



TOWN OF  
**HALTON HILLS**  
**COMMITTEE OF ADJUSTMENT**

**AGENDA**

Committee of Adjustment hearing on **Wednesday, March 06, 2019** at 7:00 p.m., in the Council Chambers, Town Hall, 1 Halton Hills Drive, Halton Hills (Georgetown).

**Committee Members:** Allan Cook, Todd Jenney, Blair Roedding, Wayne Scott

**Committee Secretary-Treasurer:** Niloo Hodjati (905-873-2601, ext. 2292 / nilooh@haltonhills.ca)

1. **CHAIR'S OPENING REMARKS.**
2. **DISCLOSURES OF PECUNIARY INTEREST.**
3. **ACCEPTANCE OF PREVIOUS MINUTES.**
4. **REQUESTS FOR DEFERRAL (FROM APPLICANTS).**
5. **APPLICATIONS TO BE HEARD:**

5A. **HEARING #1**

**Minor Variance D13VAR18.003H - Baskaran**

Requesting relief from zoning by-law 2010-0050, as amended,

1. To increase the floor area for a single accessory building from the maximum 80 sq m to permit a 195.1 sq m accessory building (accessory building).
2. To increase the total accessory building floor area from the maximum 120 sq m to permit a 201 sq m accessory building floor area for all accessory structures (accessory building).

**To accommodate a proposed accessory building.**

**Location:** 11503 15 Side Road (Esquesing)

**Owner(s):** Visvanthan Baskaran

5B. **HEARING #2**

**Minor Variance D13VAR18.040H - Eldon**

Requesting relief from zoning by-law 2010-0050, as amended,

1. To increase the floor area for a single accessory building from the maximum 80 sq m to permit a 223.26 sq m accessory building (accessory building).
2. To increase the total accessory building floor area from the maximum 120 sq m to

- permit a 289.63 sq m accessory building floor area for all accessory structures.
3. To increase the height for a single accessory building from the maximum 5 m to permit a height of 8.21 m (accessory building).
- To accommodate existing structures, and a proposed accessory building.**

**Location:** 12220 20 Side Road (Esquesing)

**Owner(S):** Bill Eldon

**5C. HEARING #3**

**Minor Variance D13VAR19.001H - Showalter**

Requesting relief from Zoning By-law 2010-0050, as amended,

1. To reduce the front yard setback from the minimum 6 m to permit a 4.2 m front yard setback (addition).
2. To reduce the side yard setback from the minimum 1.2 m to permit a 0.61 m side yard setback (porch).
3. To reduce the setback from the interior side lot line from the minimum 1 m to permit a 0.61 m setback (air conditioner).

**To accommodate a proposed addition and porch.**

**Location:** 12 McNabb Street (Georgetown)

**Owner(s):** Todd Showalter, **Agent:** Matthews Design & Drafting, Doug Matthews

**5D. HEARING #4**

**Minor Variance D13VAR19.002H - Corkum**

Requesting relief from Zoning By-law 2010-0050, as amended,

1. To increase the floor area for a single accessory building from the maximum 20 sq m to permit a 45 sq m accessory building (pavilion).

**To accommodate a proposed pavilion.**

**Location:** 30 Barraclough Boulevard (Glen Williams)

**Owner(s):** Timothy & Kimberley Corkum

**5E. HEARING #5**

**Minor Variance D13VAR19.003H - IAD Capital**

Requesting relief from Zoning By-law 2010-0050, as amended,

1. To permit 5 existing loading spaces and 3 proposed loading spaces to be located in the front yard, whereas loading spaces are not permitted in the front yard.

**To accommodate a proposed addition to an industrial building.**

**Location:** 30 Armstrong Avenue (Georgetown)

**Owner(s):** IAD Capital Corp., Julian Attree

**5F. HEARING #6**

**Minor Variance D13VAR19.004H - Grove**

Requesting relief from Zoning By-law 2010-0050, as amended,

1. To reduce the rear yard setback from the minimum 7.5 m to permit a 7.27 m rear yard setback (dwelling).

**To accommodate an existing foundation of a dwelling under construction.**

**Location:** 585 Main Street (Glen Williams)

**Owner(s):** Paul Grove

**5G. HEARING #7**

**Minor Variance D13VAR19.005H - Kandola**

Requesting relief from Zoning By-law 2010-0050, as amended,

1. To increase the total floor area of all accessory structures from the maximum 20 sq m to permit a total of 107 sq m (proposed cabana and existing structures).
2. To increase the height for a single accessory building from the maximum 4.5 m to permit a height of 5.3 m (cabana).

