

**Date:** August 23, 2022  
**Time:** 9:00 a.m.  
**Location:** Council Chambers, 4th Floor - City Hall – Webex Electronic Meeting

**Members:** Ron Chatha (Chair)  
Desiree Doerfler (Vice-Chair)  
David Colp

**Members Absent:** Ana Cristina Marques (with regrets)

**Staff:** Mohamed Jalabi, Assistant Development Planner  
Simran Sandhu, Assistant Development Planner  
Angelo Ambrico, Principal Planner/Supervisor, Development Services  
David Vanderberg, Manager, Development Services  
Ross Campbell, Supervisor, Zoning and Sign By-Law Services  
Jeanie Myers, Secretary-Treasurer

1. **Call to Order**

The meeting was called to order at 9:01 a.m. and adjourned at 10:23 a.m.

2. **ADOPTION OF MINUTES:**

Moved by: D. Colp

Seconded by: D. Doerfler

THAT the minutes of the Committee of Adjustment hearing held August 2, 2022 be approved, as printed and circulated.

CARRIED

3. **Region of Peel Comments**

Letter dated August 15, 2022.

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

Nil

5. **WITHDRAWALS/DEFERRALS**

**B-2021-0018 (*Agenda item 7.1*)**

HARJINDER SINGH AND VIRAN SINGH

10417 AIRPORT ROAD

PART OF LOTS 12 AND 13, CONCESSION 7 N.D, WARD 10

**B-2021-0019 (*Agenda item 7.2*)**

HARJINDER SINGH AND VIRAN SINGH

10417 AIRPORT ROAD

PART OF LOTS 12 AND 13, CONCESSION 7 N.D, WARD 10

Committee acknowledged receipt of a letter dated August 22, 2022 from Catherine McEwan, Korsiak Urban Planners, authorized agent for the applicant, requesting a deferral of Applications B-2021-0018 and B-2021-0019 for the property located at 10417 Airport Road (***Agenda items 7.1 and 7.2***).

Ms. Catherine McEwan was in attendance to acknowledge the request for a deferral to the next available agenda explaining that they are continuing to work with legal staff to finalize wording for conditions.

Committee acknowledged receipt of a letter dated August 10, 2022 submitted by e-mail dated August 12, 2022 by Preet Bal Sahrawat, 51 Sparta Drive, on behalf of a number of residents on Sparta Drive in opposition to development of residential lots adjoining 51 Sparta Drive.

Ms. Preet Bal Sahrawat, 51 Sparta Drive, addressed Committee on behalf of the residents of the neighbourhood advising that they have concerns, noting that the children play in the open space area. She added that the children come out in the evening to play in the open space and expressed that there is no other space available other than at a nearby school where the children would have to encounter traffic while crossing the street to go to the school area. Ms. Sahrawat requested that the land be left as a park area expressing that there will be traffic issues with so many cars backing in and out of driveways.

Staff advised that the applications are for changing conditions to the severance applications noting that there is an on-going Official Plan and Zoning By-law Amendment application which will speak to the change of use for residential uses. Staff advised that the application has gone through a public meeting and is currently in the review process explaining that that this would be the application process where members of the public could voice their concerns.

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Staff further explained that the City is looking to retain or acquire some of the environmentally sensitive lands to the south of the property where there is an existing natural heritage feature. Staff expressed that through the review of the application the City has come to an agreement as to what lands would be appropriate to retain adding that the change of conditions would be to reflect that land dedication. Staff explained that discussions have occurred between the legal teams to develop a conditions that can be fulfilled in the future.

Discussion took place on timelines to defer the application. Committee expressed that the next scheduled hearing in September would not provide sufficient time and suggested that the October 4, 2022 hearing would be more appropriate. Through discussion it was agreed that the October 4, 2022 hearing was acceptable.

Moved by: D. Colp

Seconded by: D. Doerfler

THAT applications B-2021-0018 and B-2021-0019 be deferred to the hearing date of October 4, 2022.

CARRIED

### 6. **NEW CONSENT APPLICATIONS**

#### 6.1. **B-2022-0010**

10254 HURONTARIO PROPERTY INC.

10200 HURONTARIO STREET, 100 WHYBANK DRIVE

PART OF LOT 12, CONCESSION 1 WHS, WARD 2

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 23.97 hectares (59.23 acres) arising from a merger of adjacent lots. The proposed severed lot has a frontage of approximately 102.2 metres (335.30 feet), a depth of approximately 144.3 metres (473.42 feet) and an area of approximately 1.36 hectares (3.36 acres). The effect of the application is to re-establish the properties municipally known as 10200 Hurontario Street and 100 Whybank Drive as individual properties.

Ms. Mallory Nievas, Weston Consulting, authorized agent for the applicant, presented application B-2022-0010 briefly outlining the nature of the application. She explained that the application was submitted to sever a parcel of land that arose due to the merger of subdivided lots that were previously subdivided through a series of consent applications for the industrial lands. Ms. Nievas advised that the lands are currently developed and under construction for their intended use. She expressed that the application will re-establish the individual properties.

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Committee was informed that City of Brampton planning staff had no objection to the approval of application B-2022-0010 from a planning land use perspective, with conditions.

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

Ms. Nieves 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. Colp

Seconded by: D. Doerfler

THAT application B-2022-0010 to sever a parcel of land to re-establish the properties municipally known as 10200 Hurontario Street and 100 Whybank Drive as individual properties 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.

