



**Date:** August 3 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:** Francois Hemon-Morneau, Development Planner  
Simon Lacoste, Assistant Development Planner  
Anastasia Abrazhevich, Planning Technician  
Merissa Lompart, Assistant Heritage 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 11:58 a.m.

2. **ADOPTION OF MINUTES:**

Moved by: D. Colp

Seconded by: R. Power

THAT the minutes of the Committee of Adjustment hearing held July 13, 2021 be approved, as printed and circulated.

CARRIED

3. **Region of Peel Comments**

Letter dated July 28, 2021.

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

None

5. **WITHDRAWALS/DEFERRALS**

**A-2021-0151** (*Agenda Item 8.12*)

2479546 ONTARIO INC.

65-75 BRAYDON BOULEVARD

BLOCK 175, PLAN M-1449, WARD 10

Committee was in receipt of a letter dated July 29, 2021 from Joe Iozzo, Baldwin & Franklin Architect Inc., authorized agent for the applicant, requesting a deferral of Application A-2021-0151. Mr. Iozzo was in attendance to acknowledge the request for a deferral advising that additional time is requested in order to revise the site plan regarding the inclusion of a loading space. Staff indicated no objection to a deferral of the application in order to work with the applicant to reach a solution.

Moved by: R. Power

Seconded by: A.C. Marques

THAT Application A-2021-0151 be deferred to the hearing date of September 14, 2021.

CARRIED

**A-2021-0144** (*Agenda Item 8.6*)

MICHAEL MURDOCK

32 BANNER ROAD

LOT 160, PLAN 43M-1076, WARD 5

Mr. Giorgio Frasca, authorized agent for the applicant, addressed Committee advising that he has been instructed by his client to withdraw application A-2021-0144 due to personal family matters. Committee acknowledged the request by Mr. Frasca to withdraw application A-2021-0144. In response to a question raised by Committee, Staff confirmed that there are no violations or enforcement matters associated with the property.

6. **NEW CONSENT APPLICATIONS**

6.1 **B-2021-0011**

2713442 ONTARIO INC.  
O ACE DRIVE

BLOCK 3, PLAN 43M-1907, WARD 9

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 15,658 acres (6.337 hectares). The severed lot has a



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frontage of approximately 107.99 metres (354.30 feet), a depth of approximately 320.29 metres (1050.82 feet) and an area of approximately 8.329 acres (3.371 hectares). It is proposed that the severed and retained lots be developed for future automotive uses

Mr. Jim Levac, Glen Schnarr & Associates Inc., authorized agent for the applicant, presented application B-2021-0011 advising that the property is approximately 15.6 acres jointly owned by Policaro BMW and Mercedes Benz Brampton, the original tenants in the area. Mr. Levac explained that the lands were subject to a multi variance approval in 2020 under Application A19-200 which was subsequently appealed by the Region of Peel. Mr. Levac informed Committee that the appeal was withdrawn and the variances are legally in effect.

Mr. Levac explained that when the variances were originally approved it was contemplated that the lands would be severed and created through part lot control and condominium process. He explained that more recently it has become evident that dividing the lands into 2 would be complicated and encumber the lands with reciprocal easements that would require detailed condominium agreements and cost sharing agreements. He explained that the owners have agreed that the same result could be achieved through a land severance by creating lots that would be sufficient for both owners to move forward with site plans to implement their future plans.

Mr. Levac advised that planning staff have confirmed that condition 1 of the variance can be cleared by method of lot creation and upon receipt of site plans for both the severed and retained lands. Mr. Levac summarized that staff support the application subject to conditions that his client is satisfied with. It was his submission that the application meets the criteria for lot creation under the Planning Act.

Committee acknowledged receipt of a letter dated July 28, 2021 from Toronto and Region Conservation Authority indicating conditional approval of the application subject to a condition requiring the applicant to submit a \$1,470 review fee. Mr. Levac noted that the conservation authority fee has now been paid.

Committee was informed that City of Brampton planning staff had no objection to the approval of application B-2021-0011 from a planning land use perspective, with conditions.

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

Mr. Levac 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: A. C. Marques

Seconded by: R. Power

THAT application B-2021-0011 to create a new lot for development for automotive uses Be approved for the following reasons and subject to the following conditions:

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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; and,
  - 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.

### 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

#### 6.2 **B-2021-0012**

KULJEET KAUR UBHI AND GURPREET SINGH UBHI

8884 CREDITVIEW ROAD

PART OF LOT 5, CONC. 4 W.H.S., WARD 4

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.201 hectares (0.49 acres). The severed land (**Parcel A**) has a frontage of approximately 17.14 metres (56.23 feet), a depth of approximately 22.60 metres (74.15 feet) and an area of approximately 0.038 hectares (0.09 acres). It is proposed that the severed land be merged with the adjacent lot (8940 Creditview Road) to facilitate the extension of Classic Drive, located west of the subject property. Concurrent Consent Application B-2021-0013.

#### 6.3 **B-2021-0013**

KULJEET KAUR UBHI AND GURPREET SINGH UBHI

8884 CREDITVIEW ROAD

PART OF LOT 5, CONC. 4 W.H.S., WARD 4

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.201 hectares (0.49 acres). The severed land (**Parcel B**) has a frontage of approximately 22.60 metres (74.15 feet) and an area of approximately 0.014 hectares (0.03 acres). It is proposed that the severed land be merged with the adjacent lot (8940 Creditview Road) to form part of a new residential lot of the proposed



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abutting subdivision to the west. Concurrent Consent Application B-2021-0012.

