



Minutes

Committee of Adjustment

The Corporation of the City of Brampton

Tuesday, May 27, 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
Ellis Lewis, Planner, Planning, Building and Growth Management
Emily Mailling, Planning Technician, Planning, Building and Growth Management
Marcia Razao, Planning Technician, Planning, Building and Growth Management
Marina Shafagh, Planner I, Planning, Building and Growth Management
Qian (Andrea) Zhang, Planner I, Planning, Building and Growth Management
Shiza Athar, Planner I, Planning, Building and Growth Management
Courtney Sutherland, Assistant Planning, Building and Growth Management
Clara Vani, Secretary-Treasurer/Legislative Coordinator

1. Call to Order

The meeting was called to order at 9:31 a.m. and adjourned at 11:48 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 - April 29, 2025

Moved by: B. Mand

Seconded by: S. Saini

That the minutes of the Committee of Adjustment hearing held April 29, 2025 be approved, as printed and circulated.

Carried

3. Region of Peel Comments

3.1 Dana Jenkins, Region of Peel Comments, dated May 16, 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-2025-0010

Thangrasa Kirubakaran, Kirubakaran Dilani

24 Caboose Street

Plan 43M2054, Block 76, Plan 43M2058, Block 402, Ward 6

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

1. To permit a 0.62 metres setback to an existing building addition (open roofed porch), whereas the by-law requires a minimum setback of 4.5 metres for open roofed porches and or uncovered terraces.

That Application A-2025-0010 be withdrawn from consideration.

5.2 A-2024-0420

Surjit Singh Boparai, Naranjan Boparai, Navneet Boparai, Harminder Boparai

22 Hedgerow Avenue

Plan M652, Lot 105, Ward 4

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

1. To permit a proposed garden suite having a gross floor area of 37.0 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.

That Application A-2024-0420 be withdrawn from consideration.

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

Moved by: J. Sodhi

Seconded by: J. Reed

1. That the following agenda items and minor variance applications, before the Committee of Adjustment at its May 27, 2025, meeting, be approved subject to the conditions set out in the staff recommendation for each respective application:

Item #	Application #	Location
8.1	B-2025-0005	156 Main Street South
9.5	A-2025-0041	142 Kennedy Road
9.6	A-2025-0042	10 Grafton Crescent
9.8	A-2025-0044	14 Abacus Road
9.9	A-2025-0045	547 Steeles Avenue East

9.10	A-2025-0047	2573 Embleton Road
9.11	A-2025-0048	740 Steeles Avenue W.

2. This decision reflects that in the opinion of the Committee, for each application:

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

Carried

7. Deferral Requests

7.1 A-2025-0034

2494747 Ontario Ltd.

98 Rutherford Road South, 1C

Chinguacousy Con 2, EHS Part Lot 4 and RP 43R39471, Parts 3 and 4, Ward 3

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

1. To permit a motor vehicle sales and leasing establishment at 98 Rutherford Rd. S. in Unit 1C, whereas the by-law does not permit a motor vehicle sales and leasing establishment.

Moved by: B. Mand

Seconded by: T. Thirunavukkarasu

That application A-2025-0034 be deferred no later than the last hearing of August 2025.

Carried

8. New Consent Applications

8.1 B-2025-0005

Crombie Property Holdings Limited c/o Nathan Hines

156 Main Street South (12-160)

Plan 581, Lots 1 to 13, Block B, Part Blocks C and N, Part Eldomar Avenue SE

The purpose of the application is to request the consent of the Committee of Adjustment for a lease in excess of 21 years. The land to be leased is occupied by a commercial building (Metro Supermarket). The effect of the application is to facilitate a long-term lease (in excess of 21 years) between the owner of the lands, Crombie Property Holdings Limited, and Metro Ontario Real Estate Limited.

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

Moved by: J. Sodhi

Seconded by: J. Reed

That application B-2025-0005 is supportable, subject to the following conditions being imposed:

1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
2. That the Owner/Applicant shall pay the planning review fee of \$1,250.00 to the Toronto and Region Conservation Authority; and
3. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received.

