



## Minutes

### Committee of Adjustment

### The Corporation of the City of Brampton

**Tuesday, August 22, 2023**

Members Present:	Jarmanjit Singh Dehriwal (Chair) Baljit Mand (Vice-Chair) Jotvinder Sodhi (Vice-Chair) Ron Chatha Paul Khaira James Reed Sarbjeeet Saini Thisaliny Thirunavukkarasu Manoharan Vaithianathan Megan Fernandes Planning Technician, Planning, Building, and Growth Management
Staff Present:	Ross Campbell, Supervisor, Planning, Building, and Growth Management Alex Sepe, Supervisor, Development Services Ellis Lewis, Assistant Development Planner, Development Services Charles Ng, Planner, Development Services Clara Vani, Legislative Coordinator

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#### **1. Call to Order**

The meeting was called to order at 9:01 a.m. and adjourned at 11:32 a.m.

As this Committee of Adjustment Committee Meeting was conducted with electronic and in-person participation by Members of Committee, the meeting started with calling the roll for attendance at the meeting, as follows:

Members present during roll call: Jarmanjit Singh Dehriwal (Chair), Baljit Mand (Vice-Chair), Jotvinder Sodhi (Vice-Chair), Paul Khaira, James Reed, Sarbjeet Saini, and Manocharan Vaithianathan.

Members absent during roll call: Ron Chatha (arrived 9:10 a.m.), Thisaliny Thirunavukkarasu (arrived 9:10 a.m.),

**2. Adoption of Minutes**

Moved By: J. Sodhi

Seconded By: S. Saini

That the minutes of the Committee of Adjustment hearing held August 1, 2023 be approved, as printed and circulated.

Carried

**3. Region of Peel Comments**

Region of Peel Comments, dated August 14, 2023

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

Nil

**5. Withdrawals/Deferrals**

5.1 A-2023-0130

DI POCE MANAGEMENT LIMITED

0 Queen Street East

Committee acknowledged receipt of a letter dated August 3, 2023 from Celeste Salvagna, Di Poce Management Limited, authorized agent requesting withdrawal of the application.

That Application A-2023-0130 be withdrawn from consideration.

5.2 B-2023-0022

BENTALL GREEN OAK PRIME CANADIAN INVESTMENTS LLP

297 RUTHERFORD ROAD SOUTH AND 0 GLIDDEN ROAD

PART OF LOT 2, CONCENSSION 2 E.H.S, WARD 3

Committee acknowledged receipt of a letter dated August 18, 2023 from David McKay, MHBC Planning, Urban Design & Landscape Architecture, authorized agent for the applicant requesting that application be deferred.

Staff indicated support for a deferral to no later than the last hearing of October 2023.

Moved By: T. Thirunavukkarasu

Seconded By: J. Sodhi

That application B-2023-0022 be deferred no later than the last hearing of October 2023.

Carried

**6. NEW CONSENT APPLICATIONS**

6.1 B-2023-0022

BENTALL GREEN OAK PRIME CANADIAN INVESTMENTS LLP

297 RUTHERFORD ROAD SOUTH AND 0 GLIDDEN ROAD

PART OF LOT 2, CONCENSSION 2 E.H.S, WARD 3

**Dealt with under Withdrawals/Deferrals – see Item 5.2.**

**7. DEFERRED CONSENT APPLICATIONS**

7.1 B-2022-0027

AECON CONSTRUCTION AND MATERIALS LIMITED

45, 55 VAN KIRK DRIVE/12 CANAM CRESCENT

PART OF LOT 11, CONCESSION 1 W.H.S., WARD 2

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 60,192.90 square metres (6.02

hectares). The proposed severed lot has a frontage of approximately 112.09 metres (367.75 feet), a depth of approximately 118.63 metres (389.20 feet) and an area of approximately 6,457.97 square metres (0.65 hectares). The effect of the application is to establish two separate lots from the existing lot to facilitate the sale of the proposed severed lot for future development.