Mr. Colin Chung, Glen Schnarr & Associates Inc., authorized agent for the applicant, presented applications B-2021-0012, B-2021-0013 and A-2021-0153 advising that the purpose of the applications is to facilitate the client immediately to the north and west, Branthaven Homes, who intend to develop the vacant parcel for residential development. He explained that the severance is to facilitate the ability to extend Classic Drive to the north for development of the vacant land to the north. He stated that the purpose for filing 2 consent applications is to allow an option in the event the City wishes to have the road extension conveyed to the City prior to any development approvals for the northerly vacant lot. He added that the minor variance application was submitted to allow the existing retained lot to conform to the Zoning by-law in terms of minimum lot area, lot width and side yard setback commenting that the rural lot was deficient even without the severance.

Committee commented that the staff report recommends deferral due to a road widening requirement along Creditview Road noting that a revised sketch has been provided to incorporate a road widening.

Committee was informed that City of Brampton planning staff was recommending a deferral of the applications noting that through the review of the applications traffic services identified that a 3 metre road widening is required along Creditview Road. Staff noted that the road widening would reduce the size of the lot which would change one of the applications.

Committee noted that staff's position is to defer the application to the last meeting of October, 2021 confirming that the applicant could return to an earlier meeting if everything is prepared before October.

Mr. Chung responded that Branthaven Homes has the property to the north under contract and his concern is that a further deferral may jeopardize the closing of the deal. He advised that the application does not need to be amended and that they are not challenging the 3 metre road widening. He confirmed that the minor variance application is still relevant and that it is not a contentious application expressing that his concern was the facilitation of the contract to allow the land acquisition process to take place.

Staff maintained their position to defer in order to ensure that the applicant does not have to return to the Committee at a future date advising that staff are generally in support of the applications.

Committee inquired if there are any concerns from staff other than the 3 metre road widening. Staff advised that confirmation of the now reduced lot area is required noting that the measurements on the sketch have not been changed and the applicant notes that there is no impact on the lot area following the dedication. Staff advised that they would like to hear that the 0.14 hectare lot area being requested is adequate following the severance of the 2 portions of the lot to the rear as well as the deduction that would be dedicated to the

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City at the front of the lot. Staff added if that is not the case a deferral would be required or the variance would not be accurate to reflect site conditions after that road allowance.

Mr. Chung explained that when they asked for a 0.14 hectare lot area and removed the 3 metre road widening from the original application there was enough margin of error that removed a 3 metre road dedication from the retained lot. He added that they still comply with the original request explaining that the road widening makes up approximately 0.007 hectares adding that it makes up a very small area. Mr. Chung confirmed that the application does not need to be amended, expressing that time is of the essence and he rushed to get something into the City on Friday. He added that he would have no problem with a condition requiring the road dedication prior to the issuance of the Consent Certificate.

Staff confirmed that having heard Mr. Chung confirm the variance for lot area of 0.14 hectares is still sufficient when considering the 3 metre road widening at the front of the lot they have no concerns with the accuracy of the variance as worded in the public notice.

Staff provided conditions for Committee's consideration.

Mr. Chung 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 formulated at the meeting and the evidence heard at the meeting, reached the following decision:

Moved by: R. Power

Seconded by: D. Colp

THAT application B-2021-0012 to sever land to be merged with the adjacent lot (8940 Creditview Road) to facilitate the extension of Classic Drive, located west of the subject property 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;
2. 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;



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3. A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being Part of Lot 5, Concession 4 W.H.S., 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;
4. 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.);
5. Prior to the addition of the lands subject to this application to the property at 8940 Creditview Road, the applicant shall provide confirmation satisfactory to the Commissioner of Planning, Building and Economic Development that the addition of the lands severed from 8884 Creditview Road through application (B-2021-0013 for Parcel B) to 8940 Creditview Road has been completed.

### 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 B-2021-0013 to sever land to be merged with the adjacent lot (8940 Creditview Road) to form part of a new residential lot of the proposed abutting subdivision to the west 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;
2. 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;
3. A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being Part of Lot 5, Concession 4 W.H.S., shall be "merged" for Planning Act purposes

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at the time of the registration of the Transfer to which the Secretary-Treasurer's Certificate is affixed;

4. 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.);
5. The applicant shall gratuitously convey to the City of Brampton an approximately 3.0 meter road allowance widening along the entire Creditview Road frontage, towards the ultimate right of way designation of 26 meters or 13 meters from the centerline of the right-of-way. The applicant shall prepare a draft reference plan for the widening, 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.

### 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-2021-0153 to permit a minimum lot area of 0.14 hectares; to permit a lot width of 22.8 metres and to permit an interior side yard setback of 2.0m (6.56 ft.) be approved for the following reasons and subject to the following conditions:

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



7. **DEFERRED CONSENT APPLICATIONS**

None

8. **NEW MINOR VARIANCE APPLICATIONS**

8.1 **A-2021-0029**

PARAMJIT SINGH NIRWAN AND PARAMJEET KAUR NIRWAN

9 RAE AVENUE

LOT 23, PLAN M-322, WARD 10

The applicants are requesting the following variances(s):

1. To permit a detached garage in addition to an attached garage whereas the by-law does not permit a detached garage where there is an attached garage already on the lot;
2. To permit a detached garage having a gross floor area of 222.96 sq. m (2400 sq. ft.) whereas the by-law permits a maximum gross floor area of 48 sq. m (516.67 sq. ft.);
3. To permit a detached garage with a building height of 6.88m (22.57 ft.) whereas the by-law permits a maximum building height of 4.5m (14.76 ft.);
4. To permit a garage door height of 4.27m (14 ft.) whereas the by-law permits a maximum garage door height of 2.4m (7.87 ft.).

