



**Date:** January 26, 2021  
**Time:** 9:00 a.m.  
**Location:** Council Chambers, 4th Floor - City Hall – Webex Electronic Meeting

**Members:** Ron Chatha (Chair)  
Desiree Doerfler (Vice-Chair)  
Ana Cristina Marques  
David Colp  
Rod Power

**Staff:** Shelby Swinfield, Development Planner  
Cynthia Owusu-Gyimah, Manager, Development Services,  
Elizabeth Corazzola, Manager, Zoning and Sign By-Law Services  
Jeanie Myers, Secretary-Treasurer

1. **Call to Order**

The meeting was called to order at 9:00 a.m. and adjourned at 11:06 a.m.

2. **ADOPTION OF MINUTES:**

Moved by: A. C. Marques

Seconded by: R. Power

THAT the minutes of the Committee of Adjustment hearing held January 5, 2021 be approved, as printed and circulated.

CARRIED

3. **Region of Peel Comments**

Letter dated January 19, 2021.

4. **Declarations of Interest Under the Municipal Conflict of Interest Act:**

Member Desiree Doerfler declared a conflict of interest on the following applications due to her association with a previous family member.

Application A-2020-0145, Tiwana Properties Inc, 107 Orenda Road; and

Application A-2020-0159, Takol CMCC Rutherford Road GP Inc., 286 Rutherford Road South.

5. **WITHDRAWALS/DEFERRALS**

**A-2020-0157 (Listed as item 8.11)**

**GIAN SINGH NAGRA, JASWINDER, NAGRA, CHANVEER NAGRA AND PRINCE NAGRA**

**LOT 97, PLAN 43M-2014 - 28 MARKEY COURT - WARD 10**

Committee acknowledged receipt of a letter dated January 25, 2021 from Gian Singh Nagra, applicant and owner of the property requesting a deferral of application A-2021-0157 to the next available hearing. In his letter Mr. Nagra indicated that he will be retaining a consultant with a view to amending his application.

Mr. Nagra addressed Committee explaining the nature of the variance requested to widen his driveway advising that his second option is to defer the application.

For the benefit of Mr. Nagra, the Chair explained the process advising that the first matter Committee is considering is the letter received requesting a deferral of the application. Reference was made to the letter wherein Mr. Nagra advised he was hiring a consultant. In response to a question raised by the Chair, Mr. Nagra confirmed he was seeking a deferral.

Staff advised that if the applicant is intending to amend the application through the deferral to alter the scale or the scope of the variance, staff would support the deferral. Staff noted that if the applicant intends to return to Committee at a later date with the same application, staff would prefer to have the application heard today.

The Secretary-Treasurer provided the upcoming hearing dates scheduled in March, as well as the associated filing deadlines. Through discussion it was suggested that the later hearing of March 30, 2021 would be more appropriate affording more time for Mr. Nagra to retain a consultant and submit any new material associated with the application.

Mr. Nagra was receptive to Committee's recommendation to defer the application to the hearing date of March 30, 2021.

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0157 be deferred to the hearing date of March 30, 2021.

CARRIED

6. **NEW CONSENT APPLICATIONS**

**APPLICATIONS B-2020-0026, B-2020-0027 AND A-2020-0158 WERE RELATED AND HEARD CONCURRENTLY**

6.1 **B-2020-0026**

**BALBIR SINGH BHARWALIA AND NIRMALJIT KAUR BHARWALIA**

**PT. OF LOT 15, CONC. 9 ND, PART 1, PLAN 43R-2168 - 10829 MCVEAN DRIVE - WARD 10**

The purpose of the application is to request the consent of the Committee to sever approximately 8107.77 square metres (0.81 hectares) from a parcel of land currently having a total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (0 McVean Drive) for future residential purposes. Concurrent Consent Application B-2020-0027.

6.2 **B-2020-0027**

**BALBIR SINGH BHARWALIA**

**PT. OF LOT 15, CONC. 9 ND, PART 1, PLAN 43R-2168 - 0 MCVEAN DRIVE - WARD 10**

The purpose of the application is to request the consent of the Committee to sever approximately 8107.01 square metres (0.81 hectares) from a parcel of land currently having a total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (10829 McVean Drive). The existing residential use will be maintained. Concurrent Consent Application B-2020-0026.

**A-2020-0158 (Item 8.12)**

**BALBIR SINGH BHARWALIA AND NARMALJIT KAUR BHARWALIA**

**PT. OF LOT 15, CONC. 9 ND, PART 1, PLAN 43R-2168 - 10829 MCVEAN DRIVE - WARD 10**

The applicants are requesting the following variances associated with the proposed newly reconfigured parcel of land under Consent Application B-2020-0026:

1. To permit a lot width of 48.8 metres whereas the by-law requires a minimum lot width of 60 metres;
2. To permit a lot area of 6,124 square metres (0.61 hectares) whereas the by-law requires a minimum lot area of 0.8 hectares;

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3. To permit a front yard depth of 10.3 metres whereas the by-law requires a minimum front yard depth of 12.0 metres.