Mustafa Ghassan, authorized agent presented a brief outline of the nature of the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: J. Reed

Seconded By: B. Mand

That application B-2022-0027 is supportable, subject to the following conditions being imposed:

1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
2. The applicant shall provide a draft reference plan detailing property boundary for review prior to depositing;
3. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received;
4. Separate water, sanitary and storm services shall be provided for each lot in accordance with the Ontario Building Code and to the satisfaction of the Chief Building Official. Should services serving one lot cross the other, the appropriate easements shall be registered prior to the completion of the severance application and issuance of the Certificate from the COA Secretary Treasurer. A building permit is required for alteration to the existing services; and,
5. Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

Carried

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

8.1 A-2023-0218

VISHESH CHRISTIAN, HANNAH CHRISTIE

1 TERRICK ROAD

LOT 125, PLAN 43M-1949, WARD 5

The applicants are requesting the following variance(s):

1. To permit a maximum driveway width of 8.3m (27.23 feet)) whereas the by-law permits a maximum driveway width of 7.32m (24 feet);
2. To permit 0.0m of permeable landscaping abutting the side lot line whereas the by-law requires a minimum 0.6m (1.97 feet) of permeable landscaping abutting the side lot line;
3. To permit an accessory structure in the exterior side yard whereas the by-law does not permit an accessory structure in the exterior side yard.

Tanvir Rai, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: S. Saini

Seconded By: P. Khaira

That application A-2023-0218 is supportable in part, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision and in accordance with the conditions 2 and 3;
2. That Variance 1 be refused and that a maximum driveway width of 7.7m (25.26 ft.) be approved;
3. That Variance 2 to permit 0.0m of permeable landscaping abutting the side lot line whereas the by-law requires a minimum 0.6m (1.97 ft.) of permeable landscaping abutting the side lot line be refused; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.2 A-2023-0219

UGRAJ SINGH SANDHU, HARPREET KAUR SANDHU

3 GLADIOLUS STREET

LOT 68, PLAN 43M-2002, WARD 6

The applicants are requesting the following variance(s):

1. To permit a driveway width of 17.01m (55.80 feet) whereas the by-law permits a maximum driveway width of 7,32m (24 feet);
2. To permit 0m of permeable landscaping abutting the side lot line whereas the by-law requires a minimum 0.6m (1.97 feet) of permeable landscaping abutting the side lot line;
3. To permit an accessory structure (existing shed) having a setback of 0.39m (1.28 feet) to the rear lot line whereas the by-law requires a minimum 0.6m (1.97 feet) to the nearest lot line;
4. To permit an accessory structure (existing shed) having a setback of 0.41m (1.35 feet) to the side lot line whereas the by-law requires a minimum 0.6m (1.97 feet) to the nearest lot line;
5. To permit a combined gross floor area of 22.05 sq. m (237.34 sq. feet) for two (2) accessory structures (existing shed and existing gazebo) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. feet) for two (2) accessory structures.

Ravinder Singh, authorized agent was present online, highlighted the application and requested a deferral.

Staff supported deferral request to no later than last hearing of October 24, 2023.

Staff noted there is enforcement currently in process.

The agent agreed with deferral date suggested.

Moved By: J. Sodhi

Seconded By: S. Saini

That application A-2023-0219 be deferred no later than the last hearing of October 24, 2023.

Carried

8.3 A-2023-0220

MANDIP MANGAT, INDERJEET CHOPRA

66 BELLADONNA CIRCLE

LOT 61, PLAN 43M-1959, WARD 10

The applicants are requesting the following variance(s):

1. To permit an open roof porch to encroach 4.13m (13.54 ft) into the rear yard setback, resulting in a setback of 3.37m (11.06 ft) from the open roof porch to the rear lot line, whereas the by-law permits an open roof porch to encroach a maximum 1.8m (5.91 ft) into the rear yard setback, resulting in a required setback of 5.7m (18.70 ft) from the open roof porch to the rear lot line.

Kruti Shah, authorized agent was present online and highlighted the application content.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: M. Vaithianathan

Seconded By: J. Sodhi

That application A-2023-0220 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage from the accessory structure be directed onto the subject property and managed appropriately so as to not affect the subject property;
3. That drainage on adjacent properties not be adversely affected;
4. That the owner obtain a building permit for the existing open roofed porch addition 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;
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

8.4 A-2023-0221

SURESH ARUMUGAM, SIVASAKTHI MURUGESAN

33 JUNETOWN CIRCLE

LOT 129, PLAN 43M-1822, WARD 5

The applicants are requesting the following variance(s):

1. To permit a maximum driveway width of 7.79m (25.56 feet) whereas the by-law permits a maximum driveway width of 6.71m (22 feet).

The applicant was present and highlighted the application content.

Staff outlined the proposed conditions of the staff report.

The Committee Chair J. Dehriwal highlighted correspondence was received from a local resident, in opposition.