**To accommodate a proposed cabana.**

**Location:** 29 Barraclough Boulevard (Glen Williams)

**Owner(s):** Jasvir & Trinderjit Kandola

**5H. HEARING #8**

**Minor Variance D13VAR19.006H - Van Zeumeren**

Requesting relief from Zoning By-law 2010-0050, as amended,

1. To reduce the exterior side yard setback from the minimum 4.5 m to permit a 1.22 m exterior side yard setback (garage).

**To accommodate a proposed garage.**

**Location:** 11 Arletta Street (Georgetown)

**Owner(s):** Jordan Van Zeumeren, **Agent:** Matthews Design & Drafting, Doug Matthews

**5I. HEARING #9**

**Minor Variance D13VAR19.007H - Upson**

Requesting relief from Zoning By-law 2010-0050, as amended,

1. To increase the floor area for a single accessory building from the maximum 80 sq m to permit a 254.3 sq m accessory building (accessory building).
2. To increase the total accessory building floor area from the maximum 120 sq m to permit a 265.44 sq m accessory building floor area for all accessory structures.
3. To increase the height for a single accessory building from the maximum 5 m to permit a height of 7.4 m (accessory building).

**To accommodate a proposed accessory building.**

**Location:** 9116 Sixth Line (Esquesing)

**Owner(s):** Christine Upson, **Agent:** Arnold, Foster LLP, Herbert Arnold

**6. OTHER MATTERS / ADJOURNMENT.**

**TO:** Niloo Hodjati, Secretary-Treasurer of the Committee of Adjustment

**FROM:** Tony Boutassis, Senior Planner – Development Review

**DATE:** January 29, 2019

**RE:** Planning Recommendation for  
Application D13VAR18.003H – BASKARAN  
Municipally known as 11503 15 Side Road  
Town of Halton Hills (Esquesing)

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## **APPLICATION**

Requesting relief from Zoning By-law 2010-0050, as amended:

1. To increase the floor area for a single accessory building from the maximum 80 m<sup>2</sup> to permit a 195.1 m<sup>2</sup> accessory building (accessory building).
2. To increase the total accessory building floor area from the maximum 120 m<sup>2</sup> to permit a 201 m<sup>2</sup> accessory building floor area for all accessory structures (accessory building).

To accommodate a proposed accessory building.

## **Proposal**

The Applicant is applying to increase the maximum floor area requirement for a single accessory building and total accessory buildings to construct a 195.1 m<sup>2</sup> (2,100 ft<sup>2</sup>) accessory building to be used for storage. The existing accessory buildings on the property will be demolished.

The application was previously heard at the February 7, 2018, Committee of Adjustment Hearing where it was deferred for the following reasons:

- Conservation Halton (CH) indicated that a permit was required and there was insufficient information to confirm whether the proposed accessory structure could be supported by CH policy; and,
- Halton Region required the application sketch to be revised to show the flagged dripline to the north and the location of the proposed works to maintain a minimum 10 metre buffer.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated as “Protected Countryside Area” under the Town’s Official Plan. Single detached dwellings and accessory buildings are permitted within this designation.

### **Town of Halton Hills Zoning By-Law**

The subject property is zoned “Protected Countryside – Natural Heritage System Two (PC-NHS2)” under By-law 2010-0050. Single detached dwellings and associated accessory buildings are permitted within this zone.

The By-law limits any individual accessory building to a maximum floor area of 80.0 m<sup>2</sup> and limits the maximum total floor area for accessory buildings to 120 m<sup>2</sup>.

For clarification, Zoning By-law 2010-0050 limits accessory buildings to a use that is subordinate to the principle dwelling and is not permitted to be used for human habitation. Therefore, the use of the proposed accessory building for any accessory dwelling unit or living space is not permitted.

## **COMMENTS**

### **Internal Department and External Agency Comments**

This application was circulated for review and comment to Town departments and external agencies. No objections were received, however, Conservation Halton and Halton Region continue to identify concerns with the proposal that require the inclusion of specific conditions to this recommendation report that would need to be satisfied prior to issuance of a building permit.

#### **Planning**

Planning staff notes that the Application was deferred for a period of no more than one year from the Committee of Adjustment Hearing held on February 7, 2018.