Carried

9. New Minor Variance Applications

9.1 A-2025-0034

2494747 Ontario Ltd.

98 Rutherford Road South, 1C

Chinguacousy Con 2, EHS Part Lot 4 and RP 43R39471, Parts 3 and 4, Ward 3

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

1. To permit a motor vehicle sales and leasing establishment at 98 Rutherford Rd. S. in Unit 1C, whereas the by-law does not permit a motor vehicle sales and leasing establishment.

Brought forward and dealt with under item 7.1

9.2 A-2025-0037

Carpreit Ltd. Partnership

5 Kings Cross Road

Plan 962, Block D and 3-11 Knightsbridge Rd, Ward 7

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

1. To vary Schedule 'C' – Section 149 of the by-law to permit 213 units in Building C, whereas the by-law permits Building C a maximum of 196 units in accordance to Schedule 'C' - Section 149 of the by-law.

Kelsey Moir, authorized agent was present online and presented an overview of the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed with the conditions.

Moved by: J. Reed

Seconded by: B. Mand

That application A-2025-0037 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That the applicant obtain a building permit for the residential unit 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 applicant provides the required \$1,250.00 Toronto and Region Conservation Authority (TRCA) review fee as per the letter dated May 16, 2025; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.3 A-2025-0039

Thilak Krishnamoorthy, Nirmala Thilak

20 Fern Street

Plan 354, Lot 52, Ward 3

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

1. To permit a front yard setback of 6.01 metres to a proposed two storey addition, whereas the by-law requires no part of any dwelling or accessory building be erected or placed at a distance less than 8 metres from any lot line abutting a street; and
2. To permit a lot coverage of 35.3%, whereas the by-law permits a maximum lot coverage of 30%.

Shams Syed, authorized agent was present online and presented an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Ted Doherty, Brampton resident was present and advised committee his house is directly behind the applicant property, and drainage problems will be caused by it; he noted his property already keeps getting flooded out and this will cause more problems. He is currently in the process of a \$15,000 repair to the basement because of the drainage. There is a major drainage concern in this area, involving streets Fern Street, Elliot Street and Mill Street. If they expand to a three-unit home, they will require additional parking. There is not sufficient parking in the driveway, where will the overflow of the parking go? The overflow will be on the streets, the street parking is already excessive, there was an accident on the street yesterday with a parked car.

Hayley Tacoma, Brampton resident, noted they are directly behind this home, flooding is a major concern. Their backyard is the lowest and with every rainfall the backyard has extreme flooding. Currently, they are going through a \$30,000 basement repair due to the flooding. The home is going to add a lot more hardscape, where will the rainwater be directed too? Increasing hardscape reduces soil to absorb the rain. The trees provide privacy for them, and they hope the trees are not removed from the property. This home has eleven bedrooms, would this be considered a lodging home? There are major concerns with parking, there will not be enough parking on the property, the streets are not parking lots.

Staff outlined the proposed conditions of the staff report.

Member J. Sodhi inquired if the flooding and the parking concerns the residents raised were taken into consideration when reviewing the application.

Staff advised the concerns were considered and the conditions imposed are to ensure that all their concerns are addressed.

Member B. Mand inquired if the sump-pump is directly discharging on the driveway.

Staff advised the sump-pump would be reviewed at the custom home application stage.

Member J. Reed commented the committee has supported these types of variances in the past. Typically, they have the adverse condition for drainage, staff is advising the application will capture this through custom home.

Staff advised the condition of custom home was imposed in order for the drainage issue can be reviewed and corrected. The City of Brampton is aware that the drainage is an issue in the downtown area.

The Committee Chair J. Dehriwal commented that most of the concerns were addressed in the conditions.

The authorized agent commented that a lot of conditions were imposed on this application. These conditions will address all the concerns of the neighbors.

Member J. Reed advised he would like to add the condition of the drainage. At least there is some protection with the added condition for the neighbors.

The authorized agent agreed with the conditions.

