(s):

1. To permit a proposed exterior side yard setback of 3.56 metres to a stairway leading to a below grade entrance, whereas the by-law requires a minimum exterior side yard setback of 4.5 metres.

Shivang Tarika, 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 applicant agreed with the conditions.

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0081 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 below grade entrance shall not be used to access an unregistered second unit;
3. 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;
4. That the driveway and permeable landscaping be reinstated in a manner that complies with the Zoning By-law;
5. That drainage on adjacent properties should 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

10.24 A-2024-0083

Manpreet Singh

23 Fuller Street

Plan 43M2087, Lot 174, Ward 5

The applicant(s) 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 a 0.1 metres side yard setback to a proposed exterior stairway leading to a below grade entrance in the required interior side yard, resulting in a combined side yard width of 0.74 metres, whereas the by-law requires a minimum side yard setback of 1.2 metres provided that the combined total for both side yards on an interior lot is 1.8 metres.

Manpreet Singh, 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: B. Mand

Seconded by: S. Saini

That application A-2024-0083 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;
3. That the below grade entrance shall not be used to access an 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

10.25 A-2024-0084

Pardeep Singh, Pawanjot Dhanoa

35 Bellini Avenue

Plan M538, Lot 4, Ward 10

The applicant(s) are requesting the following variance(s):

1. To permit the dwelling, an accessory structure and a swimming pool to be located outside the Schedule C – Section 1508 building area, whereas all structures including dwellings, accessory buildings, swimming pools may only be located within the building area as per Schedule C - Section1508.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0084 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 accessory structure be directed onto the subject property;
3. That no commercial or industrial uses shall operate from the garage;
4. That the applicant 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. A tree removal permit will be required; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.26 A-2024-0085

Gurwinder Singh Gill

59 Avalanche Crescent

Plan M1516, Lot 173, Ward 8

The applicant(s) are requesting the following variance(s):

1. To permit a proposed above grade entrance in a side yard having a minimum width of 0.89 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 (3.94 feet) extending from the front wall of the dwelling up to and including the door; and
2. To permit a driveway width of 7.47 metres, whereas the by-law permits a maximum driveway width of 7 metres.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0085 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;
3. That the above grade entrance shall not be used to access an unregistered second unit;
4. That the 0.6m permeable landscaping between the side lot line be reinstated in accordance with the sketch attached to the notice of decision;
5. That 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
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.27 A-2024-0086

Sandeep Singh Dhaliwal, Samanjeet Kaur Dhaliwal, Darshan Dhaliwal, Paramjit Dhaliwal

29 Rollingwood Drive

Plan M1160, Lot 147. Ward 4

The applicant(s) 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 0.02 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum interior side yard of 1.2 metres.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0086 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 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;
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

10.28 A-2024-0087

Rajesh Kumar, Rupinder Kaur

5 Sandmere Avenue

Plan M752, Lot 94, Ward 2

The applicant(s) are requesting the following variance(s):

1. To permit a existing above grade entrance in a side yard having a minimum width of 0.91 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 (3.94 feet) extending from the front wall of the dwelling up to and including the door; and
2. To permit a 0.66 metres setback to the step for an above grade side entrance, whereas the by-law requires a minimum setback of 0.9 metres (2.95 feet) to any steps (or landing) in the interior side yard.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0087 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 obtain a building permit for the existing above 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;
3. That the above grade entrance shall not be used to access an 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

10.29 A-2024-0088

Nadarajah Piratheepan

22 Zelda Road

Plan 43M1946, Part Block 222, RP 43R36823, Parts 22 and 23, Ward 9

The applicant(s) 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 0.27 metres to proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum side yard setback of 1.2 metres.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0088 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 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

10.30 A-2024-0089

2603562 Ontario Inc.

24 Selby Road

Con 2, EHS Part Lot 3, RP 43R1967 Part 2, Ward 3

The applicant(s) are requesting the following variance(s):

1. To permit a motor vehicle sales establishment in conjunction with motor vehicle repair, whereas the by-law does not permit a motor vehicle sale establishment;
2. To permit a side yard setback of 0 metres to a proposed roof canopy, whereas the by-law requires a minimum 4 metres side yard setback;
3. To permit 18 parking spaces on site, whereas the by-law requires 23 parking spaces; and
4. To permit a drive aisle width of 4 metres, whereas the by-law requires drive aisles width of 6.6 metres.