Mr. Ravkirat Sandhu, Noble Prime Solutions, authorized agent for the applicant, presented application A-2020-0029 briefly outlining the variances requested associated with a detached garage,

Committee acknowledged receipt of e-mail correspondence dated July 27, 2021 from Vittorio Iacobelli in which he stated the building looks like an industrial building as opposed to a garage.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. In response to the comments by the resident staff noted that condition 3 has been included that no commercial or industrial uses shall operate from the detached garage.

Mr. Sandhu 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:

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Moved by: D. Colp

Seconded by: R. Power

THAT application A-2021-0029 to permit a detached garage in addition to an attached garage; to permit a detached garage having a gross floor area of 222.96 sq. m (2400 sq. ft); to permit a detached garage with a building height of 6.88m (22.57 ft.) and to permit a garage door height of 4.27m (14 ft.) 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 Notice of Decision;
2. That the detached garage shall not be used as a separate dwelling unit;
3. That no commercial or industrial uses shall operate from the detached garage;
4. That drainage from the proposed detached garage shall be contained on the subject property and not impact abutting properties;
5. That the owner shall obtain Site Plan approval for the proposed detached garage, as required by the Mature Neighborhood Area by-law, from Planning and Development Services within one (1) year of the final date of the Committee's decision, or as extended at the discretion of the Director of Development Services; and
6. 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-2021-0140**

MEHBOOB HUSAIN SHAIKH AND SHIRINBANU SHAIKH

41 LOONS CALL CRESCENT

LOT 25, PLAN 43M-1288, WARD 9

The applicants are requesting the following variance(s);



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1. To permit an exterior stairway in the required interior side yard having a setback of 0.228m (0.75ft) to the side lot line, whereas the by-law permits exterior stairways constructed below the established grade in a required side yard provided that a continuous side yard width of not less than 1.2m (3.94 ft.) is provided on the opposite side and the stairway is setback a minimum 0.3m (0.98 ft.) from the side lot line;
2. To increase the width of a legal non-conforming driveway to a proposed maximum width of 6.17m (20.24 ft.) whereas the by-law permits the maintenance of an existing legal non-conforming driveway having a maximum width of 5.78m (18.96 ft.). Note: Current requirements of the Zoning By-law would restrict driveway width to 5.2m (17 ft.).

Mr. Meeboob Shaikh, applicant and owner of the property, presented application A-2020-0140 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff noted that an additional variance pertaining to driveway width was identified during site inspection.

Mr. Shaikh 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: A. C. Marques

THAT application A-2021-0140 to permit an exterior stairway in the required interior side yard having a setback of 0.228m (0.75ft) to the side lot line, and to increase the width of a legal non-conforming driveway to a proposed maximum width of 6.17m (20.24 ft.) 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 Notice of Decision;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That drainage on adjacent properties shall not be adversely affected;
4. That the existing municipal curb depression shall not be widened in the area of the extended driveway width; and,
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

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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-2021-0141**

ASHTON TRIM AND VIVIENNE PARKIN

206 DUSTY LANE

PART OF BLOCK N, PLAN G-23, PART 1, PLAN 43R-1236, WARD 1

The applicants are requesting the following variance(s):

1. To permit an accessory structure (Shed #1) having a gross floor area of 55.8 sq. m (600.62 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;
2. To permit a combined gross floor area of 69.19 sq. m (744.76 sq. ft.) for two accessory structures (Shed # 1 and Shed #2) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.) for two accessory structures.

**THE APPLICANT WAS NOT IN ATTENDANCE WHEN APPLICATION A-2021-0141 WAS CALLED. IN ACCORDANCE WITH COMMITTEE PROCEDURE THE APPLICATION WAS PLACED AT THE END OF THE AGENDA TO BE RECALLED.**

### 8.4 **A-2021-0142**

PRITPAL MUNDAY AND SARBJIT MUNDAY

5 ISABELLA STREET

LOT 15, PLAN BR-8, WARD 1

The applicants are requesting the following variance(s):

1. To permit an interior side yard setback of 1.3m (4.27 ft.) to the second storey of a new two-storey dwelling whereas the by-law requires a minimum interior side yard setback of 1.8m (5.90 ft.) to the second storey;
2. To permit a building height of 8.8m (28.87 ft.) whereas the by-law permits a maximum building height of 8.5m (27.89 ft.).



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Mr. Amritpal Bansal, Khalsa Design Inc., authorized agent for the applicant, presented application A-2021-0142 briefly outlining the variances requested.

Committee acknowledged receipt of the following correspondence in opposition to Application A-2021-0142:

E-mail correspondence dated July 27, 2021 from Dee Psaila, 38 Isabella Street;

E-mail correspondence dated July 28, 2021 from Saskia Stewart, 40 Lorne Avenue;

E-mail correspondence dated July 28, 2021 from Jennifer Frivalt, resident;

E-mail correspondence dated July 28, 2021 from Monique Huras, resident;

E-mail correspondence dated July 29, 2021 from Blair Sim, resident

E-mail correspondence dated July 29, 2021 from Tracey and Dan Szarko, 37 Isabella Street;

Letter dated July 29, 2021 from Philip Racco and Lindsay MacLacklan, 9 Isabella Street;

Letter dated July 29, 2021 from Tracey Chiasson, 6 Isabella Street

E-mail correspondence dated July 29, 2021 Kaiser Khan, resident.

Committee made reference to the letters submitted and the concerns about the fact that this is a historical area noting that whatever building is eventually constructed the City of Brampton has standards and requirement that have to be met to ensure the house fits into the residential neighbourhood.