Moved by: J. Reed

Seconded by: S. Saini

That application A-2025-0039 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the applicant obtain a Custom House Architectural Control approval prior to the submission of a building permit application;
3. That the applicant submits a tree inventory and preservation plan and report as part of the Custom Home application review to the satisfaction of Open Space Development staff;

4. That the applicant contact the City's Forestry Department to review any existing trees effected by the proposed work 'prior to' and as a condition of minor variance/ CofA approval. A tree removal permit will be required;
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

9.4 A-2025-0040

Brilliant Big Data Services Inc.

30 Abercrombie Crescent

Plan 43M1991, Lot 83, Ward 6

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

1. To permit a 1.09 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; and
2. To permit an existing deck having a rear yard setback of 2.75 metres, whereas the by-law requires a rear yard setback of 3.5 metres for a deck off the main floor.

Aakanksha Sharma, authorized agent was present online and provided an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Dave Wilson, Brampton resident was present online and expressed his concerns with the pathway being extended when it is already on the property line.

Staff outlined the proposed conditions of the staff report.

The Committee Chair J. Dehriwal inquired with staff if the pathway is on the property line.

Staff advised the larger path of travel will bring them directly to the property line.

The authorized agent agreed with the conditions.

Moved by: S. Saini

Seconded by: T. Thirunavukkarasu

That application A-2025-0040 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;
3. That the below grade entrance shall not be used to access an unregistered second unit;
4. That drainage on adjacent properties not be adversely affected; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.5 A-2025-0041

1534738 Ontario Inc., c/o Lakhbir Singh Nirwan

142 Kennedy Road

Plan 625, Part Lot 432, RP 43R16836, Parts 2 and 3, Ward 3

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

1. To allow uses permitted in the Service Commercial zone within 109 metres of the front lot line, whereas the by-law permits Service Commercial uses within 50 metres of the front lot line.

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

Moved by: J. Sodhi

Seconded by: J. Reed

That application A-2025-0041 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision or as modified through an Approved Site Plan;
2. That a site plan application shall be submitted within 90 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.6 A-2025-0042

Simarjit Singh Sandhu

10 Grafton Crescent

Plan M304, Lot 64, Ward 10

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

1. To permit a door height of 2.92 metres to accessory buildings (cabana), whereas the by-law permits a maximum door height of 2.4 metres to accessory buildings;
2. To permit an accessory structure (cabana) having a height of 5.71 metres, whereas the by-law permits an accessory structure having a maximum height of 3.5 metres;
3. To permit an accessory structure (cabana) having a gross floor area of 57.40 square metres, whereas the by-law permits a maximum gross floor area of 23 square metres, for an individual accessory structure;
4. To permit a garage door height of 2.92 metres, whereas the by-law permits a maximum garage door height of 2.4 metres;
5. To permit a detached garage having a gross floor area of 58.19 square metres, whereas the by-law permits a detached garage having a maximum gross floor area of 48 square metres;

6. To permit a detached garage having a height of 5.71 metres, whereas the by-law permits a detached garage with a maximum height of 3.5 metres; and
7. To permit a detach garage on a lot having an attached garage, whereas the by-law requires only one detached private garage, or carport shall be permitted on each lot, and only if there is no attached private garage or carport already on the lot.

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

Moved by: J. Sodhi

Seconded by: J. Reed

That application A-2025-0042 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 provides the required \$660.00 Toronto and Region Conservation Authority (TRCA) review fee as per the letter dated May 16, 2025; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.7 A-2025-0043

Planchet Ambler Inc.

30 Delta Park Blvd.

Plan 43M773, Lots 15 and 16 and RP 43R15051, Parts 1 and 2, Ward 8

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

1. To permit a waste transfer/processing station, whereas the by-law doesn't permit the proposed use.

Edward Vago, authorized agent was present and provided an overview of the application.

