



## Minutes

### Committee of Adjustment

### The Corporation of the City of Brampton

**Tuesday, November 12, 2024**

Members Present:	Jarmanjit Singh Dehriwal (Chair) Baljit Mand (Vice-Chair) Jotvinder Sodhi (Vice-Chair) Ron Chatha James Reed Sarbjeeet Saini
Members Absent:	Paul Khaira 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 Genevieve Scharback, City Clerk Charlotte Gravlev, Deputy City Clerk

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#### **1. Call to Order**

The meeting was called to order at 9:33 a.m. recessed at 11:20 a.m., reconvened at 11:57 a.m. and adjourned at 3:18 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), Jotvinder Sodhi (Vice-Chair), Sarbjeeet Saini, James Reed, and Ron Chatha.

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

**2. Adoption of Minutes**

**2.1 Minutes - Committee of Adjustment - October 15, 2024**

Moved by: S. Saini

Seconded by: B. Mand

That the minutes of the Committee of Adjustment hearing held October 15, 2024 be approved, as printed and circulated.

Carried

**3. Region of Peel Comments**

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

Nil

**5. Withdrawals Requests**

Nil

**6. Review of the Agenda for Immediate Approval**

Nil

**7. Deferral Requests**

**7.1 A-2024-0215**

Swaran Singh

4 Maple Avenue

Plan BR 2, Part Lots 17, 18, Ward 1

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

1. To permit an accessory structure (existing shed 1), located in the rear yard having a setback of 0.56 metres to the side lot line, whereas the by-law requires a minimum setback of 0.6 metres to the nearest lot line;
2. To permit an accessory structure (existing shed 2), located in the rear yard having a setback of 0.31m to the side lot line, and 0.32m to the rear lot line, whereas the by-law requires a minimum setback of 0.6 metres to the

nearest lot line;

3. To permit a combined gross floor area of 20.44 square metres (220 square feet) for two (2) accessory structures (existing sheds), whereas the by-law permits a maximum combined gross floor area of 20 square metres for two (2) accessory structures;
4. To permit a driveway width of 10.37 metres (34feet), whereas the by-law permits a maximum driveway width of 7.0 metres;
5. To permit 0.30 metres of permeable landscaping abutting both side lot line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot lines; and
6. To permit the rear yard to be paved for the purpose of parking whereas the by-law does not permit the rear yard to be paved for the purpose of parking (except on a driveway that lead to a garage).

Moved by: B. Mand

Seconded by: S. Saini

That application A-2024-0215 be deferred to the last hearing of February 2025.

Carried

## **8. New Consent Applications**

### **8.1 B-2024-0017**

2689336 Ontario Inc.

10514 Coleraine Drive

Con 11, EHS PCL 3, Part Lot 13, Ward 10

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 49.8 acres. The proposed severed parcel has an approximate area of 21.736 acres. It is proposed that the severed parcel be merged with the adjacent parcel, municipally addressed as 12 Cadetta Rd.

Moved by: B. Mand

Seconded by: S. Saini

That application B-2024-0017 be deferred no later than the last hearing of March 2025.

Carried

**9. New Minor Variance Applications**

9.1 A-2023-0333

Li Chen

705 Remembrance Road

PSCP 1118 Level 1, Unit 1, Ward 6

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

1. To permit a total of 44 parking spaces, whereas the by-law requires a minimum 62 parking spaces.

Shashank Chitale, authorized agent was present online and presented an overview of the application.

Member R. Chatha inquired on the height of the building being added and if the parking justification study in the process of being completed.

Member J. Sodhi, inquired if the parking study has been completed.

Nicholas Dell, Harper Dell and Associates expressed his opposition to the application regarding lack of signage on the property, and there is ongoing litigation with this application address. The site plan agreement has not been executed. The easement advises there should be no obstructions and there are. Currently there is an ongoing litigation. The committee should consider this application at a later date.

Daniel Nishiguchi, Teplitsky LLP, was present and provided the committee litigation documents. Also, advised committee the clients did not receive notice regarding the committee meeting. There is lack of parking and easement issues. The matter cannot go forward until the litigation is resolved. Counsel advised if client suffers loses, they will be looking at the Corporation to cover loses and to adjourn the application indefinitely.

Member R. Chatha inquired on the address of the client.

Nicholas Dell, Harper Dell and Associates advised 625 Remembrance.

Member R. Chatha inquired if it is within the complex.

Nicholas Dell, Harper Dell and Associates advised it is the adjacent parcel with a blanket easement.

Member R. Chatha inquired if it has a mutual access.

Nicholas Dell, Harper Dell and Associates advised yes mutual access.

Member R. Chatha inquired if it is a condominium corporation not owned by one individual.

Nicholas Dell, Harper Dell and Associates advised this is not owned by a condominium corporation. The unit my client owns is part of a condominium.

Member R. Chatha advised additional square footage to a property affects everyone.

Staff read out the recommendation of the report and advised they have had discussions with other departments. The previous approval for the access easement, the additional GFA is not seen as contradictory to the previous approval.

Member J. Sodhi inquired with counsel the approximate time and costs if the deferral is approved.

Daniel Nishiguchi, Teplitsky LLP, cannot advise the time or costs. Counsel advised the costs can impact damages towards the City of Brampton.

Member J. Sodhi would like an opinion from the City of Brampton counsel.