### 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

## 7. REQUEST TO CHANGE CONDITIONS OF PROVISIONAL CONSENT

### 7.1. **B-2021-0018 (*Deferred as discussed during procedural matters*)**

HARJINDER SINGH AND VIRAN SINGH

10417 AIRPORT ROAD

PART OF LOTS 12 AND 13, CONCESSION 7 N.D, WARD 10

Explanation of the Proposed Changes:

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Condition # 3 – A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being Block 174, Plan 43M-1449, 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.

Request is to modify Condition # 3 to read as follows:

3a) The owner register a s.118 restriction on the subject lands preventing the transfer or charge of the whole or any part of the lands (severed or retained) without the written consent of the Corporation of the City of Brampton and agrees that the City will only consent to the conveyance of the severed parcel that is the subject of this application to the registered owner of Block 174 on 43M-1449 and that the City will only consent to the release of the s.118 on the retained lands upon: the severed lands and Block 174 (the "Resultant Lot") being in the same ownership and the owner of the Resultant Lot registering a s.118 on the Resultant Lot restricting the transfer or charge of anything less than the Resultant Lot without the City's consent.

3b) The solicitor for the owner of Block 174 will provide an undertaking that immediately upon their client being the owner of the severed lands, they will register a s.118 restriction on the Resultant Lot restricting the transfer or charge of anything less than the Resultant Lot without the City's consent.

### 7.2. **B-2021-0019 (*Deferred as discussed during procedural matters*)**

HARJINDER SINGH AND VIRAN SINGH

10417 AIRPORT ROAD

PART OF LOTS 12 AND 13, CONCESSION 7 N.D, WARD 10

#### Explanation of the Proposed Changes:

Condition # 3 – A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being Block 177, Plan 43M-1449, 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.

Request is to modify Condition # 3 to read as follows:

3a) The owner register a s.118 restriction on the subject lands preventing the transfer or charge of the whole or any part of the lands (severed or retained) without the written consent of the Corporation of the City of Brampton and agrees that the City will only consent to the conveyance of the severed parcel that is the subject of this application to the registered owner of Block 177 on 43M-1449 and that the City will only consent to the release of the

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s.118 on the retained lands upon: the severed lands and Block 174 (the “Resultant Lot”) being in the same ownership and the owner of the Resultant Lot registering a s.118 on the Resultant Lot restricting the transfer or charge of anything less than the Resultant Lot without the City’s consent.

3b) The solicitor for the owner of Block 177 will provide an undertaking that immediately upon their client being the owner of the severed lands, they will register a s.118 restriction on the Resultant Lot restricting the transfer or charge of anything less than the Resultant Lot without the City’s consent.

### **APPLICATIONS B-2022-0005, A-2022-0159 AND A-2022-0160 WERE RELATED AND HEARD CONCURRENTLY**

#### **8. DEFERRED CONSENT APPLICATIONS**

##### **8.1. B-2022-0005**

SHARON FABER

2716 BOVAIRD DRIVE WEST

PART OF LOT 11, CONCESION 6 W.H. S, WARD 6

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 5053.79 square metres (0.51 hectares). The proposed severed lot has a frontage of approximately 24.82 metres (81.43 feet), a depth of approximately 72.09 metres (236.52 feet) and an area of approximately 1531.83 square metres (0.153 hectares). The effect of the application is to create a new residential lot for future development of a single detached dwelling and a detached garage.

Mr. John Faber, authorized agent for the applicant, presented applications B-2022-0005, A-2022-0159 and A-2022-0160 briefly outlining the nature of the applications. He explained that the proposed severed parcel from his parent’s property will provide a lot for the construction of a dwelling for him and his wife. Mr. Faber explained that since the application was previously deferred it has been validated that a septic system will fit on the property as confirmed by a septic engineer who has provided a full report. He added that minor details surrounding driveway access were also addressed with one of the accesses on the retained parcel proposed to be closed, leaving a single access to the retained lot and a single access to the severed lot.

Committee was informed that City of Brampton planning staff had no objection to the approval of applications B-2022-0005, A-2022-0159 and A-2022-0160 from a planning land use perspective.

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

Mr. Faber 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. Colp

Seconded by: D. Doerfler

THAT application B-2022-0005 to create a new residential lot for future development of a single detached dwelling and a detached garage 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. The existing septic system shall be decommissioned and a new septic system shall be constructed within the retained lands prior to the completion of the severance application and issuance of the Certificate from the COA Secretary Treasurer. A building permit is required for alterations to the septic system; and,
4. Satisfactory arrangement shall be made between the owner and the Region of Peel regarding land dedication and access configuration, type and location.