Michael J. Campbell, Deacon, Spears, Fedson and Montizambert Barristers and Solicitors was present online and presented the opposition of the neighboring properties, located at 50 and 70 Delta Park. The tenant of this property will be operating the waste transfer and they advise there is no environmental impact, noise, vibrations, or odors. Each of the owners located at the neighboring units are opposed to the application and submitted documentation. The City of Brampton provides notice within 60 metres radius in the area and the other neighboring tenants did not receive the public notice. All the owners have an interest and substantial objection to the application. The waste transfer will have at least some environmental impact and produce some noise. All other condo owners are opposed and are requesting an adjournment to be able to review the application in detail at the expense of the applicant.

The Committee Chair J. Dehriwal highlighted correspondence received.

Sukwinder Gill, Brampton resident, was present and advised he had received the notice, as well as other documentation from the applicant and did not have time to go through this. He advised the timeline just wasn't enough.

Member J. Reed inquired with the authorized agent to explain the product transfer and process.

The authorized agent advised the company deals with curbside recycling materials. Blue box items picked up at your curbside, they sort and audit that material.

Member J. Reed inquired if this was a recycling center.

The authorized agent advised they do not repurpose the materials. They have notified all the area businesses to open the door for all to come and see what the facility does. The documentation the gentleman spoke of was provided by them as part of their Provincial NACP requirements. This regulates how and why they operate.

Member J. Reed inquired with staff if there are any complaints from their previous location on Advance Blvd.

Member J. Sodhi inquired with staff was the distribution to the neighboring properties provided. Does Committee require additional legal opinion on this matter?

Clara Vani, Secretary-Treasurer advised the Public Notice was circulated on May 12, 2025 to a 60 metre radius.

Ross Campbell, Manager, Zoning and Sign By-Law advised there was a complaint in 2013 but he cannot confirm who was operating at that time.

Member J. Reed inquired if the applicant was occupying 171 Advance Blvd. at that time.

The authorized agent confirmed the applicant did move into the unit until 2023 on a sub-lease basis.

The Committee Chair J. Dehriwal inquired if the committee should provide additional time for the neighboring properties to address their concerns regarding the Public Notices.

Clara Vani, Secretary-Treasurer advised the Public Notices were mailed out earlier than the ten days set out in the *Planning Act* and the applicant is required to post signage on the property. The signage consists of all the details of the meeting as well as a link to the City of Brampton meetings and agendas page where any interested parties can review the materials submitted.

Member J. Reed advised he has the utmost confidence that procedures were followed.

Member S. Saini inquired if the company will be sorting materials.

The authorized agent advised they will be sorting materials, in order to classify the materials by weight and material type.

Member J. Sodhi inquired what is the process after that. What is being done to the materials that are sorted.

The authorized agent advised the materials are packed up and shipped off site. No retention and no processing of the materials is done onsite.

Staff outlined the proposed conditions of the staff report.

The Committee Chair J. Dehriwal inquired with staff if there is any information regarding the complaints in the past.

Ross Campbell, Manager, Zoning and Sign By-Law, advised the complaints were in regards to refuse. The details are not clear of what was being left out and what business was operating at that time.

Moved by: J. Reed

Seconded by: B. Mand

That application A-2025-0043 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 units.
3. The applicant shall be responsible to comply with all applicable legislations, statutes, codes and by-laws related to the proposed operations. All required permits/approvals/licenses shall be obtained prior to the site being operational;
4. That the waste being transferred and/or processed on-site shall be strictly limited to non-hazardous waste;
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.8 A-2025-0044

TAK Investments Inc.

14 Abacus Road

Plan M772, Block 10, Ward 8

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

1. To permit an office building addition, having a building height of 13.26 metres, whereas the by-law permits a maximum building height of 10.0 metres;
2. To permit a lot coverage of 36.7%, whereas the by-law permits a maximum lot coverage of 35%;
3. To permit a total of 119 parking spaces, whereas the by-law requires a minimum of 133 parking spaces;
4. To permit a total of 1 loading space, whereas the by-law requires a minimum of 2 loading spaces for a building having a floor area of over 280 up to 7,450 square metres; and

5. To vary Schedule 'C', Section 1536 of the by-law to permit the landscape open space as per the site plan attached to the public notice (0.38 metres in the rear yard), whereas the by-law requires 7 metres of landscape open space located in accordance with Schedule 'C' - Section 1536.