Member R. Chatha advised there is no legal present but perhaps in the future we can have one present, external legal counsel. The member inquired with the applicant if they can provide additional information with the information received.

The applicant advised when the application was made city staff advised they will not proceed until the litigation is complete. Recently, our lawyer contacted the City of Brampton legal, and they advised we can proceed. If the approval is today, the square footage remains the same. The signage was posted and emailed to the city staff and the sign is still posted. The building foundation has plenty of parking.

Shashank Chitale, authorized agent the parking on this property will not overflow. They have a parking study. These are two separate lots, and each lot has their own parking requirements.

Member R. Chatha advised the impact is negative. The applicant advised there was enough parking, if there is enough parking why apply for the minor variance. Suggested a deferral for five or six months.

Moved by: R. Chatha

Seconded by: B. Mand

That application A-2023-0333 be deferred no later than the last hearing of May 2025.

Carried

## 9.2 A-2024-0195

Murali Vilvaratnam, Jeyatheepa Sockalingam

61 Blazing Star Drive

Plan 43M1567, Block 492, Plan 43M1691, Block 683, Ward 9

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

1. To permit a front yard setback of 3.19 metres to an existing porch enclosure and second storey addition, whereas the by-law requires a minimum front yard setback of 4.5 metres to the front wall of a dwelling;
2. To permit a driveway width of 8.2 metres, whereas the by-law permits a maximum driveway width of 7.0 metres; and
3. To permit 0.3 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.

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

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff read out the recommendation of the report.

The authorized agent agreed with the conditions.

Moved by: R. Chatha

Seconded by: S. Saini

That application A-2024-0195 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 variance 2 width of 8.2 metres, whereas the by-law permits a maximum driveway width of 7.0 metres be refused;
3. That variance 3 to permit 0.3 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 be refused;
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.3 A-2024-0200

Imam-e-Zamana Centre

4598 Countryside Drive

Con 10, EHS Part Lot 16, Ward 10

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

1. To permit 21 tandem parking spaces in conjunction with a community club, whereas the by-law does not permit tandem parking spaces;
2. To permit a community club, whereas the by-law does not permit the use;
3. To permit a driveway for two-way traffic having a width of 5.06m, whereas the by-law requires a minimum driveway width of 6.0m for a two-way traffic driveway;
4. To permit a total of 25 parking spaces, whereas the by-law requires a minimum of 29 parking spaces; and
5. To permit 63% of the front yard to be landscaped open space, whereas the by-law requires a minimum 70% of the front yard to be landscaped open space.

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

The Committee Chair J. Dehriwal highlighted correspondence received.

T. Patel, Brampton resident was present and expressed her opposition to the application regarding the area harmony being disturbed, high volume of traffic, elderly go for walks, there would be an increase in people coming there and additional parking issues.

V. Aulka, Brampton resident was present and expressed his opposition with the application will cause an increase in traffic on Countryside Drive and the safety of the children in the area.

A. Goyat, Brampton resident was present and expressed his opposition to the application, there was not sufficient notice provided, the sign was hidden. This is a quiet estate neighborhood, we do not require a community club in the area, they do not have enough parking, they are asking for change of use this is a residential area, they require many variances, we do not want the peacefulness of the neighborhood being disturbed, and the application would ruin the area.

L. Santelli, Brampton resident was present and expressed her opposition to the application regarding safety of the children and elderly in the area with the increase of traffic due to this location. We need to maintain the estate property community and the City needs to maintain the river and ensure the conservation remains.

The applicant updated the committee members with respect to the reasons why he chose this location and advised he is working closely with the City of Brampton staff.

H. Kassam, Brampton resident was present and expressed his favor in the application, as this will be assisting the youth in the area.

Member J. Reed inquired on a past application.

C. Ghotardia, Brampton resident was present online and expressed her opposition to the application about the traffic being increased in the area and the area is not the best suited for this application.

Umas and Ahmed, Brampton resident, were present in person and expressed their support for the community centre. This location has held several courses, and is not just a religious location. The complaint regarding the traffic, as mentioned the area is being developed and will increase the traffic.



B. Raman, Brampton resident was present in person and advised committee no notice was received, this application will increase the traffic to The Gore Road. This application will not help the community all, there is a community centre not too far from there. The parking overflow will not just be sustainable.

S. Sayad, Brampton resident was present online and expressed his support to this application. He advised larger events will be held in the parks throughout Brampton. This centre is simply for programs. We provide assurance the neighbors, there will not be an increase of traffic in this area. We provided the City of Brampton some lands to increase the city street.

Member R. Chatha inquired if the application member J. Reed was inquiring about. We have shown faith in past to help all religious organization. This committee has a history of helping communities providing good will charity. There are many neighbors with genuine concerns and parking is not enough. The Council would be the appropriate way to address this type of application as well as public input.

Francois Hemon-Morneau, Principal Planner/Supervisor, advised that the application for the address 1175 Dixie Road went for a pre-consultation application.

D. Patel, Brampton resident, was present online and expressed his opposition to the application with ongoing issue regarding traffic, these are estate homes, and is not in support of this application.

Member J. Sodhi is in support for the application to be sent to Council.

Member B. Mand places a motion to direct the matter to Council.

