



Minutes

Committee of Adjustment

The Corporation of the City of Brampton

Tuesday, December 10, 2024

- Members Present: Jarmanjit Singh Dehriwal (Chair)
Baljit Mand (Vice-Chair)
Jotvinder Sodhi (Vice-Chair)
Paul Khaira
James Reed
Ron Chatha
Sarbjeeet Saini
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
Ellis Lewis, Planner, Planning, Building and Growth Management
Megan Fernandes, Assistant Development Planner, Planning, Building and Growth Management
Marcia Razao, Planning Technician, Planning, Building and Growth Management
Simran Sandhu, Planner, Planning, Building and Growth Management
Emily Mailling, Planning Technician, Planning, Building and Growth Management
Clara Vani, Secretary-Treasurer/Legislative Coordinator

1. Call to Order

The meeting was called to order at 9:32 a.m., recessed at 11:28 a.m., reconvened at 12:04 p.m. and adjourned at 1:47 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), Sarbjeet Saini, Manocharan Vaithianathan, James Reed, Thisaliny Thirunavukkarasu, Paul Khaira and Ron Chatha.

Members absent during roll call: Nil

2. Adoption of Minutes

2.1 Committee of Adjustment Minutes - November 12, 2024

Moved by: B. Mand

Seconded by: S. Saini

That the minutes of the Committee of Adjustment hearing held November 12, 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. Withdrawal Requests

5.1 A-2023-0312

Sukhpreet Singh Bedi, Jasmeet Kaur Bedi

4 Cynthia Crescent

Plan M350, Lot 38, Ward 10

Shane Edwards, authorized agent withdrawal letter, dated November 20, 2024

That Application A-2023-0312 be withdrawn from consideration.

5.2 A-2024-0338

Sandeep Jindal, Simi Jindal

20 Stillman Drive

Plan 43M1751, Lot 116, Ward 5

Sandeep Jindal, applicant withdrawal letter, dated November 20, 2024

That Application A-2023-0338 be withdrawn from consideration.

6. Review of the Agenda for Immediate Approval

Moved by: S. Saini

Seconded by: B. Mand

That the following agenda items and minor variance applications, before the Committee of Adjustment at its July 16, 2024, meeting, be approved subject to the conditions set out in the staff recommendation for each respective application:

Item #	Application #	Location
8.2	B-2024-0020	98-100 Rutherford Road South
8.3	B-2024-0021	7646 Kennedy Road South
9.5	A-2024-0402	27 Troyer Street
9.9	A-2024-0408	11 Fallen Oak Court

9.11	A-2024-0412	4 Golan Drive
9.12	A-2024-0414	12-2131 Williams Parkway
9.13	A-2024-0415	134 Larkspur Road
9.14	A-2024-0416	9995 McVean Drive
9.15	A-2024-0417	23 Oblate Crescent
9.16	A-2024-0418	17 Silktop Trail
9.19	A-2024-0422	42 Keith Monkman Way
9.20	A-2024-0423	9780 Bramalea Road
9.23	A-2024-0426	44 Willow Park Drive
9.24	A-2024-0427	2 Shaftsbury Lane
9.25	A-2024-0428	1 Copeland Road
9.27	A-2024-0430	2500 Williams Parkway Unit 6 and 7
9.28	A-2024-0431	46 Everingham Circle
9.29	A-2024-0432	15 Braddock Drive
9.30	A-2024-0433	10629 Mississauga Road

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 B-2024-0008

Mantella Corporation

21 Van Kirk Drive

Plan M286, Part Blocks J&L, RP 43R8869, Parts 3 & 4, Ward 1

The purpose of this application is to request the consent of the Committee of Adjustment to the grant of a servicing easement over 21 Van Kirk Drive in favour of 25 and 35 Van Kirk Drive.

Joseph Plutino, authorized agent deferral letter, dated November 26, 2024

Moved by: B. Mand

Seconded by: S. Saini

That application B-2024-0008 be deferred no later than the last hearing of February 2025.

Carried

7.2 A-2024-0306

Susanne Rosyln George, Rudolph Elliot George

57 Creditstone Road

Plan M829, Lot 34, Ward 4

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

1. To permit a driveway width of 10.74 metres, whereas the by-law permits a maximum driveway width of 7 metres; and
2. To permit 0 metres of permeable landscaping abutting the side property line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot line.

Moved by: J. Sodhi

Seconded by: T. Thirunavukkarasu

That application A-2024-0306 be deferred to no later than the last hearing of February 2025.

7.3 B-2024-0018

Polco Investments Limited c/o Jay Lim

2250, 2280 and 2300 Queen Street East

Chinguacousy Con 6 EHS Part Lot 6 and RP 43R13972, Part 1, Ward 8

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 1.94 hectares (19400 square metres); together with a mutual access easement for shared driveway access. The proposed severed lot has a frontage of approximately 56.76 metres; a depth of approximately 124.73 metres and an area of approximately 1.01 hectares. The consent application seeks to enable the creation of one non-residential lot under separate ownership and to establish a mutual access easement between the retained and severed lots. No new construction or site alteration is being contemplated.

A-2024-0405

Polco Investments Limited c/o Jay Lim

2250, 2280 and 2300 Queen Street East

Chinguacousy Con 6 EHS Part Lot 6 and RP 43R13972, Part 1, Ward 8

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

1. To Vary Schedule 'C' – Section 256 to allow Lot A to have a lot width of 56.0 metres, whereas the by-law requires Lot A to have a minimum lot width of 100 metres in accordance with Schedule 'C' – Section 256;
2. To vary Schedule 'C', Section 256 of the by-law to permit Building A to be located outside the area identified on the Schedule, whereas the by-law requires that Building A to be located in accordance with the building footprint outline on Schedule 'C- Section 256;
3. To vary Schedule 'C', Section 256 of the by-law to permit Building A with a gross commercial floor area not exceeding 3,075 square metres, whereas the by-law requires a gross commercial floor area for Building A shall not exceed 1,900 square metres in accordance with Schedule 'C- Section 256;