#### **Finance**

The Town’s Finance Department has notified staff that the subject property is in arrears and outstanding property taxes are owed to the Town in the amount of \$5,760.77, plus any penalty fees.

#### **Conservation Halton (CH)**

Further to their original Comment Letter, dated January 25, 2018, Conservation Halton (CH) has indicated in their new January 28, 2019, Comment Letter that they continue to recommend deferral of the application as there is insufficient information to confirm whether the proposed development can be supported by CH policy. This is due to the significant hazard constraints (including flood plain and wetland) currently present on the site. To confirm whether the application can be

supported, CH continues to require a scaled drawing showing the full extent of the hazards and required setbacks on the site and the size and location of the proposed accessory structure.

At the request of the Town, CH staff prepared communication emails on January 10, 2019 and January 28, 2019, that simplify the process and have also provided a sketch that delineates approximately where the accessory building could be located. These emails have been sent to the Applicant to be used as a guide to navigate through the requirements outlined by CH.

Based on the Town's desire to move forward to a final decision on the application, CH staff has provided conditions of approval relating to the location of the accessory building and the need for the Applicant to obtain an Ontario Regulation 162/02 Permit from CH.

### Halton Region

Regional staff conducted a site visit of the property on January 22, 2018, where there was some concern with the proximity of the proposed structure to the woodlands on the site. During the site visit, the Regional Forester flagged (blue pins) the dripline of the significant woodlands to the north of the proposed structure and also flagged a 10 metre setback (orange pins) from the dripline. In order to satisfy the concern identified by Halton Region, staff recommends that the Survey Site Plan submitted by the Applicant be revised to show the flagging (blue and orange pins) described above.

On January 25, 2019, Regional staff confirmed that the Applicant has not addressed their January 29, 2018, comments. At the request of the Region, Town staff has included a condition that requires the Applicant to revise their Survey Site Plan as described above.

### **Public Comments**

No comments have been received from the public as of the date this report was prepared.

### **RECOMMENDATION**

It is the opinion of Planning staff that the application for Minor Variance meets the four tests of a Minor Variance as outlined in the Planning Act. The application:

- 1) meets the intent and purpose of the Town of Halton Hills Official Plan;
- 2) meets the intent and purpose of the Town of Halton Hills Zoning By-law;
- 3) is considered to be desirable for the appropriate development or use of the property; and,
- 4) is considered to be minor in nature.

Planning staff has no objection to the approval of this application, subject to the following conditions:

1. The Owner shall provide proof of payment of outstanding property taxes in the amount of \$5,760.77, plus any penalty fees, to the satisfaction of the Town.
2. That the proposed accessory structure be located in an area outside of any natural hazards and wetlands, as well as an appropriate setback to the satisfaction of Conservation Halton.

Further, that an Ontario Regulation 162/06 Permit be obtained from Conservation Halton prior to any proposed works occurring.

3. That the Applicant revise the application sketch to show the proposed development (garage), the flagged dripline of the significant woodlands to the north (blue flags) and the location of the proposed works to maintain a minimum 10 m buffer (orange flags) from the dripline.

## **Notes**

### Development Engineering

- The Owner/Applicant may require a Site Alteration Permit. Please contact Development Engineering at the Town of Halton Hills for further details.
- A Permit from Conservation Halton (CH) may be required prior to Building Permit/Engineering Permit approval.

### Halton Hills Hydro

- Halton Hills Hydro must be contacted for an Electrical Service Layout if a new service or upgrade to an existing service is required; or metering changes. Location and method of servicing is at the sole discretion of Halton Hills Hydro.
- Any costs due to changes required of Halton Hills Hydro's distribution system (i.e. moving poles to accommodate lane ways, driveways and parking lots etc.) will be borne by the applicant.

**TO:** Niloo Hodjati, Secretary-Treasurer of the Committee of Adjustment

**FROM:** John McMulkin, Planner – Development Review

**DATE:** January 29, 2019

**RE:** Planning Recommendation for  
Application D13VAR18.040H – ELDON  
Municipally known as 12220 20 Side Road  
Town of Halton Hills (Esquesing)

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## **APPLICATION**

Requesting relief from Zoning By-law 2010-0050, as amended:

1. To increase the floor area for a single accessory building from the maximum 80 m<sup>2</sup> to permit a 223.26 m<sup>2</sup> accessory building (accessory building).
2. To increase the total accessory building floor area from the maximum 120 m<sup>2</sup> to permit a 289.63 m<sup>2</sup> accessory building floor area for all accessory structures.
3. To increase the height for a single accessory building from the maximum 5 m to permit a height of 8.21 m (accessory building).