Member R. Chatha suggests the authorized agent apply for a pre-consultation application with staff and withdraw the Minor Variance application as this is not the proper channel. Committee of Adjustment can not review these types of applications.

Staff outlined the proposed conditions of the staff report and advised staff is ready to work with the applicant and the authorized agent if they should apply a pre-consultation.

Member R. Chatha inquired if there has been enforcement action on the property.

Ross Campbell, Manager, Zoning and Sign By-Law, advised there was a zoning notice sent to the property for a place of worship.

Member S. Saini indicated this application requires additional studies, and it should go through Council.

The Committee Chair J. Dehriwal advises the decision is based on the evidence before us and send the application to Council.

Member R. Chatha the authorized agent and the applicant to withdraw the application and start the pre-con meeting in the next couple of weeks. If at that time, there is a minor variance required we can deal with it at that time. This is a rezoning application.

The Committee reserved decision on this application.

Moved by: B. Mand

Seconded by: R. Chatha

That application A-2024-0200 be deferred to such time as, the applicant and planning staff have met to review the matter in a pre-consultation meeting.

Carried

#### 9.4 A-2024-0260

Rajinder Gill, Saranjit Bhamra

38 La Rose Court

Plan M630, Lot 18, Ward 2

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

1. To permit a driveway width of 8.382 metres, whereas the by-law permits a maximum driveway width of 7 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.

Moved by: B. Mand

Seconded by: J. Sodhi

That application A-2024-0260 be deferred to no later than the last hearing of January 2025.

Carried

9.5 A-2024-0366

Quadspring Inc.

9416 Highway 50

Toronto Gore Con 11, EHS, Part Lot 8, and RP 43R40081, Part 4, Ward 10

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

1. To permit 79 parking spaces, whereas the by-law requires a minimum of 137 parking spaces.

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

Staff read out the recommendation of the report.

The authorized agent agreed with the conditions.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2024-0366 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 the owner finalize site plan approval under City File SPA-2024-0071, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.6 A-2024-0369

Ninad Narendrakumar Pandya, Avni Thakor

6 Willerton Close

Plan M524, Part Lot 25, RP 43R11651, Part 3, Ward 1

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 0.29 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.

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

Staff read out the recommendation of the report.

The authorized agent agreed with the conditions.

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0369 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

9.7 A-2024-0370

Pankaj Bansal, Ritu Bansal

21 Stoneylake Avenue

Plan 43M1613, Lot 163, Ward 1

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

1. To permit an existing balcony to encroach 4.12 metres into the rear yard setback, resulting in a setback of 3 metres from the balcony to the rear lot line, whereas the by-law permits a balcony to encroach a maximum 1.8 metres into the rear yard setback, resulting in a required setback of 5.2 metres from the deck to the rear lot line.

The authorized agent was present and provided an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff read out the recommendation of the report.

The authorized agent agreed with the conditions.

Moved by: R, Chatha

Seconded by: S. Saini

That application A-2024-0370 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 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;
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

9.8 A-2024-0371

Gurmeet K. Mann, Kuldip Singh

1 Lyndbrook Crest

Plan 43M1682, Lot 58, Ward 8

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 exterior side yard;
2. To permit an existing exterior side yard setback of 1.87 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; and
3. To permit a driveway width of 7.32 metres, whereas the by-law permits a maximum driveway width of 7.00 metres.

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

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff read out the recommendation of the report.

The authorized agent agreed with the conditions.

Moved by: B. Mand

Seconded by: J. Sodhi

That application A-2024-0371 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 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;
3. That the below grade entrance shall not be used to access an unregistered second unit;
4. That drainage on adjacent properties shall not be adversely affected;

5. That the 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;
6. That the owner provide Staff with documentation of the final driveway condition inclusive of the width measuring 7.32 metres (24.02 feet) and reinstate landscaped areas as depicted in the submitted Site Plan within 90 days of the Committee's decision or within an extended period of time at the discretion of the Director of Development Services;
7. That the owner reinstates the driveway and landscape areas as depicted in the Site Plan and reduced driveway width to 7.32 metres (24.02 feet) shall be maintained; and
8. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.9 A-2024-0372

Neelima Malhotra, Ratnesh Malhotra

106 Clockwork Drive

Plan 43M2058, Block 395, Plan 43M2099, Block 176, 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 a minimum setback of 2.41 metres to a below grade entrance in a required exterior side yard, whereas the by-law requires a minimum exterior side yard setback of 3.0 metres.

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

Staff read out the recommendation of the report.

The authorized agent agreed with the conditions.

Moved by: J. Sodhi

Seconded by: S. Saini

That application A-2024-0372 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 until the proposed acoustic fencing has been implemented;
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

9.10 A-2024-0373

Mohamed Shamir Sultan, Jo Ann Sultan

1 Rogers Road

Plan 351, Lot 39, Ward 1

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

1. To permit an interior side yard setback of 1.216 metres to a proposed detached house, whereas the by-law requires a minimum interior side yard setback of 1.8 metres; and
2. To permit a lot coverage of 34.38%, whereas the by-law permits a maximum lot coverage of 30%.

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

The Committee Chair J. Dehriwal highlighted correspondence received.



Delegation was made in opposition by Daniel Homes, with respect to the negative privacy impact of the application on his property, drainage and flood risks, loss of sunlight, and preservation of neighborhood integrity and character.