### 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: D. Colp

Seconded by: D. Doerfler

THAT application **A-2022-0159** to permit a lot area of 0.153 hectares; to permit a lot width of 23.43 metres; to permit a side yard depth of 1.5 metres to a single detached dwelling; to permit a main building (single detached dwelling) having a ground floor area of 92.9 square

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metres and to permit a detached garage having a gross floor area of 83.54 sq. m (899.22 sq. m) 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 motor vehicle repair shop as a business and that vehicle repairs shall be conducted solely by the occupants of the home for non-business purposes;
3. Satisfactory arrangement shall be made between the owner and the Region of Peel regarding land dedication and access configuration, type and location;
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

Moved by: D. Colp

Seconded by: D. Doerfler

THAT application **A-2022-0160** to permit a lot area of 0.352 hectares 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. Satisfactory arrangement shall be made between the owner and the Region of Peel regarding land dedication and access configuration, type and location;
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:



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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. **NEW MINOR VARIANCE APPLICATIONS**

#### 9.1. **A-2022-0213**

PRASHANT KUMAR AND PREETI KUMAR

27 CASPER CRESCENT

LOT 82, PLAN M-786

The applicants are requesting the following variance(s):

1. To permit an open roofed porch with an interior side yard setback of 0.32m (1.05 ft.) whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.) to the open roofed porch;
2. To permit an above-grade side door having an interior side yard setback of 0.88m (2.89 ft.) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) from an interior side yard to an above grade door;
3. To permit a 0.88m (2.89 ft.) path of travel leading to a principle entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) be provided as a path of travel from the front yard to the entrance for a second unit;
4. To permit an existing accessory structure (shed) within a required interior side yard whereas the by-law does not permit an accessory structure within a required interior side yard.

Mr. Gurwinder Grewal, AEM Designs, authorized agent for the applicant, presented application A-2022-0213 briefly outlining the variances requested.

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

Mr. Grewal indicated that the proposed conditions were acceptable.

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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-2022-0213 to permit an open roofed porch with an interior side yard setback of 0.32m (1.05 ft.); to permit an above-grade side door having an interior side yard setback of 0.88m (2.89 ft.); to permit a 0.88m (2.89 ft.) path of travel leading to a principle entrance for a second unit and to permit an existing accessory structure (shed) within a required interior side yard be approved, *in part*, for the following reasons and subject to the following conditions:

1. That Variance 4 to permit an existing accessory structure (shed) within a required interior side yard be refused;
2. That the extent of the variances 1, 2, and 3 be limited to that shown on the sketch attached to the Notice of Decision;
3. That the above-grade entrance shall not be used to access an unregistered second unit;
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

### 9.2. **A-2022-0214**

DHANSUKLAL GANDHI, KAVITA GANDHI AND DHARMESH GANDHI

20 SEYMORE ROAD

LOT 126, PLAN 43M-2060, WARD 9

The applicants are requesting the following variance(s):

1. To permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in the required interior side yard;

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2. To permit an interior side yard setback of 0.14m (0.50 ft.) to the proposed below grade entrance, resulting in a combined width of 0.77m (2.53 ft.) for both side yards whereas the by-law requires a minimum interior side yard setback of 0.6m (1.97 ft.) provided the combined total of the interior side yards on an interior lot is not less than 1.8m (5.91 ft.).

Mr. Gurwinder Grewal, AEM Designs, authorized agent for the applicant, presented application A-2022-0214 briefly outlining the variances requested.

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

Mr. Grewal 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-2022-0214 to permit a below grade entrance in the required interior side yard and to permit an interior side yard setback of 0.14m (0.50 ft.) to the proposed below grade entrance, resulting in a combined width of 0.77m (2.53 ft.) for both side yards 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 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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### 9.3. **A-2022-0215**

KARAN SHARMA AND GURMANNAT SINGH

24 STANWELL DRIVE

LOT 210, PLAN M-752, WARD 2

The applicants are requesting the following variance(s):

1. To permit a 0.93m (3.05 ft.) wide path of travel leading to a principal entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) to be provided as a path of travel from the front yard to the principal entrance for a second unit;
2. To permit an above grade door in a side yard having a width of 0.93m (3.05 ft.) whereas the by-law permits an above grade door in the side wall of a dwelling provided that the side yard width is a minimum 1.2m (3.94 ft.).

Mr. Gurwinder Grewal, AEM Designs, authorized agent for the applicant, presented application A-2022-0215 briefly outlining the variances requested.

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

Mr. Grewal 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-2022-0215 to permit a 0.93m (3.05 ft.) wide path of travel leading to a principal entrance for a second unit and to permit an above grade door in a side yard having a width of 0.93m (3.05 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 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

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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

9.4. **A-2022-0216**

CHERRYLAWN ESTATES INC.

112 ANTIBES DRIVE

PART OF LOT 6, CONCESSION 3 WHS (LOT 1 ON DRAFT PLAN OF SUBDIVISION 21T-09007B), WARD 5

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 6.30m (20.67 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

9.5. **A-2022-0217**

CHERRYLAWN ESTATES INC.

114 ANTIBES DRIVE

PART OF LOT 6, CONCESSION 3 WHS (LOT 2 ON DRAFT PLAN OF SUBDIVISION 21T-09007B), WARD 5

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 6.30m (20.67 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

9.6. **A-2022-0218**

CHERRYLAWN ESTATES INC.

116 ANTIBES DRIVE

PART OF LOT 6, CONCESSION 3 WHS (LOT 3 ON DRAFT PLAN OF SUBDIVISION 21T-09007B), WARD 5

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 6.30m (20.67 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

9.7. **A-2022-0219**

CHERRYLAWN ESTATES INC.

118 ANTIBES DRIVE

PART OF LOT 6, CONCESSION 3 WHS (LOT 4 ON DRAFT PLAN OF SUBDIVISION 21T-09007B), WARD 5

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 6.30m (20.67 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

9.8. **A-2022-0220**

CHERRYLAWN ESTATES INC.

120 ANTIBES DRIVE

PART OF LOT 6, CONCESSION 3 WHS (LOT 5 ON DRAFT PLAN OF SUBDIVISION 21T-09007B), WARD 5

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 6.30m (20.67 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

9.9. **A-2022-0221**

CHERRYLAWN ESTATES INC.

