



Minutes

Committee of Adjustment

The Corporation of the City of Brampton

Tuesday, March 25, 2025

- Members Present: Jarmanjit Singh Dehriwal (Chair)
Baljit Mand (Vice-Chair)
Jotvinder Sodhi (Vice-Chair)
Paul Khaira
James Reed
Sarbjeeet Saini
Thisaliny Thirunavukkarasu
Manoharan Vaithianathan
- Members Absent: Ron Chatha
- Staff Present: Ross Campbell, Manager, Zoning and Sign By-law, Planning, Building and Growth Management
Francois Hemon-Morneau, Principal Planner/Supervisor, Planning, Building and Growth Management
Megan Fernandes, Assistant Development Planner, Planning, Building and Growth Management
Emily Mailling, Planning Technician, Planning, Building and Growth Management
Marcia Razao, Planning Technician, Planning, Building and Growth Management
Rajvi Patel, Planner, Planning, Building and Growth Management
Simran Sandhu, Planner, Planning, Building and Growth Management
Marina Shafagh, Planner I, Development Services
Qian (Andrea) Zhang, Planner I, Development Services
Courtney Sutherland, Assistant Development Planner
Clara Vani, Secretary-Treasurer/Legislative Coordinator

1. Call to Order

The meeting was called to order at 9:31 a.m. and adjourned at 11:23 a.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, and Paul Khaira.

Members absent during roll call: Ron Chatha (personal)

2. Adoption of Minutes

2.1 Committee of Adjustment Minutes - February 25, 2025

Moved by: S. Saini

Seconded by: J. Reed

That the minutes of the Committee of Adjustment hearing held February 25, 2025 be approved, as printed and circulated.

Carried

3. Region of Peel Comments

3.1 Nicole Capogna, Region of Peel Comments dated March 17, 2025

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

3.2 B-2024-0017 - Nicole Capogna, Region of Peel Comments dated March 17, 2025

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

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

Nil

5. Withdrawals Requests

5.1 A-2024-0479

W2W Ministries Canada Inc.

20 Regan Road, Unit 4

PCP 390, Level 1, Unit 4, Ward 2

Jose J. Puthenparampil, applicant withdrawal letter, dated March 11, 2025

Sijuza Charias, authorized agent, provided an overview of the application. The authorized agent requested a partial refund and advised the architect was supposed to withdraw the application, but there were unaware of the time frame to withdraw the application.

The Committee Chair J. Dehriwal inquired if the variance was required.

Ross Campbell, Manager, Zoning and Sign By-Law advised the initial information provided was incorrect and once the correct information was received, they were advised that the variance was not required.

Member J. Reed inquired if they were advised prior to the cross functional meeting.

Ross Campbell, Manager, Zoning and Sign By-Law advised that was correct.

Moved by: J. Reed

Seconded by: T. Thirunavukkarasu

That a refund of 50 per cent of the fees paid be provided.

Carried

6. Review of the Agenda for Immediate Approval

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That the following agenda items and minor variance applications, before the Committee of Adjustment at its March 25, 2025, meeting, be approved subject to the conditions set out in the staff recommendation for each respective application:

Item #	Application #	Location
9.2	A-2024-0448	87 Calm Waters Crescent
9.3	A-2024-0455	104 Leadenhall Road
9.5	A-2025-0017	45 Turquoise Crescent
9.6	A-2025-0018	4 Nectarine Crescent
9.7	A-2025-0019	9 Manswood Crescent
9.8	A-2025-0020	34 Deloraine Drive
9.9	A-2025-0021	3 Sparklett Crescent

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

Nil

8. **New Consent Applications**

8.1 B-2025-0002

Saverio Caputo-Fercap Holdings Inc.

91 Delta Park Blvd.

Plan 43M773, Part Lots 7 and 8, Ward 8

The purpose of this application is to request the consent of the committee to grant an access easement at 91 Delta Park Blvd in favour of the landowner to the south at 81 Delta Park Blvd.

Frank Bellini, authorized agent, was present in Chambers 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: B. Mand

Seconded by: S. Saini

That application B-2025-0002 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 approval, the owner will obtain an access easement over the adjacent property to the north municipally known 91 Delta Park Boulevard. The 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, showing only the subject site, depicting separate parts where the 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.