Gerry Benninger, Brampton resident expressed his opposition and concerns with respect to the scale of the addition.

Staff read out the recommendation of the report.

The authorized agent agreed with the conditions.

Moved by: R. Chatha

Seconded by: S. Saini

That application A-2024-0373 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 shall not be adversely affected on adjacent properties;
3. That the applicant/owner submit a Custom Home Application for Architectural Control;
4. That the applicant submit a Tree Preservation Plan prior to Custom Home approval to the satisfaction of the Director of Development Services and the Director of Parks Maintenance and Forestry;
5. That the applicant/owner 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
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.11 A-2024-0375

Pepsico ULC

12 Clipper Court

Plan 43M1008, Part Block 1, RP 43R36283, Parts 2 3 and 6 to 12, Ward 3

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

1. To provide a landscaped open space abutting Highway Number 410 a width of 7.55 metres, landscaped open space shall be provided and maintained abutting Highway Number 410 with a minimum width of 12 metres.

The authorized agent was present 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 deferral.

Moved by: J. Sodhi

Seconded by: B. Mand

That application A-2024-0375 be deferred to no later than the last hearing of January 2025.

Carried

#### 9.12 A-2024-0376

Sukhvir Khatra, Rupinder Khatra

25 Gamson Crescent

Plan 43M1764, Lot 149, Ward 9

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

1. To permit an existing open-sided roof structure (canopy), attached to a main wall of a building, to encroach 3.4 metres into the rear yard setback, resulting in a setback of 4.1 metres from the roof structure to the rear lot line, whereas the by-law permits a roof structure to encroach a maximum 2.0 metres into the rear yard setback, resulting in a required setback of 5.5 metres from the roof structure to the rear lot line;
2. To permit an existing deck to encroach 3.4 metres into the rear yard setback, resulting in a setback of 4.1 metres from the deck to the rear lot line, whereas the by-law permits a deck to encroach a maximum 3.0 metres into the rear yard setback, resulting in a required setback of 4.5

metres from the deck to the rear lot line; and

3. To permit an existing accessory structure (shed) in an exterior side yard, whereas the by-law does not permit an accessory structure in an exterior side yard, unless otherwise permitted.

The authorized agent was present and provided an overview of the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved by: S. Saini

Seconded by: J. Reed

That application A-2024-0376 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 open-sided roof structure (Canopy) remain open-sided and shall not be enclosed;
3. That the applicant obtain a building permit for the deck within 90 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

#### 9.13 A-2024-0377

16 Lisa St Ltd.

1-16 Lisa Street

CON 3 EHS, Part Lot 5, RP 43R19164, Part 1, RP 43R12918, Part 2 ESMEN, RP 43R16391, Part 1 FOR ROW, Ward 3

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

1. To permit a Day Nursery in Unit 1, whereas the by-law does not permit the use.

The 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 agent agreed with the conditions.

Moved by: J. Reed

Seconded by: J. Sodhi

That application A-2024-0377 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/owner obtain site plan approval to the satisfaction of the Director of Development Services within one hundred and twenty (120) days of the final date of the decision of the Committee or as extended at the discretion of the Director of Development Service. Site Plan Approval for the outdoor play area shall be required prior to occupancy of the units for a day nursery. Any safety and/or noise mitigation measures (i.e. fencing) if required, are to be to the satisfaction of the Director of Development Services;
3. That the applicant obtain a Change of Use Permit for the day nursery prior to occupancy of the unit; and,
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.14 A-2024-0378

1000005565 Ontario Inc.

119 East Drive

Plan 720, Part Block K, Ward 7

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

1. To permit an interior side yard setback of .75 metres to a proposed addition to an existing warehouse, whereas the by-law requires a minimum interior side yard setback of 4.0 metres.

The authorized agent was present and provided 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. Sodhi

That application A-2024-0378 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 variance be to permit an interior site yard setback of 1.75 metres to a proposed addition to an existing warehouse;
3. That the applicant obtain Site Plan approval;
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

#### 9.15 A-2024-0379

Muhammed Afsar Ahmed, Roxana Sharmin

49 El Camino Way

Plan 43M1550, Lot 73, Ward 6

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

1. To permit an accessory structure (existing shed) having a setback of 0.31 metres to the rear lot line, whereas the by-law requires a minimum 0.6 metres to the nearest lot line;
2. To permit an accessory structure (existing shed) having a setback of 0.31 metres to the side lot line, whereas the by-law requires a minimum 0.6

metres to the nearest lot line;

3. To permit a driveway width of 8.66 metres, whereas the by-law permits a maximum driveway width of 7.00 metres;
4. To permit 0.00 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; and
5. To permit a parking space depth of 5.10 metres (16.76 feet.), whereas the by-law requires a minimum parking space depth of 5.4 metres (17.72 feet.).

The 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 conditions one and two of the staff report, but indicated refusal of three, four and five is not accepted having regard for the difficulties the homeowner experiences with wheelchair mobility.

Staff reviewed the report recommendations.

The Committee Chair inquired with respect to potential exemption given the use of a wheelchair.

Members sympathized with the applicants, but noted concern is about the permeable aspect on the other side of the house.

Staff also raised concern regarding unauthorized curb-cut, and driveway widening.

The agent offered to reinstate the end portion of the driveway and curb, but keeping six feet for the passage.