Mr. Laxman Patel, authorized agent for the applicant, presented applications B-2020-0026, B-2020-0027 and A-2020-0058 briefly explaining the nature of the applications. Mr. Patel explained that lot severances are proposed for the 2 subject properties resulting in the newly re-configured lots oriented to have access to Bowman Avenue. With respect to the related minor variance application, he advised that the lot width is reduced due to a road widening. He advised that the existing building has a reduced front yard setback noting that the lot area is also reduced.

Committee acknowledged receipt of a letter dated January 18, 2021 from Toronto and Region Conservation Authority indicating no objection to Applications B-2020-0026, B-2020-0027 and A-2020-0158 subject to recommended conditions.

For the record it was confirmed that a resident, Sarah Al Aloul of 20 Klemscott Street, in attendance by telephone, was not participating to comment on the applications.

Committee was informed that City of Brampton planning staff had no objection to the approval of applications B-2020-0026, B-2020-0027 and A-2020-0158 from a planning land use perspective, subject to conditions.

Mr. Laxman indicated that the proposed conditions were acceptable.

The Committee, having regard to those matters under subsection 51(24) of the *Planning Act* R.S.O. 1990, c P.13, as amended and having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: R. Power

Seconded by: D. Colp

THAT application B-2020-0026 be approved for the following reasons and subject to the following conditions:

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 Part of Lot 15, Concession 9 ND, shall be "merged" for Planning Act purposes at

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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.)
6. Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.
7. That the applicant obtain all required permits pursuant to Ontario Regulation 166/06 for the realignment of the Headwater Drainage Feature and for any future development and pay any outstanding fees to the satisfaction of the Toronto and Region Conservation Authority;
8. The applicant will be required to convey lands to the city for day-lighting at the intersection of McVean Drive and Bowman Avenue. Day-lighting is governed by the major road. In this case McVean Drive is classified as an arterial Road. As a result, a 15 metre daylight triangle shall be provided to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering.
9. The applicant shall gratuitously convey to the City of Brampton a 5.0 metre road allowance widening along the entire McVean Drive frontage, towards the ultimate right of way designation of 30 metres or 15 metres from the centerline of the right-of-way. The applicant shall prepare a draft reference plan, prepared by an Ontario Land Surveyor, to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering.
10. The Owner shall make necessary arrangements to lift the 0.3 metre reserve at the approved access locations at Bowman Avenue, to the satisfaction of the City's Legal Services Division and the Transportation Division.

### REASONS:

1. This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed.
2. Subject to the imposed conditions, the consent to the conveyance will not adversely affect the existing or proposed development.

CARRIED

Moved by: R. Power

Seconded by: D. Colp

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THAT application B-2020-0027 be approved for the following reasons and subject to the following conditions:

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 Part of Lot 15, Concession 9 ND, 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.)
6. Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.
7. That the applicant obtain all required permits pursuant to Ontario Regulation 166/06 for the realignment of the Headwater Drainage Feature and for any future development and pay any outstanding fees to the satisfaction of the Toronto and Region Conservation Authority;
8. The applicant will be required to convey lands to the city for day-lighting at the intersection of McVean Drive and Bowman Avenue. Day-lighting is governed by the major road. In this case McVean Drive is classified as an arterial Road. As a result, a 15 metre daylight triangle shall be provided to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering.
9. The applicant shall gratuitously convey to the City of Brampton a 5.0 metre road allowance widening along the entire McVean Drive frontage, towards the ultimate right of way designation of 30 metres or 15 metres from the centerline of the right-of-way. The applicant shall prepare a draft reference plan, prepared by an Ontario Land Surveyor, to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering.

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10. The Owner shall make necessary arrangements to lift the 0.3 metre reserve at the approved access locations at Bowman Avenue, to the satisfaction of the City's Legal Services Division and the Transportation Division.

### REASONS:

1. This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed.
2. Subject to the imposed conditions, the consent to the conveyance will not adversely affect the existing or proposed development.