Bob-Lynn Thompson, Brampton Resident was present and expressed his concerns with the application encroaching on his property line, drainage and shortage of parking spots for the rental unit.

Member J. Reed inquired regarding the condition in regards to the the driveway width.

Member S. Saini commented that the City of Brampton homes require more flowers and grass.

Member J. Sodhi inquired if the homeowner requires additional parking.

The applicant noted he does not require additional parking.

Sue O'Hara, Brampton resident present online expressed opposition to the application.

Member J. Reed noted the application does not seem to “add up”, as there has been enforcement action for excess cars.

Staff noted there has been enforcement in the past but none currently.

The applicant agreed to the conditions.

Moved By: Sarbjeet Saini

Seconded By: James Reed



*That the application be declined application.*

Lost

Moved By: P. Khaira

Seconded By: B. Mand

That application A-2023-0221 is supportable in part, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That Variance 1 to permit a driveway width of 7.79m (25.56 ft) whereas the by-law permits a maximum driveway width of 6.71m (22 ft) be refused. Staff recommend that a maximum driveway width measuring 7.30 metres (23.98 ft.) be approved.
3. That the Owner/Applicant must obtain a Road Occupancy and Access Permit form the City of Brampton's Road Maintenance and Operations Section for any construction of works within the City's Road allowances; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.5 A-2023-0222

KULWINDER SINGH

4 BRISTOL AVENUE

LOT 57, PLAN 610, WARD 5

The applicants are requesting the following variance(s)

1. To permit a driveway width of 8.6m (28.22 feet) on the flankage lot line whereas the by-law permits a maximum driveway width of 6.71m (22 feet) on the flankage lot line;
2. To permit a combined driveway width of 11.6m (38.06 feet) whereas the by-law permits a maximum combined driveway width of 9.14m (30 feet).

Tanvir Rai, authorized agent was present online, highlighted the application and requested a deferral.

Staff supported the deferral request to no later than last hearing of October 24, 2023.

Margarita Hernandez, Brampton Resident of 11 Bristol Avenue, expressed her concerns with excessive speed, no sidewalk on the street resulting in residents walking on the street, safety of the children during school hours and in opposition with the expansion of the driveway.

Moved By: B. Mand

Seconded By: J. Sodhi

That application A-2023-0222 be deferred no later than the last hearing of October 24, 2023.

Carried

#### 8.6 A-2023-0223

KANTIBHAI PATEL PRATIKKUMAR, PRATIKKUMAR PATEL NIRALEE  
92 FLURRY CIRCLE

PART LOT 242, PLAN 43M-175, PART 25, PLAN 43R-2309, WARD 5

The applicants are requesting the following variance(s):

1. To permit a proposed exterior stairway leading to a below grade entrance in a required interior side yard whereas the by-law does not permit exterior stairs constructed below established grade in the required interior side yard; and
2. To permit an interior side yard setback of 0.05m (0.16 ft.) to a proposed exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2 metres (3.94 ft.).

Tanvir Rai, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: T. Thirunavukkarasu

Seconded By: S. Saini

That application A-2023-0223 is supportable, subject to the following conditions being imposed:

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

Carried

8.7 A-2023-0224

RAJWINDER SINGH, HARMIT KAUR CHAHAL

54 MIRABEL COURT

LOT 29, PLAN M-776, WARD 3

The applicants are requesting the following variance(s):

1. To permit a proposed exterior stairway leading to a below grade entrance in a required side yard, whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard.
2. To permit an interior side yard setback of 0m to a proposed 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).

Tanvir Rai, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: P. Khaira

Seconded By: M. Vaithianathan

That application A-2023-0224 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the applicant obtain a building permit for the below grade entrance within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
3. That drainage on adjacent properties should not be adversely affected;
4. That the below grade entrance shall not be used to access an unregistered second unit; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.8 A-2023-0225

EMILIO ACUNA ALVARADO

2 HOLLIS COURT

PART BLOCK A, PLAN 951, PARTS 130, 130A, PLAN 43R-1565, WARD 7

The applicant is requesting the following variance(s):

1. To vary Schedule 'C', Section 126 of the by-law to permit a two storey rear addition whereas the by-law requires that all buildings and structures be located in accordance with the building footprint outline on Schedule 'C', Section 126;
2. To permit lot coverage of 33.62% whereas the by-law permits a maximum lot coverage of 30%.