Staff noted permeable pavers are included within the square footage of a driveway.

Moved by: R. Chatha

Seconded by: J. Sodhi

That application A-2024-0379 be deferred to the last meeting of January 2025.

9.16 A-2024-0380

Gurbir Deol

14 Benjamin Thorne Road

Plan 43M2058, Lot 246, Ward 6

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

1. To permit a rear yard setback of 1.73 metres to an existing open roofed porch whereas the by-law requires a minimum rear yard setback of 4.5 metres to an open roofed porch;
2. To permit a rear yard setback of 1.73 metres to an existing deck off the main floor whereas the by-law requires a minimum rear yard setback of 3.5 metres to a deck off the main floor; and
3. To permit 0.3 metres of permeable landscaping abutting the side lot line on one side and 0.0 metres of permeable landscaping abutting the side lot line on the other side, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting both side lot lines.

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

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2024-0380 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 permeable landscaping be reinstated in accordance with the sketch attached to the notice of decision to the satisfaction of the Director of Development services;

3. That the open roofed not be modified to become enclosed;
4. That drainage on adjacent properties 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

9.17 A-2024-0381

Chaudhry Khurram Anwar, Rabia Shahid

15 Loafers Lake Lane

Plan 43M2080, Part Lot 2, RP 43R40151, Part(s) 8 to 10, Ward 2

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

1. To permit 0.0 metres of permeable landscaping abutting both side lot lines, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot lines on both sides; and
2. To permit a driveway width of 7.98 metres, whereas the by-law permits a maximum driveway width of 4.9 metres.

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

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the proposed reasons for refusal.

The agent reiterated the need for additional driveway due to medical mobility disability.

Members expressed sympathy, but noted safety concerns with respect to visibility, and offered to defer the matter or accept the staff recommendation.

Moved by: R. Chatha

Seconded by: J. Sodhi

That application A-2024-0381 be deferred to the last hearing of January 2025.

Carried

9.18 A-2024-0384



Prem Arora, Hema Arora

123 Cresthaven Road

Plan M1127, Lot 25, RP 43R 22920, Part 1, Ward 2

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

1. 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.

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

Staff outlined the proposed conditions of the staff report.

The agent and applicant agreed with the conditions.

Moved by: R. Chatha

Seconded by: B. Mand

That application A-2024-0384 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 remove the existing pathway as noted on the sketch attached to the Notice of Decision and reinstate the area with open space landscaping;
3. That drainage on adjacent properties shall 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

9.19 A-2024-0385

Isvarya Venu, Cinthiya Venu

92 Thorndale Road

Plan 43M1712, Lot 1, Ward 10

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 exterior side yard setback of 2.64 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.

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

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved by: S. Saini

Seconded by: J. Sodhi

That application A-2024-0385 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 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;
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.20 A-2024-0387

Samirbhai Isani, Karishma Isani

123 Buick Blvd.

Plan 43M1922, Lot 335, 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 a 0.59 metres side yard setback to a proposed exterior stairway leading to below grade entrance in the required interior side yard, resulting in a combined side yard width of 1.25 metres, whereas the by-law requires a minimum side yard setback of 0.6 metres provided that the combined total for both side yards on an interior lot is 1.8 metres.

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

Staff outlined the proposed conditions of the staff report.

The agent and applicant agreed with the conditions.

Moved by: J. Sodhi

Seconded by: S. Saini

That application A-2024-0387 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

9.21 A-2024-0388

Samirbhai Isani, Karishma Isani

123 Buick Blvd.

Plan 43M1922, Lot 335, 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 a 0.59 metres side yard setback to a proposed exterior stairway leading to below grade entrance in the required interior side yard, resulting in a combined side yard width of 1.25 metres, whereas the by-law requires a minimum side yard setback of 0.6 metres provided that the combined total for both side yards on an interior lot is 1.8 metres.

The 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: B. Mand

Seconded by: S. Saini

That application A-2024-0388 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 to obtain a building permit for any alterations to the building prior to occu
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.22 A-2024-0389

Navdeep Batra, Barkha Batra

24 Michener Drive

Plan 43M2103, Lot 95, Ward 9

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

1. To permit a proposed exterior side yard setback of 4.18 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; and
2. To permit a proposed exterior stairway leading to a below grade entrance in a required exterior side yard, whereas the by-law does not permit exterior stairways constructed below established grade in the required side yard.

The 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 with the conditions.

Moved by: S. Saini

Seconded by: J. Reed

That application A-2024-0389 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 fence used to screen the below grade entrance be constructed and remain as provided, and not be removed or lowered, but may be repaired or replaced when necessary;
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

9.23 A-2024-0390

Yogesh Kumar Dhuria

26 Crannyfield Drive

Plan 43M1674, Part Lot 94, RP 43R30331, Parts(s) 1, 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 0.80 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.

The 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: J. Sodhi

Seconded by: B. Mand

That application A-2024-0390 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

9.24 A-2024-0392

Gurvinder Pal Singh, Mandeep Singh

2 Thorson Gate

Plan M342, Part Lot 14, RP 43R9360, Part 22, Ward 1

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 exterior side yard; and
2. To permit a proposed exterior side yard setback of 2.71 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.