CARRIED

Moved by: R. Power

Seconded by: D. Colp

That application A-2020-0158 to permit a lot width of 48.8 metres; to permit a lot area of 6,124 square metres (0.61 hectares) and to permit a front yard depth of 10.3 metres for the proposed newly reconfigured parcel of land under Consent Application B-2020-0026 be approved for the following reasons and subject to the following conditions:

1. That related consent applications B-2020-0026 and B-2020-0027 be approved;
2. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

## 7. **DEFERRED CONSENT APPLICATIONS**

### 7.1 **B-2020-0024**

**BRAMPTON BRAMALEA CHRISTIAN FELLOWSHIP INC.**

**PT. OF LOT 17, CONC. 5 EHS - 11613 BRAMALEA ROAD - WARD 9**

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The purpose of the application is to request the consent of the Committee to sever a parcel of land currently having a total area of approximately 3.4 hectares (8.4 acres); together with an easement over the severed lands in favour of the retained lands for emergency access. The proposed severed parcel has a frontage of approximately 107 metres (351.05 feet), a depth of approximately 202 metres (662.73 feet) and an area of approximately 1.6 hectares (3.95 acres). The effect of the application is to create a new lot for future residential purposes.

Mr. Keith MacKinnon, KLM Planning Partners Inc., authorized agent for the applicant, presented application B-2020-0024 explaining that the application was originally before the Committee at the meeting held on December 1, 2020. He noted that a deferral of the application was requested by staff at that time in order that the application could be amended to include an easement across the retained lands for emergency access. He advised that the application seeks to create a 3.4 hectare block of land with frontage along Inspire Boulevard for future development and to create an emergency access easement.

Committee was informed that City of Brampton planning staff had no objection to the approval of application B-2020-0024 from a planning land use perspective subject to conditions.

The comments and recommendations of the commenting agencies were read out.

Mr. MacKinnon indicated that the proposed conditions were acceptable.

The Committee, having regard to those matters under subsection 51(24) of the *Planning Act* R.S.O. 1990, c P.13, as amended and having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Doerfler

Seconded by: R. Power

THAT application B-2020-0024 to sever a parcel of land currently having a total area of approximately 3.4 hectares (8.4 acres) for the creation of a new lot; together with an easement over the severed lands in favour of the retained lands for emergency access be approved for the following reasons and subject to the following conditions:

1. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given:
  - a. 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;
  - b. 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;



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2. 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 Secretary Treasurer;
3. That the Owner provide proof that the required access easements have been registered on title in perpetuity and that the access easements will be to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering;
4. 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 and/or possible required private service easements.

### REASONS:

1. This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed.
2. Subject to the imposed conditions, the consent to the conveyance will not adversely affect the existing or proposed development.

CARRIED

### **MEMBER DESIREE DOERFLER DECLARED A CONFLICT OF INTEREST ON APPLICATION A-0145 AND DID NOT PARTICIPATE IN DISCUSSION**

#### **8. NEW MINOR VARIANCE APPLICATIONS**

##### **8.1 A-2020-0145**

##### **TIWANA PROPERTIES INC.**

##### **PART OF LOT 4, CONC. 2 EHS, 107 ORENDA ROAD, UNIT 10 - WARD 3**

The applicant is requesting the following variance(s):

1. To permit a Motor Vehicle Sales Establishment in conjunction with a permitted Motor Vehicle Repair Shop whereas the by-law does not permit a Motor Vehicle Sales Establishment.

Ms. Jennifer Ormiston, Mainline Planning Services, authorized agent for the applicant, presented application A-2020-0145 briefly outlining the variances requested advising that she agrees with the recommendations outlined in the staff recommendation report.

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

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Ms. Ormiston indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: A.C. Marques

Seconded by: R. Power

THAT application A-2020-0145 to permit a Motor Vehicle Sales Establishment in conjunction with a permitted Motor Vehicle Repair Shop be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That no outdoor display or storage of vehicles shall be permitted on site;
3. That the Motor Vehicle Sales use shall only be permitted in conjunction with a permitted Motor Vehicle Repair use; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

### 8.2 **A-2020-0146**

#### **DEEPAK KUMAR**

#### **LOT 569, PLAN 652, 14 APPLEBY DRIVE - WARD 7**

The applicant is requesting the following variance(s):

1. To permit an interior side yard setback of 0.96m (3.15 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.).

Mr. Arshad Siddiqui, authorized agent for the applicant, presented application A-2020-0146 briefly outlining the variances requested. He explained that the applicant is proposing a small washroom in the family living area noting that reduced setback will allow for the alignment of the walls for structural support.

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Committee was informed that City of Brampton planning staff was in support of this application with conditions

Mr. Siddiqui indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: A. C. Marques

Seconded by: D. Colp

THAT application A-2020-0146 to permit an interior side yard setback of 0.96m (3.15 ft.) to a proposed second storey addition be approved for the following reasons and subject to the following conditions:

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

Reasons: The decision reflects that in the opinion of the Committee:

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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

### 8.3 **A-2020-0147**

**RAJDEEP BRAR**

**LOT 332, PLAN 43M-1714 - 18 LONETREE COURT - WARD 8**

The applicant is requesting the following variance(s):

1. To permit an accessory structure (proposed cabana) having a gross floor area of 67.8 sq. m (729.80 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure;

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2. To permit a combined gross floor area of 77 sq. m. (828.82 sq. ft.) for two accessory structures (proposed cabana and existing shed) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.);
3. To permit an accessory structure (proposed cabana) to be used for habitable purposes (installation of washroom) whereas the by-law does not permit accessory structures to be used for human habitation.