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

Moved by: J. Sodhi

Seconded by: J. Reed

That application A-2025-0044 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 as Appendix B;
2. That a total of 116 parking spaces be approved;
3. That a minimum landscaped open space buffer of 3.0 metres be approved;
4. That drainage on adjacent properties shall not be impacted;
5. That the owner finalize site plan approval under City File SPA-2024-0145, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
6. That 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
7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.9 A-2025-0045

First Gulf Business Park Inc.

547 Steeles Avenue East

Plan M947, Part Block 1, Ward 3

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

1. To permit a personal service shop in Unit 2E-1, whereas the by-law doesn't permit the proposed use.

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

Moved by: J. Sodhi

Seconded by: J. Reed

That application A-2025-0045 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 is 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

9.10 A-2025-0047

Iqbal Gill

2573 Embleton Road

Con 6, WHS, Part Lot 5, Ward 6

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

1. To permit a transitional housing shelter, whereas the by-law does not permit the use.

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

Moved by: J. Sodhi

Seconded by: J. Reed

That application A-2025-0047 is supportable, subject to the following conditions being imposed:

1. That the use be approved for a temporary period of three (3) years from the final date of the decision of the Committee; and,

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

Carried

9.11 A-2025-0048

Country Fruit & Farm Market

740 Steeles Avenue W.

Con 2, WHS, Part Lot 1, RP 43R11346, Part 2, Ward 4

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

1. To permit a day nursery and private school, whereas the By-law does not permit the uses.
2. To permit a front yard setback of 11.01m, whereas the By-law requires a minimum front yard setback of 15.0 metres
3. To permit a parking aisle providing access to a parallel parking space to have a width of 3.5m, whereas the by-law requires a parking aisle providing access to a parallel parking space to have a minimum width of minimum 4.0m
4. To permit 42 parking spaces, whereas the By-law requires a minimum of 61 parking spaces.

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

Moved by: J. Sodhi

Seconded by: J. Reed

That application A-2025-0048 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be generally limited to that shown on the sketch attached to the Notice of Decision or an approved Site Plan;
2. That the owner obtain a building permit for any alterations or construction to the building, prior to occupancy of the unit;
3. That a Noise study shall be submitted and approved within 90 days of the Committee's final and binding decision or within an extended period of time as approved by the City's Noise Technologist Division;

4. That a Traffic Brief shall be submitted and approved within 90 days of the Committee's final and binding decision or within an extended period of time as approved by Traffic Services Staff; 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-2024-0008

Mantella Corporation

21 Van Kirk Drive

Plan M286, Part Blocks J and L, RP 43R8869, Parts 3 and 4

The purpose of this application is to request the consent of the Committee of Adjustment to the grant of an easement over Parts 15, 16, and 17 in favour of PIN 14249-0033 and an easement over Part 11 in favour of PIN 14249-0032. Additionally to sever Parts 5, 6, 7, 8, 9, 14, 15, 16, and 17 from PIN 14249-0033 for conveyance to PIN 14249 0032.

Nicholas Malta, 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: T. Thirunavukkarasu

Seconded by: P. Khaira

That application B-2024-0008 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 Lot XX on Plan 43M-XXXX, 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). (The "resultant" lot is the "severed" land and the land to which the "severed" land is to be merged.)

Carried

11. Deferred Minor Variance Applications

11.1 A-2023-0333

Li Chen

705 Remembrance Road

Pscp 1118, Level 1, Unit 1

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

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

Shashank Citale, authorized agent was present online and provided an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Nick Dell, Harper Dell Planning was present and advised he is representing adjacent properties at 645 Remembrance that share the drive isle and an easement. To the west there is a larger condominium building with much more parking that is being relied on to satisfy parking needs for this site. In 2017 there was a minor variance, there was a capped rate for parking spaces, 1 space

required for 23 metre squared parking for retail. His clients purchased their units and in the due diligence of review, there was an investigation of the strength of the easement and parking justification and it was found there were serious issues with the uses on site. There are medical uses that the parking spaces required at 695 Remembrance Drive are 1 space for 19 metre squared. There is ongoing litigation, does the staff report reflect receipt of that. He expressed it is his belief it is important that staff acknowledged that there are no changes since the application was heard in November. There are potential damages going forward with the dysfunctional easement. Their lawyer submitted a letter and it should be on file. It may result in greater damages on the City itself, which is part to this litigation. They have concerns with the shared easement not operating properly and the insufficient parking on this site.