The 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: J. Reed

Seconded by: B. Mand

That application A-2024-0392 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 shall obtain a building permit for the below grade entrance within 60 days of the decision of approval or as 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 the existing fence, as shown on the sketch, be maintained as currently constructed, and shall not be removed or lowered, but may be repaired or replaced when necessary;
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.25 A-2024-0393

2275048 Ontario Inc.

118 Orenda Road

CON 2, EHS, Part Lot 4, RP 43R13056, Parts 2,4, Ward 3

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

1. To vary Schedule 'C' Section 3273 of the by-law to permit a proposed kiosk expansion located outside the approved building envelope and within required landscaped open space, whereas the by-law requires that all buildings and landscaped open space be constructed and provided in accordance with Schedule 'C' Section 3273 of the by-law; and
2. To permit a total gross commercial floor area of 47 square metres for a gas bar kiosk, whereas the by-law permits a maximum size of 14 square metres for a gas bar kiosk.

The 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 authorized agent agreed with the conditions.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2024-0393 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 a site plan application shall be submitted to facilitate the proposed work;
3. That the applicant shall contact the City's Forestry Department to review any existing trees affected by the proposed work and obtain a tree removal permit prior to construction;
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.



9.26 A-2024-0394

7835 Mississauga Road Holdings Inc.

7835 Mississauga Road

Toronto, CON 4, WHS, Part Lot 15, RP 43R31522, Part 2, Ward 6

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

1. To allow parking stalls to be located on lands zoned Open Space (OS) – Section 2032, whereas the by-law does not permit parking stalls on lands zoned Open Space (OS) – Section 2032.

The 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 with the conditions.

Moved by: S. Saini

Seconded by: R. Chatha

That application A-2024-0394 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 parking and any associated grading necessary for its construction shall not encroach into the natural heritage buffer. The applicant shall confirm compliance to the satisfaction of the City's Environmental Planning staff and address any drawing discrepancies prior to site plan approval;
3. That the owner agrees to finalize their Site Plan Application approval under City File SPA-2024-0078, execute a Site Plan Agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; 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-2024-0395

Sunny Nagah, Ishani Gandhar

21 Bramfield Street

Plan M1504, Lot 112, Ward 6

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

1. To permit a parking space depth of 3.03 metres, whereas the by-law requires a minimum parking space depth of 5.4 metres.

The 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 of the application.

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0395 be refused.

Carried

9.28 A-2024-0396

John Medley, Akua Medley

18 Roulette Crescent

Plan 43M2005, Lot 32, Ward 6

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

1. To permit a proposed deck having a setback of 2.39 metres (7.84 feet.) to the rear lot line, whereas the by-law requires a minimum of 3.5 metres (11.48 feet.) setbacks for a wood deck off the main floor to the rear lot line.

The authorized agent was present 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-2024-0396 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 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

9.29 A-2024-0397

3824 Steeles Avenue E. Ltd.

3824 Steeles Avenue E.

Con 8, EHS Part 1, Ward 8

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

1. To permit the use of a motor vehicle sales establishment, whereas the by-law does not permit motor vehicle sales; and
2. To permit 14.29 percent landscaping in the front yard, whereas the by-law requires 70 percent landscaping in the front yard.

The authorized agent was present 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 and applicant requested the ten-year condition be reduced to seven.

Committee noted a review of the timing could be requested after three years.

Moved by: J. Sodhi

Seconded by: S. Saini

That application A-2024-0397 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 variances be approved for a temporary period of three (3) years;
3. That the applicant obtain Site Plan approval;
4. The owner to obtain a building permit for any alterations to the building prior to occupancy of the unit;
5. That the applicant shall pay all fees associated with TRCA review; and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.30 A-2024-0398

Rupinder Singh Ahluwalia, Rajvinder Kaur Ahluwalia, Supreet Singh Ahluwalia  
14 Grand Circuit Court  
Plan 872, Lot 144, Ward 3

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

1. To permit 0.98 metres path of travel from the front wall of the building to the door used as the principal entrance to the second unit, whereas the by-law requires 1.2 metres clear path of travel from the front wall of the building to the door used as the principal entrance to the second unit.

The 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: J. Sodhi

Seconded by: B. Mand

That application A-2024-0398 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; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

## **10. Deferred Consent Applications**

### **10.1 B-2024-0015**

Rose Garden Investment LP

122-130 Main Street North, 6 and 7 Nelson Street East, 7 and 11 Church Street East

Plan BR2, Lots 53- and 54-Part Lots 49 to 52, 55 to 59, 85, 86 E Hurontario St N, Queen St, and RP 43R6278, Parts 1 and 2, Ward 1

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.87 hectares. The proposed severed lot has a frontage of approximately 18.89 metres; a depth of approximately 84.63 metres and an area of approximately 0.36 hectares. It is proposed that 2 lots be established from the existing lot for future mixed-use development of a 22-storey building on the proposed severed lot, along with the creation of access easements and a blanket easement for stormwater management.

