



## Report Committee of Adjustment

**Filing Date:** December 16, 2024

**Hearing Date:** February 25, 2025

**File:** A-2024-0463

**Owner/  
Applicant:** Chandrekant Doulat (Ken), Surendra Doulat (Kalinie)  
Phill McFadden, C/O Building Consulting Services

**Address:** 1 Riva Ridge Drive

**Ward:** WARD 10

**Contact:** Annie Thomson, Planning Technician

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### **Recommendations:**

That application A-2024-0463 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 shall not be adversely affected;
  3. That the Owner/Applicant obtain a building permit for the existing gazebo and proposed golf simulator within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official; and
  4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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### **Background:**

#### Existing Zoning:

The property is zoned 'Residential Single Detached A – Special Section 1772 (R1A-1772)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a combined gross floor area of 50.52 square metres (543.79 square feet) for two (2) accessory structures, whereas the by-law permits a maximum combined gross floor area of 20 square metres (215.27 square feet) for two (2) accessory structures;
2. To permit an accessory structure (existing gazebo, relocated) having a gross floor area of 22.23 square metres (239.28 square feet), whereas the by-law permits a maximum gross floor area of 15 square metres (161.45 square feet) for an individual accessory structure;
3. To permit an accessory structure (proposed golf simulator) having a gross floor area of 28.29 square metres (304.51 square feet), whereas the by-law permits a maximum gross floor area of 15 square metres (161.45 square feet) for an individual accessory structure; and
4. To permit an accessory structure (proposed golf simulator) having a height of 4.5 metres (14'-9"), whereas the by-law permits an accessory structure having a maximum height of 3.0 metres in all other residential zones.

### **Current Situation:**

#### 1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated as 'Residential' in the Official Plan and further designated as 'Low Density Residential 1' in the Vales of Castlemore North Secondary Plan (Area 49).

The subject property is also designated as 'Community Areas' (Schedule 1A – City Structure) and 'Neighbourhoods' (Schedule 2 – Designations) in the Brampton Plan. On May 16th, 2024, the Region of Peel formally issued a notice of approval with modifications for the City of Brampton's new Official Plan, known as the 'Brampton Plan.' The Plan was scheduled to take effect on June 6th, 2024, except for any sections that may be subject to appeal. Schedules 1A and 2 have been appealed on a city-wide basis, and therefore, the 2006 Official Plan designations are in effect until the appeal is resolved.

The requested variances relate to the number and size of accessory structures to be constructed in the rear yard of a residential property. They are not considered to have significant impacts within the context of the Official Plan policies. The requested variances are considered to maintain the general intent and purpose of the Official Plan.

#### 2. Maintains the General Intent and Purpose of the Zoning By-law

Variance 1 is requested to permit a combined gross floor area of 50.52 square metres (543.79 square feet) for two (2) accessory structures, whereas the by-law permits a maximum combined gross floor area of 20 square metres (215.27 square feet) for two (2) accessory structures. Variance 2 is requested to permit an accessory structure (existing gazebo, relocated) having a gross floor area of 22.23 square metres (239.28 square feet), whereas the by-law permits a maximum gross floor area of 15 square metres (161.45 square feet) for an individual accessory structure. Variance 3 is requested to permit an accessory structure (proposed golf simulator) having a gross floor area of 28.29 square metres (304.51

square feet), whereas the by-law permits a maximum gross floor area of 15 square metres (161.45 square feet) for an individual accessory structure.

The intent of the by-law in regulating the maximum permitted gross floor area of accessory structures is to ensure that the property is not dominated by structures and that they do not negatively impact the provision of outdoor amenity space or adjacent properties. The existing gazebo, which is to be relocated, and the proposed golf simulator are intended to enhance the outdoor amenity space in the rear yard. Given the size of the property, the accessory structures are not considered to negatively impact the provision of outdoor amenity space for the property or lead to overdevelopment of the rear yard. The requested variances are considered to maintain the general intent and purpose of the Zoning By-law.

Variance 4 is requested to permit an accessory structure (proposed golf simulator) having a height of 4.5 metres (14'- 9"), whereas the by-law permits an accessory structure having a maximum height of 3.0 metres in all other residential zones. The intent of the by-law in regulating the permitted height of an accessory structure is to ensure that the structure does not have negative massing impacts on adjacent properties. The variance is seeking an additional 1.5 metres for the accessory structure which is not anticipated to have negative massing impacts. The location of the structure relative to the property and surrounding site context maintains the required minimum setbacks, and Staff do not foresee the variance causing any adverse impacts related to privacy and shadowing.

City Building Staff have reviewed the application, noting that the number of glazed openings on the wall facing the existing dwelling, as well as the rear and side yards, will be restricted based on the limiting distance as defined in the Ontario Building Code. As a recommended condition of approval, the owner or applicant shall be required to obtain a building permit.

Subject to the recommended conditions of approval, Variances 1, 2, 3, and 4 are considered to maintain the general intent and purpose of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

Variances, 1, 2, 3, and 4 are requested to facilitate an existing gazebo and proposed golf simulator in the rear yard of the property. The subject property is located on a lot that has sufficient separation between adjacent properties. Given the size of the lot and rear yard, the overall size of the gazebo and proposed golf simulator is not anticipated to cause negative visual impacts or limit the overall provision of amenity space. It is noted that the accessory structures will maintain the minimum setback requirements.

Based on the Building Department's review of the application, the applicant is advised that the amount of glazed openings on the wall facing the existing dwelling and rear/side yards will be restricted based on the limiting distance as defined in the Ontario Building Code, and is required to conform to Div. B 9.10.15.4 of the OBC. The applicant will be required to obtain building permits for the structures.

Subject to the recommended conditions of approval, the requested variances are considered desirable for the appropriate development of the land.

#### 4. Minor in Nature

The subject lands are located within a residential area with average lot sizes. Considering the size and conditions of the property, the existing and proposed accessory structures are not anticipated to detract from outdoor amenity space or create adverse impacts on-site or off-site. The location and scale of the accessory structures in relation to the surrounding land context do not generate privacy or shadowing impacts. The existing gazebo and proposed golf simulator are intended to enhance the use of outdoor amenity space and are intended to remain accessory to the primary residential dwelling.

Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Respectfully Submitted,

*Annie Thomson*

Annie Thomson, Planning Technician

**Appendix A: Site Visit Photos**