Mirza Chaudhary, authorized agent was present online and advised there are three buildings on the property currently. There are a Tim Hortons, a small convenience store, a gas station, and a carwash, and all these cause no pressure on the parking. They have a medical building and those clients are only by appointment. There are no parking issues on this site. This corner lot has been undeveloped for the last few years. If we get the minor variance we can start developing the day care centre and this does not require any parking. The condominium corporation is the owner over the easement. Their cars are passing through, there is no easement where this building is going to be constructed. The footprint for the building is the same if it is single storey or double. As soon as we obtain approval with the minor variance applicaiton we will begin building.

Evan Moore, Counsel was present online and provided additional information in regards to the opposition, there is no evidence provided that supports the concern that parking will be impacted. There also is no comment in regards to the *Planning Act* four-part test to provide support of their concerns. They have made no attempt to progress the litigation until last week. This is an ongoing litigation and they haven't made attempts to resolve in a timely manner. The committee should consider only the four-part test of the *Planning Act*.

Staff outlined the proposed conditions of the staff report.

Naimal Nadeem, City of Brampton Counsel was presented and advised the City respects the neighboring properties have an ongoing litigation but we cannot put our planning processes on hold. The applicant is entitled to a timely and fair decision, provided that the application has been reviewed by all departments.

Member J. Reed commented there hasn't been any new information since November.

The Committee Chair J. Dehriwal inquired with staff if there is any enforcement action in regards to parking on this property.

Ross Campbell, Manager, Zoning and Sign By-Law, advised there was no enforcement currently.

Member S. Saini inquired with staff when permission is provided is there any other parking in the area for over flow or are they parking on the road.

Francois Hemon-Morneau, Principal Planner/Supervisor, advised the application is to approve a parking variance. The applicant has provided a parking justification study and it has been found sufficient. The applicant is proposing a few new parking spaces and they will be providing a new site plan for review as part of the conditions.

Moved by: P. Khaira

Seconded by: B. Mand

That application A-2023-0333 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be generally limited to that shown on the sketch attached to the Notice of Decision or an approved Site Plan;
2. That the Owner shall submit a site plan application to facilitate the proposed work; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

11.2 A-2024-0215

Swaran Singh

4 Maple Avenue

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

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

1. To permit a combined gross floor area of 20.44 square metres (220 square foot) for two (2) accessory structures (existing sheds), whereas the by-law permits a maximum combined gross floor area of 20 square metres for two (2) accessory structures;

2. To permit 0.30 metres of permeable landscaping abutting southern side lot line, whereas the by-law requires a minimum 0.6 metres of permeable landscaping abutting the side lot lines;
3. To permit a driveway to extend into the rear yard, whereas the bylaw does not permit the rear yard to be paved for the purpose of parking except on a driveway that leads to a garage; and
4. To permit a parking space depth of 5.12 metres, whereas the by-law required a minimum depth of 5.4 metres for a parking space.

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

The Committee Chair J. Dehriwal highlighted correspondence received.

Charles Zammit, Brampton resident was present online and expressed his concerns with the parking overflow. The home has many renters, where are they all going to park, on the road. Is the plumbing and electricity available for people to live in it. I do not agree with this.

Staff outlined the proposed conditions of the staff report.

The Committee Chair J. Dehriwal inquired with staff if there is any enforcement action on this property.

Ross Campbell, Manager, Zoning and Sign By-Law, advised there are many complaints regarding the property prior to 2019. They are all closed at this point.