4. To Vary Schedule 'C' – Section 256 to allow on-site parking spaces and spaces for the storage of motor vehicles to be maintained outside the approved location, whereas the by-law requires on-site parking spaces and spaces for the storage of motor vehicles to be developed and maintained in accordance with Schedule 'C' – Section 256;
5. To vary Schedule 'C', Section 256 of the by-law to allow a 2.6 metres wide landscape open space area to be provided and maintained along the westerly side lot line, whereas the by-law requires a 3 metres wide landscape open space area shall be provided and maintained along side lot line in accordance with Schedule 'C- Section 256;
6. To allow angled parking space shall to a rectangular area measuring 1.9 metres in width and 4.35 metres in length, whereas the by-law requires angled parking space shall to a rectangular area measuring 2.7 metres in width and 5.4 metres in length;
7. To allow a minimum parking aisle width of 4.2 metres, whereas the by-law requires a minimum parking aisle width 6.6 metres;
8. To vary Schedule 'C', Section 256 of the by-law to allow a 4.4 metres wide landscape open space area to be provided and maintained along Highway Number 7, excepted for the driveway access points, whereas the by-law requires that a 4.5 metres wide landscape open space area shall be provided and maintained along Highway Number 7, except for the driveway access points in accordance with Schedule 'C- Section 256;
9. To permit 1 loading space, whereas the by-law requires 2 loading spaces.
*parking breakdown not provided to confirm if there is sufficient parking on site. In addition, tandem parking is only permitted for 50% of the required parking for motor vehicle repair.

(See Item 9.7)

A-2024-0406

Polco Investments Limited c/o Jay Lim

2250, 2280 and 2300 Queen Street East

Chinguacousy Con 6 EHS Part Lot 6 and RP 43R13972, Part 1, Ward 8

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

1. To vary Schedule 'C', Section 256 of the by-law to permit Building B and Building C to be located outside the area identified on the Schedule, whereas the by-law requires that Building B and Building C to be located

in accordance with the building footprint outline on Schedule 'C- Section 256;

2. To vary Schedule 'C', Section 256 of the by-law to permit Building B with a gross commercial floor area not exceeding 2,840 square metres, whereas the by-law requires a gross commercial floor area for Building B shall not exceed 1,400 square metres in accordance with Schedule 'C- Section 256;
3. To allow angled parking space shall to a rectangular area measuring 2.6 metres in width and 3.4 metres in length; whereas the by-law requires angled parking space shall to a rectangular area measuring 2.7 metres in width and 5.4 metres in length;
4. To allow 147 parking spaces to be provided on site, whereas the by-law requires a 158 parking spaces to be provided on site;
5. To allow a minimum parking aisle width of 2.2 metres, whereas the by-law requires a minimum parking aisle width 6.6 metres;
6. To vary Schedule 'C', Section 256 of the by-law to allow a 4.4 metres wide landscape open space area to be provided and maintained along Highway Number 7, excepted for the driveway access points, whereas the by-law requires that a 4.5 metres wide landscape open space area shall be provided and maintained along Highway Number 7, except for the driveway access points in accordance with Schedule 'C- Section 256;
7. To allow 1 loading space to be provided on site, whereas the by-law requires 2 loading spaces to be provided on site;
8. To vary Schedule 'C', Section 256 of the by-law to allow a 0m wide landscape open space area to be provided and maintained along the easterly side lot line, whereas the by-law requires a 3m wide landscape open space area shall be provided and maintained along side lot line in accordance with Schedule 'C- Section 256;
9. To Vary Schedule 'C' – Section 256 to allow on-site parking spaces and spaces for the storage of motor vehicles to be maintained outside the approved location, whereas the by-law requires on-site parking spaces and spaces for the storage of motor vehicles to be developed and maintained in accordance with Schedule 'C' – Section 256.
*parking breakdown not provided to confirm if there is sufficient parking on site. Still require the distance from the loading space to the severance line.

(See Item 9.8)

Moved by: T. Thirunavukkarasu

Seconded by: B. Mand

That applications B-2024-0018, A-2024-0405 and A-2024-0406 be deferred no later than the last hearing of June 2025.

Carried

7.4 A-2018-0148

Christine Haye- Callaghan

70 Commodore Drive

Plan M1751, Lot 229L, 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 side yard; and
2. To permit an interior side yard setback of 0.21 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.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2018-0148 be deferred no later than the last hearing of February 2025.

Carried

7.5 A-2022-0268

Mohammed Ilyas

2257 and 2267 Embleton Road

Chinguacousy, CON 5, WHS, Part Lot 5, Ward 6

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

1. To permit a Day Nursesey, 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 permit of a maximum building height of 10 metres.

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2022-0268 be deferred no later than the last hearing of July 2025.

Carried

7.6 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 a front yard setback of 2.043 metres to a proposed ground floor addition (Attached Garage), whereas the by-law requires a minimum front yard setback of 9.0 metres;
2. To permit an interior side yard setback of 2.587 metres to a proposed ground floor addition (Attached Garage) whereas the by-law requires a minimum interior side yard setback of 2.8 metres;
3. To permit an interior side yard setback of 1.952 metres to a proposed Ground Floor & 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 39.7%, whereas the by-law permits a maximum lot coverage of 25%;
5. To permit 2 accessory structures (Existing Pergola 'C' & Existing Shed 'B') to be constructed on an easement, whereas the by-law does not permit accessory structures to be constructed upon any easement;
6. To permit 3 accessory structures whereas the zoning by-law permits a maximum of not more than one swimming pool enclosure, and two accessory buildings, other than a swimming pool on a lot;
7. To permit an accessory structure (Existing Pergola 'A') 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;
8. To permit an accessory structure (Existing Pergola 'A') having a height of 3.2 metres, whereas the by-law permits an accessory structure having a maximum height of 3.0 metres;
9. To permit an accessory structure (Existing Pergola 'C') to be used for human habitation, whereas the by-law does not permit an accessory structure to be used for human habitation;
10. To permit an accessory structure (Existing Pergola 'C') having a gross floor area of 37.34 square metres (402 square feet), whereas the by-law permits a maximum gross floor area of 15 square metres for an individual accessory structure;
11. To permit an accessory structure (Existing Pergola 'C') having a height of 3.1 metres, whereas the by-law permits an accessory structure having a maximum height of 3.0 metres;

12. 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; and

13. To permit a semicircular Residential Driveway with a maximum surface area of 59.29% of the front yard area, whereas the by-law permits a maximum surface area of 50% of the front yard area for a Residential Driveway.

Moved by: R. Chatha

Seconded by: B. Mand

That application A-2024-0068 be deferred no later than the last hearing of April 2025.

Carried

7.7 A-2024-0325

Abhinav Sharma, Mridula Sharma

38 Eastman Drive

Plan 43M2087, Lot 24, 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 exterior side yard; and
2. To permit an exterior side yard setback of 3.39 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum exterior side yard setback of 4.5 metres.