Jeremy Lambert, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: P. Khaira

Seconded By: M. Vaithianathan

That application A-2023-0225 is supportable, 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 shall contact the City's Forestry Department prior to initiating any proposed work;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.9 A-2023-0227

DIXIT GAUTAM, ANCHAL SHARMA, PRIKSHIT GAUTAM

38 HILLPATH CRESCENT

LOT 95, PLAN M1276, WARD 2

The applicants are requesting the following variance(s):

1. To permit a proposed exterior stairway leading to a below grade entrance in a required side yard, whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit an interior side yard setback of 0.13m to a proposed 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).

Arpana Saini, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: J. Sodhi

Seconded By: S. Saini

That application A-2023-0227 is supportable, subject to the following conditions being imposed:

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

Carried

8.10 A-2023-0228

HARWINDER SINGH BRAR, RAVINDERPAL KAUR

57 CONNOLLY CRESCENT

PART OF LOT 553, PLAN 43M-1691, PART 1, PLAN 43R-31141, WARD 9

The applicants are requesting the following variance(s):

1. To permit a proposed below grade entrance between the main wall of the dwelling and the flankage lot line whereas the by-law does not permit below grade entrances between the main wall of the dwelling and the flankage lot line;
2. To permit an exterior side yard setback of 2.36m (7 .74 ft) to a proposed below grade entrance whereas the by-law requires a minimum exterior side yard setback of 3.0m (9.84 ft).

Lekesh Verma, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: P. Khaira

Seconded By: J. Reed

That application A-2023-0228 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage on adjacent properties should not be adversely affected;
3. That the owner implement planting based on the revised site plan provided by the applicant (Appendix A) to adequately screen the below grade entrance and minimize visual impact on the streetscape 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; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.11 A-2023-0229

410-7 SHOPPING CENTRE LIMITED

12-150 WEST DRIVE

PART BLOCK A, PLAN 895, PART 1, PLAN 43R-11609, WARD 3

The applicant is requesting the following variance associated with a business (Value Village) operating from Unit 12:

1. To permit outside storage (trailer) whereas the by-law does not permit outside storage.

Paul Zegers, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: M. Vaithianathan

Seconded By: S. Saini

That application A-2023-0229 is supportable, 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 variance be approved for a temporary period of three (3) years from the final date of the Committee's decision;
3. That a maximum number of one (1) trailer be used for outside storage;
4. That the dimensions of the trailer be limited to 2.6m (8.5 ft.) x 16.0m (53.0 ft.) and a maximum height of 4.15m (13.6 ft.);
5. That the trailer only be used in conjunction with the operations of a retail establishment located in Unit 12; and

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

Carried

8.12 A-2023-0230

WAHEGURU MANAGEMENT INC.

68 EASTERN AVENUE

PART OF BLOCKS B. H AND R, PLAN 518, PARTS 3 AND 4, PLAN 43R-28803  
AND PART 2, PLAN 43R-32668, WARD 3

The applicant is requesting the following variance(s):

1. To permit a motor vehicle sales establishment whereas the by-law does not permit the use;
2. To permit motor vehicle repair whereas the by-law does not permit the use;
3. To permit a commercial school (truck driving school) whereas the by-law does not permit the use;
4. To permit outside storage of (trucks) whereas the by-law does not permit outside storage.

Laxman Patel, the authorized agent was present and highlighted the application and requested a deferral.

Staff read out the recommendation of the staff report to refuse due reasons which have been relayed to the applicant.

Staff would be agreeable to defer if the applicant would work with staff and amend the application to be in line with the MTSA.

Member J. Sodhi requested clarification with the application in conjunction with the guidelines of the Queen Street corridor.

The agent commented the Queen Street corridor is years away and the bylaws have not been implemented, and questioned how property owners can sustain themselves, and that by-laws may come in five years.

Member J. Sodhi noted there are guidelines and if the application is deferred work towards those guidelines.



Member J. Reed requesting clarification on amendment to the application if deferral is granted.

Laxman Patel, the authorized agent agreed that they would amend the application with the staff recommendations.

Moved By: J. Singh Dehriwal

Seconded By: B. Mand

*That application A-2023-0230 be deferred to last meeting of October 2023.*

Lost

Moved By: P. Khaira

Seconded By: M. Vaithianathan

That application A-2023-0230 be refused.