The Committee Chair J. Dehriwal inquired if there is any recent enforcement action.

Ross Campbell, Manager, Zoning and Sign By-Law, advised there was one recently but it was complied with and closed.

The Committee Chair J. Dehriwal inquired if the property is rented.

The authorized agent advised the property is rented with two families. One in the basement and one on the upper level.

Moved by: B. Mand

Seconded by: S. Saini

That application A-2024-0215 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. 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;
3. A minimum 1m offset is required from the driveway edge to the existing City street tree. Any widening is to taper around the existing street tree.
4. Applicant to contact the City's Forestry Department to review any existing trees effected by the proposed work 'prior to' and as a condition of minor variance/ CofA approval.
5. That the owner enter into an encroachment agreement with the City prior to any works on the site;
6. That drainage on adjacent properties shall not be adversely affected; and
7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

11.3 A-2024-0420

Brought forward and dealt with under item 5.2

11.4 A-2025-0010

Brought forward and dealt with under item 5.1

11.5 A-2025-0015

1000144109 Ontario Inc.

2600 North Park Drive

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

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

1. To permit the additional use of a place of commercial recreation in an existing Industrial Mall on lands zoned M2-896.

Rob Russell, authorized agent was present online and provided an overview of the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the reason for refusal within the staff report.

The Committee Chair J. Dehriwal inquired when they will receive the study of the employment timelines.

Francois Hemon-Morneau, Principal Planner/Supervisor, advised staff is currently engaged in the study.

Member J. Reed commented his position remains the same as the last meeting. The City needs to protect the employment land.

Member J. Sodhi commented businesses are needed but at the same time we need to protect this land.

The Committee Chair J. Dehriwal commented the employment land needs to be protected. If we give them a temporary permit until the studies are completed, will it affect the City's studies.

Francois Hemon-Morneau, Principal Planner/Supervisor, advised even a temporary permit requires substantial changes done to the site to accommodate these uses. Once the business is established it will be difficult to remove once their permit expires.

Member B. Mand inquired if the property is vacant and how long.

The authorized agent advised the property is vacant. These studies the City is undergoing sometimes takes years. We have done our best to work with the City, we are losing money everyday. We are only requesting one use instead of three.

The Committee Chair J. Dehriwal commented that the City has a bigger picture and this will cause significant change.

Member J. Sodhi inquired with the agent, all city buildings have a higher manager did you have a discussion with them. They may have potential clients that can make that a home.

The authorized agent advised this is ongoing project for more than six months. There have been multiple discussions with City staff. The Province and Federal levels are saying we need to keep communication open. The use being requested is not the first time the committee has heard these types of application.

Member P. Khaira inquired if a temporary permission is provided will it affect the City's studies.

Francois Hemon-Morneau, Principal Planner/Supervisor, responded that yes it will impact the outcome of the studies. Policy advised the review is projected to be complete by the Fall or end of this year.

Paul Aludante, Senior Manager, Economic Development advised he can assist them to find clients through the Economic Development network.

Moved by: J. Reed

Seconded by: S. Saini

That application A-2025-0015 be refused.

Carried

11.6 A-2025-0029

Acumen Brampton Inc.

21 Coventry Road

Plan 977, Part Block E, RP 43R12163, Parts 1,2, Ward 8

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

1. To permit a commercial school, whereas the by-law doesn't permit a commercial school; and
2. To provide 48 parking spaces, whereas the by-law requires 158 parking spaces.

Ulysses Perkunder, 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: P. Khaira

That application A-2025-0029 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to those generally shown on the sketch attached to the Notice of Decision, with the exception of the variance related to the permitted commercial school use, provided it complies with the applicable parking requirements; and
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

12. Adjournment

Moved by: J. Reed

Seconded by: M. Vaithianathan

That Committee do now adjourn to meet again for a Regular Meeting of the Committee of Adjustment on June 24, 2025 at 9:30 a.m. or at the call of the Chair.

Carried

J. Singh Dehriwal, Chair

C. Vani, Secretary-Treasurer