Moved by: J. Sodhi

Seconded by: T. Thirunavukkarasu

That application A-2024-0325 be deferred no later than the last hearing of March 2025.

Carried

8. New Consent Applications

8.1 B-2024-0018

Polco Investments Limited c/o Jay Lim

2250, 2280 and 2300 Queen Street East

Chinguacousy Con 6 EHS Part Lot 6 and RP 43R13972, Part 1, Ward 8

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 1.94 hectares (19400 square metres); together with a mutual access easement for shared driveway access. The proposed severed lot has a frontage of approximately 56.76 metres; a depth of approximately 124.73 metres and an area of approximately 1.01 hectares. The consent application seeks to enable the creation of one non-residential lot under separate ownership and to establish a mutual access easement between the retained and severed lots. No new construction or site alteration is being contemplated.

Brought forward and dealt with under item 7.3

8.2 B-2024-0020

2494747 Ontario Ltd.

98 - 100 Rutherford Road South

CHINGUACOUSY CON 2, EHS, Part Lot 4, and RP 43R39471, Parts 3 and 4, Ward 3

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 62,115 square metres (15.34 acres) and a partial discharge of mortgage. The proposed parcel has a frontage of approximately 45.68 metres (149.87 feet), a depth of approximately 63.24 metres (207.48 feet) and approximately 1,433 square metres (0.35 acres). The effect of the application is to provide for a lot addition to the adjacent property municipally known as 25 Clark Boulevard.

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

Moved by: S. Saini

Seconded by: B. Mand

That application B-2024-0020 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. 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;
3. Subsection 50(3) and/or(5) of the Planning Act R.S.O. 1990 as amended, shall apply to any subsequent conveyance or transaction involving the parcel of land that is the subject of this consent.
4. A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being the property municipally identified as 25 Clark Boulevard legally described as PART LOTS 8 & 9 PLAN 644 BRAMPTON, PARTS 1 & 2 PLAN 43R32946 AND PART 5 PLAN 43R35417, shall be "merged" for Planning Act purposes at the time of the registration of the Transfer to which the Secretary-Treasurer's Certificate is affixed.
5. An undertaking shall be received from a solicitor confirming that the legal description of the "resultant" lot and the legal description in any mortgage(s) encumbering the "resultant" lot will be identical within four (4) weeks of the date of the Secretary-Treasurer's Certificate under the Planning Act; or alternatively, that no part of the "resultant" lot is encumbered by any mortgage(s).

Carried

8.3 B-2024-0021

12824752 Canada Inc. c/o Madan Sharma

7646 Kennedy Road South

Toronto Con 1, EHS, Part Lot 14, Ward 3

The purpose of this application is to request the consent of the Committee of Adjustment to the grant of an access easement. It is proposed that a vehicular access easement covering an approximate area of 770 square metres (0.19 acres) be established in favor of the adjacent southeast property to facilitate a future condominium road.

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

Moved by: S. Saini

Seconded by: B. Mand

That application B-2024-0021 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. 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;
3. As a condition of severance, the Owner shall provide confirmation of the registration of a mutual access easement between 7646 Kennedy Road (PIN: 140291416), 7660 Kennedy Road (PIN: 140291416), 7686 Kennedy Road (PIN: 140291416) and 0 Kennedy Road (PIN: 140291415). 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 draft reference plan.
 2. A draft reference plan overlaid onto the proposed site plan depicting separate parts where the mutual access easement is to be conveyed.
 3. 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.
 4. 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.
 5. Deposited copies are to be provided to the Traffic Planning group and the Legal Services Division.

9. New Minor Variance Applications

9.1 A-2024-0310

Pauline Reichert

37 Guest Street

Plan BR 31, Part Lot 1, Ward 3

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

1. To permit an accessory structure proposed shed having a setback of 0.13 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 proposed 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 an accessory structure proposed shed, having a height of 3.38 metres (11.09 feet), whereas the by-law permits an accessory structure having a maximum height of 3.00 metres;
4. To permit a combined gross floor area of 41.28 square metres (444.33 square feet.) for two (2) accessory structures, whereas the by-law permits a maximum combined gross floor area of 20 square metres for two (2) accessory structures; and
5. To permit an accessory structure proposed shed having a gross floor area of 27.88 square metres (300.10 square feet.), whereas, the by-law permits a maximum gross floor area of 15 square metres for an individual accessory structure.

Stephen Reichert, son of the applicant was present and presented an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Laura Jonozzo, Brampton resident was present in chambers and expressed her concerns regarding the fencing around the home. She advised the structure the neighbor put up on the property line won't allow for the trenches to be dug for the posts resulting her property not being able to have a fence. She advised she was worried about how big it is, where it is, and future impact on making any improvements on her property.

Staff outlined the proposed conditions of the staff report.

The Committee Chair J. Dehriwal inquired with staff if there has been a review regarding the neighbor's concern.

Ross Campbell, Manager, Zoning and Sign By-Law, advised there was no property survey submitted with the application.

Member J. Sodhi inquired with staff if the applicant can move the shed further from the property line so the neighbor can have the fence. That would resolve the issue with the neighbor.

The Committee Chair J. Dehriwal inquired if staff should request a survey.

Ross Campbell, Manager, Zoning and Sign By-Law, advised a property line dispute is a civil matter, although it would benefit staff to have an accurate depiction of the property line.

The Committee Chair J. Dehriwal inquired if a deferral of the application for accurate dimensions would assist.

Ross Campbell, Manager, Zoning and Sign By-Law, advised that would be reasonable.

Member B. Mand asked the applicant if they agree to move the shed towards their home.

The applicant advised the structure is existing and permanent. If the neighbors concern is a fence we will put up a fence at our costs. You should have the survey on file.

Ross Campbell, Manager, Zoning and Sign By-Law, advised the survey is available and the setbacks are accurate.

The Committee Chair J. Dehriwal inquired if we can impose a condition with the erection of a fence.

Francois Hemon-Morneau, Principal Planner/Supervisor, suggested added the suggested condition.

Moved by: J. Sodhi

Seconded by: T. Thirunavukkarasu

That application A-2024-0310 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 shed 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 shall not be adversely affected;
4. That the owner construct a fence along the rear property line at their own expense to the satisfaction of 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

9.2 A-2024-0399

Farhan Tahir, Amber Farhan

244 Morningmist Street

Plan M1260, Part Lot 35, RP 43R23210, Part 14, Ward 9

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

1. To permit a driveway width of 5.69 metres, whereas the by-law permits a maximum driveway width of 4.9 metres.

Farhan Tahir, applicant was present and presented an overview of the application.