Carried

#### 8.13 A-2023-0231

JEEWAKE DUMINDA MEEMADUMA, NADEEKA MEEMADUMA

46 SADDLEBACK SQUARE

PART OF LOT 12, PLAN M-1527, PART 6 PLAN 43R-27970, WARD 5

The applicants are requesting the following variance(s):

1. To permit a proposed below grade entrance to be located within 13.7 metres of the Highway 7 right-of way, resulting in a rear yard setback of 13.18 metres whereas the by-law does not permit any buildings or structures to be located within 13.7 metres of the Highway 7 right-of-way.

Malav Shah, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

Dimitri Stefanou, Brampton Resident expressed his concerns with the effects on their house that is attached to the property.

The agent agreed with the conditions.

Moved By: J. Reed

Seconded By: S. Saini

That application A-2023-0231 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage on adjacent properties should not be adversely affected; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.14 A-2023-0232

JASVINDER RANDHAWA, PARMINDER RANDHAWA  
188 EARNSCLIFFE CIRCLE  
LOT 245, PLAN 765, WARD 7

The applicants are requesting the following variance(s):

1. To permit a proposed exterior side yard setback of 2.4m (7.87 ft) to a below grade entrance whereas the by-law requires a minimum exterior side yard setback of 3.0m (9.84 ft).

Dilpreet Singh, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: T. Thirunavukkarasu

Seconded By: S. Saini

That application A-2023-0232 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the existing accessory structures (sheds) be removed or relocated as depicted on the sketch attached to the notice of decision;
3. That drainage on adjacent properties should not be adversely affected;

4. That the below grade entrance shall not be used to access an unregistered second unit; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.15 A-2023-0237

AAMIR FIDA, QURAT UL AIN

49 TILLER TRAIL

PART LOT 85, PLAN M-1310, PART 5, PLAN 43R-24093, WARD 5

The applicants are requesting the following variance(s):

1. To permit a proposed exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairs constructed below established grade in the required interior side yard; and
2. To permit an interior side yard setback of 0.05m (0.16 ft) to the proposed 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).

Shivang Tarika, the authorized agent was present and highlighted the application and requested a deferral.

Staff had no objection to the deferral request.

The agent agreed with the deferral date.

Moved By: P. Khaira

Seconded By: B. Mand

That application A-2023-0237 be deferred no later than the last hearing of October 24, 2023.

Carried

8.16 A-2023-0238

GURPREET SINGH, NEHA KALSI

4 JEMIMA ROAD

LOT 123, PLAN 43M-2022, WARD 6

The applicants are requesting the following variance(s)

1. To permit a proposed exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairs constructed below established grade in the required interior side yard; and
2. To permit an interior side yard setback of 0.05m (0.16 feet) to the proposed exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 feet).

Shivang Tarika, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: J. Sodhi

Seconded By: P. Khaira

That application A-2023-0238 is supportable, subject to the following conditions being imposed:

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

Carried

8.17 A-2023-0239

VIKRAMJIT PAUDWAL, JASVINDER SEDHA

39 MADDYBETH CRESCENT

LOT 61, PLAN 43M-1651, WARD 6

The applicants are requesting the following variance(s):

1. To permit an exterior stairway leading to a below grade entrance in a required side yard whereas the bylaw does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit an interior side yard setback of 0m to the 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).

Shivang Tarika, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: S. Saini

Seconded By: T. Thirunavukkarasu

That application A-2023-0239 is supportable, 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 unit;
3. That drainage on adjacent properties shall not be adversely affected;
4. That the owner shall obtain a building permit for the below grade entrance within 60 days of the decision of approval or extended at the discretion of the Chief Building Official; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.18 A-2023-0240

35 AUTOMATIC ULC

35 AUTOMATIC ROAD

PART OF BLOCK 5, PLAN M-618, PART 1, PLAN 43R-21246, WARD 8

The applicant is requesting the following variance(s):

1. To permit outside storage that is not screened from view from the street by a fence, whereas the by-law requires that outside storage be screened from view from the street by a fence not less than 2.4 metres in height.

Andrew Walker, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

Frank Gerolin, President, Castlehill Insulation Inc., expressed his opposition to no fence being installed.

The agent agreed with the conditions.

Moved By: J. Reed

Seconded By: B. Mand

That application A-2023-0240 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the owner finalize site plan approval under City File SPA-2023-0078, 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.

Carried

8.19 A-2023-0241

MARKET SQUARE BRAMPTON INC.