Carried

9. New Minor Variance Applications

9.1 A-2024-0407

Alpana Hetalkumar Patel, Hetalkumar Satishchandra Patel

16 Degrey Drive

Plan 43M1863, Lot 30, Ward 8

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

1. To permit a driveway width of 9.17 metres, whereas the by-law permits a maximum driveway width of 7.32 metres.

Amitha Hetalkumar Patel, authorized agent, was present in Chambers and presented an overview of the application.

Staff outlined the reason for refusal, noted within the staff report.

Moved by: J. Reed

Seconded by: B. Mand

That application A-2024-0407 be refused.

Carried

9.2 A-2024-0448

Kashif Shahzad, Irrum Aleem

87 Calm Waters Crescent

Plan 43M1647, Part Lot 552, RP 43R30095, Part 3, Ward 1

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

1. To permit an interior side yard setback of 0.26 metres to a proposed deck, whereas the by-law requires a minimum interior side yard setback of 0.9 metres.

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

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2024-0448 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 be obtained for the proposed 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 the proposed deck not be used to access an unregistered Additional Residential Unit;
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

9.3 A-2024-0455

2482914 Ontario Inc.

104 Leadenhall Road

Plan 43M1955, Lot 90, 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 0.34 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 0.98 metres, whereas the by-law requires a minimum side yard setback of 1.2 metres on one side and 0.6 metres on the other side provided that the combined total for both side yards on an interior lot is 1.8 metres.

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

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2024-0455 is supportable, subject to the following conditions being imposed:

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

Carried

9.4 A-2025-0015

1000144109 Ontario Inc.

2600 North Park Drive

Chinguacousy Con 6, EHS Part Lots 9 and 10, RP 43R15102, Part 1, Pt Part 2, RP 43R23087, Parts 3 to 5, Ward 8

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

1. To permit the following additional uses in an Industrial Mall: a) a place of commercial recreation; b) a retail warehouse (retail establishment); c) a motor vehicle repair and/or body shop, whereas the by-law does not permit the proposed uses.

Raj Patel, authorized agent, was present in Chambers and presented an overview of the application.

Rob Russell, authorized agent was also present and provided an overview of the planning justification to their request.

Staff read out the reasons for refusal.

Member B. Mand advised he was in support of economic expansion, while maintaining the industrial characteristics of the area. The property is already developed, and this will make efficient use of the area with the cash and carry. Seems as though this application is in alignment with the provincial economic diversity. They are creating more than one hundred jobs.

Member J. Sodhi advised he supports his fellow Member B. Mand.

Member S. Saini inquired out of the one hundred positions how many will be in each unit.

The authorized agent advised in the warehouse there would be between 15 and 25 people working, as well as all other units there will be at least between 100 to 125 people working.

The Committee Chair J. Dehriwal inquired if there is a M2 zoning, why is that not passing to this applicant.

Ross Campbell, Manager, Zoning and Sign By-Law, advised the zoning M2 does not apply to this site.

Member J. Reed commented he would like to caution colleagues, once you remove that employment designation it is gone forever. The client purchased this property less than a year ago and it is. To go down this road, s is detrimental to the city.

The Committee Chair J. Dehriwal inquired if there can be a temporary relief provided.

Francois Hemon-Morneau, Principal Planner/Supervisor, advised staff opinion is that not even a temporary relief is supportable.

The Committee Chair J. Dehriwal inquired if the cash-and-carry units can be provided a temporary relief.

Francois Hemon-Morneau, Principal Planner/Supervisor, advised that all three uses are not supportable and do not comply with the test.

The Committee Chair J. Dehriwal inquired how the committee feels about a temporary relief for a recreational use.

Member J. Reed advised committee that by doing that it would be creating a fight with some other landowner about employment land. If it is removed it causes a fight, just as like debates about the housing. This is not the area to be touching.

The Committee Chair J. Dehriwal inquired what types of uses can be used for that area.

Francois Hemon-Morneau, Principal Planner/Supervisor, provided direction to the committee members to refer to Section One of the staff report.