Staff outlined the reasons for refusal.

Moved by: J. Reed

Seconded by: T. Thirunavukkarasu

That application A-2024-0399 be refused.

Carried

9.3 A-2024-0400

Japneet Kaur

16 Bedford Crescent

Plan 651, Lot 107, Ward 7

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

1. To permit a driveway width of 7.72 metres, whereas the by-law permits a maximum driveway width of 7.32 metres; and
2. To permit 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.

Japneet Kaur, applicant was present and presented an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the reasons for refusal.

Moved by: S. Saini

Seconded by: J. Sodhi

That application A-2024-0400 be refused.

Carried

9.4 A-2024-0401

Parminder Bath, Hartaran Bath

36 Love Court

Plan 1996, Lot 17, Ward 10

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

1. To permit a driveway width of 8.41 metres, whereas by-law permits a maximum driveway width of 7.0 metres;
2. To permit a parking space depth of 3.67 metres, whereas the by-law requires a minimum parking space depth of 5.4 metres; and
3. To permit 0.0 metres of permeable landscaping abutting the side lot line, whereas by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot line.

Manpreet Kohli, authorized agent was present online and presented an overview of the application.

Staff outlined the reasons for refusal and recommended a deferral to work with the applicant.

Moved by: J. Sodhi

Seconded by: S. Saini

That application A-2024-0401 be deferred to no later than the last hearing of February 2025.

Carried

9.5 A-2024-0402

Ameet Manohar, Sangeeta Ameet

27 Troyer Street

Plan 43M2022, Lot 58, 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 0.15m 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: S. Saini

Seconded by: B. Mand

That application A-2024-0402 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

9.6 A-2024-0403

Sky High Holdings Ltd.

129 Wexford Road

Plan M631, Lot 40, Ward 2

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

1. To permit a maximum driveway width of 8.4 metres, whereas the by-law permits a maximum driveway width of 7.0 metres; and
2. To permit 0.30 metres of permeable landscaping abutting westerly side lot line, and 0.44 metres of permeable landscaping abutting the easterly side lot line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting both side lot lines.

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

Staff outlined the reasons for refusal.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2024-0403 be refused.

Carried

9.7 A-2024-0405

Polco Investments Limited c/o Jay Lim

2250, 2280 and 2300 Queen Street East

Chinguacousy Con 6 EHS Part Lot 6 and RP 43R13972, Part 1, Ward 8

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

1. To Vary Schedule 'C' – Section 256 to allow Lot A to have a lot width of 56.0 metres, whereas the by-law requires Lot A to have a minimum lot width of 100 metres in accordance with Schedule 'C' – Section 256;
2. To vary Schedule 'C', Section 256 of the by-law to permit Building A to be located outside the area identified on the Schedule, whereas the by-law requires that Building A to be located in accordance with the building footprint outline on Schedule 'C- Section 256;
3. To vary Schedule 'C', Section 256 of the by-law to permit Building A with a gross commercial floor area not exceeding 3,075 square metres, whereas the by-law requires a gross commercial floor area for Building A shall not exceed 1,900 square metres in accordance with Schedule 'C- Section 256;
4. To Vary Schedule 'C' – Section 256 to allow on-site parking spaces and spaces for the storage of motor vehicles to be maintained outside the approved location, whereas the by-law requires on-site parking spaces and spaces for the storage of motor vehicles to be developed and maintained in accordance with Schedule 'C' – Section 256;
5. To vary Schedule 'C', Section 256 of the by-law to allow a 2.6 metres wide landscape open space area to be provided and maintained along the westerly side lot line, whereas the by-law requires a 3 metres wide landscape open space area shall be provided and maintained along side lot line in accordance with Schedule 'C- Section 256;
6. To allow angled parking space shall to a rectangular area measuring 1.9 metres in width and 4.35 metres in length, whereas the by-law requires

angled parking space shall to a rectangular area measuring 2.7 metres in width and 5.4 metres in length;

7. To allow a minimum parking aisle width of 4.2 metres, whereas the by-law requires a minimum parking aisle width 6.6 metres;
8. To vary Schedule 'C', Section 256 of the by-law to allow a 4.4 metres wide landscape open space area to be provided and maintained along Highway Number 7, excepted for the driveway access points, whereas the by-law requires that a 4.5 metres wide landscape open space area shall be provided and maintained along Highway Number 7, except for the driveway access points in accordance with Schedule 'C- Section 256;
9. To permit 1 loading space, whereas the by-law requires 2 loading spaces.
*parking breakdown not provided to confirm if there is sufficient parking on site. In addition, tandem parking is only permitted for 50% of the required parking for motor vehicle repair.

Brought forward and dealt with under item 7.3

9.8 A-2024-0406

Polco Investments Limited c/o Jay Lim

2250, 2280 and 2300 Queen Street East

Chinguacousy Con 6 EHS Part Lot 6 and RP 43R13972, Part 1, Ward 8

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

1. To vary Schedule 'C', Section 256 of the by-law to permit Building B and Building C to be located outside the area identified on the Schedule, whereas the by-law requires that Building B and Building C to be located in accordance with the building footprint outline on Schedule 'C- Section 256;
2. To vary Schedule 'C', Section 256 of the by-law to permit Building B with a gross commercial floor area not exceeding 2,840 square metres, whereas the by-law requires a gross commercial floor area for Building B shall not exceed 1,400 square metres in accordance with Schedule 'C- Section 256;

