



Minutes

Committee of Adjustment

The Corporation of the City of Brampton

Tuesday, October 3, 2023

Members Present: Jarmanjit Singh Dehriwal (Chair)
Baljit Mand (Vice-Chair)
Jotvinder Sodhi (Vice-Chair)
Paul Khaira
James Reed
Sarbjeeet Saini
Thisaliny Thirunavukkarasu

Members Absent: Ron Chatha
Manoharan Vaithianathan

Staff Present: Ross Campbell, Manager, Zoning and Sign By-Law Services
Francois Hemon-Morneau, Supervisor, Planning, Building and Growth Management
Megan Fernandes Planning Technician, Planning, Building, and Growth Management
Ellis Lewis, Assistant Development Planner, Development Services
Charles Ng, Planner, Development Services
Satwant Hothi, Planner, Planning, Building, and Growth Management
Peter Fay, City Clerk
Clara Vani, Legislative Coordinator

1. Call to Order

The meeting was called to order at 9:01 a.m. and adjourned at 11:02 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) (arrived at 9:06 a.m.), Paul Khaira, James Reed, Sarbjeet Saini, and Thisaliny Thirunavukkarasu

Members absent during roll call: Manocharan Vaithianathan (personal), and Ron Chatha(personal).

2. Adoption of Minutes

2.1 Minutes - Committee of Adjustment - August 22, 2023

Moved By: S. Saini

Seconded By: B. Mand

That the minutes of the Committee of Adjustment hearing held August 22, 2023 be approved, as printed and circulated.

Carried

2.2 Minutes - Committee of Adjustment - September 12, 2023

Moved By: S. Saini

Seconded By: B. Mand

That the minutes of the Committee of Adjustment hearing held September 12, 2023 be approved, as printed and circulated.

Carried

3. Region of Peel Comments

3.1 Region of Peel Comments, dated September 25, 2023

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

Nil

5. Withdrawals/Deferrals

5.1 A-2023-0188

GAGANDEEP SINGH, PARAMJIT KAUR

47 DRAKE BLVD.

LOT 162, PLAN 809

Committee acknowledged receipt of a letter dated September 19, 2023 from Gagandeep Singh, requesting withdrawal of the application.

Committee advised there is no refund provision.

The Chair advised the application is withdrawn.

That Application A-2023-0188 be withdrawn from consideration.

5.2 A-2023-0276

2778830 ONTARIO LTD.

2548 EMBLETON ROAD

PART OF LOT 6, CONC 6, WHS, WARD 6

Committee acknowledged receipt of a letter dated September 29, 2023 from Andrew Walker, Gagnon Walker Domes Ltd., authorized agent for the applicant requesting that application be deferred.

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

Moved By: T. Thirunavukkarasu

Seconded By: S. Saini

That application A-2023-0276 be deferred no later than the last hearing of November 2023.

Carried

5.3 A-2023-0282

TEN LIGHTBEAM PROPERTY INC. C/O RAJKUMAR GANDHI

16-10 LIGHTBEAM TERRACE

BLK 86, PLAN M-2002, WARD 6

Committee acknowledged receipt of a letter dated October 2, 2023 from Chetan Dalal, authorized agent for the applicant requesting that application be deferred.

Staff indicated support for a deferral to the next hearing of October 24, 2023.

Moved By: S. Saini

Seconded By: B. Mand

The application A-2023-0282 be deferred to the next hearing of October 24, 2023.

Carried

6. NEW CONSENT APPLICATIONS

6.1 B-2023-0024

FIRST GULF BUSINESS PARK INC.

535-547 STEELES AVENUE EAST AND 59 FIRST GULF BLVD.

PT BLK 1&7, PLAN 43M-947, WARD3

The purpose of the application is to request consent to re-establish separate properties arising from a merger of adjacent lots. The severed property has a frontage of approximately 114.85 metres (376.80 feet), a depth of approximately 230.06 metres (754.79 feet) and an area of approximately 26,170 square metres (6.47 acres). It is proposed that the properties municipally known as 535-547 Steeles Avenue East and 59 First Gulf Boulevard, each occupied by industrial and commercial buildings be re-established as individual properties.