#### **A-2024-0352**

Rose Garden Investment LP

122-130 Main Street North, 6 and 7 Nelson Street East, 7 and 11 Church Street East

Plan BR2, Lots 53 and 54 Part Lots 49 to 52, 55 to 59, 85, 86 E Hurontario St N, Queen St, and RP 43R6278, Parts 1 and 2, Ward 1

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

1. To permit a maximum front yard setback (Main Street North) of 8.5 metres, whereas the by-law permits a maximum front yard setback of 3.0 metres;

2. To permit a minimum front yard setback of 8.5 metres to a tower and 0.0 metres to a podium, whereas the by-law requires a minimum front yard setback of 10.0 metres to a tower and 1.7 metres to a podium;
3. To permit an interior side yard setback of 0.0 metres to a podium abutting a commercial zone, whereas the by-law permits a minimum interior side yard setback of 0.5 metres podium abutting a commercial zone;
4. To permit an exterior side yard setback of 9.5 metres to a podium, whereas the by-law requires a minimum exterior side yard setback of 15.0 metres;
5. To permit a minimum rear yard setback of 1.2 metres to a zone boundary, whereas the by-law requires a minimum rear yard setback of 10.0 metres to the zone boundary;
6. To permit a maximum building height of 35 storeys, whereas a maximum building height of 29-storeys is currently permitted; and
7. To permit a minimum non-residential gross floor area of 405 square metres, whereas a minimum non-residential gross floor area of 2000.0 metres is currently permitted.

The authorized agent was present and provided an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Charlene Borg, a neighboring business owner, noted concerns with difficulties experienced with meeting with staff, too little correspondence that has been provided to the public, and concerns with wind and shadow effects, installation of shoring, construction noise, and a project of this scale moving so quickly. Wind study testing and a wind mitigation strategy were requested to be developed, and modifications to roofing design to improve sunlight exposure be undertaken.

Staff responded to the delegation comments noting that the wind study has been satisfactory but urged the delegate to speak with the planner working on the site plan review for full understanding.

The agent noted the wind study did not indicate impact to the delegate's property, and that mitigation measures have been included for the impacted areas identified.

Staff read out the recommendation of the report.

Committee recognized that the applicant and the City have worked well together on the application.

Moved by: B. Mand

Seconded by: S. Saini

That application B-2024-0015 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. That the owner finalize site plan approval under City File SPA-2021-0269, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
3. Separate water, sanitary and storm services shall be provided for each lot in accordance with the Ontario Building Code and to the satisfaction of the Chief Building Official prior to the severance being finalized. Should services serving one lot cross the other, the appropriate easements shall be registered prior to the completion of the severance application and issuance of the Certificate from the COA Secretary Treasurer. A building permit is required for alteration to the existing services;
4. As a condition of severance, the Owner shall provide confirmation of the registration of a mutual access easement between the retained and severed lands. The mutual access easement will be in perpetuity and to the satisfaction of the City Solicitor and the City's Commissioner of Public Works & Engineering. The Owner hereby waives and releases the City from any claim for compensation, injurious affection or other damages, claims, demands, losses, costs, suits or other proceedings arising or which may arise as a result of such arrangements. In this regard, the Owner shall submit the following to the Traffic Planning group for approval and copy the Legal Services Division:
  1. a. A draft reference plan.b. A draft reference plan overlaid onto the proposed site plan, showing only the subject site, depicting separate parts where the easement is to be conveyed.c. A memorandum to the

Traffic Planning group setting out the parts on the draft reference plan that are to be conveyed and copied to the Legal Services Division.d. Upon approval of the Draft Reference Plan by the City's Traffic Planning group, arrange for the Surveyor to have the Draft Reference Plan deposited at the Land Registry Office of Peel. e. Deposited copies are to be provided to the Traffic Planning group and the Legal Services Division;

5. Through the associated Site plan Application, the applicant shall address the Metrolinx comments noted in their letter dated October 10, 2024;
6. Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements; and,
7. 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.
8. That application A-2024-0352 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 owner finalize site plan approval under City File SPA-2021-0269, 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.

That application A-2024-0352 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 owner finalize site plan approval under City File SPA-2021-0269, 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



## **11. Deferred Minor Variance Applications**

### **11.1 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.

The authorized agent was present and provided an overview of the application. The agent requested that Recommendation 2 be reworded to include temporary event structures.

Staff outlined the proposed conditions of the staff report and provided revised wording for Recommendation 7.

Committee questioned if they park their own equipment or that of others, which staff clarified they park equipment that they own and rent out to others.

The approved variance would only relate to the equipment of the Band World Mobile.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2024-0071 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to the approved areas determined as part of the future Site Plan Application review process;
2. That Variances 1 and 2 be approved for a temporary period of two (2) years;
3. That outside storage of stage rental equipment or oversized motor vehicles be located 10 meters from the woodland dripline;

4. That a site plan application shall be submitted within 90 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services;
5. That the applicant submit a grading plan, natural heritage restoration plan, and erosion and sediment control plan that details the removal of the unauthorized fill and rehabilitation of the lands within natural heritage features and their associated buffers to the satisfaction of the Director of Environment and Development Engineering and Credit Valley Conservation;
6. That the grading plan, natural heritage restoration plan, and erosion and sediment control plan be submitted within 90 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services;
7. That the outside storage of stage rental equipment, temporary event structures, and oversized motor vehicles be limited to the operations related to Band World Mobile Stages Inc. and that the temporary event structures refer to shipment containers for bar/food and be limited to a maximum number of 15; and
8. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

11.2 A-2024-0142

Paramjit Kaur Baring

4 Leander Street

Plan M158, Lot 70, Ward 7

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

1. To permit a driveway width of 8.53 metres, whereas the by-law permits a maximum driveway width of 7.0 metres.

The agent was present online and the applicant was present in the chamber, and provided a brief overview of the application, and several hardcopy photographs of the property.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff read out the recommendation of the report and reasons for the refusal, noting it is not supportable in that that the conditions of the by-law are exceeded by a significant amount; and also that planters that were described to be on the site ultimately were not present during a site visit.