Md. Dee Psaila, 38 Isabella Street, addressed Committee commenting that the architecture of the proposed dwelling is drastically different from the rest of the architecture on the street noting that the size of the dwelling completely detracts from the historical attributes of the street. She expressed that she would like a structure that compliments the architecture of the surrounding neighbourhood.

It is noted that Ms. Tracey Chiasson, 6 Isabella Street, was in attendance however did not address Committee.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff advised that it has since come to their attention that the building may have historical significance and recommended that Committee defer the application in order that staff could review the site plan and the heritage assessment comments.

Committee inquired why this information is only now coming forward. Staff responded that they just received correspondence on Friday from the Heritage Planner regarding historical significance and have been discussing this with staff.

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Committee was addressed by heritage staff who advised that their review into the historical aspect is still on-going. Staff advised that the building at 5 Isabella Street is neither listed nor designated as a heritage property on the City of Brampton register noting that many of the surrounding buildings are listed and one is designated. Staff informed Committee that when the site plan application came in they requested a Heritage Impact Assessment which will provide them with mitigation measures and recommendations for this file. Staff explained that recently one of the neighbours brought to light that the property at 5 Isabella Street had a plaque that was taken down when the building was sold. Staff explained that because it had a plaque that was given by the Brampton Heritage Board they are researching whether it was previously listed on the City's register.

Staff advised that a Heritage Impact Assessment will have to be submitted and approved in accordance with the City of Brampton's Terms of Reference. Staff explained that it will then have to be approved by the Brampton Heritage Board and then the agenda goes to Planning Committee and final approval by Council.

Staff explained that the site plan application was submitted and the key issue that remains to be addressed is the request for the Heritage Impact Assessment which staff are still waiting for. In terms of timelines, staff added that it is difficult to provide a time line noting that it could be a couple of months. In terms of the variances requested staff noted that the variances are not significant and the applicant still has to go through the site plan approval process.

Committee advised that since it is unknown at this time if the building is a heritage building the application be deferred to the end of this year. Committee expressed that the application should be suspended and have the applicant and staff sort it out and return to Committee when everything is sorted out.

Committee expressed that it would have been helpful if a letter had been provided by City staff even as late as Friday explaining the situation given that Committee spent a lot of time going through the applications in preparation for this meeting. Committee noted that they would still be looking to see if the character of the proposed house will be in keeping with the rest of the neighbourhood. Committee advised that they would like to know if there was a designation on the property at the time of purchase noting that it would be unfair for the home owner to be facing this at this time. Committee expressed that the design may be revisited to look a little less modern than what is proposed.

Mr. Bansal addressed Committee expressing his disappointment that this has come up so late. He explained that they received some recommendations from the first round of site plan comments provide by planning staff and they have followed those recommendations. He explained that they have hired a reputable firm to provide a Heritage Impact Assessment. Mr. Bansal added that there was no plaque when his client purchased the house and requested that the variances be approved to avoid further delay noting that



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whether they change the style of the house or not they still have to go through site plan approval and all the proper procedures.

Committee commented that the exterior look of the dwelling is of concern which can be addressed at site plan however the heritage aspect is of concern.

Staff expressed that it has been confirmed that the current owner did not receive the house with the plaque noting that the plaque was removed by the previous owner. Staff advised that heritage plaques are not to be removed and should remain with the house when the house is sold.

Committee discussed timelines for a deferral of the application. Following discussion Committee reached the following decision:

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2021-0142 be deferred to a hearing date on or before December 7, 2021.

CARRIED

### 8.5 **A-2021-0143**

LAMCO INC.

5 DOCKSTEADER ROAD

BLOCK 9, PLAN 43M-1907, WARD 9

The applicants is requesting the following variance(s):

1. To permit a building setback of 24.68m (80.97 ft.) from Dixie Road whereas the by-law permits a maximum setback of 20m (65.62 ft.) from Dixie Road;
2. To permit a building setback of 26.90m (88.25 ft.) from Dockstader Road whereas the by-law permits a maximum setback of 8.0m (26.25 ft.) to Dockstader Road;
3. To permit a 4.2m (13.78 ft.) wide landscaped open space strip along Dixie Road whereas the by-law requires a minimum 6.0m (19.68 ft.) wide landscaped open space strip along Dixie Road, except at approved intersections.

Ms. Tushar Patel, R.H. Carter Architects Inc., authorized agent for the applicant, presented application A-2021-0143 briefly outlining the variances requested advising that there have been several discussions with the planning team in terms of parking and traffic requirements essential to this application.

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

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Ms. Patel 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-2021-0143 to permit a building setback of 24.68m (80.97 ft.) from Dixie Road; to permit a building setback of 26.90m (88.25 ft.) from Dockstader Road and to permit a 4.2m (13.78 ft.) wide landscaped open space strip along Dixie Road 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 Notice of Decision;
2. That the owner finalize site plan approval under City File SPA-2021-0012 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

### 8.6 **A-2021-0144 (*Application Withdrawn as discussed during procedural matters*)**

MICHAEL MURDOCK

32 BANNER ROAD

LOT 160, PLAN 43M-1076, WARD 5

The applicant is requesting the following variance(s):

1. To permit an interior side yard setback of 1.25m (4.10 ft.) to the proposed second storey addition above the exiting garage whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.) to the second storey;



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2. To permit an interior side yard setback of 0.0m to the existing one storey addition in the rear yard whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
3. To permit a rear yard setback of 6.46m (21.20 ft.) to the existing one storey addition in the rear yard whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.) or 25% of the lot depth, whichever is greater;
4. To permit lot coverage of 36.35% whereas the by-law permits a maximum lot coverage of 30%.
5. To permit an existing accessory structure (shed) having a setback of 0.30m (0.98 ft.) to the rear and interior side lot lines whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot line.