Nicole Guadagnoli, First Gulf Corporation, authorized agent present online, 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: T. Thirunavukkarasu

Seconded By: J. Reed

That application B-2023-0024 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; and
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.

Carried

7. DEFERRED CONSENT APPLICATIONS

7.1 B-2023-0020

CABBAGE PATCH DEVELOPMENTS INC.

35 WORTHINGTON AVENUE

PT. BLK 114, PLAN 43M-1471, WARD 6

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 6.35 hectares (15.39 acres); together with easements for access (ingress/egress/internal driveway connections), servicing (water/storm/sanitary/gas) and overland flow for both the proposed severed and retained lands. The proposed severed parcel has a frontage of approximately 52.5 metres (172.24 feet), a depth of approximately 304.6 metres (1000 feet) and an area of approximately 5.24 hectares (12.94 acres). It is proposed that the severed parcel (Site A) be conveyed as a separate parcel for commercial purposes.

Emma Blanchard, authorized agent was present and presented an outline of the nature of the application. Advised the applicant will create easements to continue to allow both properties to operate.

Member Jotvinder Sodhi, inquired regarding parking and the overflow between the two locations.

Emma Blanchard, authorized agent, advised the application was just permitting separate owners but business as usual. Parking would not be an issue.

Staff outlined the proposed conditions of the staff report.

The agent agreed with the conditions.

Moved By: B. Mand

Seconded By: J. Reed

That application B-2022-0020 is supportable, subject to the following conditions being imposed:

1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
2. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received;
3. The owner of the Retained Lands ("Site B and Site B.1, also known as PINs 14254-8889, 14254-0901 and part of 14254-8887") shall register a section 118 restriction under the Land Titles Act on the Retained Lands restricting the transfer or charge of anything less than the entirety of the Retained Lands without the written consent of the Corporation of the City of Brampton, and/or the council for the Corporation of the City of Brampton shall by by-law designate Block 324 on Plan 43M-1386 (PIN 14254-0901) as to be deemed not to be part of registered plan of subdivision for the purposes of subsection 50(3) of the Planning Act ("Deeming By-law").
4. The owner of the Retained Lands shall provide a written consent to the Corporation of the City of Brampton that the owner consents to the council for the Corporation of the City of Brampton passing the Deeming By-law;
5. If the owner of the Retained Lands through an application submitted pursuant section 46(2) of the Land Titles Act converts PIN 14254-8889 from LT Conversion Qualified (LTCQ) to Land Titles Absolute Plus, then the owner shall submit an application to consolidate the PINs of the Retained Lands;
6. Building sewers and water service piping serving buildings that are not located within the same property may be interconnected if the owners of the properties and the municipality enter into an agreement that is registered against the title to which it applies to the satisfaction of the Chief Building Official;
7. The applicant shall provide a draft reference plan detailing property boundaries and all easements for review prior to depositing;

8. As a condition of severance, there is to be a mutual access easement between the retained and the severed parcels. The Owner shall agree to hold the City harmless in this regard and hereby waives and releases the City from any claim for compensation, injurious affection or other damages, claims, demands, losses, costs, suits or other proceedings by anyone arising or which may arise as a result of such access arrangements. In this regard, the Owner shall submit the following to the Traffic Planning group for approval and copy the Legal Services Division:
 - a. A draft reference plan;
 - b. A draft reference plan overlaid onto the proposed site plan, showing only the subject site depicting a separate part(s) where the pedestrian easement is to be conveyed;
 - c. A memorandum to the Traffic Planning group setting out the part(s) on the draft reference plan that are to be conveyed and copied to Legal Services Division; and
 - d. Upon approval of the draft reference plan by the City's Traffic Planning group, arrange for the Surveyor to have the draft reference plan deposited at the Land Registry Office of Peel.
9. 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;
10. Satisfactory arrangement shall be made between the owner and the Region regarding land dedication and access configuration; and
11. Prior to releasing Regional Clearance of Consent Approval, a non-refundable processing fee of \$1,435.00 is required as per the Region's User Fees and Charges By-law (5-2023).