Neither the applicant nor the authorized agent representing the applicant was in attendance when the application was called. In accordance with Committee procedures, the application was placed at the end of the agenda to be recalled.

### 8.4 **A-2020-0148**

#### **HARISH CHANDRU AND AKSHATHA GUNASHEKAR**

#### **LOT 52, PLAN 43M-1812 - 16 DULVERTON DRIVE - WARD 6**

The applicants are requesting the following variance(s):

1. To permit a below grade exterior stairway in the required side yard having a setback of 0.06m (0.20 ft.) to the side lot line and where a side yard width of 0.65m (2.14 ft.) is provided on the opposite side of the dwelling, whereas the by-law only permits a below grade exterior stair in the required interior side yard where a minimum 0.3m (0.98 ft.) setback to the side lot line is maintained and where a minimum 1.2m (3.94 ft.) continuous side yard width is provided on the opposite side of the dwelling.

Mr. Salman Ellahi, authorized agent for the applicant, was in attendance to present application A-2020-0148 however from the beginning of his presentation was experiencing technical difficulties. Mr. Harish Chandru, owner of the property was in attendance and proceeded to present the application noting that the Committee has the recommendation in front of them.

Mr. Chandru advised that there are 2 side entrances, one on the left and the other on the right side of the property noting that a rear yard entrance would result in a loss of privacy. He advised that they chose to submit or a minor variance to allow

Committee was informed that City of Brampton planning staff was not in support of this application. Staff noted that the location of the proposed below grade entrance does not provide sufficient room to create a path of travel to the rear yard from the front yard. Staff advised that the opposite side yard also does not have sufficient room.

Committee inquired about a rear yard entrance. Staff responded that upon receiving the staff recommendation report the applicant had reached out to discuss possible options that could make the variance more supportable. Staff suggested that the applicant look into relocating to the rear yard and creating some sort of fencing to preserve the privacy in the rear yard given that the physical characteristics of the property restrict the side yards.

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Mr. Chandru confirmed for Committee that here is no entrance currently in the rear yard advising that they chose a below grade entrance which is not very deep with steps going down and up for access to the rear yard.

Committee noted that there is less space on one of the side yards noting that the lot does not run straight on the opposite side yard. Committee expressed that an entrance from the rear is more supportable in this instance.

One member suggested an adjournment to allow the applicant to present a new plan with the entrance at the rear. Zoning Staff confirmed that the suggestion by staff that the entrance be relocated to the rear yard is in compliance with the Zoning By-law and would not require support or approval from the Committee. Staff noted that no further approval is required for an entrance in the rear yard with the exception of a building permit.

Mr. Chandru advised that they knew the entrance was possible in the rear yard noting that the application was submitted to make it more convenient to have an entrance in the side yard. He commented that you can walk through the space and requested that Committee consider the application.

The Chair advised Mr. Chandru that considering that his authorized agent was having difficulty communicating he could request a new hearing date in the event he wanted to present his application with some changes or alternatively if he wanted to proceed with the application. Mr. Chandru took a moment to communicate with his agent following which he informed Committee that they would go with staff's recommendation and would not be requesting a new date.

The Committee, having considered the comments and recommendations of the commenting agencies, and the evidence heard at the meeting, reached the following decision:

Moved by: R. Power

Seconded by: A. C. Marques

THAT application A-2020-0148 to permit a below grade exterior stairway in the required side yard having a setback of 0.06m (0.20 ft.) to the side lot line and where a side yard width of 0.65m (2.14 ft.) is provided on the opposite side of the dwelling be refused for the following reasons:

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance is not 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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

8.5 **A-2020-0149**

**BALVINDER AND JAGDISH KAHLON**

**LOT 50, PLAN M-820 - 18 LONE OAK AVENUE - WARD 7**

The applicants are requesting the following variance(s):

1. To permit an existing accessory structure (shed) to be located in an exterior side yard whereas the by-law does not permit an accessory structure in an exterior side yard;
2. To permit an existing accessory structure (shed) having a gross floor area of 16.6 sq. m (178.68 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure;
3. To permit a combined gross floor area of 26.6 sq. m (286.32 sq. ft.) for two accessory structures (existing shed and pre-fabricated gazebo) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.);
4. To permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line;
5. To permit a setback of 0.28m (0.92 ft.) to a stair and landing serving an above grade entrance in the interior side yard whereas the by-law requires a minimum setback of 0.9m (2.95 ft.) to any stairs or landing to an above grade door in the interior side yard.