Member P. Khaira advised he does not believe committee should proceed in this manner.

Member T. Thirunavukkarasu, advised that this would be detrimental to the City.

Member J. Sodhi, advised if this was recreational, it is near by the residential and the impact would not be negative.

Member B. Mand, commented if staff could provide temporary relief instead of refusing the application. This location is close to the residential area.

Member J. Sodhi, advised we cannot impact the environment and the concerns over oil spills. If the use is recreational, it would be beneficial as the City of Brampton recreation centers are never enough.

The Committee Chair J. Dehriwal, inquired with staff if only recreational can be provided.

Member P. Khaira commented it should be maximum three years.

The Committee Chair J. Dehriwal, inquired with the authorized agent if the City proceeds with three years for recreational will it be okay with the client.

The authorized agent advised he would want at least five years as the standard lease agreement is five years.

Member B. Mand, agreed with the authorized agent.

The Committee Chair J. Dehriwal, inquired with staff what their thoughts are on the three or five years.

Francois Hemon-Morneau, Principal Planner/Supervisor, advised the City's opinion remains the same. The application would be refused, but if committee is approving, then there should be conditions implemented.

The Committee Chair J. Dehriwal, inquired what the recommendations would be.

Francois Hemon-Morneau, Principal Planner/Supervisor, there are typical conditions that are imposed on all applications.

Ross Campbell, Manager, Zoning and Sign By-Law, advised if we put a blanket permitting recreational then the whole building can be converted. There should be a cap on the Gross Floor Area (GFA).

Member J. Sodhi, advised he understands there are twenty-five-year leases on the market doesn't mean this application can be provided that amount of time. He is on board with three years maximum and the GFA to be implemented.

Member S. Saini advised he agreed to the three years and staff conditions and recommendations being implemented.

The Committee Chair J. Dehriwal, inquired if the application would require parking studies.

Ross Campbell, Manager, Zoning and Sign By-Law, advised the parking ratio is higher than a warehouse. Not knowing the final GFA staff are unaware of the numbers and cannot provide for the committee at this time.

The Committee Chair J. Dehriwal, suggested a deferral of the application.

Francois Hemon-Morneau, Principal Planner/Supervisor, advised the City is okay with the deferral but the recommendation will be the same. It would require a site plan that is clear with which units are being used.

The authorized agent advised the variances were incorrect on the application, this will give the applicant an opportunity to address all the errors and provided updated information.

Moved by: J. Reed

Seconded by: P. Khaira

That application A-2025-0015 be refused.

A recorded vote was requested and the motion carried as follows:

Yea (3): J. Reed, P. Khaira, and T. Thirunavukkarasu

Nay (5): J. Dehriwal (Chair), B. Mand (Vice-Chair), J. Sodhi (Vice-Chair), M. Vaithianathan, and S. Saini

Lost (3 to 5)

Moved by: B. Mand

Seconded by: J. Sodhi

That application A-2025-0015 be deferred to the last hearing of May 2025.

A recorded vote was requested and the motion carried as follows:

Yea (5): J. Dehriwal (Chair), B. Mand (Vice-Chair), J. Sodhi (Vice-Chair), M. Vaithianathan, and S. Saini

Nay (3): J. Reed, P. Khaira, and T. Thirunavukkarasu

Carried (5 to 3)

9.5 A-2025-0017

Santhakumar Subramaniam, Santhakumar Kalanithy

45 Turquoise Crescent

Plan 43M1712, Lot 25, Ward 10

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

1. To permit a rear yard setback of 5.51 metres to a proposed two storey 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: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2025-0017 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the revised sketch attached to the Notice of Decision;
2. That a Variance to permit a rear yard setback of 6.51 m to a proposed two storey addition, whereas the by-law requires a minimum rear yard setback of 7.5 m, be approved;
3. That the amount of glazed openings on the wall facing the existing dwelling and the rear property line 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;
4. That the proposed addition and below grade entrance shall not be used to access an unregistered additional residential unit; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.6 A-2025-0018

Minesh Naidu, Alveena Naidu

4 Nectarine Crescent

Plan M962, Lot 26, Ward 7

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

1. To permit an interior side yard setback of 1.53 metres to a existing two storey addition, whereas the by-law requires a minimum interior side yard setback of 1.2 metres to the first storey, or part thereof, plus 0.6 metres for each additional storey, or part thereof, where the lot width is less than or equal to 16 metres.