Carried

8. NEW MINOR VARIANCE APPLICATIONS

8.1 A-2023-0055

1000004087 ONTARIO INC.

15 HALE ROAD

PART LOT 1, CON 2, EHSCH PT 1, WARD 3

The applicant is requesting the following variance(s):

1. To allow for motor vehicle sales as a permitted use, whereas motor vehicle sales is not permitted;
2. To allow for 9 parking spots, whereas a minimum of 23 parking spaces are required; and
3. To allow for the outside storage and display of motor vehicles for sale to be located in the front yard, whereas no outside storage is permitted unless in a rear or interior side yard and such storage shall be screened from view by a solid fence.

Tanvir Rai, Noble Prime Solutions Ltd., authorized agent was present online requested a deferral of the application due to additional parking studies need to be completed.

Staff agreed to the deferral no later than the last hearing of January 2024.

The agent agreed with the proposed timing of the deferral.

Moved By: J. Reed

Seconded By: B. Mand

That application A-2023-0055 be deferred no later than the last hearing of January 2024.

Carried

8.2 A-2023-0262

JINGYU MA

23 MANORCREST STREET

LOT 53, PLAM M-72, WARD 7

The applicant is requesting the following variance(s):

1. To permit a driveway width of 9.14 metres, whereas the bylaw permits a maximum driveway width of 6.71 metres; and
2. To permit 0 metre of permeable landscaping abutting the side lot line, whereas the bylaw requires a minimum 0.6 metres of permeable landscaping abutting the side lot line.

Joe Asensio, the authorized agent was present and highlighted the application. The agent noted that permeability should not be an issue.

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

Moved By: S. Saini

Seconded By: B. Mand

That application A-2023-0262 be refused.

Carried

8.3 A-2023-0267

DHANSUKHBHAI AHIR, LAXMIBAHEN AHIR

140 MOFFATT AVENUE

LOT 34, PLAN 43M-958, WARD 4

The applicant is requesting the following variance(s):

1. To provide a 8.15 metre wide driveway whereas the by-law permits a maximum driveway width of 6.71 metre;
2. To provide a lot coverage of 36% whereas the by-law permits a maximum lot coverage of 30%;

3. To provide a 0.28 metre side yard setback to an existing open roofed porch whereas the by-law requires a minimum setback of 1.2 metre; and
4. To provide a 0.86 metre wide path of travel leading to an existing primary entrance for a existing second unit whereas the by-law requires a minimum path of travel width of 1.2 metre.

Dhansukhbhai Ahir, the applicant was present and highlighted the application content.

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the proposed conditions of the staff report.

Member B. Mand inquired if permission of the pathway to the backyard can be granted.

Staff advised similar circumstances in the past and residents do not comply.

The Committee Chair J. Dehriwal inquired if enforcement action has taken place.

Staff advised there has been parking complaints in regard to the width of the driveway.

The Committee Chair J. Dehriwal indicated intention to support the staff recommendations.

Moved By: J. Reed

Seconded By: J. Sodhi

That application A-2023-0267 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 the owner obtain a building permit for the as-built open-roofed porch within sixty (60) days of the Committee's decision or extended at the discretion of the Chief Building Official;
3. That drainage on adjacent properties shall not be adversely affected and that drainage from the proposed roof must flow onto the applicant's property;
4. That variance 1 to permit a driveway width of 8.15m (26.74 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.) be refused; and

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

Carried

8.4 A-2023-0268

2599157 ONTARIO INC.

3 WALKER DRIVE

BLOCK 6, PLAN 43M-643, WARD 8

The applicant is requesting the following variance(s):

1. Building A: To permit a warehouse building having a building height of 14.4 metres, whereas the by-law permits, for lands located north of Steeles Avenue, no building or structure shall be higher than 9.0 metres above established grade if the building or structure is located within 178 metres east of the easterly limits of Torbram Road;
2. Building B: To permit a warehouse building having a building height of 11 metres, whereas the by-law permits, for lands located north of Steeles Avenue, no building or structure shall be higher than 9.0 metres above established grade if the building or structure is located within 178 metres east of the easterly limits of Torbram Road; and
3. To permit a total of 53 parking spaces, whereas the by-law requires a minimum 57 parking spaces.