To accommodate existing structures, and a proposed accessory building.

## **Proposal**

The applicant is applying to increase the maximum floor area and height requirements for a single accessory building and the maximum total accessory building floor area for all accessory structures in order to accommodate a 223.26 m<sup>2</sup> (2,403ft<sup>2</sup>) accessory building. The total accessory building floor area for all existing accessory structures on the property is currently 161.49 m<sup>2</sup> (1,738 ft<sup>2</sup>). While the total accessory building floor area for all accessory structures would be increasing to 289.63 m<sup>2</sup> (3,118 ft<sup>2</sup>), the proposal involves the removal of three (3) existing accessory structures on the property totaling 95.12 m<sup>2</sup> (1,024 ft<sup>2</sup>) in building floor area.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated “Protected Countryside Area” in the Town’s Official Plan and contains a Natural Heritage System overlay. This designation permits single detached dwellings on existing lots and accessory buildings and structures. The Town’s Official Plan



does not contain policies related to maximum floor areas and heights for accessory buildings and structures.

## **Town of Halton Hills Zoning By-Law**

The subject property is zoned “Protected Countryside (PC)” and “Protected Countryside Natural Heritage System Two (PC-NHS2)” under the Town’s Comprehensive Zoning By-law 2010-0050. The proposed accessory building would be located within the portion of the property zoned “PC”, which permits accessory buildings and structures.

## **COMMENTS**

### **Internal Department and External Agency Comments**

This application was circulated for review and comment to Town departments and external agencies. While this application was scheduled to be considered by the Committee of Adjustment at its meeting held on October 3, 2018, Halton Region requested that the decision be deferred until the applicant revises their site plan to show that the accessory building will be located a minimum of 30 metres (98.4ft.) from the provincially significant woodlands on the property. The 30m setback is a requirement of the Greenbelt Plan (2017) in order to ensure that the proposed development does not have negative impacts on the key natural heritage feature or its ecological function.

#### Halton Region

Regional staff has no objection to the application as the proposed storage shed will be constructed 56.2 metres from the significant woodlands as shown on the revised drawing.

#### Planning

The intent of the maximum floor area and height requirements for accessory buildings is to ensure that the accessory buildings do not visually dominate the lot, are clearly accessory to the principal residential use (i.e. single detached dwelling) and do not create impacts to surrounding properties. Given the size of the property, the location of the accessory building and the fact that the accessory building would exceed all required yard setbacks, the proposed variances would not impact these considerations. The relief requested through the subject Minor Variance Application is also consistent with relief granted for comparable rural properties by the Committee during its current term. Planning staff conducted a site visit to the property on September 25, 2018, and has objection to the proposal.

### **Public Comments**

No comments have been received from the public as of the date this report was prepared.

## **RECOMMENDATION**

It is the opinion of Planning staff that the application meets the four tests of a Minor Variance as outlined in the Planning Act. The application:

- 1) meets the intent and purpose of the Town of Halton Hills Official Plan;
- 2) meets the intent and purpose of the Town of Halton Hills Zoning By-law;
- 3) is considered to be desirable for the appropriate development or use of the property; and,
- 4) is considered to be minor in nature.

Planning staff has no objection to the approval of this application, subject to the following condition(s):

1. The location of the accessory building shall be generally in accordance with the site plan prepared by Bill Eldon, date stamped by the Committee of Adjustment on January 8, 2019, to the satisfaction of the Commissioner of Planning & Sustainability.

## **Notes**

### Zoning

- Accessory buildings or structures shall not be used for human habitation or an occupation for gain or profit.

### Halton Hills Hydro

- Halton Hills Hydro must be contacted for an Electrical Service Layout if a new service or upgrade to an existing service is required or metering changes. Location and method of servicing is at the sole discretion of Halton Hills Hydro.
- Any costs due to changes required of Halton Hills Hydro's distribution system (i.e. moving poles to accommodate lane ways, driveways and parking lots etc.) will be borne by the Applicant.