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

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2025-0018 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. The owner shall obtain a building permit within 60 days of the decision of approval, or for an extended period of time at the discretion of the Chief Building Official;
3. That the existing addition shall not be used for the purpose of an unregistered additional residential unit; 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-2025-0019

Gurjinder Singh, Kulwant Kaur Singh

9 Manswood Crescent

Plan M345, Lot 17. Ward 8

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

1. To permit a new single detached dwelling having a building height of 13.95 metres, whereas the by-law permits a maximum building height of 10.6 metres;

2. To permit a garage door height of 2.44 metres (8.01 feet), whereas the by-law permits a maximum garage door height of 2.4 metres (7.87 feet);
3. To permit an accessory structure (proposed cabana) having a height of 4.36 metres, whereas the by-law permits an accessory structure having a maximum height of 3.50 metres;
4. 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;
5. To permit an accessory structure (proposed cabana) having a gross floor area of 78.25 square metres, whereas the by-law permits a maximum gross floor area of 23 square metres for an individual accessory structure; and
6. To permit a fence (privacy screening wall) in the required front yard having a height of 3.81 metres, whereas the by-law permits a maximum fence height of 1 metre in the required front yard.

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

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2025-0019 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 obtains Custom Home Architectural Control approval prior to the submission of a building permit application;
3. That the applicant collaborates with Urban Design staff during the Custom Home application process to ensure the design of the dwelling complies with the City's urban design guidelines.
4. That the applicant submits a Tree Inventory and Preservation plan as part of the Custom Home application and report to the satisfaction of Open Space Development Staff;

5. That the applicant contacts 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;
6. The subject lands exhibit high archaeological potential because they are within 300 meters of known archaeological sites, present/past water sources and a known cultural heritage resource (Hilltop-Gore Cemetery). The owner must provide an Archaeological Assessment(s) for all lands within the subject application and shall mitigate adverse impacts to any significant archaeological resources, found, to the satisfaction of the City and the Ministry of Heritage, Sport, Tourism and Culture Industries. No grading, filling, or any form of soil disturbances shall take place on the subject property prior to the acceptance of the Archaeological Assessment(s) by the City and the Ministry of Heritage, Sport, Tourism and Culture Industries indicating that all archaeological resource concerns have met licensing and resource conservation requirements. Should a cemetery be discovered during any phase of the Archaeological Assessment(s), topsoil stripping, grading or construction, the Owner shall, at their expense, undertake mitigation measures to the satisfaction of applicable provincial agencies and the Commissioner, Planning and Development Services. If the lands were subject to a previous Archaeological Assessment that was accepted by the Ministry of Heritage, Sport, Tourism and Culture Industries and City Heritage staff, the applicant must provide a copy of the report(s) and associated correspondence from the Ministry and Heritage staff confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
7. That arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services.
8. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.8 A-2025-0020

Swaranjit Singh, Sukhbinder Kaur

34 Deloraine Drive

Plan 756, Lot 395, Ward 7

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

1. To permit a front yard setback of 6.66 metres to a proposed two storey addition, whereas the by-law requires a minimum front yard setback of 7.60 metres;
2. To permit an interior side yard setback of 1.50 m to a proposed second storey addition, whereas the by-law requires a minimum interior side yard setback of 1.2 metres to the first storey, or part thereof, plus 0.6 metres for each additional storey, or part thereof; and
3. To permit a lot coverage of 35.36%, whereas the by-law permits a maximum lot coverage of 30%.

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

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2025-0020 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage on adjacent properties shall not be impacted;
3. The amount of glazed openings on the wall facing the side yard setback 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; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.9 A-2025-0021

Thomas Fogarty, Sabrina Medeiros Costa

3 Sparklett Crescent

Plan M110, Part Lot 214, RP 43R7016, Part 2, Ward 2

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

1. To permit an interior side yard setback of 1.27 metres to a proposed second storey addition, whereas the by-law requires a minimum interior side yard setback of 1.2 metres to the first storey or part thereof, plus 0.6 metres for each additional storey, or part thereof.