The applicant was not in attendance when the application was called. In accordance with Committee procedures, the application was placed at the end of the agenda to be recalled.

8.6 **A-2020-0150**

**REETIKA SAINI AND SANMEET SINGH SIDHU**

**LOT 168, PLAN 43M-1713 - 13 DUNEGRASS WAY - WARD 8**

The applicants are requesting the following variance(s):

1. To permit a proposed below grade entrance in the required exterior side yard having a setback of 2.9m (9.51 ft.) and located between the main wall of a dwelling and a flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and a flankage lot line and requires a minimum exterior side yard setback of 3.0m (9.84 ft.).

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Mr. Tanvir Rai, Noble Prime Solutions Ltd., authorized agent for the applicant, presented application A-2020-0150 briefly outlining the variance requested.

Committee was informed that City of Brampton planning staff was in support of this application. With conditions.

Mr. Tanvir indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Doerfler

Seconded by: D. Colp

THAT application A-2020-0150 to permit a proposed below grade entrance in the required exterior side yard having a setback of 2.9m (9.51 ft.) and located between the main wall of a dwelling and a flankage lot line be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That the fence remain constructed in its current location and height and shall not be removed or lowered; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

### 8.7 **A-2020-0151**

**SANDEEP SINGH AND MANDEEP KAUR**

**LOT 73, PLAN 970 - 88 LINKDALE ROAD - WARD 1**

The applicants are requesting the following variance(s):

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1. To permit a proposed below grade entrance to be located between the main wall of a dwelling and a flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and a flankage lot line.

Mr. Tanvir Rai, Noble Prime Solutions Ltd., authorized agent for the applicant, presented application A-2020-0151 briefly outlining the variance requested.

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Mr. Tanvir indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Colp

Seconded by: R. Power

THAT application A-2020-0151 to permit a proposed below grade entrance to be located between the main wall of a dwelling and a flankage lot line be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That the fence remain constructed in its current location and height and shall not be removed or lowered;
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED



8.8 **A-2020-0152**

**BHARAT KUMAR CHAVDA AND SUPRIYA CHAVDA**

**LOT 70, PLAN 43M-1944 - 3 ALLEGRO DRIVE - WARD 4**

The applicants are requesting the following variance(s):

1. To permit a 3.9m (12.8 ft.) setback to a proposed below grade stairway in the required front yard whereas the by-law requires a minimum setback of 4.5m (14.76 ft.) to the front lot line.

Mr. Tanvir Rai, Noble Prime Solutions Ltd., authorized agent for the applicant, presented application A-2020-0152 briefly outlining the variance requested. Mr. Rai advised that they had applied for a building permit, explaining that the permit was issued in error and subsequently cancelled.

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Mr. Tanvir indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: R. Power

Seconded by: D. Doerfler

THAT application A-2020-0152 to permit a 3.9m (12.8 ft.) setback to a proposed below grade stairway in the required front yard be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

8.9 **A-2020-0154**

**10179469 CANADA INC.**

**PART OF BLOCK 2, PLAN-863, PARTS 1, 2, PLAN 43R-16301 -73 SUN PAC BOULEVARD -  
WARD 8**

The applicant is requesting the following variance(s):

1. To permit outdoor storage of trucks and truck trailers for a temporary period of three (3) years whereas the by-law does not permit outdoor storage.

Ms. Taranjeet Grewal, Glen Schnarr & Associates Inc., authorized agent for the applicant, presented application A-2020-0154 briefly outlining the variance requested. Ms. Grewal advised that the applicant is proposing to implement the site improvements as indicated on the redlined approved site plan before the summer of 2021, pending approval of the application. She advised that the only proposed change to the site plan is the implementation of a smaller security building which will be located approximately in the same location as the previously approved site plan.

Ms. Grewal provided a brief history advising that the subject property was subject to 3 previous applications. She advised that the first 2 applications were filed under the previous ownership to permit an outdoor storage use, adding that both times the applications were approved for a temporary period of 3 years with conditions. She noted that one of the conditions was that the approved site plan be implemented.

Ms. Grewal advised that the current owner acquired the property in August of 2017 and in January 2020 a minor variance application was submitted for permanent permission for outdoor storage of trucks and truck trailers in association with an office trailer. She commented that this application was refused because site improvements were not fully implemented.

Ms. Grewal advised that they had a discussion with City staff prior to submission of the application advising that the intent of the application is to request a minor variance for a temporary 3 year period in a zone where outdoor storage is not permitted. She advised that they agreed to the implementation of the approved site plan as indicated on the red lined approved site plan included with the application.