122 ANTIBES DRIVE

PART OF LOT 6, CONCESSION 3 WHS (LOT 6 ON DRAFT PLAN OF SUBDIVISION 21T-09007B), WARD 5

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 6.30m (20.67 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

9.10. **A-2022-0222**

CHERRYLAWN ESTATES INC.

138 ANTIBES DRIVE

PART OF LOT 6, CONCESSION 3 WHS (LOT 14 ON DRAFT PLAN OF SUBDIVISION 21T-09007B), WARD 5

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 6.30m (20.67 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

9.11. **A-2022-0223**

CHERRYLAWN ESTATES INC.

125 ANTIBES DRIVE

PART OF LOT 6, CONCESSION 3 WHS (LOT 20 ON DRAFT PLAN OF SUBDIVISION 21T-09007B), WARD 5

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 6.30m (20.67 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

9.12. **A-2022-0224**

CHERRYLAWN ESTATES INC.

124 ANTIBES DRIVE

PART OF LOT 6, CONCESSION 3 WHS (LOT 7 ON DRAFT PLAN OF SUBDIVISION 21T-09007B), WARD 5

The applicants are requesting the following variance(s):

1. To permit a lot depth of 29.4m (96.46 ft.) whereas the by-law requires a minimum lot depth of 30m (98.42 ft.).

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### 9.13. **A-2022-0225**

CHERRYLAWN ESTATES INC.

126 ANTIBES DRIVE

PART OF LOT 6, CONCESSION 3 WHS (LOT 8 ON DRAFT PLAN OF SUBDIVISION 21T-09007B), WARD 5

The applicants are requesting the following variance(s):

1. To permit a lot depth of 29.4m (96.46 ft.) whereas the by-law requires a minimum lot depth of 30m (98.42 ft.).

Mr. Viz Srikandarajah, Ballantry Homes, authorized agent for the applicant, presented applications A-2022-0216 to A-2022-0225 briefly outlining the variances requested. He explained that the project consists of 29 lots for single detached dwellings explaining that they would like to offer some existing models in the current subdivision advising that due to depth of the lots as dictated by the curvature of the future extension of Antibes Drive, variances are required.

Committee was informed that City of Brampton planning staff was in support of these applications, with conditions.

Mr. Srikandarajah 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 applications A-2022-0216 to A-2022-0223 to permit a rear yard setback of 6.30m (20.67 ft.) and applications A-2022-0224 and A-2-2022-0225 to permit a lot depth of 29.4m (96.46 ft.) 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 a clause be provided within the agreement of purchase and sale advising of the variance affecting the property. If the property has already been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser(s) of the dwelling have acknowledged and accepted the variance; 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:



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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

### 9.14. **A-2022-0226**

BHARTENDU CHAUDHARI AND NEETABEN BHARTENDU CHAUDHARI

83 ASPERMONT CRESCENT

PART OF LOT 34, PLAN 43M-1913, PART 5, PLAN 43R-35349, WARD 10

The applicants are requesting the following variance(s):

1. To permit a below grade entrance between the main wall of a dwelling and the flankage lot line whereas the by-law prohibits below grade entrances between the main wall of a dwelling and a flankage lot line;
2. To permit an exterior side yard setback of 2.2m (7.22 ft.) to a below grade entrance whereas the by-law requires a minimum exterior side yard setback of 3.0m (9.84 ft.);
3. To permit a 3.7m (12.14 ft.) separation distance between a driveway and the point of intersection of two streets whereas the by-law requires a minimum 6.0m (19.68 ft.) separation distance between a driveway and projected point of intersection of two streets.

Ms. Kruti Shah of RJ Cad Solutions Inc., authorized agent for the applicant, presented application A-2022-0226 briefly outlining the variances requested.

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

Ms. Shah inquired what should be done with the driveway given that the variance related to the driveway is being refused. Staff explained that the issue pertains more to the separation distance between the main point of intersection as well as sight line concerns in terms of a car reversing out of a driveway. It was recommended that the applicant contact the planner on file to discuss a resolution.

Ms. Shah indicated that the proposed conditions were acceptable.

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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-2022-0226 to permit a below grade entrance between the main wall of a dwelling and the flankage lot line; to permit an exterior side yard setback of 2.2m (7.22 ft.) to a below grade entrance and to permit a 3.7m (12.14 ft.) separation distance between a driveway and the point of intersection of two streets be approved, *in part*, for the following reasons and subject to the following conditions:

1. That Variance 3 to permit a 3.7m (12.14 ft.) separation distance between a driveway and the point of intersection of two streets be refused;
2. That the extent of variances 1 and 2 be limited to that shown on the sketch attached to the Notice of Decision;
3. That the applicant implement planting to screen the proposed below grade entrance and provide elevations of the staircase railing in a manner satisfactory to the Director of Development Services;
4. That the below grade entrance shall not be used to access an unregistered second unit;
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

### 9.15. **A-2022-0227**

KULWINDER BRAR

124 CORDGRASS CRESCENT

LOT 45, PLAN M-1233, WARD 9

The applicant is requesting the following variance(s):

## Committee of Adjustment Minutes

1. To permit a below grade entrance within a required interior side yard whereas the by-law does not permit a below grade entrance within a required interior side yard;
2. To permit an interior side yard setback of 0.63m (2.07 ft.) to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
3. To permit a side yard of 0.63m (2.07 ft.) abutting the side yard of an adjacent lot which is less than 1.2m (3.94 ft.) or greater in width whereas the by-law requires the side yard with the minimum width of 1.2m (3.94 ft.) to be located on the side of the lot abutting the side yard of an adjacent lot which is 1.2m (3.94 ft.) or greater in width;
4. To permit an existing accessory structure (shed) having a side yard setback of 0.4m (1.31 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure to the nearest property lines.