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

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2025-0021 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; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.10 A-2025-0022

Priyenbhai Patel, Bhakti Patel

10 Karen Court

Plan M864, Lot 47, 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 exterior 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 2.62 metres to a stairway leading to a below grade entrance, whereas the by-law requires a minimum exterior side yard setback of 3 metres.

Priyenbhai Patel, applicant, was present and provided an overview of the application and requested a partial refund. He explained this was a simple application and it is the same as other applications in the past years, that they

submitted the application in December and the fee increase is a significant burden to them. The application is not time consuming that it would merit the total fee of \$11,949. The increase is significant.

Staff read out the recommendation of the report.

The Committee Chair J. Dehriwal advised if Committee was to refund one application fee it would have to refund all application fees. This is the new fee structure, and he does not agree to any refund or reductions at this time.

Member J. Reed advised this is a cost of doing business and this application was submitted in February 2025.

The applicant agreed with the conditions.

Moved by: J. Reed

Seconded by: S. Saini

That application A-2025-0022 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 additional residential unit;
3. That drainage on adjacent properties shall not be adversely affected;
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; and
5. 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-2024-0017

2689336 Ontario Inc.

10 Cadetta Road and 10514 Coleraine Drive

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

The purpose of the application to create a mutual access easement over 10 Cadetta Road in favour of 10514 Coleraine Drive.

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

Member J. Reed inquired with the applicant if the zoning for this location can be confirmed.

The authorized agent confirmed the location is zoned agricultural.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the reasons for refusal.

Member J. Reed advised if the committee considers this application, it would be considering an illegal use.

Moved by: J. Reed

Seconded by: M. Vaithianathan

That application B-2024-0017 be refused.

Carried

10.2 B-2024-0018

Polco Investments Limited

2250, 2280, 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 0.93 hectares (2.30 acres); 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 and servicing easements between the retained and severed lots. No new construction or site alteration is being contemplated.

A-2024-0405

Polco Investments Limited

2250, 2280, 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 56.0m whereas the by-law requires Lot A to have a minimum lot width of 100m 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 2.6m wide landscape open space area to be provided and maintained along the westerly 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.
6. To allow angled parking space shall to a rectangular area measuring 1.9m in width and 4.35m in length Whereas the by-law requires angled parking space shall to a rectangular area measuring 2.7m in width and 5.4m in length.
7. To allow a minimum parking aisle width of 4.2m Whereas the by-law requires a minimum parking aisle width 6.6m.
8. To vary Schedule 'C', Section 256 of the by-law to allow a 4.4m 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 4.5m 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.

A-2024-0406

Polco Investments Limited

2250, 2280, 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 2.6m in width and 3.4m in length Whereas the by-law requires angled parking space shall to a rectangular area measuring 2.7m in width and 5.4m in length.
4. To allow a minimum parking aisle width of 2.2m Whereas the by-law requires a minimum parking aisle width 6.6m.
5. To vary Schedule 'C', Section 256 of the by-law to allow a 4.4m 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 4.5m 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.
6. To allow 1 loading space to be provided on site whereas the by-law requires 2 loading spaces to be provided on site.
7. 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.

8. 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.

Stephanie Matveeva, 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: T. Thirunavukkarasu

Seconded by: J. Sodhi

That application **B-2024-0018** is supportable, subject to the following conditions being imposed:

1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's certificate;
2. The Owner shall provide draft Transfer Easement documents for the permanent mutual access easement between the retained and severed lands for access to Queen Street East. 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, or their respective delegates. 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, showing only the subject site, depicting separate parts where the permanent 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.
6. Draft Transfer Easement documents
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. 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 Applicant shall submit a solicitor's undertaking, prepared by a solicitor licensed to practice in Ontario, to the satisfaction of the City Solicitor or its delegate, confirming that the "Severed Lands" shall be "merged" for Planning Act purposes and the "Retained Lands" 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 and that in the future any transfer or charge of a part of the merged "Severed Lands" and a part of the merged "Retained Lands" will require the approval from the City's committee of adjustment or will have to meet one of the other exceptions to the prohibition on land division set out in section 50 of the Planning Act (Ontario);
5. 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 and or municipal service easements; and
6. 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.