Edward Gill, authorized agent was present 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: S. Saini

That application A-2024-0089 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 motor vehicles sales used only be permitted in conjunction with and accessory to the motor vehicle repair use;
3. That drainage from the proposed carport roof must flow onto the applicant's property;
4. That a site plan application shall be submitted within 180 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.31 A-2024-0090

Deowati Chitan, Mc Roy Chitan

15 Hercules Court

Plan M40m, Part Block B, RP 43R2508, Parts 127 and 127A, Ward 7

The applicant(s) are requesting the following variance(s):

1. To permit a proposed deck in the interior side yard, whereas the by-law does not permit a deck to encroach in the required side yard; and
2. To vary Schedule C-section 127 to permit a deck having an interior side-yard setback of 1.55 metres, located outside the approved building envelope, whereas the by-law requires that all buildings be constructed in accordance with Schedule C section 127 to the by-law.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0090 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;
3. That the applicant obtain a building permit for the constructed deck 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
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.32 A-2024-0091

David Muscillo

59 Cadillac Crescent

Plan M1550, Part Lot 328, RP 43R28101 Part 5, Ward 6

The applicant(s) are requesting the following variance(s):

1. To permit the interior of a garage having a rectangular area of 2.7 metres by 5.0 metres, whereas the by-law requires the interior of a garage to have a minimum rectangular area of not less than 2.7 metres by 5.4 metres; and
2. To permit a parking space depth of 5.0 metres, whereas the by-law requires a minimum parking space depth of 5.4 metres.

Sukhjit Josan, authorized agent was present and requested a deferral.

Staff had no objection to the deferral.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2024-0091 be deferred no later than the last hearing of June 2024.

Carried

10.33 A-2024-0092

Muhammad Atif, Summya Atif

26 Commodore Drive

Plan 43M1751, Part Lot 275, RP 43R32471, Part 22, Ward 5

The applicant(s) 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 0.09 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.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0092 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;
- 4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.34 A-2024-0093

Sanjai Rampat, Rakesh Sankar

61 Truro Circle

Plan 43M1949, Lot 191, Ward 6

The applicant(s) are requesting the following variance(s):

1. To permit a proposed above grade entrance in a side yard having a minimum width of 0.94 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 (3.94 feet) extending from the front wall of the dwelling up to and including the door; and
2. To permit a 0.94-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 metre leading to the principal entrance of an additional residential unit.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0093 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;
3. That the above grade entrance shall not be used to access an 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

10.35 A-2024-0094

Pardeep Singh, Pawanjot Dhanoa

40 Bellini Avenue

Plan M538, Lot 19, Ward 10

The applicant(s) are requesting the following variance(s):

1. To permit a detached garage on a property where there is already an attached private garage, whereas the by-law does not permit a detached garage on a property with an attached private garage;
2. To permit a detached garage having a height of 7.26 metres, whereas the by-law permits a detached garage with a maximum height of 4.5 metres for a peaked roof;
3. To permit a detached garage having a gross floor area of 246 square metres, whereas the by-law permits a detached garage having a maximum gross floor area of 48 square metres;
4. To permit an addition to an existing single detached dwelling having a building height of 10.9 metres, whereas the by-law permits a maximum building height of 10.6 metres; and
5. To permit a detached garage to be used for habitable space (installation of a washroom).

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0094 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;
3. That no commercial or industrial uses shall operate from the detached garage;
4. That the applicant 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. A tree removal permit will be required; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.36 A-2024-0095

PAB410-7 Limited Partnership c/o Kipling Realty Management Inc.

150 West Drive, Unit 106

Plan 895, Block A, Part Block F, RP43R11609, Part 1, Ward 3

The applicant(s) are requesting the following variance(s):

1. To permit a place of commercial recreation (indoor playground), whereas the by-law does not permit the use.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0095 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 apply for a change of use permit prior to occupancy of the space; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.37 A-2024-0096

Kamlesh Shah, Manisha Shah, Charudutt Shah

32 Vespahills Crescent

Plan 43M1714, Lot 45, Ward 8

The applicant(s) are requesting the following variance(s):

1. To permit a driveway width of 13.9 metres, whereas the by-law permits a maximum driveway width of 9.14 metres.

Kamlesh Shah, applicant 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 applicant agreed with the conditions.

Moved by: J. Reed

Seconded by: R. Chatha

That application A-2024-0096 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 vehicles shall not be parked on extended portions of the driveway; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.38 A-2024-0097

Ravi Kondapalli

50 Commodore Drive

Plan 43M1751, Part Lot 234, RP 43R32309, Part 12, Ward 5

The applicant(s) are requesting the following variance(s):

1. To permit an existing 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 0.18 metres to an existing exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum interior side yard setback of 1.2 metres.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0097 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;
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

10.39 A-2024-0098

Sri Satya Subhramanya Hanuman Akella, Satya Surya Kumari Pendyala

26 Pauline Crescent

Plan 43M1574, Lot 8, Ward 6

The applicant(s) are requesting the following variance(s):