24 QUEEN STREET EAST

LOTS 2 AND 3, PLAN BR-2, WARD 1

The applicant is requesting the following variance(s):

1. To permit a proposed accessory structure (Teepee) to be used for university student information whereas the by-law only permits an accessory structure for the purposes of parking motor vehicles, or the storage or disposal of garbage;
2. To permit a proposed accessory structure (Teepee) having a rear yard setback of 0.0m whereas the bylaw requires a minimum rear yard setback of 9.05m (30 ft); and
3. To permit a proposed accessory structure (Teepee) having a side yard setback of 1.382m whereas the bylaw requires a minimum side yard setback of 9.05m (30 ft).

Orla O'Donnell, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: J. Singh Dehriwal

Seconded By: P. Khaira

That application A-2023-0241 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision, in accordance with conditions 3 and 5;
2. That the applicant/owner finalize Limited Site Plan approval under City File SPA-2023-0075 to the satisfaction of the Director of Development Services;
3. That the applicant obtain a building permit prior to the construction of the proposed Teepee if the structure is closer than 3m to any part of the existing building or as determined by the Chief Building Official;
4. That the Owner/Applicant enter into an encroachment agreement with the City of Brampton;

5. That a side yard setback of 0.203m be approved as per the revised site plan provided in Appendix A of the staff report; and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.20 A-2023-0242

2537079 ONTARIO INC.

11499 THE GORE ROAD

PART OF LOT 16, CONC. 10 N.D., PART 4, PLAN 43R-38334, WARD 10

The applicant is requesting the following variance(s):

1. To permit a total of 13 parking spaces whereas the by-law requires a minimum 17 parking spaces.

Harpreet Singh Gill, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: J. Singh Dehriwal

Seconded By: B. Mand

That application A-2023-0242 is supportable, 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; and
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried



8.21 A-2023-0243

HARSIMRANJIT SINGH

46 SEAFAIR CRESCENT

LOT 60, PLAN 43M-1910, WARD 4

The applicant is requesting the following variance(s):

1. To permit a 0.9m (2.95 ft) wide pedestrian path of travel leading to the principal entrance of an additional residential unit whereas the by-law requires an unobstructed pedestrian path of travel having a minimum width of 1.2m (3.94 ft) leading to the principal entrance of an additional residential unit.

Harry Sahi, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

Harsimranjit Singh, Brampton Resident expressed his concerns with privacy damage to his property.

The agent agreed with the conditions.

Moved By: S. Saini

Seconded By: M. Vaithianathan

That application A-2023-0243 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage on adjacent properties should not be adversely affected;
3. That any objects located within the proposed path of travel leading to the rear yard be relocated, to ensure the provision of an unencumbered path of travel; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.22 A-2023-0244

2 BRAMKAY ST HOLDINGS ULC

2 BRAMKAY STREET

PART OF BLOCK 1, PLAN 43M-875, PARTS 2 AND 7, PLAN 43R-23993 AND  
PART 1, PLAN 43R-26027, WARD 8

The applicant is requesting the following variance(s):

1. To permit a total of 296 parking spaces whereas the by-law requires a minimum 403 parking spaces.

Applicant was not present when called. Committee deferred the application to the last meeting of December 2023.

Moved By: J. Singh Dehriwal

Seconded By: B. Mand

That application A-2023-0244 be deferred no later than the last hearing of December 2023.

Carried

8.23 A-2023-0245

BALKOO INC.

30 BROOKBANK COURT

PART OF LOT 15, CON 2 EHS, WARD 2

The applicant is requesting the following variance(s):

1. To vary Schedule 'C', Section 638 of the by-law to permit construction of a one storey addition (pool building, enclosed gazebo and stairs) whereas Schedule 'C', Section 638 of the by-law requires that all buildings and structures be in accordance with Schedule 'C', Section 638.

The applicant was not present when called. Committee considered deferral of the application to the meeting of October 3, 2023.

Moved By: B. Mand

Seconded By: S. Saini

That application A-2023-0245 be deferred to October 3, 2023.