Nicholas Dell, Harper Dell & Associates, authorized agent was present online and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved By: T. Thirunavukkarasu

Seconded By: J. Sodhi

That application A-2023-0268 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 SP18-095.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.5 A-2023-0270

HARPRIT MARAHRH, VARINDERPAL GILL

27 SANFORD CRESCENT

LOT 42-43, PLAN 43M-608, WARD 5

The applicant is requesting the following variance(s):

1. To permit a conversion of an existing garage into a garden suite (third unit) in the rear yard;
2. To permit an interior side yard setback of 1.22 metres to a proposed garden suite, whereas the by-law permits a 1.8 metre setback;
3. To permit a rear yard setback of 1.83 metres to a proposed garden suite, whereas the by-law permits 2.5 metres;
4. To permit a setback of 2.44 metres to the principal dwelling to a proposed garden suite. whereas the by-law permits 3 metres; and
5. To permit a lot coverage of 33.52 percent. whereas the by-law permits a maximum coverage of 30 percent.

Dinesh Butani, authorized agent was present and highlighted the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

John McElroy Brampton resident expressed the concern that all the green space was removed and replaced with cement. The tree on the property was removed to accommodate additional parking. The street parking in the area is a safety concern for the school children.

Paul Mederios, Brampton Resident, inquired what a garden suite was.

Staff advised that the garden suite would be a third unit and requires an additional parking spot.

Member J. Reed recommended a complaint be filed in regards to the tree with the City of Brampton.

Member J. Sodhi encouraged the residents to contact the City of Brampton with any future concerns.

The Committee Chair J. Dehriwal expressed that the garden suites are the new normal and the city will be seeing many more in the near future.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved By: B. Mand

Seconded By: S. Saini

That application A-2023-0270 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 submit a Garden Suites Architectural Control Review Application prior to the submission of a building permit application;
3. That the portion of the existing driveway extending beyond the rear wall of the main dwelling and leading to the proposed garden suite be removed and reinstated with permeable landscaping;
4. That no openings, including windows and doors shall be permitted in a wall of the garden suite within 2m of a property line.
5. That drainage on adjacent properties should not be adversely affected;
and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.6 A-2023-0271

JAGAT SINGH KAINтура, REKHA KAINтура

6 BLACKSTONE RIVER DRIVE

LOT 69, PLAN 43M-1946, WARD 9

The applicant is requesting the following variance(s):

1. To permit a below grade entrance to be located within a required interior side yard, whereas the bylaw does not permit any stairs constructed below the established grade within a required side yard;
2. To allow for a reduced interior side yard setback of 0.21 metre to below grade stairs resulting in a combined side yard setback of 0.83 metre, whereas the bylaw requires a minimum combined side yard setback of 1.8 metre; and
3. To permit a maximum driveway width of 6.81 metre, whereas the bylaw permits a maximum driveway width of 5.2 metre.

Anju Bhutani, authorized agent was present online and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved By: J. Reed

Seconded By: T. Thirunavukkarasu

That application A-2023-0271 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 below grade entrance shall not be used to access an unregistered second unit;
3. That drainage on adjacent properties not be impacted; 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-2023-0272

STACYANN BROOKS

34 HERKLEY DRIVE

LOT 515, PLAN 911, WARD 1

The applicant is requesting the following variance(s):

1. To permit a rear yard setback of 5.52 metres to proposed addition, whereas the bylaw requires a minimum rear yard setback of 7.62 metres; and
2. To permit a coverage of 34.64 percent, whereas the bylaw permits a maximum coverage of 30 percent.

Dony Mariya, authorized agent was present online and highlighted the application.

Donna Samuels, Brampton Resident inquired how this application would affect her.

Staff advised the notice was received due to the 60 metre notification radius.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved By: T. Thirunavukkarasu

Seconded By: S. Saini

That application A-2023-0272 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That the applicant contact City's Forestry Department to review any existing trees effected by the proposed work 'prior to' the construction of the proposed addition; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.8 A-2023-0274

MANJIT SAFRI, AMANDEEP MAHAL

4 RIVER ROAD

LOT 6, PART 1, PLAN 43R036036, WARD 6

The applicant is requesting the following variance(s):

1. To permit an interior side yard setback of 3.04 metres to a proposed deck, whereas the bylaw requires a minimum interior yard setback of 7.5 metres.