### 8.7 **A-2021-0145**

CANADIAN TIRE PROPERTIES INC.

10 GREAT LAKES DRIVE

PART OF LOT 10, CONC. 3 E.H.S, WARD 9

The applicant is requesting the following variance(s):

1. To permit a front yard setback of 7.8m (25.60 ft.) to an accessory structure (frost shader) associated with a garden centre whereas the by-law requires a minimum front yard setback of 9.0m (29.53 ft.).

Ms. Tracey Tucker, IBI Group, authorized agent for the applicant, presented application A-2021-0145 briefly outlining the variances requested. She explained that a previous site plan in 2019 was amended to include an addition to the building noting that the frost shader is within the garden centre with no direct impact on development.

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

Ms. Tucker 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-2021-0145 to permit a front yard setback of 7.8m (25.60 ft.) to an accessory structure (frost shader) associated with a garden centre 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 Notice of Decision;
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

### 8.8 **A-2021-0146**

SOORIAKUMARY JEYAKUMAR AND JEYAKUMAR RAJANATHAN

183 TIMBERLANE DRIVE

LOT 38, PLAN M-1020, WARD 4

The applicants are requesting the following variance(s):

1. To permit an interior side yard setback of 0.05m (0.16 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 0.3m (0.98 ft.) to an exterior stairway leading to a below grade entrance where there is a minimum 1.2m yard width provided on the opposite side of the dwelling;
2. To permit an existing accessory structure (shed) in the rear yard having a setback of 0.15m (0.49 ft.) to both the rear and interior side lot lines whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot line.

Mr. Jeyakumar Rajanathan, applicant and owner of the property, presented application A-2021-0146 briefly outlining the variances requested.

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

Committee posed a question regarding the concrete portion adjacent to the neighbouring property noting that during site inspection a vehicle was parked on the concrete section.

Staff advised that a variance for excess driveway width was not identified. Staff explained that the existing concrete that spans the area between the two asphalt driveways is a pre-



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existing condition and there is no prohibition on parking in the area. Staff confirmed that the driveway has legal non-conforming status.

Mr. Rajanathan 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-2021-0146 to permit an interior side yard setback of 0.05m (0.16 ft.) to an exterior stairway leading to a below grade entrance 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 Notice of Decision;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That the owner shall obtain a building permit within 60 days of the decision of approval or within an extended period as approved by the Chief Building Official;
4. That the opposite side yard remain clear and at least 1.2m wide to provide access to the property's rear yard;
5. That drainage on adjacent properties shall not be adversely affected;
6. 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-2021-0147**

RUTH ELEANOR WEST

141 ELIZABETH STREET SOUTH

PART OF LOT 10, PLAN BR-27, PART 2, PLAN 43R-2195, WARD 3

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The applicant is requesting the following variance(s):

1. To permit lot coverage of 34.46% whereas the by-law permits a maximum lot coverage of 30%;
2. To permit an existing accessory structure (shed) in the rear yard having setback of 0.32m (1.05 ft.) to the rear lot line and 0.38m (1.25 ft.) to the interior side lot line whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot line.

Mr. Agyei Peprah-Asiase, authorized agent for the applicant, presented application A-2021-147 briefly outlining the variances requested.

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

Mr. Peprah-Asiase 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-2021-0147 to permit lot coverage of 34.46% and to permit an existing accessory structure (shed) in the rear yard having setback of 0.32m (1.05 ft.) to the rear lot line and 0.38m (1.25 ft.) to the interior side 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 Notice of Decision;
2. That drainage on adjacent properties shall not be adversely affected;
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



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8.10 **A-2021-0149**

ELLEN GRABOWSKI

50 STAVELEY CRESCENT

LOT 172, PLAN 625, WARD 3

The applicant is requesting the following variance(s):

1. To permit a rear yard setback of 5.8m (19.03 ft.) to a proposed garage addition whereas the by-law requires a minimum rear yard setback of 8.38m (27.50 ft.).

Mr. Giancarlo Di Giambattista, authorized agent for the applicant, presented application A-2021-149 briefly outlining the variances requested.

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

Mr. Di Giambattista 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-2021-0149 to permit a rear yard setback of 5.8m (19.03 ft.) to a proposed garage 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 Notice of Decision;
2. That a complete Mature Infill Site Plan application be submitted; 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

8.11 **A-2021-0150**

JOSE PACHECO

65 ROBERTS CRESCENT

LOT 599, PLAN 679, WARD 3

The applicant is requesting the following variance(s):

1. To permit an interior side yard setback of 0.599m (1.97 ft.) to a proposed enclosed below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.).

Mr. Giancarlo Di Giambattista authorized agent for the applicant, presented application A-2021-0150 briefly outlining the variances requested. He advised that the dwelling is being used as a second unit noting that the entrance is pre-existing and that they need this entrance to comply with the Ontario Building Code.

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

Mr. Di Giambattista requested different wording for proposed condition number 4 stating that 60 days is not reasonable to obtain a building permit. He requested consideration for additional time. Committee suggested 120 days which he found acceptable and staff suggested a further amendment to include that the timelines could be extended at the discretion of the Chief Building Official.