The authorized agent agreed with the conditions.

Moved by: J. Sodhi

Seconded by: S. Saini

That application A-2024-0142 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 drainage on adjacent properties 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

### 11.3 A-2024-0253

410@Steeles Inc.

110 Resolution Drive

Plan 43M1784, Block 3, Ward 3

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

1. To allow molok bins to be used for restaurant waste, whereas the by-law requires an interior climate controlled garbage room in each building.

The applicant was present presented an overview of the application.

Staff noted since this last appeared before Committee a staff report was brought forward to Council and has been referred back to staff and therefore are now content to bring forward the report recommendations of this report, which were reviewed.

The applicant agreed with the conditions.

Moved by: J. Sodhi

Seconded by: S. Saini

That application A-2024-0253 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/owner finalize site plan approval under City File SPA-2024-0148, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Service within 180 days of the date of the Committee's decision or extended for a period of time at the discretion of the Director of Development Services;
3. That landscaping, screening, signage, security cameras and associated details shall be completed to the satisfaction of the Director of Development Services to support the proposed use of an in-ground waste storage bin for food refuse; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

#### 11.4 A-2024-0275

Major Singh, Kuldeep Kaur Pooni

14 Keeleview Crescent

Plan 43M1691, Lot 604, Ward 9

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

1. To permit 0.00 metres of permeable landscaping abutting the West side lot line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot line;
2. To permit 0.30 metres of permeable landscaping abutting the East side lot line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot line;
3. To permit a driveway width of 8.50 metres, whereas the by-law permits a maximum driveway width of 7.0 metres;

4. To permit an existing accessory building (pergola) in the rear yard having a maximum gross floor area of 47.4 square metres, whereas the by-law permits a maximum combined gross floor area of 20 square metres for accessory buildings, with any individual accessory building not exceeding 15 square metres on a lot in all other residential zones; and
5. To permit an existing accessory building (pergola) in the rear yard having a maximum height of 3.04 metres, whereas the by-law permits a maximum building height of any accessory building to be 3.0 metres in all other residential zones.

Neither the applicant nor agent were present.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff read out the recommendation of the report.

Moved by: J. Dehriwal

Seconded by: S. Saini

That application A-2024-0275 be deferred to the last hearing of January 2025.

Carried

#### 11.5 A-2024-0313

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 an interior side yard setback of 7.2 metres to a proposed attached garage, whereas the by-law requires a minimum interior side yard setback of 7.5 metres;
2. To permit a two-storey addition to an existing single detached dwelling having a building height of 11.12 metres, whereas the by-law permits a maximum building height of 10.6 metres;

3. To permit an accessory structure (proposed cabana) in the interior side yard, whereas the by-law does not permit an accessory structure in the interior side yard;
4. To permit an accessory structure (proposed cabana) having a gross floor area of 67 square metres, whereas the by-law permits a maximum gross floor area of 23 square metres for an individual accessory structure;
5. To permit an accessory structure (proposed shed) having a gross floor area of 45 square metres, whereas the by-law permits a maximum gross floor area of 23 square metres for an individual accessory structure;
6. To permit a combined gross floor area of 112 square metres for two accessory structures, whereas the by-law permits a maximum combined gross floor area of 40 square metres;
7. To permit an accessory structure (proposed cabana) to be used for human habitation (washroom and kitchen facilities), whereas the by-law does not permit the use.

The agent was present online and provided a brief overview of the application background.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff read out the recommendation of the report.

The agent agreed with the conditions.

Moved by: S. Saini

Seconded by: J. Sodhi

That application A-2024-0313 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 if the cabana undergo further construction be converted to an additional dwelling unit, further approvals shall be required;

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 the owner pay the TRCA's Minor Variance Review fee for Subdivisions of \$660.00
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

11.6 A-2024-0352

**Brought forward and dealt with under item 10.1**

11.7 A-2024-0357

Soneil Markham Inc.

18 Bram Court, Unit 7

Plan M325, Part Block I, RP 43R7731, Parts 7,8,9, Ward 3

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

1. To permit a motor vehicle washing establishment in unit 7, whereas the by-law does not permit the use;
2. To permit a total of 41 parking spaces, whereas the by-law requires a minimum 60 parking spaces; and
3. To permit a 0 car stacking spaces, whereas the by-law requires 10 car stacking spaces.

Neither the agent nor applicant was present.

Staff outlined the proposed conditions of the staff report.

Moved by: J. Sodhi

Seconded by: S. Saini

That application A-2024-0357 be deferred no later than the last hearing of March 2025.

Carried

12. **Other Business**

Nil

13. **Adjournment**

Moved by: J. Sodhi

Seconded by: S. Saini

That Committee do now adjourn to meet again for a Regular Meeting of the Committee of Adjustment on December 10, 2024 at 9:30 a.m. or at the call of the Chair.

Carried

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J. Singh Dehriwal, Chair

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C. Vani, Secretary-Treasurer