8.24 A-2023-0246

THE HELICAN GROUP INC

5-7 SANDALWOOD PARKWAY

PART OF LOT 13, CONC. 1 WHS, WARD 2

The applicant is requesting the following variance(s):

1. To permit an office for health care practitioners whereas the by-law does not permit the use;
2. To permit a total gross floor area of 730 square metres for a grocery store whereas the by-law permits a maximum gross commercial floor area of 600 square metres;
3. To permit a minimum rear yard setback of 3.0m (9.84 ft) whereas the by-law requires a minimum rear yard setback of 6.0m (19.68 ft);
4. To permit an interior side yard setback of 2.5m (8.20 ft) whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft);
5. To permit an exterior side yard setback of 3.0m (9.84 ft) whereas the by-law requires a minimum exterior side yard setback of 6.0m (19.68 ft);
6. To permit a hydro transformer with a rear yard setback of 0.6m (1.97 ft) whereas the by-law requires hydro transformers to comply with the minimum required building setbacks of 6.0m(19.68 ft) to the rear lot line;
7. To permit retaining walls in the required exterior side yard landscape open space area whereas the bylaw does not permit retaining walls in the landscape open space areas.

Raj Lamichhane, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: T. Thirunavukkarasu

Seconded By: B. Mand

That application A-2023-0246 is supportable, 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-2022-0218, 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.

Carried

**9. DEFERRED MINOR VARIANCE APPLICATIONS**

9.1 A-2023-0056

ABHISHEK SINGH TANWAR AND MANISHA TANWAR

24 GRAND RIVER COURT

PART OF BLOCK G, PLAN M-95, PARTS 53, 53A AND 53B, PLAN 43R-3631,  
WARD 8

The applicants are requesting the following variance(s):

1. To vary Schedule 'C', Section 128 of the by-law to permit a carport located outside the approved building envelope whereas the by-law requires that all buildings be constructed in accordance with Schedule 'C', Section 128 to the by-law;
2. To permit an existing accessory structure (shed) having a setback of 0.54m (1.78 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot lines for an accessory structure.

Shivang Tarika, the authorized agent was present and highlighted the application and requested a deferral.

Staff outlined the proposed conditions of the staff report. Staff in agreeance to the deferral no later then the last meeting in December 2023.

Member J. Reed put forward a motion to support the staff recommendations.

Moved By: J. Reed

Seconded By: J. Singh Dehriwal

That application A-2023-0056 is supportable in part, subject to the following conditions being imposed:

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

Carried

## 9.2 A-2023-0118

EBRAHIM INVESTMENTS INC.

0 VICTORIA CRESCENT

PART OF BLOCK B, PLAN 636, PARTS 1, 6, SAVE AND EXCEPT PARTS 1, 2, PLAN 43R-17666, WARD 7

The applicant is requesting the following variance(s):

1. To permit the outside storage of oversized motor vehicles not operating in conjunction with a business located within a building on the same lot whereas the by-law does not permit outside storage as a permitted use;
2. To permit a fence in the front yard whereas the by-law does not permit a fence in the front yard.

Andrew Walker, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The Committee Chair J. Dehriwal highlighted correspondence was received from a local resident, in opposition.

The agent agreed with the conditions.

Moved By: J. Reed

Seconded By: B. Mand

That application A-2023-0118 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That Variances 1 and 2 be approved for a temporary period of five (5) years from the date of Site Plan Approval;
3. That a site plan application shall be submitted within 90 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services;
4. That no outside storage of materials or equipment other than oversized motor vehicles (trucks and trailers) shall occur on the property at any time; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

9.3 A-2023-0163

KIRANKUMAR PATEL AND PURVI PATEL

10 DALKEITH COURT

LOT 116, PLAN 43M-1931, WARD 4

The applicants are requesting the following variance(s):

1. To permit a commercial school (tutoring classes for a maximum of seven students) as a home occupation whereas the by-law does not permit a home occupation where the occupation creates a nuisance;
2. To permit an increased area of 16.04% for a home occupation whereas the by-law permits a maximum of 15%.

Arshad Siddiqui, the authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: J. Sodhi

Seconded By: B. Mand

That application A-2023-0163 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That Variances 1 and 2 be permitted for a temporary period of two (2) years;
3. That the commercial school (tutoring classes) be restricted to a maximum of seven (7) students at a time;
4. That the owners of the home occupation ensure that drop off and pick up of students occurs on site and in a manner that does not negatively impact the flow of traffic on Dalkeith Court; and
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

#### **10. Adjournment**

Moved By: J. Singh Dehriwal

Seconded By: B. Mand

That the Committee of Adjustment Committee be adjourned at 11:32 a.m. to meet again on Tuesday September 12, 2023, at 9:00 a.m. or at the call of the Chair.

Carried