3. To allow angled parking space shall to a rectangular area measuring 2.6 metres in width and 3.4 metres in length; whereas the by-law requires angled parking space shall to a rectangular area measuring 2.7 metres in width and 5.4 metres in length;
4. To allow 147 parking spaces to be provided on site, whereas the by-law requires a 158 parking spaces to be provided on site;
5. To allow a minimum parking aisle width of 2.2 metres, whereas the by-law requires a minimum parking aisle width 6.6 metres;
6. To vary Schedule 'C', Section 256 of the by-law to allow a 4.4 metres wide landscape open space area to be provided and maintained along Highway Number 7, excepted for the driveway access points, whereas the by-law requires that a 4.5 metres wide landscape open space area shall be provided and maintained along Highway Number 7, except for the driveway access points in accordance with Schedule 'C- Section 256;
7. To allow 1 loading space to be provided on site, whereas the by-law requires 2 loading spaces to be provided on site;
8. To vary Schedule 'C', Section 256 of the by-law to allow a 0m wide landscape open space area to be provided and maintained along the easterly side lot line, whereas the by-law requires a 3m wide landscape open space area shall be provided and maintained along side lot line in accordance with Schedule 'C- Section 256;
9. To Vary Schedule 'C' – Section 256 to allow on-site parking spaces and spaces for the storage of motor vehicles to be maintained outside the approved location, whereas the by-law requires on-site parking spaces and spaces for the storage of motor vehicles to be developed and maintained in accordance with Schedule 'C' – Section 256.
*parking breakdown not provided to confirm if there is sufficient parking on site. Still require the distance from the loading space to the severance line

Brought forward and dealt with under item 7.3

9.9 A-2024-0408

Raj Kishore Gupta, Priya Gupta

11 Fallen Oak Court

Plan M740, Lot 48, Ward 4

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

1. To permit an interior side yard setback of 0.23 metres to an existing 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: S. Saini

Seconded by: B. Mand

That application A-2024-0408 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 approval of variances 1 and 2 be based on the revised wording outlined in the Staff Report and accurately reflected in the notice of decision;
3. That the below grade entrance shall not be used to access an unregistered second unit;
4. That the applicant obtain a building permit for the below grade entrance within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
5. That drainage on adjacent properties shall not be adversely affected; and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.10 A-2024-0411

Shilpa Shilpa, Nitin Khanna

34 Hollowgrove Blvd

Plan M137,7 Part Lot 92, RP 43R24700, Parts(s) 17, Ward 10

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

1. To permit a personal service shop (salon) as a home occupation in a semi-detached dwelling, whereas the by-law only permits an office as a home occupation in a semi-detached dwelling; and
2. To permit 0 parking spaces for a 18.59 square metres home occupation, whereas the by-law requires a minimum of one parking space for every 20.0 square metres of floor area occupied by the home occupation.

Manpreet Kohli, authorized agent was present online and presented an overview of the application.

Staff outlined the reasons for refusal.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2024-0411 be refused.

Carried

9.11 A-2024-0412

Manjit Singh

4 Golan Drive

Plan M1429, Lot 71, Ward 10

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

1. To permit a proposed single-storey garden suite having a gross floor area of 45 square metres, whereas the by-law permits a maximum gross floor area of 35 square metres for a garden suite in all other Residential zones.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0412 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 Garden Suites Architectural Control approval prior to the submission of a building permit application;
3. That the amount of glazed openings on the wall facing the existing dwelling and adjacent side yard setbacks will be restricted based on the limiting distance as defined in the Ontario Building Code, and is required to conform to Div. B 9.10.15.4 of the OBC;
4. That the owner submit a proposed planting plan and implement planting to adequately screen the garden suite to minimize visual impact on the surrounding residential properties in a manner satisfactory to 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

9.12 A-2024-0414

1000918532 Ontario Inc.

12-2131 Williams Parkway

Peel Condo, Plan 416, LVL 1, Unit 12, Ward 8

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

1. To permit the use of manufacturing of wine and spirits, whereas the by-law does not permit the manufacturing of food.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0414 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 occupancy of the unit;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.13 A-2024-0415

Phuc Thinh Nguyen, Trang Thi Thao Nguyen

134 Larkspur Road

Plan M1262, Lot 66, 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 exterior 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 1.85 metres to a stairway leading to a below grade entrance, whereas the by-law requires a minimum exterior side yard setback of 3.0 metres.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0415 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

9.14 A-2024-0416

McVean Plaza Inc.

9995 McVean Drive

Plan 43M1951, Part Block 26, RP 43R36905, Parts 1 & 2, Ward 8

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

1. To permit a day nursery in Unit 3B, whereas the by-law does not permit the use.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0416 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 occupancy of the unit; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.15 A-2024-0417

Christopher Martin Spencer, Sylan Ros

23 Oblate Crescent

Plan 43M1707, Lot 216, Ward 4

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

1. To permit an existing above grade entrance in an interior side yard, used as a principal entrance to a proposed attached ARU, having a height of 0.79 metres to the landing, whereas the by-law requires a maximum height of 0.6 metres to a landing for an above grade entrance, used as a principal entrance to an attached ARU, in a side yard; and
2. To permit an interior side yard setback of 0.35 metres to an existing above grade stair & landing leading to an above grade side entrance, whereas the by-law requires a minimum interior side yard setback of 0.9 metres to any steps or landings for such side entrance.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0417 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 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 shall not be adversely affected;
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

9.16 A-2024-0418

Dharsheni Ramesh, Sudharasanam Varadharajan

17 Silktop Trail

Plan M1300, Lot 25, 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 exterior side yard; and
2. To permit an exterior side yard setback of 2.01 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum exterior side yard setback of 3.00 metres.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0418 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 fence used to screen the existing below grade entrance shall remain in accordance with the sketch and not be removed or lowered, but may be repaired or replaced when necessary;
3. That the below grade entrance shall not be used to access an unregistered second unit;
4. That drainage on adjacent properties should not be adversely affected;
5. The owner shall obtain a building permit within 60 days of the decision of approval, or within an extended period of time at the discretion of the Chief Building Official; and

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

Carried

9.17 A-2024-0419

Lilani DeSilva

91 Desert Sand Drive

Plan M1068, Part Lot 179, RP 43R21345, Parts 1 and 3, Ward 9

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

1. To permit a two-unit dwelling in a quattroplex, whereas the by-law does not permit the use;
2. To permit a below grade entrance in the rear yard, whereas the by-law requires the entire rear yard to be landscaped open space.
3. To permit a below grade entrance in a quattroplex, whereas the by-law does not permit a below grade entrance in a quattroplex.
4. To permit a 0.92 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 metre leading to the principal entrance of an additional residential unit.

Tanvir Rai, 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: T. Thirunavukkarasu

That application A-2024-0419 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 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;
5. That drainage on adjacent properties shall not be adversely affected; and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.18 A-2024-0421

Manicka Krishnakumar, Komani Krishnakumar

76 Redfinch Way

Plan M1439, Part Block 235, RP 43R25799, Parts(s) 6, 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 0.36 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.

Harjinder Singh, authorized agent was present online and presented an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the reasons for refusal.