Mr. Pardeep Gogna, Rely Solution, authorized agent for the applicant, presented application A-2022-0227 briefly outlining the variances requested.

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

Mr. Gogna 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: D. Doerfler

THAT application A-2022-0227 to permit a below grade entrance within a required interior side yard; to permit an interior side yard setback of 0.63m (2.07 ft.) to a below grade entrance; to permit a side yard of 0.63m (2.07 ft.) abutting the side yard of an adjacent lot which is less than 1.2m (3.94 ft.) or greater in width and to permit an existing accessory structure (shed) having a side yard setback of 0.4m (1.31 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 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:

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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

### 9.16. **A-2022-0228**

RAJAN RUHELA AND HEMA RUHELA

24 GLADVIEW COURT

LOT 6, PLAN 43M-2059, WARD 4

The applicants are requesting the following variance(s):

1. To permit an accessory structure (proposed open-sided cabana) with a gross floor area of 44.6 sq. m (480.07 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 an existing driveway width of 11.03m (36.19 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.);
3. To permit an existing accessory structure (enclosed cabana) to include habitable floor area (powder room) whereas the by-law does not permit an accessory structure to be used for human habitation;
4. To permit a combined gross floor area of 53.7 sq. m (578.02 ft.) for two (2) accessory structures (open-sided cabana and enclosed cabana) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.).

Mr. Robert Dalla-Nora, National Decking authorized agent for the applicant, presented application A-2022-0228 briefly outlining the variances requested.

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

Mr. Dalla-Nora 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: D. Doerfler

## Committee of Adjustment Minutes

THAT application A-2022-0228 to permit an accessory structure (proposed open-sided cabana) with a gross floor area of 44.6 sq. m (480.07 sq. ft.); to permit an existing driveway width of 11.03m (36.19 ft.) ; to permit an existing accessory structure (enclosed cabana) to include habitable floor area (powder room) and to permit a combined gross floor area of 53.7 sq. m (578.02 ft.) for two (2) accessory structures (open-sided cabana and enclosed cabana) 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 accessory structure (existing enclosed 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;
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

### 9.17. **A-2022-0230**

NEAMSBY INVESTMENT INC.

24 ICON STEREET

LOT 44, PLAN 43M-2103, WARD 9

The applicant is requesting the following variance(s):

1. To permit an above grade door in the side wall where a minimum side yard width of 0.6m is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m extending from the front wall of the dwelling up to and including the door.

9.18. **A-2022-0231**

NEAMSBY INVESTMENT INC.

40 KESSLER DRIVE

LOT 139, PLAN 43M-2103, WARD 9

The applicant is requesting the following variance(s):

1. To permit an above grade door in the side wall where a minimum side yard width of 0.6m is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m extending from the front wall of the dwelling up to and including the door.

9.19. **A-2022-0232**

NEAMSBY INVESTMENT INC.

KESSLER DRIVE AND GRASSBANK ROAD

LOT 146, PLAN 43M-2103, WARD 9

The applicant is requesting the following variance(s):

1. To permit an above grade door in the side wall where a minimum side yard width of 0.6m is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m extending from the front wall of the dwelling up to and including the door.

9.20 **A-2022-0233**

NEAMSBY INVESTMENT INC.

CLAREMONT DRIVE AND GRASSBANK ROAD

LOT 147, PLAN 43M-2103, WARD 9

The applicant is requesting the following variance(s):

1. To permit an above grade door in the side wall where a minimum side yard width of 0.6m is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m extending from the front wall of the dwelling up to and including the door.

9.21. **A-2022-0234**

NEAMSBY INVESTMENT INC.

75 CLAREMONT DRIVE

LOT 149, PLAN 43M-2103, WARD 9

The applicant is requesting the following variance(s):

1. To permit an above grade door in the side wall where a minimum side yard width of 0.6m is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m extending from the front wall of the dwelling up to and including the door.

9.22. **A-2022-0235**

NEAMSBY INVESTMENT INC.

92 CLAREMONT DRIVE

LOT 174, PLAN 43M-2103, WARD 9

The applicant is requesting the following variance(s):

1. To permit an above grade door in the side wall where a minimum side yard width of 0.6m is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m extending from the front wall of the dwelling up to and including the door.

9.23. **A-2022-0236**

NEAMSBY INVESTMENT INC.

33 KEYWORTH CRESCENT

LOT 182, PLAN 43M-2103, WARD 9

The applicant is requesting the following variance(s):

1. To permit an above grade door in the side wall where a minimum side yard width of 0.6m is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m extending from the front wall of the dwelling up to and including the door.

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9.24. **A-2022-0237**

NEAMSBY INVESTMENT INC.

46 KEYWORTH CRESCENT

LOT 196, PLAN 43M-2103, WARD 9

The applicant is requesting the following variance(s):

1. To permit an above grade door in the side wall where a minimum side yard width of 0.6m is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m extending from the front wall of the dwelling up to and including the door.