Maninder Mahal, authorized agent was present and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved By: P. Khaira

Seconded By: S. Saini

That application A-2023-0274 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 and the subject property shall 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

8.9 A-2023-0275

PAVITTER SINGH BOPARAI, RAMANDEEPSINGH BAINS

41 OCEAN RIDGE DRIVE

LOT 115, PLAN M-1667, WARD 10

The applicant is requesting the following variance(s):

1. To permit a proposed exterior stairway leading to a below grade entrance located between the main wall of the dwelling and the flankage lot line,

whereas the bylaw does not permit a stairway constructed below established grade to be located between the main wall of a dwelling and the flankage lot line; and

2. To permit a proposed exterior side yard setback of 1.83 metres to a stairway leading to a below grade entrance, whereas the bylaw requires a minimum exterior side yard setback of 3 metres.

Tanvir Rai, Noble Prime Solutions Ltd., authorized agent was present online and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved By: J. Reed

Seconded By: B. Mand

That application A-2023-0275 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 proposed fence used to screen the below grade entrance be constructed as depicted on the sketch, and shall not be removed or lowered, but may be repaired or replaced when necessary;
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

8.10 A-2023-0276

2778830 ONTARIO LTD.

2548 EMBLETON ROAD

PART OF LOT 6, CONC 6, WHS, WARD 6

The applicant is requesting the following variance(s):

1. To permit a banquet hall use, whereas the bylaw does not permit a banquet hall; and
2. To permit landscaping and buildings not as per Schedule C, whereas the bylaw only permits buildings and landscaping as per Schedule C.

This item was brought forward and dealt with under Item 5.2 - A-2023-0276

8.11 A-2023-0277

KINGS VISTA CONDOS INC., C/O PRABJEET CHHABRA

65 KINGS CROSS ROAD

PT BLK B, PLAN 962, WARD 7

The applicant is requesting the following variance(s):

1. To permit a 1.6 metre interior side yard setback to a hydro transformer, whereas the bylaw requires a minimum interior side yard setback of 8.1 metres;
2. To permit a 2.3 metre rear yard setback to an intake shaft, whereas the bylaw requires a minimum rear yard setback of 5.0 metre to an air intake shaft; and
3. To provide a 4.0 metre setback to the daylight triangle whereas the by-law requires a minimum setback of 5.0 metre.

Jadeon Senkowski, Glen Schnarr & Associates Inc., authorized agent was present and highlighted the application.

Member J. Sodhi inquired regarding visibility and safety of others at the intersection.

Staff advised there would be no reduction to the daylight triangle.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved By: J. Reed

Seconded By: S. Saini

That application A-2023-0277 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 through the Site Plan Application Number SPA-2022-0117, the applicant shall implement additional vegetation screening along the east and south property lines in order to screen the airshafts and transformer from the public view;
3. That the owner finalize site plan approval under City File SPA-2022-0117, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.12 A-2023-0278

MANDEEP SINGH REHAL

36 TOPIARY LANE

LOT 148, PLAN 43M-1491, WARD 6

The applicant is requesting the following variance(s):

1. To permit a reduced exterior side yard setback of 2.49m to a proposed below grade entrance, whereas the bylaw requires a minimum exterior side yard setback of 3.0 metres; and
2. To permit a below grade entrance to be located between a main wall of a dwelling and the flankage lot line, whereas the bylaw does not permit a below grade entrance to be located between a main wall of a dwelling and the flankage lot line.

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

The Committee Chair J. Dehriwal highlighted correspondence received.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved By: B. Mand

Seconded By: T. Thirunavukkarasu

That application A-2023-0278 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. The below grade entrance shall not be used to access an unregistered second unit;
3. That the fence remain in the existing location and height and not be removed or lowered to minimize visual impact on the streetscape; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.13 A-2023-0279

WAHEGURU MANAGEMENT INC.

68 EASTERN AVENUE

LOT 5, CON 2, EHS PLAN 518, WARD 3

The applicant is requesting the following variance(s):

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

Laxman Patel, authorized agent was present and highlighted the application and requesting a temporary relief.

Member B. Mand suggested to provide a temporary relief of a year or two.