The Committee Chair J. Dehriwal inquired if the side entrance could be approved.

Staff advised the Engineering Department does not approve or support this application.

Moved by: T. Thirunavukkarasu

Seconded by: S. Saini

That application A-2024-0421 be refused.

Carried

9.19 A-2024-0422

Adward Asei, Flurins Audeshu

42 Keith Monkman Way

Plan 43M2058, Lot 262, Ward 6

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

1. To permit a rear yard setback of 3.1 metres to an existing deck, whereas the by-law requires a minimum rear yard setback of 3.5 metres to a deck off the main floor.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0422 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. The owner shall obtain a building permit, within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official; and
3. That drainage on adjacent properties 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

9.20 A-2024-0423

Rehan Chaudary

9780 Bramalea Road

Chinguacousy Con 4, Part Lot 9, Plan M72, Part Blocks F and K, RP 43R10246,
Parts 1 to 3, Ward 7

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

1. To permit a commercial school (tutoring centre) to operator out of Unit 203, whereas the by-law does not permit the use.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0423 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 occupancy of the unit; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.21 A-2024-0424

Robin Singh

586 Conservation Drive

Plan 893 Lot 2, Ward 2

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

1. To permit a minimum lot area of 0.35 hectares, whereas the By-law requires a minimum lot area of 0.4 hectares;
2. To permit a minimum lot width of 29 metres, whereas the By-law requires a minimum lot width of 36.5 metres;
3. To permit a setback of 28.62 metres from the centre line of a street, whereas the by-law requires a minimum centre line setback of 32.0 metres;
4. To permit the surface area of a semi-circular driveway to be 52.08% of the front yard area, whereas the by-law permits a maximum 50% of the front yard area to be residential driveway;
5. To permit 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.

Nilesh Luhar, authorized agent was present online and presented an overview of the application.

Staff outlined the proposed conditions of the staff report and the reasons for refusal.

The authorized agent agreed with the conditions.

Moved by: J. Sodhi

Seconded by: T. Thirunavukkarasu

That application A-2024-0424 is supportable, in part, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage on adjacent properties shall not be adversely affected; and
3. Variance 5 to permit 0.0 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum 0.6 metres (1.96 feet) of permeable landscaping abutting the side lot line be refused; and

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

Carried

9.22 A-2024-0425

Lovepreet Bhullar, Gurneet Kaur

74 Traverston Court

Plan M101, Part Lot 195, RP 43R4800, Parts 5,6, Ward 2

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

1. To permit the parking of an oversized motor vehicle (2023 Mercedes-Benz Sprinter 2500 WB 170 Cargo) having a length of 6.97 metres and a height of 2.88 metres on a residential driveway, whereas the by-law does not permit the parking of an oversized motor vehicle.

The authorized agent was not present online or in-person.

Staff outlined the reasons for refusal.

Moved by: B. Mand

Seconded by: J. Sodhi

That application A-2024-0425 be refused.

Carried

9.23 A-2024-0426

Pushpinder Gill, Baljodh Gill

44 Willow Park Drive

Plan M1340, Lot 156, Ward 9

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

1. To permit a rear yard setback of 6.126 metres to a proposed sunroom addition, whereas the by-law requires a minimum rear yard setback of 7.5 metres.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0426 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 amount of glazed openings on the wall facing the existing dwelling and adjacent side yard setbacks will be restricted based on the limiting distance as defined in the Ontario Building Code, and is required to conform to Div. B 9.10.15.4 of the Ontario Building Code; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.24 A-2024-0427

Packall Consultants (1981) Limited

2 Shaftsbury Lane

Plan 977, Part Block K, RP 43R18943, Part 1, Ward 8

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

1. To allow outside storage to be screened by a fence containing an iron-rod swing gate, whereas the by-law requires outside storage to be screened from view by a solid fence; and
2. To allow a maximum height of 5.0 metres for outside storage (truck trailers), whereas the by-law permits a height of 3.0 metres.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0427 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 outside storage be limited to the areas on the property identified on the sketch attached to the Notice of Decision;
3. That the owner finalize site plan approval under City File: SPA-2023-0063, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
4. That there be no motor vehicle truck repair, maintenance, or washing occurring on the site at any time;
5. That Variance 1 and Variance 2 shall be approved for a temporary period of one (1) year; and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.25 A-2024-0428

Paramsivam Arumugam, Chaitall Nandkumar Agaskar

1 Copeland Road

Plan M426, Lot 159, 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 exterior side yard; and
2. To permit a proposed exterior side yard setback of 2.7 metres to a stairway leading to a below grade entrance, whereas the by-law requires a minimum exterior side yard setback of 3.0 metres.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0428 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;
4. That the fence used to screen the proposed below grade entrance shall be constructed in accordance with the sketch and not be removed or lowered, but may be repaired or replaced when necessary; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.26 A-2024-0429

Kevin Michael, Christine Michael

4 Alderway Avenue

Plan 646, Part Lots 151,152, Ward 3

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

1. To permit a driveway width of 8.1 metres, whereas the by-law permits a maximum driveway width of 6.71 metres.

Sarah Mahdi, authorized agent was present and provided an overview of the application.

Staff outlined the proposed conditions of the staff report with a verbal amendment to condition 2.

Kathleen McDermott, Brampton resident, expressed her concern and advised on the history on the application, they illegally dug without doing locates, Technical Standards and Safety Authority (TSSA) shut the site down, lack of safety equipment, and the property owner does not have safety of the workers or the community. Constant misleading information on the application, with lack of signage and variances are missing.

Gian Marcon, Brampton resident, was present and advised driveway extensions were put on hold at the council meeting in April. Commissioner Ganesh commented at the meeting that it is an excellent suggestion. We urge the Committee of Adjustment to reject this application and not make Brampton cement and asphalt. My house was flooded twice this past summer. This tree is not old, the copper beach tree should be protected. The tree dripline extends right to the edge of the driveway and the roots should be extended until there as well. The applicant does see this as relevant.

Jim McKay, Brampton resident, was present in chambers and spoke regarding safety of the school children, the school is very close, and all the parents are dropping their children off. The parking causes safety concerns. No one can reverse from that driveway without causing safety issues. Parking blind spots are a concern. That section is the artery to get into the school, there is no sidewalk in the area.