9.25. **A-2022-0238**

NEAMSBY INVESTMENT INC.

GOODVIEW DRIVE AND INSPIRE BOULEVARD

LOT 199, PLAN 43M-2103, WARD 9

The applicant is requesting the following variance(s):

1. To permit an above grade door in the side wall where a minimum side yard width of 0.6m is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m extending from the front wall of the dwelling up to and including the door.

Ms. Lauren Dynes of KLM Planning authorized agent for the applicant, presented applications A-2022-0230 to A-2022-0238 briefly outlining the variance requested for a number of lots on registered plan 43M-2103.

Committee was informed that City of Brampton planning staff was in support of these applications, with conditions.

Ms. Dynes 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



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THAT applications A-2022-0230 to A-2022-0238 to permit an above grade door in the side wall where a minimum side yard width of 0.6m is provided extending from the front wall of the dwelling up to the door 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 side door not be used as a primary entrance to a registered or unregistered second dwelling unit;
3. That a clause be provided within the agreement of purchase and sale advising of the variance affecting the property. If the property has already been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser(s) of the dwelling have acknowledged and accepted the variance; 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

### 9.26. **A-2022-0239**

MAYFIELD ARCADEIUM HOLDINGS LTD.

6445, 6455, 6465 AND 6475 MAYFIELD ROAD

PART OF LOT 17, CONCESSION 7 ND, WARD 10

The applicant is requesting the following variance(s):

1. To permit a building setback of 1.3m (4.27 ft.) to the easterly side property line whereas the by-law requires a minimum building setback of 1.5m (4.92 ft.) to the easterly side property line.

Mr. Steven Giankoulas, Candevcon Ltd., authorized agent for the applicant, presented application A-20220239 briefly outlining the variances requested.

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

Mr. Giankoulas 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-2022-0239 to permit a building setback of 1.3m (4.27 ft.) to the easterly side property 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 a limited site plan application shall be submitted within 90 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services;
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

### 9.27. **A-2022-0240**

RAJAN AGGARWAL AND PRIYANKA GUPTA

9 BARRIER REEF LANE

PART OF LOT 77, PLAN M-1250, PART 17, PLAN 43R-22721, WARD 9

The applicants are requesting the following variance(s):

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1. To permit a below grade entrance within a required interior side yard whereas the by-law does not permit a below grade entrance within a required interior side yard;
2. To permit an interior side yard setback of 0.85m (2.78 ft.) to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
3. To permit an existing accessory structure (shed) having a rear yard setback of 0.3m (0.98 ft.) and a side yard setback of 0.25m (0.82 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure to the nearest property lines.

Mr. Pardeep Gogna, Rely Solutions, authorized agent for the applicant, presented application A-2022-0240 briefly outlining the variances requested.

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

Mr. Gaogna 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: D. Doerfler

THAT application A-2022-0240 to permit a below grade entrance within a required interior side yard; to permit an interior side yard setback of 0.85m (2.78 ft.) to a below grade entrance; and to permit an existing accessory structure (shed) having a rear yard setback of 0.3m (0.98 ft.) and a side yard setback of 0.25m (0.82 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. The damaged curb is to be reinstated as per municipal standards;
3. If a curb cut is requested, the owner must obtain a Road Occupancy and Access Permit from the City of Brampton's Road Maintenance & Operations Section; 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

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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

### 9.28. **A-2022-0046**

SAGAR NANDAL AND SONIKA BALHARA

18 THATCHER COURT

PART OF LOT 49, PLAN M-101, PARTS 1, 1A, PLAN 43R-4870, WARD 2

The applicants are requesting the following variance(s):

1. To permit a below grade entrance within a required interior side yard whereas the by-law does not permit a below grade entrance within a required interior side yard;
2. To permit an interior side yard setback of 0.8m (2.64 ft.) to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.).

Mr. Pardeep Gogna, authorized agent for the applicant, presented application A-2022-0241 briefly outlining the variances requested.

Ms. Angela Hoskins, 20 Thatcher Court, addressed Committee indicating opposition to the proposal. She expressed that the distance to the fence that is shared does not provide enough room for the entrance. She added that the entrance faces into her patio doors to her kitchen noting that noise will be a concern as well as traffic.

Committee acknowledged receipt of e-mail correspondence dated August 18, 2022 from Nancy LaForme, 16 Thatcher Court indicating opposition to Application A-2022-0241.

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

Committee advised Ms. Hoskins that staff has reviewed the application and finds it to be reasonable advising that she can consult with staff. Committee advised that she will be provided with a copy of the decision.

Mr. Gogna 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

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THAT application A-2022-0241 to permit a below grade entrance within a required interior side yard and to permit an interior side yard setback of 0.8m (2.64 ft.) 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 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

### 9.29. **A-2022-0242**

1000211038 ONTARIO INC.

21 CREEKWOOD DRIVE

LOT 25, PLAN 43M-1202, WARD 2

The applicant is requesting the following variance(s):

1. To permit an interior side yard setback of 0.06m (0.20 ft.) to a below grade entrance whereas the by-law requires a minimum interior side yard width of 0.3m (0.98 ft.) to a below grade entrance provided that a continuous side yard width of no less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling;
2. To permit a driveway width of 7.3m (23.95 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);
3. To permit 0.36m (1.18 ft.) of permeable landscaping between the driveway and the side lot line whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping between the driveway and the side lot line;
4. To permit an existing accessory structure (shed) having setbacks of 0.16m (0.53 ft.) and 0.08m (0.26 ft.) to the nearest property lines whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure to the nearest property lines.