Committee recalled the history of the property and that there was an application last year before the Committee. Committee noted that deficiencies on the site had not been corrected. Committee expressed concern that there is no proposal from the property owner to develop this site located in an established area.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff acknowledged that the applicant had met with staff prior to submission of the application to discuss previous deficiencies identified and the previous

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refusal. It was staff's understanding that it is the intention of the new property owner to redevelop the property in conjunction with the property to the north advising that the property owner is looking for some financial carrying capacity for the site at this time. Staff indicated that this would be the last temporary approval that staff would support. Staff outlined the recommended conditions advising that staff would support a maximum temporary approval for 3 years but would also support what Committee feels is appropriate to impose.

Committee noted that the new property owner acquired the property approximately 4 years ago and has continuously used the property. Committee expressed that they are not seeing any changes, other than the representation, noting that previously staff were not supporting the application. Committee expressed that they are not seeing a commitment from the owner to come forward with a site plan.

Mr. Colin Chung, Glen Schnarr & Associates Inc, addressed Committee acknowledging that this property as well as the property to the north has been under their client's ownership for a while now. He advised that the owner has been aggressively trying to market these 2 properties advising that because the properties are not significantly large industrial sites the owner acquired the property to the north in order to see if the marketing of the site with a larger property would be more conducive to the demand in the market place. Mr. Chung advised that the owner is aggressively trying to put in an industrial development that is permitted in the by-law.

Mr. Chung recognized that the previous application was filed for a permanent use advising that through this application they are seeking a temporary approval of 3 years which will enable the owner to clean up the site.

Committee explained that when the previous application came forward the request was for a permanent variance however through discussion the agent indicated that it was an error when they filed the application noting that it was indicated at the time that a temporary approval was intended. Committee expressed that they granted a deferral even though the owner failed to rectify any deficiencies. The applicant returned to the Committee and subsequently requested a temporary approval. Committee expressed that 3 years is a long period of time and talked about the possibility of 2 years with inclusion of a condition that would motivate the owner to work with staff in order to proceed.

Mr. Chung expressed that 3 years, in his opinion, is appropriate advising that during COVID it is difficult to market the property. He noted that the site plan application process and preliminary site servicing takes some time with site plan taking between 9 to 12 months. He advised that a 3 year period will allow the owner to market, secure a tenant or operator, advance the site plan application and initiate a building permit.

Committee inquired if any of the deficiencies have been rectified since Committee refused the last application noting that there is no evidence of a commitment from the owner. Mr. Chung responded that since their office has been involved there has been some clean up to the site noting that due to weather conditions there are limitations. Mr. Chung assured Committee

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that as long as their office is involved they will ensure that the owner complies with the conditions and the approved site plan.

Staff advised that all of the junk signage has been removed from the site which was a concern given that it had impacted the appearance of the property from the street. Staff noted that the concrete work and landscaping is yet to be undertaken and the applicant has indicated that they will undertake to complete that landscape work as soon as weather permits. In terms of parking, staff commented that the site looked to be slightly more organized although not in full compliance with the site plan. Staff added that the applicant indicated that they would be seeking to amend some of the requirements on the site. Staff advised Committee that they would support a condition that recommends a pre-consultation application be submitted within the temporary approval period.

Committee advised Mr. Chung that Committee would like to put forward a condition where there has to be some sort of preliminary meeting with a timeline. Mr. Chung responded that he would accept a condition that within a 3 year temporary period there be a formal pre-consultation application for the desired use. Through further discussion, Mr. Chung suggested perhaps within 1 year the pre-application be submitted.

One member suggested that 2 years is more than enough time for the owner to put things into perspective noting that there has been ample opportunity to do this in the past. Committee expressed that it is understood that the owner is trying to market the property but at the same time is looking for a commitment from someone else before he invests any further money into it so that his money is not tied up while at the same time he has someone else tied up into the investment of the property. In terms of site inspections, Committee noted that the property is gated and they should have had full access to the property to take a look at what has been done. Committee expressed that although everyone is impacted by COVID, 3 years is not reasonable and that 2 years, with conditions, is more than enough.

Mr. Chung responded that it is very difficult for the owner to speculate investment up front of a building through a site plan application noting that you need a tenant who has certain expectations to advance a site plan application. In terms of 2 years versus 3 years, Mr. Chung expressed that this would be the last 3 years noting that the owner is not expecting to extend that ever. Mr. Chung advised that he has also committed and agreed to an additional condition that would require the applicant to advance a pre-consultation and site plan and that if they don't do that the approval becomes null and void. He expressed that the concern with 2 years is that the owner is forced to speculate the type of industrial design without a tenant.