That application **A-2024-0405** is supportable, subject to the following conditions being imposed:

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

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

That application **A-2024-0406** is supportable, subject to the following conditions being imposed:

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

Carried

11. Deferred Minor Variance Applications

11.1 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.

Jivtesh Bhaila, authorized agent, was present online and provided an overview of the application.

Staff outlined the proposed conditions of the staff report.

The Committee Chair J. Dehriwal inquired with staff if the location is unassumed by the City can Committee make the decision on these types of applications.

Staff advised they inquire with the builder to ensure the works are fine. In this case, the builder advised the homeowner will be fully responsible for any damage on the acoustical fence or drainage.

The Committee Chair J. Dehriwal commented this could cause drainage issues with adjacent properties.

Member J. Reed advised the conditions seem to cover all the concerns.

The applicant agreed with the conditions.

Moved by: B. Mand

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 that is reflected on the sketch attached to the Notice of Decision;
3. The homeowner will be responsible for any damage, or alteration to the existing acoustical fence. Any work on the acoustical fence will have to conform to approved acoustical fence standards;
4. That drainage on adjacent properties shall not be adversely affected;
5. That the below grade entrance shall not be used to access an unregistered second unit; and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

11.2 A-2024-0357

Soneil Markham Inc.

18 Bram Court, Unit 7

Plan M325, Part Block 1, 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.

Manpreet Kohli, 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: B. Mand

Seconded by: J. Sodhi

That application A-2024-0357 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 to obtain a building permit for any alterations to the building prior to occupancy of the unit;
3. That a site plan application shall be submitted within 60 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services;
4. That there be no outside display of motor vehicles for sale within the front yard soft landscaping and within the parking area designated for employees and visitors at the front of the property;
5. That the applicant provides the required \$660 planning review fee to the Toronto and Region Conservation Authority as per their letter dated March 17, 2025; and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

11.3 A-2025-0007

A&V Cavallo Investments Ltd.

180 Bovaird Drive West

Con 1, WHS Part Lot 11, Ward 2

Removed from the Agenda.

Application was deferred to April 29, 2025, from the February 25, 2025, meeting. The application was placed on this agenda in error.

11.4 A-2024-0405 - Severed Lands

Polco Investments Limited

2250, 2280, 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 56.0m whereas the by-law requires Lot A to have a minimum lot width of 100m 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 2.6m wide landscape open space area to be provided and maintained along the westerly 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.
6. To allow angled parking space shall to a rectangular area measuring 1.9m in width and 4.35m in length Whereas the by-law requires angled parking space shall to a rectangular area measuring 2.7m in width and 5.4m in length.
7. To allow a minimum parking aisle width of 4.2m Whereas the by-law requires a minimum parking aisle width 6.6m.
8. To vary Schedule 'C', Section 256 of the by-law to allow a 4.4m 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 4.5m 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.

Brought forward and dealt with under item 10.2

11.5 A-2024-0406 - Retained Lands

Polco Investments Limited

2250, 2280, 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 2.6m in width and 3.4m in length Whereas the by-law requires angled parking space shall to a rectangular area measuring 2.7m in width and 5.4m in length.
4. To allow a minimum parking aisle width of 2.2m Whereas the by-law requires a minimum parking aisle width 6.6m.
5. To vary Schedule 'C', Section 256 of the by-law to allow a 4.4m 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 4.5m 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.
6. To allow 1 loading space to be provided on site whereas the by-law requires 2 loading spaces to be provided on site.
7. 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.
8. 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.

Brought forward and dealt with under item 10.2

12. **Adjournment**

Moved by: B. Mand

Seconded by: S. Saini

That Committee do now adjourn to meet again for a Regular Meeting of the Committee of Adjustment on April 29, 2025, at 9:30 a.m. or at the call of the Chair.

Carried

J. Singh Dehriwal, Chair

C. Vani, Secretary-Treasurer