1. To permit an existing 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 a 0.11 metres side yard setback to an existing exterior stairway leading to below grade entrance in the required interior side yard, resulting in a combined side yard width of 0.73 metres, whereas the by-law requires a minimum side yard setback of 0.6m provided that the combined total for both side yards on an interior lot is 1.8 metres.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0098 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;
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

10.40 A-2024-0099

Rajan Kanwar, Pavneet Jaswal

72 Donald Stewart Road

Plan 43M2100, Lot 18. Ward 6

The applicant(s) are requesting the following variance(s):

1. To permit a proposed above grade entrance in a side yard having a minimum width of 0.63 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 (3.94 feet) 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:

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0099 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;
3. That the above grade entrance shall not be used to access an unregistered or registered second unit; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.41 A-2024-0100

Gurjit Singh Padda, Amritapl Kaur Padda

21 Wellpark Way

Plan 43M1913, Lot 39, Ward 10

The applicant(s) are requesting the following variance(s):

1. To permit a maximum gross floor area of 45 square metres for a proposed garden suite in the rear yard, whereas the by-law permits a maximum gross floor area of 35 square metres.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0100 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 the garden suite be screened with planting/ vegetation in a manner satisfactory to the Director of Development Services;
4. That drainage on adjacent properties should not be adversely affected;

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

Carried

10.42 A-2024-0101

Jasbir Singh Matharu

171 Moffatt Avenue

Plan M960, Lot 6, Ward 4

The applicant(s) are requesting the following variance(s):

1. To permit a rear yard setback of 6.30 metres to a proposed two-storey addition, whereas the by-law requires a minimum rear yard setback of 8.85 metres;
2. To permit an interior side yard setback of 1.30 metres to a proposed second-storey addition, whereas the by-law requires a minimum interior side yard setback of 1.2 metres to the first storey, or part thereof, plus 0.6 metres for each additional storey, or part thereof, where the lot width is less than or equal to 16 metres; and
3. To permit a lot coverage of 43.36%, whereas the by-law permits a maximum lot coverage of 30%.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0101 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 failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

10.43 A-2024-0102

Shweta Arora, Umesh Kumar Duaa

56 Jordensen Drive

Plan 43M1751, Part Lot 205, RP 43R32015, Part 7, Ward 5

The applicant(s) 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 0.02 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum interior side yard setback of 1.20 metres.

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

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0102 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;
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

11. Deferred Consent Applications

Nil

12. **Deferred Minor Variance Applications**

12.1 A-2022-0268

Brought forward and dealt with under Item 7.1

12.2 A-2023-0055

Brought forward and dealt with under Item 7.5

12.3 A-2024-0006

Agyei Peprah-Asiase

13 Harper Road

Plan 581, Lot 236, Ward 3

The applicant(s) are requesting the following variance(s):

1. To permit a building addition with an interior side yard setback of 1.2 metres to the second storey, whereas the by-law requires a minimum interior side yard setback of 1.8 metres; and
2. To permit a lot coverage of 33.42% whereas the by-law permits a maximum lot coverage of 30%.

Previously deferred February 20, 2024

Aryan Sharma, authorized agent 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: P. Khaira

That application A-2024-0006 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;

3. That the applicant 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. A tree removal permit will be required.
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

12.4 A-2024-0049

Karandeep Saini

55 Vivian Crescent

Plan 983, Lot 28, Ward 4

The applicant(s) are requesting the following variance(s):

1. To permit a dwelling unit (garden suite) located 2.75 metres from a rail line right-of-way, whereas the by-law does not permit any dwelling units located closer than 15 metres to a rail line right-of-way.
2. To permit a lot coverage of 37.98%, whereas the by-law permits a maximum lot coverage of 30%; and
3. To permit a total of 1 parking space, whereas the by-law requires a minimum of 3 parking spaces.

Previously deferred March 19, 2024

Karandeep Saini, applicant was present 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. Sodhi

Seconded by: S. Saini

That application A-2024-0049 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. Should required works be undertaken by the City within the road right-of-way, the owner of the property is advised to remove any parked vehicles located in the impacted portion of the driveway for the duration of the works;
3. That the applicant/owner obtain a Garden Suite Architectural Control approval prior to the submission of a building permit;
4. That the garden suite shall not be used as an unregistered Additional Residential Unit (ARU); and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

13. Other Business

Nil

14. Adjournment

Moved by: B. Mand

Seconded by: J. Sodhi

That Committee do now adjourn to meet again for a Regular Meeting of the Committee of Adjustment on May 21, 2024 at 9:30 a.m. or at the call of the Chair.

Carried

J. Singh Dehriwal, Chair

C. Vani, Secretary-Treasurer