Committee reiterated that 2 years provides ample opportunity and expressed that the Committee and the City are not trying to force anyone or rush anything. Committee expressed that over the previous years there has been ample opportunity and things need to move forward. Committee explained that they are reasonable in their approach and will revisit again adding that they would like to see that something has been put in place at least

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within the next year to show that it is moving forward in the right direction for business development.

Mr. Chung summarized that the City, the Committee of Adjustment and the applicant are trying to strive towards a common objective adding that the decision of 2 years versus 3 years rests with Committee.

Staff put forward a proposed condition requiring the applicant to submit and hold a pre-consultation meeting with the City within 18 months of the final date of the decision of the Committee to advance a proposal for the permanent development of the property, to the satisfaction of the Director of Development Services.

Condition number 1 was amended to a maximum temporary period of 2 years.

Following discussion, Mr. Chung indicated that the proposed conditions, as amended, were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Colp

Seconded by: R. Power

THAT application A-2020-0154 to permit outdoor storage of trucks and truck trailers for a temporary period of three (3) be approved for the following reasons and subject to the following amended conditions:

1. That the variance be approved for a maximum temporary period of two (2) years from the final date of the Committee's decision;
2. That the applicant shall submit a limited/amending site plan, and have that site plan approved prior to the establishment of the use;
3. That the property shall be maintained in accordance with the approved site plan, including but not limited to the truck/trailer vehicle parking configuration, for the duration of the temporary approval period, with the exception of landscape works which are to be completed no later than July 1, 2021, to the satisfaction of the Director of Development Services;
4. That any signage not associated with a business operating from the property shall not be permitted;
5. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;

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6. That the applicant shall submit, and hold a pre-consultation meeting with the City within 18 months of the final date of the decision of the Committee to advance a proposal for the permanent development of the property, to the satisfaction of the Director of Development Services;
7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

### 8.10 **A-2020-0156**

#### **SHAILISH PATEL AND PRANALIKA PATEL**

#### **LOT 26, PLAN 43M-1899 - 123 LEADERSHIP DRIVE - WARD 4**

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 4.79m (15.72 ft.) to a proposed building addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

Mr. Aravind Gopi, authorized agent for the applicant, presented application A-2020-0156 briefly outlining the variances requested. Mr. Gopi commented that they are O.K with the recommendations by staff.

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Mr. Gopi indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: R. Power

Seconded by: D. Doerfler

THAT application A-2020-0156 to permit a rear yard setback of 4.79m (15.72 ft.) to a proposed building addition be approved for the following reasons and subject to the following conditions:

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

Reasons: The decision reflects that in the opinion of the Committee:

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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

### 8.11 **A-2020-0157**

**GIAN SINGH NAGRA, JASWINDER, NAGRA, CHANVEER NAGRA AND PRINCE NAGRA**

**LOT 97, PLAN 43M-2014 - 28 MARKEY COURT - WARD 10**

Item 8.11 was considered under procedural item 5 (Withdrawals/Deferrals)

### 8.12 **A-2020-0158**

**BALBIR SINGH BHARWALIA AND NARMALJIT KAUR BHARWALIA**

**PT. OF LOT 15, CONC. 9 ND, PART 1, PLAN 43R-2168 - 10829 MCVEAN DRIVE - WARD 10**

Item 8.12 was considered concurrently with related consent applications listed as items 6.1 and 6.2.

**MEMBER DESIREE DOERFLER DECLARED A CONFLICT OF INTEREST ON APPLICATION A-0159 AND DID NOT PARTICIPATE IN DISCUSSION**

### 8.13 **A-2020-0159**

**TAKOL CMCC RUTHERFORD GP INC.**

**PART OF LOTS 1 AND 2, CONC. 2 EHS, PARTS 9 TO 16, PLAN 43R-795 -286 RUTHERFORD ROAD SOUTH - WARD 3**

The applicants are requesting the following variance(s):

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1. To provide 183 parking spaces on site whereas the by-law requires a minimum of 334 parking spaces.

Ms. Jennifer Ormiston, Mainline Planning Services Inc., authorized agent for the applicant, presented application A-2020-0159 briefly outlining the variance requested.

Committee acknowledged receipt of e-mail correspondence dated January 25, 2021 from Nikki Yeandle, Correct Group, detailing her comments on the application against the four tests of the Planning Act.

Ms. Yeandle was in attendance and addressed Committee advising that she has reviewed the staff recommendation report and has no further comments.

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Ms. Ormiston indicated that the proposed conditions were acceptable.