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

### 9.30. **A-2022-0243**

SUKHCHAIN SINGH

1 MESSINA AVENUE

LOT 44, PLAN M-1721, WARD 4

The applicant is requesting the following variance(s):

1. To permit a driveway width of 9.07m (29.76 ft.) whereas the by-law permits a maximum driveway width of 7.32m (24 ft.).

Mr. Sukhchain Singh, applicant and owner of the property, presented application A-2022-0243 briefly outlining the variances requested.

Committee acknowledged receipt of e-mail correspondence dated August 16, 2022 from Balvinder Suri, 2 Hiking Court detailing his concerns with Application A-2022-0243.

Ms. Saroj Yadav, 3 Messina Avenue addressed Committee advising that she has no concerns with the proposal.

Mr. Dhiren Mehta, 4 Olivia Marie Road addressed Committee advising that he has no issues with the application.

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: D. Doerfler

Seconded by: D. Colp

THAT application A-2022-0243 to permit a driveway width of 9.07m (29.76 ft.) 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 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

### 9.31. **A-2022-0244**

114 RAVENSWOOD DRIVE

ROSEBIR BATH, NIMAL BATH, GURMUKH BATH AND SOURAV RANA

LOT 25, PLAN M-1020, WARD 4

The applicants are requesting the following variance(s):

1. To permit a 0.07m (0.23 ft.) setback to a proposed below grade entrance whereas the by-law requires a minimum setback of 0.3m (0.98 ft.) to a below grade entrance in a required side yard provided a continuous side yard width of not less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling.

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

### 9.32. **A-2022-0245**

PAWAN KUMAR AND BALVINDER KUMAR

8 ALLEGRO DRIVE

LOT 60, PLAN 43M-1944, WARD 4

The applicants are requesting the following variance(s):

1. To permit a deck to encroach 3.17m (10.40 ft.) into a required rear yard, resulting in a rear yard setback of 4.33m (14.21 ft.), whereas the by-law permits a deck to encroach

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1.8m (5.91 ft.) into the required rear yard, resulting in a rear yard setback of 5.7m (18.70 ft.).

Mr. Pardeep Gogna, presented application A-2022-0245 briefly outlining the variances requested.

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

Mr. Gagna 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-2022-0245 to permit a deck to encroach 3.17m (10.40 ft.) into a required rear yard, resulting in a rear yard setback of 4.33m (14.21 ft.) be approved for the following reasons and subject to the following conditions:

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

### 9.33. **A-2022-0246**

The applicants are requesting the following variance(s):

1. To permit a below grade entrance within a required interior side yard whereas the by-law does not permit stairways constructed below established grade within a required interior side yard;
2. To permit an interior side yard setback of 0.26m (0.85 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.).

Mr. Pardeep Gogan, Rely Solutions, authorized agent for the applicant, presented application A-2022-0246 briefly outlining the variances requested.



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

Mr. Gogna 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-2022-0246 to permit a below grade entrance within a required interior side yard and to permit an interior side yard setback of 0.26m (0.85 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 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

### 10. **DEFERRED MINOR VARIANCE APPLICATIONS**

#### 10.1. **A-2022-0046**

MOHAMMAD FAISCAL MOLEDINA AND SAMIARA FAISAL MOLEDINA

38 AMBIANCE COURT

LOT 80, PLAN 43M-1885, WARD 4

The applicants are requesting the following variance(s):

1. To permit a covered porch to encroach 4.4m (14.44 ft.) into the required rear yard resulting in a rear yard setback of 3.1m (10.17 ft.) whereas the by-law permits a

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maximum covered porch encroachment of 1.8m (5.91 ft.) resulting in a rear yard setback of 5.7m (18.70 ft.);

2. To permit a driveway width of 8.2m (26.90 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

Ms. Kruti Shah, RJ Cad Solutions, authorized agent for the applicant, presented application A-2022-0046 briefly outlining the variances requested advising that since the application was previously deferred she has worked with staff. She explained that the revised proposal for a flat roof on the covered porch is supported by staff.

Committee was informed that City of Brampton planning staff was in support of this application, *in part*, with conditions. Staff did not propose support of the variance for the driveway width.

Committee observed that the dwelling is situated on a court location where there is no sidewalk. Committee noted that the permeable landscaping was in place and was prepared to support the driveway width, requesting a condition that would prevent a vehicle in the expanded area of the driveway. Staff noted that it is a condition that is difficult to enforce.

Following discussion, Ms. Shah 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: D. Colp

THAT application A-2022-0046 to permit a covered porch to encroach 4.4m (14.44 ft.) into the required rear yard resulting in a rear yard setback of 3.1m (10.17 ft.) and to permit a driveway width of 8.2m (26.90 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 portion of the driveway expansion in excess of the permitted 6.71m (22 ft.) located in the front of the porch stairs shall not be used for the parking of a motor vehicle or part of a motor vehicle;

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3. That the applicant submit a building elevation plan depicting a revised roof design for the covered porch. That plan shall be approved to the satisfaction of the Director of Development Services;
4. That failure to comply with and maintain the conditions of 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

### 10.2. **A-2022-0159 (Discussed concurrently with Application B-2022-0005, Agenda item 8.1)**

SHARON FABER

2716 BOVAIRD DRIVE WEST

PART OF LOT 11, CONCESION 6 W.H. S, WARD 6

The applicant is requesting the following variance(s) for construction of a new single detached dwelling and detached garage in conjunction with the proposed severed lot under Consent Application B-2022-0005:

1. To permit a lot area of 0.153 hectares whereas the by-law requires a minimum lot area of 0.4 hectares;
2. To permit a lot width of 23.43 metres whereas the by-law requires a minimum lot width of 45 metres for a lot having an area of 5 hectares or less;
3. To permit a side yard depth of 1.5 metres to a single detached dwelling whereas the by-law requires a minimum side yard depth of 7.5 metres;
4. To permit a main building (single detached dwelling) having a ground floor area of 92.9 square metres whereas the by-law requires a minimum ground floor area of 115 square metres for a main building that is more than one storey in height;
5. To permit a detached garage having a gross floor area of 83.54 sq. m (899.22 sq. m) whereas the by-law permits a maximum gross floor area of 48 sq. m (516.67 sq. ft.).

10.3. **A-2022-0160** (*Discussed concurrently with Application B-2022-0005, Agenda item 8.1*)

SHARON FABER

2716 BOVAIRD DRIVE WEST

PART OF LOT 11, CONCESION 6 W.H. S, WARD 6

The applicant is requesting the following variance(s) in conjunction with the proposed retained lot under Consent Application B-2022-0005:

1. To permit a lot area of 0.352 hectares whereas the by-law requires a minimum lot area of 0.4 hectares.

10.4. **A-2022-0189**

PIRATHEEBAN RANENDRARAJAH

29 LANGSTON DRIVE

PART OF LOTS 180 AND 181, PLAN M-303

PARTS 32 AND 64, PLAN 43R-10219, WARD 9

The applicant is requesting the following variance(s):

1. To permit an existing below grade entrance in a required interior side yard whereas the by-law does not permit a below grade entrance in a required interior side yard;
2. To permit a 0.90m (2.95 ft.) side yard setback to an existing below grade entrance whereas the by-law requires a minimum side yard setback of 1.2m (3.94 ft.).

Mr. Vivek Gupta, iTi Permits, authorized agent for the applicant, presented application A-2022-0189 briefly outlining the variances requested.

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

Mr. Gupta 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: D. Doerfler

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THAT application A-2022-0189 to permit an existing below grade entrance in a required interior side yard and to permit a 0.90m (2.95 ft.) side yard setback to an existing 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 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-2022-0242 WAS RECALLED (*Agenda item 9.29*)**

#### **A-2022-0242**

1000211038 ONTARIO INC.

21 CREEKWOOD DRIVE

LOT 25, PLAN 43M-1202, WARD 2

The applicant is requesting the following variance(s):

To permit an interior side yard setback of 0.06m (0.20 ft.) to a below grade entrance whereas the by-law requires a minimum interior side yard width of 0.3m (0.98 ft.) to a below grade entrance provided that a continuous side yard width of no less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling;

1. To permit a driveway width of 7.3m (23.95 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);
2. To permit 0.36m (1.18 ft.) of permeable landscaping between the driveway and the side lot line whereas the by-law requires a minimum of 0.6m (1.97 ft.) of permeable landscaping between the driveway and the side lot line;

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3. To permit an existing accessory structure (shed) having setbacks of 0.16m (0.53 ft.) and 0.08m (0.26 ft.) to the nearest property lines whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure to the nearest property lines

Mr. Tanvir Rai, Noble Prime Solutions, authorized agent for the applicant, presented application A-2022-0242 briefly outlining the variances requested.

Committee acknowledged receipt of e-mail correspondence dated August 16, 2022 from Richard Grieves, 13 Creekwood Drive detailing his concerns with Application A-2022-0242.

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

Mr. Rai 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:

D. Doerfler

Seconded by: D. Colp

THAT application A-2022-0242 to permit an interior side yard setback of 0.06m (0.20 ft.) to a below grade entrance; to permit a driveway width of 7.3m (23.95 ft.); to permit 0.36m (1.18 ft.) of permeable landscaping between the driveway and the side lot line and to permit an existing accessory structure (shed) having setbacks of 0.16m (0.53 ft.) and 0.08m (0.26 ft.) to the nearest property lines 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 from the accessory structure shall be directed onto the subject property and drainage not impact adjacent properties;
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-2022-0244 WAS RECALLED (*Agenda item 9.31*)**

**A-2022-0244**

114 RAVENSWOOD DRIVE

ROSEBIR BATH, NIMAL BATH, GURMUKH BATH AND SOURAV RANA

LOT 25, PLAN M-1020, WARD 4

The applicants are requesting the following variance(s):

1. To permit a 0.07m (0.23 ft.) setback to a proposed below grade entrance whereas the by-law requires a minimum setback of 0.3m (0.98 ft.) to a below grade entrance in a required side yard provided a continuous side yard width of not less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling.

Mr. Tanvir Rai, Noble Prime Solutions, authorized agent for the applicant, presented application A-2022-0244 briefly outlining the variance requested.

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

Mr. Rai 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-2022-0244 to permit a 0.07m (0.23 ft.) setback to a proposed below grade entrance be approved for the following reasons and subject to the following conditions:

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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### 10. **Adjournment**

Moved by: D. Doerfler

Seconded by: D. Colp

That the Committee of Adjustment hearing be adjourned at 10:23 am to meet again on Tuesday, September 13, 2022.

CARRIED