Mr. Di Giambattista 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: A. C. Marques

Seconded by: D. Doerfler

THAT application A-2021-0150 to permit an interior side yard setback of 0.599m (1.97 ft.) to a proposed enclosed below grade entrance 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 Notice of Decision;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That drainage on adjacent properties shall not be adversely affected;



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4. The owner shall obtain a building permit for the existing side entrance within 120 days of the decision of approval or within an extended period of time at the discretion of the Chief Building Official;
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

### 8.12 **A-2021-0151** (*Application deferred as discussed during procedural matters*)

2479546 ONTARIO INC.

65-75 BRAYDON BOULEVARD

BLOCK 175, PLAN M-1449, WARD 10

The applicant is requesting the following variance(s):

1. To permit a gross leasable floor area of 1461 square metres whereas the by-law permits a maximum gross leasable floor area of 1400 square metres;
2. To permit no loading spaces whereas the by-law requires a minimum of one loading space;
3. To permit the use of a deep collection waste disposal container (Molok) for restaurant waste whereas the by-law requires that restaurant waste be stored within a climate controlled garbage area inside a building.

### 8.13 **A-2021-0152**

JOSE PINHEIRO AND ARMINDA PINHEIRO

2 GLADVIEW COURT

LOT 17, PLAN 43M-2059, WARD 4

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The applicants are requesting the following variance(s):

1. To permit an accessory building (proposed cabana) having a gross floor area of 45.58 sq. m (490.26 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory building;
2. To permit an accessory building (proposed cabana) with a building height of 3.71m (12.17 ft.) whereas the by-law permits a maximum building height of 3.0m (9.84 ft.) for an accessory building;
3. To permit the doors to an accessory building (proposed cabana) to have a height of 2.74m (9 ft.) whereas the by-law permits a maximum door height of 2.4m (7.87 ft.) on an accessory building;
4. To permit an existing driveway width of 11.0m (36.09 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.);
5. To permit a 0.0m permeable landscaping between the existing driveway and the side lot line whereas the by-law requires a minimum permeable landscape strip of 0.6m (1.97 ft.) along the side lot line.

Mr. Tomasz Goral, Goral Designs, authorized agent for the applicant, presented application A-2021-0152 briefly outlining the variances requested advising that the proposed cabana is larger than permitted and will be used to store pool equipment, among other things. He informed Committee that they have the necessary approval from Credit Valley Conservation.

Committee acknowledged receipt of a letter dated July 30, 2021 from Credit Valley Conservation indicating no objection. CVC advises the applicant should forward a review fee of \$310.00 at the earliest convenience.

Committee was informed that City of Brampton planning staff was in support of this application with conditions noting that additional variances included were identified during site inspection. Staff proposed additional wording for condition number 4 to include "*where the canopy overhangs the area of construction*".

Committee requested a condition be included regarding payment of review fees as indicated in the letter received from Credit Valley Conservation.

Mr. Goral 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. Doerfler

Seconded by: A. C. Marques



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THAT application A-2021-0152 to permit an accessory building (proposed cabana) having a gross floor area of 45.58 sq. m (490.26 sq. ft.); to permit an accessory building (proposed cabana) with a building height of 3.71m (12.17 ft.); to permit the doors to an accessory building (proposed cabana) to have a height of 2.74m (9 ft.); to permit an existing driveway width of 11.0m (36.09 ft.) and to permit a 0.0m permeable landscaping between the existing driveway and the side 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 Notice of Decision;
2. That roof drainage from the accessory building (cabana) shall be directed onto the subject property and drainage on adjacent properties not be adversely impacted;
3. That the accessory building (cabana) 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, shower and sink;
4. That the applicant is to install temporary tree protection fencing around the canopy drip line of adjacent trees larger than 15cm diameter as measured at breast height where the canopy overhangs the area of construction. No disturbance or construction shall occur within tree protection area;
5. That the existing municipal curb depression shall not be widened in the area of the extended driveway width;
6. That the applicant submits a \$310.00 review fee to Credit Valley Conservation, as outlined in their letter dated July 30, 2021;
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

- 8.14 **A-2021-0153** *(Item discussed concurrently with related applications B-2021-0012 and B-2021-0013, Agenda items 6.2 and 6.3)*

KULJIT KAUR UBHI AND GURPREET SINGH UBHI

8884 CREDITVIEW ROAD

PART OF LOT 5, CONC. 4 W.H.S, WARD 4

The applicants are requesting the following variances associated with the proposed retained lot under consent applications B-2021-0012 and B-2021-0013:

1. To permit a minimum lot area of 0.14 hectares whereas the by-law requires a minimum lot area of 0.40 hectares;
2. To permit a lot width of 22.8 metres whereas the by-law requires a minimum lot width of 45 metres;
3. To permit an interior side yard setback of 2.0m (6.56 ft.) whereas the by-law requires a minimum interior side yard setback of 7.5m (24.60 ft.).

- 8.15 **A-2021-0154**

ALI PARSAIE AND SARAH PARSAIE

7830 CHURCHVILLE ROAD

LOT 26, PLAN TOR 11, PARTS 1 TO 4 AND 7, PLAN 43R-10511, WARD 6

1. To permit an accessory structure (shed/chicken coop) to be located in the front half of the interior side yard with a setback of 1.2m (3.94 ft.) from the interior side lot line whereas the by-law requires that an accessory structure located in the interior side yard shall not encroach into the minimum required 7.5m (24.60 ft.) side yard setback and that the accessory structure shall not be located closer to the front wall of the main dwelling than one-half (1/2) the length of the main building wall facing the interior lot line.

Mr. Allen Aruelo, ATA Architects Inc., authorized agent for the applicant, presented application A-2021-0154 briefly outlining the variances requested.