Mr. Joe Plutino, Mainline Planning Services, addressed Committee in response to the objection letter that was presented. Mr. Plutino expressed that, in his opinion, the objection presented is predicated on the notion that auto repair facilities and associated increase in parking expansion is undesirable and will have impact on the neighbours. He clarified that the variance before the Committee is associated with a change in tenure of the property through condominium conversion and is not proposing any development, advising that the parking lot remains essentially the same and submitted that auto repair is a permitted use on the subject property.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: A. C. Marques

Seconded by: D. Colp

THAT application A-2020-0159 to permit 183 parking spaces on site be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the requirement for parking for any combination of uses permitted in the "M2" zone, and any used permitted by way of Minor Variance shall be calculated at the application parking rate in accordance with the Zoning By-law and shall not exceed 334 parking spaces;



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3. That the owner finalize site plan approval under City File SPA-2020-0120, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

### 8.14 **A-2020-0160**

#### **GURJEET KOUR**

#### **PART OF BLOCK C, PLAN M-41, PARTS 135, 135A, PLAN 43R-2916 - 38 HINDQUARTER COURT - WARD 7**

The applicant is requesting the following variance(s):

1. To permit an exterior stairway constructed below established grade between the main wall of a dwelling and a flankage lot line and within the required exterior side yard as shown on Schedule C – Section 128 of the by-law whereas the by-law does not permit an exterior stairway constructed below the established grade between the main wall of the dwelling and a flankage lot line or within the required exterior side yard.

Mr. Har Anol Singh, authorized agent for the applicant, presented application A-2020-0160 briefly outlining the variances requested. He advised that the subject property is a corner lot noting that the side door entrance was constructed by the previous owner. Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Mr. Singh indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: R. Power

Seconded by: D. Colp

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THAT application A-2020-0160 to permit an exterior stairway constructed below established grade between the main wall of a dwelling and a flankage lot line and within the required exterior side yard as shown on Schedule C – Section 128 of the by-law be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the applicant obtain a building permit for the below grade entrance within sixty (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 fence remain constructed in its current location and height and shall not be removed or lowered;
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

### **8.15 A-2020-0161**

#### **MOUNT PLEASANT ISLAMIC CENTRE**

#### **BLOCK 33, PLAN 43M-1912 - 160 SALVATION ROAD - WARD 6**

The applicants are requesting the following variances associated with a building addition:

1. To permit a rear yard setback of 1.6m (5.25 ft.) whereas the by-law requires a minimum rear yard setback of 3.0m (9.84 ft.);
2. To permit a 1.6m (5.25 ft.) wide open space landscape strip along a portion of the rear lot line whereas the by-law requires a minimum open space landscape strip of 3.0m (9.84 ft.) to all property lines, except at approved access locations.

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Mr. Louis-Pierre Belec, Massri O. Inc. Architects, authorized agent for the applicant, presented application A-2020-0161 briefly outlining the variances requested for a small addition currently under construction. Mr. Belec advised that he has reviewed the staff recommendation report and agrees with the recommendation.

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Mr. Belec indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0161 to permit a rear yard setback of 1.6m (5.25 ft.) and to permit a 1.6m (5.25 ft.) wide open space landscape strip along a portion of the rear lot line be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the owner finalize site plan approval under City File SP18-061.000, 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.

Reasons: The decision reflects that in the opinion of the Committee:

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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

### **APPLICATION A-2020-0147 WAS RECALLED (Item 8.3)**

Mr. Ismatullah Amiri, Nesta Design, authorized agent for the applicant, presented application A-2020-0147 briefly outlining the variances requested associated with a proposed cabana at the rear of the property.

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Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Mr. Amiri indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: A. C. Marques

Seconded by: D. Doerfler

THAT application A-2020-147 to permit permit an accessory structure (proposed cabana) having a gross floor area of 67.8 sq. m (729.80 sq. ft.); to permit a combined gross floor area of 77 sq. m. (828.82 sq. ft.) for two accessory structures (proposed cabana and existing shed) and to permit an accessory structure (proposed cabana) to be used for habitable purposes (installation of washroom) be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the applicant obtain a building permit prior to commencing construction;
3. That the accessory building shall not be used as a separate dwelling unit and that the permission for habitable space in the accessory building shall be limited to the provision of one washroom and one bar sink;
4. That the proposed cabana be of a primarily open style construction and shall not be fully enclosed;
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

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 City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

### **APPLICATION A-2020-0149 WAS RECALLED (Item 8.5)**

The applicant was not in attendance when the application was recalled. Committee was informed that several attempts to reach the applicant by e-mail while the meeting was in

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progress were unsuccessful. Following discussion Committee reached the following decision:

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0149 be deferred to the hearing scheduled for February 16, 2021.

CARRIED

### 9. **DEFERRED MINOR VARIANCE APPLICATIONS**

None

### 10. **ADJOURNMENT:**

Moved by: R. Power

Seconded by: D. Doerfler

That the Committee of Adjustment hearing be adjourned at 11:06 a.m. to meet again on Tuesday, February 16, 2021.