Member J. Sodhi advised the committee to hear the staff recommendations.

Member J. Sodhi stated the same application was before the Committee at the last meeting and there was no changes made to the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Rob Tavares, Brampton Resident, expressed his concerns regarding safety. The trucks parked in the area have to be removed from the road. Rob Tavares has no objection to their business.

Staff outlined the reasons for refusal of the application that were discussed with the applicant. Application is in conflict with long term future developments. Small changes made to the previous application submitted A-2023-0230.

Member J. Sodhi commented that public safety is a high priority.

Committee Chair J. Dehriwal inquired regarding the grandfathering of the business.

Staff advised the business would have to be continuous use with no interruption.

Member J. Sodhi inquired if ownership changes does the business continue.

Staff advised permission would continue as long as use does not change.

Committee Chair J. Dehriwal inquired if the use has changed.

Staff advised the use has changed. There has been three additional uses implemented.

Committee Chair J. Dehriwal inquired if a one year exception could be given.

Staff advised to refuse the application and the applicant should go through Council to request a temporary use permit.

Moved By: J. Reed

Seconded By: P. Khaira

That application A-2023-0279 be refused.

Carried

8.14 A-2023-0280

VIJAY PAL SINGH BHULLAR, SUKHPREET BARIAR

49 ROYCE AVENUE

LOT 2, PLAN 429, WARD 3

The applicant is requesting the following variance(s):

1. To permit a reduced path of travel of 1.19 metre for a principal entrance for the second unit, whereas the by-law requires a minimum unobstructed path of travel measuring no less than 1.2 metre is required; and
2. To permit an interior side yard setback of 0.1 metre to a proposed below grade entrance, whereas the by-law requires a minimum 0.3 metre setback to exterior stairway leading to a below grade entrance in the interior yard provided that a continuous side yard width of no less than 1.2 metre is provided on the opposite side of the dwelling.

Chetan Dalal, authorized agent was present online and highlighted the application.

The Committee Chair J. Dehriwal highlighted correspondence received.

Warren Fernandez, Brampton Resident, present online expressed his objection to the proposal as it will affect his property. Any provisions implemented in regard to parking and additional traffic.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved By: S. Saini

Seconded By: B. Mand

That application A-2023-0280 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 below grade entrance shall not be used to access an unregistered second unit
3. That drainage on adjacent properties not be impacted; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.15 A-2023-0281

KIN MING YAU

13 GOLDEN GATE DRIVE

PARTS 61, 61A, PLAN 88, WARD 8

The applicant is requesting the following variance(s):

1. To vary Schedule C, Section 128 of the bylaw to permit a 4.27 metre roof structure encroachment over an existing landscape deck into the required rear yard, whereas the bylaw permits a 2 metre roof structure encroachment into the required building footprint outline on Section C - Section 128; and
2. To permit a lot coverage of 26.6%, whereas the bylaw permits a maximum lot coverage of 25%.

Chetan Dalal, authorized agent was present online and highlighted the application.

Staff outlined the proposed conditions of the staff report.

The authorized agent agreed to the conditions.

Moved By: J. Sodhi

Seconded By: T. Thirunavukkarasu

That application A-2023-0281 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 shall obtain building permits for the existing structure within 60 days of the decision of approval, or as extended at the discretion of the Chief Building Official; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Carried

8.16 A-2023-0282

TEN LIGHTBEAM PROPERTY INC. C/O RAJKUMAR GANDHI

16-10 LIGHTBEAM TERRACE

BLK 86, PLAN M-2002, WARD 6

The applicant is requesting the following variance(s):

1. To permit a retail area of 37.88 % of the total gross floor area of the associated use, whereas the bylaw permits a maximum retail area of 15% of the total gross floor area of the associated use.

This item was brought forward and dealt with under Item 5.3 - A-2023-0282

9. DEFERRED MINOR VARIANCE APPLICATIONS

Nil

10. Adjournment

Moved By: J. Reed

Seconded By: J. Sodhi

That Committee do now adjourn to meet again for a Regular Meeting of the Committee of Adjustment on October 24, 2023 at 9:00 a.m. or at the call of the Chair.

J. Singh Dehriwal, Chair

C. Vani, Secretary-Treasurer