Committee acknowledged receipt of a letter dated July 30, 2021 from Credit Valley Conservation indicating no objection. CVC advises the applicant should forward a review fee of \$310.00 at the earliest convenience.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Through discussion it was identified that proposed condition number 3 included additional wording that made reference to habitable space. The condition was amended to remove the additional wording which was not applicable to this



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application. A condition was also included to address comments from Credit Valley Conservation review fees.

Mr. Aruelo 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-2021-0154 to permit an accessory structure (shed/chicken coop) to be located in the front half of the interior side yard with a setback of 1.2m (3.94 ft.) from the interior side 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 Notice of Decision;
2. That roof drainage from the accessory structure (shed/chicken coop) shall be directed onto the subject property and drainage on adjacent properties not be adversely impacted;
3. That the accessory structure (shed/chicken coop) shall not be used as a separate dwelling unit;
4. That the applicant submits a \$310.00 review fee to Credit Valley Conservation, as outlined in their letter dated July 30, 2021;
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

8.16 **A-2021-0155**

HARPREET BAJWA

19 STANLEY COURT

LOT 71, PLAN 622, WARD 3

The applicant is requesting the following variance(s):

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

Mr. Ravkirat Sandhu, Noble Prime Solutions, authorized agent for the applicant, presented application A-2020-0155 briefly outlining the variances requested.

Committee noted that there was an incorrect reference to the applicant's name in the agenda. The Secretary-Treasurer advised that the correction in the applicant's name would be reflected in the Notice of Decision.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff proposed that condition number 3 be amended to provide for an extension of the timelines at the discretion of the Chief Building Official.

Mr. Sandhu 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: R. Power

Seconded by: D. Colp

THAT application A-2021-0155 to permit a below grade entrance to be located between the main wall of a dwelling and the front lot line be approved for the following reasons and subject to the following conditions:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That the below grade entrance shall not be used to access an unregistered second dwelling unit;
3. The owner shall obtain a building permit within 60 days of the decision of approval or within an extended period of time at the discretion of the Chief Building Official ; and



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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

### 8.17 **A-2021-0156**

GREYCAN PROPERTIES GP INC., 9404635 CANADA INC., HIGHWAY 50 & 7 EQUITIES,  
GREYCAN 7 PROPERTIES GP INC.,

4629 QUEEN STREET EAST/0 THE GORE ROAD

PART OF LOTS 3 AND 4, CONCESSION 10 N.D., WARD 8

The applicant is requesting the following variance(s):

1. To permit a driveway access road associated with the permitted use of the adjacent lands zoned SC-2094 to encroach into the Floodplain Zone whereas the by-law does not permit the proposed use within a Floodplain Zone;
2. To permit a 0.0 metre landscaped open space between a driveway access road and lands zoned Floodplain whereas the by-law requires a minimum 3.0m (9.84 ft.) wide landscaped open space abutting lands zoned Floodplain.

Mr. Michael Vani, Weston Consulting, authorized agent for the applicant, presented application A-2020-0156 briefly outlining the variances requested. He advised that a previous application was submitted in May for building height, outside storage of trailers and buffer along Highway 50 and Highway 7 roadways. He stated that 2 additional variances that were previously missed are now being requested noting that there has been no changes to the project since the Committee considered the last application commenting that it is a technical amendment to include the variances noted.

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

Committee acknowledged receipt of e-mail correspondence dated July 29, 2021 from Sandy and Syd Jacobs indicating they do not want any additional egress or ingress allowed on the section of The Gore Road, south of Queen Street.

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Committee acknowledged receipt of e-mail correspondence dated July 28, 2021 from Geoff Sheffrin indicating no direct issue provided there is no additional exit on to the Gore Road and no impact on the flood plain area.

Committee acknowledged receipt of a letter dated July 28, 2021 from Toronto and Region Conservation Authority indicating no objection to the approval of Application A-2021-0156.

Mr. Vani 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-2021-0156 to permit a driveway access road associated with the permitted use of the adjacent lands zoned SC-2094 to encroach into the Floodplain Zone and to permit a 0.0 metre landscaped open space between a driveway access road and lands zoned Floodplain 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 Notice of Decision;
2. That the owner finalize site plan approval under City File SP19-045.000, 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



8.18 **A-2021-0157**

DANIEL LEON HERNANDEZ AND ANA MERCY QUINTANA VALERO

24 LACEWOOD CRESCENT

PART OF LOT 52, PLAN M-157, PARTS 24 TO 26, PLAN 43R-10650, WARD 7

The applicants are requesting the following variance(s):

1. To permit an interior side yard setback of 1.22m (4.0 ft.) to a second storey addition and an interior side yard setback of 0.65m (2.13 ft.) to a first storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.) to the second storey and 0.65m (2.13 ft.) to the first storey;
2. To permit lot coverage of 38.5% whereas the by-law permits a maximum lot coverage of 30%;
3. To permit an interior side yard setback of 0.36m (1.18 ft.) to an existing accessory structure whereas the by-law requires a minimum interior side yard setback of 0.6m (1.97 ft.)

Mr. Tomasz Goral, Goral Designs, authorized agent for the applicant, presented application A-2020-0157 briefly outlining the variances requested. He explained that an addition at the rear is proposed to accommodate a bedroom with an ensuite and walk-in closet noting that for ease of construction they are building on the existing building footprint to minimize the cost of additional beams.