Mike Agius, Brampton resident, present and expressed his suggestion of refusal of the application. There are several safety concerns, and it has been on the news for unsafe practices. Technical Standards and Safety Authority (TSSA) has shut the work down for unsafe practices. This is supposed to be known as Flowertown but it isn't the same. This community sticks together as we all have the same views. The signage is 30 feet behind the property line and hidden in a bush.

Elaine McShane, Brampton resident was present and spoke regarding the copper beach tree adds diversity to the Brampton tree canopy. The tree is approximately 50 years old. The lifespan is between 150 and 200 years. Paving over 10 feet or more of its roots, reduced access to water. The current owner will make a case to remove it or to modify it to their advantage. The leaf reaches the outer edge of the driveway. The staff should be aware that the tree is an asset and novelty.

Staff outlined the reasons for refusal.

Moved by: T. Thirunavukkarasu

Seconded by: J. Sodhi

That application A-2024-0429 be refused.

Carried

9.27 A-2024-0430

1000974134 Ontario Inc.

2500 Williams Parkway, Unit 6 and 7

PSCP 1081, LVL 1, Unit 6 & 7, Ward 8

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

1. To permit food manufacturing (Indian sweets), whereas the by-law does not permit the use; and
2. To permit 22.22% retail in connection with the food manufacturing, whereas the by-law permits a maximum of 15% retail in connection with a permitted industrial use.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0430 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 obtain a permit for a change of use prior to occupancy of the building;
3. That the proposed food manufacturing with a maximum of 22.22% accessory retail establishment shall be accessory and subordinate to the primary permitted food manufacturing use on site;
4. That outside storage is not permitted; and,
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.28 A-2024-0431

Ali Qadirian, Mariam Qadirian

46 Everingham Circle

Plan 43M1740, Lot 12, Ward 9

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

1. To permit 0.37 metres setback to the landing 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: S. Saini

Seconded by: B. Mand

That application A-2024-0431 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 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 the above grade entrance shall not be used to access an unregistered second 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

9.29 A-2024-0432

Nilaykumar Patel, Komalben Patel

15 Braddock Drive

Plan 43M1661, Lot 117, 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 side yard; and
2. To permit a proposed exterior side yard setback of 1.8 metres to a stairway leading to a below grade entrance, whereas the by-law requires a minimum exterior side yard setback of 3.0 metres.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0432 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the revised 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;
4. That the owner shall extend the existing fence to adequately screen the proposed exterior stairway leading to a below grade entrance in a manner satisfactory to 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

9.30 A-2024-0433

Primont (M3 Condos) Inc.

10629 Mississauga Road

Plan 43M1985, Block 1, Ward 6

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

1. To permit 14 storeys to be located within the remainder of the lot, whereas the by-law requires 12 storeys to be located within the remainder of the lot; and
2. To permit each dwelling unit in an apartment and multiple residential dwellings a minimum required parking shall be 0.8 parking spaces for residents, whereas the by-law requires each dwelling unit in an apartment and multiple residential dwellings a minimum required parking shall be 1 parking spaces for residents.

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

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0433 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-2022-0225, 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. Deferred Consent Applications

Nil

11. Deferred Minor Variance Applications

11.1 A-2018-0148

Christine Haye- Callaghan

70 Commodore Drive

Plan M1751, Lot 229L, 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 side yard; and
2. To permit an interior side yard setback of 0.21 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.

Brought forward and dealt with under item 7.4

11.2 A-2022-0268

Mohammed Ilyas

2257 and 2267 Embleton Road

Chinguacousy, CON 5, WHS, Part Lot 5, Ward 6

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

1. To permit a Day Nursey, 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 permit of a maximum building height of 10 metres.

Brought forward and dealt with under item 7.5

11.3 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 a front yard setback of 2.043 metres to a proposed ground floor addition (Attached Garage), whereas the by-law requires a minimum front yard setback of 9.0 metres;
2. To permit an interior side yard setback of 2.587 metres to a proposed ground floor addition (Attached Garage) whereas the by-law requires a minimum interior side yard setback of 2.8 metres;
3. To permit an interior side yard setback of 1.952 metres to a proposed Ground Floor & 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 39.7%, whereas the by-law permits a maximum lot coverage of 25%;

5. To permit 2 accessory structures (Existing Pergola 'C' & Existing Shed 'B') to be constructed on an easement, whereas the by-law does not permit accessory structures to be constructed upon any easement;
6. To permit 3 accessory structures whereas the zoning by-law permits a maximum of not more than one swimming pool enclosure, and two accessory buildings, other than a swimming pool on a lot;
7. To permit an accessory structure (Existing Pergola 'A') 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;
8. To permit an accessory structure (Existing Pergola 'A') having a height of 3.2 metres, whereas the by-law permits an accessory structure having a maximum height of 3.0 metres;
9. To permit an accessory structure (Existing Pergola 'C') to be used for human habitation, whereas the by-law does not permit an accessory structure to be used for human habitation;
10. To permit an accessory structure (Existing Pergola 'C') having a gross floor area of 37.34 square metres (402 square feet), whereas the by-law permits a maximum gross floor area of 15 square metres for an individual accessory structure;
11. To permit an accessory structure (Existing Pergola 'C') having a height of 3.1 metres, whereas the by-law permits an accessory structure having a maximum height of 3.0 metres;
12. 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; and
13. To permit a semicircular Residential Driveway with a maximum surface area of 59.29% of the front yard area, whereas the by-law permits a

maximum surface area of 50% of the front yard area for a Residential Driveway.

Brought forward and dealt with under item 7.6

11.4 A-2024-0120

Tri-Cav Investments Ltd.

170 Bovaird Drive West, Unit 8

Con 1, WHS Part Lot 11, Ward 2

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

1. To permit a day nurse, whereas the by-law does not permit a day nurse.

Patrick Cheeseman, authorized agent present and presented an overview of the application.

Staff read out the recommendation of the report.

The authorized agent agreed with the conditions.

Member J. Sodhi inquired with staff if the application was reviewed in detailed to ensure there is no hazardous impact on the children.

Ross Campbell, Manager, Zoning and Sign By-Law, advised at the stage of the record site condition is where there would be a review of hazards, if there are any hazardous issues they cannot clear the condition.

The Committee Chair J. Dehriwal inquired if there is some contamination concerns will there be any investigation.

Ross Campbell, Manager, Zoning and Sign By-Law, the record site condition, as of today, the site is in compliance. In the future the Ministry of Environment would be involved to ensure that the site remain in compliance.