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

Mr. Goral 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-2021-0157 to permit an interior side yard setback of 1.22m (4.0 ft.) to a second storey addition and an interior side yard setback of 0.65m (2.13 ft.) to a first storey addition; to permit lot coverage of 38.5% and to permit an interior side yard setback of 0.36m (1.18 ft.) to an existing accessory structure be approved for the following reasons and subject to the following conditions:

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

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2. That roof drainage from the accessory structure (portable gazebo) shall be directed onto the subject property and drainage on adjacent properties not be adversely impacted;
3. That a complete Site Plan application for Mature Neighbourhood shall be submitted;
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

### 8.19 **A-2021-0158**

THE REGIONAL MUNICIPALITY OF PEEL

9996 KENNEDY ROAD NORTH

PART OF LOT 10, CONCESSION 1 E.H.S. PART 1, PLAN 43R-10623, WARD 1

The applicant is requesting the following variance(s):

1. To provide 33 parking spaces on site whereas the by-law requires a minimum of 35 parking spaces resulting from a proposal to expand the existing child care operation, operated by the YMCA of Greater Toronto.

Mr. Todd Pierce, YMCA of Greater Toronto, authorized agent for the applicant, presented application A-2021-0158 briefly outlining the variances requested. Mr. Pierce explained that the Region of Peel recently vacated a space within the building and offered the space to YMCA of Greater Toronto in order to expand the childcare operations. He advised that they have support from the Province to fund an increase to staff and to increase the number of children subject to compliance to the Zoning By-law.

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

Mr. Pierce 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:



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Moved by: D. Doerfler

Seconded by: A. C. Marques

THAT application A-2021-0158 to provide 33 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 Notice of Decision;
2. That the requirement for parking for any combination of uses permitted within the 'A' zone shall not exceed 35 parking spaces to ensure that the permissions granted by the variance do not create a further parking reduction should the uses on the site be altered, altering the ultimate parking requirement; 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

### 8.20 **A-2021-0159**

ORLANDO CORPORATION

7995 WINSTON CHURCHILL BOULEVARD

PART OF BLOCK 1, PLAN 43M-1936, PARTS 1, 2, 6 TO 26, 37, PLAN 43R-35663, WARD 6

The applicant is requesting the following variance(s):

1. The permit outside storage of oversized motor vehicles associated with business operating from a building located at 7850 Heritage Road whereas the by-law only permits outside storage as an accessory use associated with a business operating from a building on the same lot;
2. To permit outside storage to occupy 11.1% of the lot area whereas the by-law limits the outside storage of goods and materials to the lesser of 5% of the lot or 10% of the building area.

Mr. Lino Malito, Orlando Corporation, authorized agent for the applicant, presented application A-2021-0159 briefly outlining the variances requested. He advised that he was

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seeking clarification from staff on variance number 2 as whether the 11.1% was based on building area or lot area.

Mr. Malito provided a brief overview explaining that Amazon currently occupies the building located at 7995 Winston Churchill Boulevard noting that they have recently signed a lease for a new industrial building constructed at 7850 Heritage Road. He explained that they are seeking an area to store, park and stage additional transport vehicles in the area shown on the site plan. Mr. Malito explained that the trailer parking will be screened from Steeles Avenue by a wood fence explaining that they are currently going through site plan approval for both properties with a plan to create a link from the back of both properties in order that Amazon can access the two sites without having to go onto Steeles Avenue and Heritage Road.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff was of the understanding that it was the lot area that was being varied explaining that the by-law does permit outside storage as a factor of the lesser of 5% of the lot area or 10% of the building area inquiring of the applicant if the percent requested was based on the 10% factor of the building area or 5% of the lot area.

Mr. Malito advised that the variance was identified by staff at the time of application noting that it appears to be based on calculations of the trucking area divided by the building area. Mr. Malito was prepared to move forward but expressed concern that it may be misinterpreted and cause further delay for an additional variance. Mr. Malito was prepared to accept a minor change in wording.

Staff revisited the numbers and through discussion it was determined that the variance would be for 11.1% of the building area. It was proposed that a minor amendment to the wording be considered to reflect "building" area as opposed to "lot" area. Committee supported the recommendation for a minor word change with staff advising that the discrepancy is minor in nature noting that the sketch attached to the public notice identifies the area for outside storage of trailers.

Mr. Malito 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: A.C. Marques

THAT *amended* application A-2021-0159 to permit outside storage of oversized motor vehicles associated with business operating from a building located at 7850 Heritage Road and to permit outside storage to occupy 11.1% of the *building* area be approved for the following reasons and subject to the following conditions:



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1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That the owner finalize site plan approval under City File SPA-2021-0083, 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:

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

CARRIED

### **AGENDA ITEM 8.3 WAS RECALLED**

#### **A-2021-0141**

ASHTON TRIM AND VIVIENNE PARKIN

206 DUSTY LANE

PART OF BLOCK N, PLAN G-23, PART 1, PLAN 43R-1236, WARD 1

Mr. Ashton Trim, applicant and owner of the property, presented application A-2020-0141 briefly outlining the variances requested.

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

Mr. Trim 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-2021-0141 to permit an accessory structure (Shed #1) having a gross floor area of 55.8 sq. m (600.62 sq. ft.) and to permit a combined gross floor area of 69.19 sq. m (744.76 sq. ft.) for two accessory structures (Shed # 1 and Shed #2) be approved for the following reasons and subject to the following conditions:

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1. That the extend of the variances be limited to that show on the sketch attached to the Notice of Decision;
2. That the applicant obtain a building permit for the two accessory structures within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official; and
3. That 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

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

None

### 10. **ADJOURNMENT**

Moved by: A. C. Marques

Seconded by: D. Colp

That the Committee of Adjustment hearing be adjourned at 11:58 a.m. to meet again on Tuesday, August 24, 2021.

CARRIED