Moved by: J. Sodhi

Seconded by: S. Saini

That application A-2024-0120 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown to that shown on the sketch attached to the Notice of Decision or as revised through the subsequent Site Plan Approval application;

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 unit 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 provide a Record of Site Condition (RSC) and that it must be filed (the RSC property limits must match the limits of the proposed development) with the Ministry of the Environment, Conservation and Parks (MECP) and a copy be provided to the City. The RSC shall certify the subject site, as being suitable for the correct intended use (i.e Institutional Use);
4. That a Record of Site Condition (RSC) must be filled with the Ministry's Environmental Registry, prior to the issuance of Site Plan Approval and/or Building Permit at the discretion of the Director of Development Services;
5. That the applicant provides copies of the ESA reports supporting the RSC to the City's Environmental Compliance Engineering Staff;
6. That the applicant obtain a Change of Use Permit for the day nursery use; and
7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

11.5 A-2024-0306

Susanne Rosyln George, Rudolph Elliot George

57 Creditstone Road

Plan M829, Lot 34, Ward 4

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

1. To permit a driveway width of 10.74 metres, whereas the by-law permits a maximum driveway width of 7 metres; and

2. To permit 0 metres of permeable landscaping abutting the side property line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot line.

Brought forward and dealt with under item 7.2

11.6 A-2024-0314

Jeyachithra Manickam

11 Streamline Drive

Plan 43M1647, Lot 342, 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 side yard;
2. To permit a 0.57 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 1.22 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; and
3. To permit a maximum driveway width of 7.91 metres, whereas the by-law permits a maximum driveway width of 7.0 metres.

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

Staff outlined the proposed conditions as well as reason of refusal of the staff report.

The authorized agent agreed with the conditions.

Moved by: S. Saini

Seconded by: B. Mand

That application A-2024-0314 is supportable, in part, subject to the following conditions:

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

2. That Variance 2 be refused;
3. That Variance 3 be refused;
4. That the owner reinstate the required 0.6 metres permeable landscaping between the edge of the driveway and the side lot line in accordance with the sketch attached to the Notice of Decision;
5. That the city street tree is not be impacted and a minimum 1m offset from the driveway edge be provided; and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

11.7 A-2024-0315

Tarlochan Singh

8 Antler Road

Plan 43M1613, Lot 125, Ward 1

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

1. To permit an accessory structure (existing shed) having a setback of 0.57 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 0.40 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 10.19 metres, whereas the by-law permits a maximum driveway width of 7.00 metres;
4. To permit 0.21 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.

Dilpreet Singh, 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: J. Sodhi

That application A-2024-0315 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 extent of Variance 3 be confined to the area depicted in the sketch attached to the Notice of Decision, and that the owner remove the specified portion of the existing driveway and restore it with a flower bed as shown in the sketch;
3. That drainage on adjacent properties shall not be adversely affected;
4. 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
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

11.8 A-2024-0325

Abhinav Sharma, Mridula Sharma

38 Eastman Drive

Plan 43M2087, Lot 24, 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 exterior side yard; and
2. To permit an exterior side yard setback of 3.39 metres to a proposed exterior stairway leading to a below grade entrance, whereas the by-law requires a minimum exterior side yard setback of 4.5 metres.

Brought forward and dealt with under item 7.7

11.9 A-2024-0344

Jaswinder Singh Khosa, Jagdeep Kaur

19 Leo Austin Road

Plan 43M1958, Lot 81, Ward 10

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

1. To permit a driveway width of 8.305 metres, whereas the by-law permits a maximum driveway width of 7.32 metres; and
2. To permit 0.30 metres of permeable landscaping abutting the side lot line, whereas the by-law requires a minimum of 0.6 metres of permeable landscaping abutting the side lot line.

Neetu Singh, authorized agent was present online and provided an overview of the application.

Staff outlined the reasons for refusal.

The Committee Chair J. Dehriwal inquired if they reinstate the 0.6 permeable landscaping will be it be approved.

Ross Campbell, Manager, Zoning and Sign By-Law, advised even with 0.6 permeable landscaping they will still exceed.

The Committee Chair J. Dehriwal inquired can they cut one side and incorporate a flower bed.

Ross Campbell, Manager, Zoning and Sign By-Law, advised even if they reinstate the 0.6 permeable landscaping they would still have 3 car parking. The actual 8.688 metres, they are still left with 8.3 metres if it is reinstated.

The Committee Chair J. Dehriwal advised the applicant will remove 1.5 feet from the other side.

Ross Campbell, Manager, Zoning and Sign By-Law, advised they will be removing 1.5 feet on one side, 7.93 metres wide, which is 2.5 feet in total.

The Committee Chair J. Dehriwal inquired if that will bring it into compliance.

Ross Campbell, Manager, Zoning and Sign By-Law, advised the application will no longer require the second variance.

Francois Hemon-Morneau, Principal Planner/Supervisor, provided updated conditions for the committee.

Moved by: J. Sodhi

Seconded by: S. Saini

That application A-2024-0344 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on a revised sketch to be submitted and approved by the Director of Development Services;
2. That the owner provide Staff with documentation of the final driveway conditions inclusive of the width measuring 7.94 metres;
3. That Variance 2 be refused;
4. That the proposed reinstatement of the landscaped areas will be permanent; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

11.10 A-2024-0362

Jaspreet Singh, Jasbeer Singh, Banvir Kaur

12 Loomis Road

Plan 43M2038, Lot 69, Ward 6

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

1. To permit a driveway width of 7.70 metres, whereas the by-law permits a maximum driveway width of 7.0 metres; and
2. To permit 0.30 metres of permeable landscaping abutting both side lot lines, whereas the by-law requires a minimum 0.6m of permeable landscaping abutting the side lot line.

Harjinder Singh, 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: S. Saini

That application A-2024-0362 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 provide Staff with documentation of the final driveway conditions inclusive of the width measuring 7.70 metres as depicted in the sketch attached to the Notice of Decision within 60 days of the Committee's decision or within an extended period of time at the discretion of the Director of Development Services;
3. That the proposed reinstatement of the landscaped areas will be permanent, and that the landscaping shall not be removed, but may be repaired when necessary;
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

12. Other Business

Nil

13. Adjournment

Moved by: S. Saini

Seconded by: J. Sodhi

That Committee do now adjourn to meet again for a Regular Meeting of the Committee of Adjustment on January 28, 2025 at 9:30 a.m. or at the call of the Chair.

Carried

J. Singh Dehriwal, Chair

C. Vani, Secretary-Treasurer