**TO:** Niloo Hodjati, Secretary-Treasurer of the Committee of Adjustment

**FROM:** Tony Boutassis, Senior Planner – Development Review

**DATE:** January 30, 2019

**RE:** Planning Recommendation for  
Application D13VAR19.001H – SHOWALTER  
Municipally known as 12 McNabb Street  
Town of Halton Hills (Georgetown)

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## **APPLICATION**

Requesting relief from Zoning By-law 2010-0050, as amended:

1. To reduce the front yard setback from the minimum 6 m to permit a 4.2 m front yard setback (addition).
2. To reduce the side yard setback from the minimum 1.2 m to permit a 0.61 m side yard setback (porch).
3. To reduce the setback from the interior side lot line from the minimum 1 m to permit a 0.61 m setback (air conditioner).

To accommodate a proposed addition and porch.

## **Proposal**

The Applicant is applying to reduce the front yard, side yard and interior side yard setbacks (air conditioner) in order to construct a 1-storey addition to their existing dwelling and a wrap-around porch to enhance the overall appearance of the dwelling.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated “Low Density Residential Area” in the Town’s Official Plan. This designation permits single detached dwellings.

## **Town of Halton Hills Zoning By-Law**

The subject property is zoned “Low Density Residential One-Two – Mature Neighbourhoods (LDR1-2(MN))” in the Town’s Comprehensive Zoning By-law 2010-0050. The By-law limits the front yard setback to a minimum of 6m and the side yard setback to 1.2 m. The minimum distance of an air conditioner to the interior side lot line is 1 m.

### **COMMENTS**

#### **Internal Department and External Agency Comments**

This application was circulated for review and comment to Town departments and external agencies. No objections were received.

#### **Public Comments**

No comments have been received from the public as of the date this report was prepared.

### **RECOMMENDATION**

It is the opinion of Planning staff that the application for Minor Variance meets the four tests of a Minor Variance as outlined in the Planning Act. The application:

- 1) meets the intent and purpose of the Town of Halton Hills Official Plan;
- 2) meets the intent and purpose of the Town of Halton Hills Zoning By-law;
- 3) is considered to be desirable for the appropriate development or use of the property; and,
- 4) is considered to be minor in nature.

Planning staff has no objection to the approval of this application, subject to the following condition:

1. The house addition and porch shall be constructed generally in accordance with the architectural design as shown in the elevations on Drawing MV-2 prepared by Matthews Design & Drafting Services Inc., date stamped by the Committee of Adjustment on January 3, 2019, to the satisfaction of the Commissioner of Planning & Sustainability.

### **Notes**

#### **Development Engineering**

- The Owner/Applicant may require a Site Alteration Permit. Please contact Development Engineering at the Town of Halton Hills for further details.

#### **Halton Hills Hydro**

- Halton Hills Hydro must be contacted for an Electrical Service Layout if a new service or upgrade to an existing service is required; or metering changes. Location and method of servicing is at the sole discretion of Halton Hills Hydro.

- Any costs due to changes required of Halton Hills Hydro's distribution system (i.e. moving poles to accommodate lane ways, driveways and parking lots etc.) will be borne by the applicant.

**TO:** Niloo Hodjati, Secretary-Treasurer of the Committee of Adjustment

**FROM:** Tony Boutassis, Senior Planner – Development Review

**DATE:** January 30, 2019

**RE:** Planning Recommendation for  
Application D13VAR19.002H – CORKUM  
Municipally known as 30 Barraclough Boulevard  
Town of Halton Hills (Glen Williams)

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## **APPLICATION**

Requesting relief from Zoning By-law 2010-0050, as amended:

1. To increase the floor area for a single accessory building from the maximum 20 m<sup>2</sup> to permit a 45 m<sup>2</sup> accessory building (pavilion).

To accommodate a proposed pavilion.

## **Proposal**

The Applicant is applying to increase the maximum floor area requirement for a single accessory building in order to construct a 45 m<sup>2</sup> (484 ft<sup>2</sup>) rear yard pavilion.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated “Hamlet Residential Area” in the Town’s Official Plan. This designation permits single detached dwellings on existing lots and accessory buildings and structures. The Town’s Official Plan does not contain policies related to maximum floor areas for accessory buildings and structures.

### **Town of Halton Hills Zoning By-Law**

The subject property is zoned “Hamlet Residential One, Exception 16 (HR1-16)” in the Town’s Comprehensive Zoning By-law 2010-0050. Exception 16 outlines numerous site specific zoning provisions that pertain to the lot frontage, lot area, setbacks, lot coverage, and driveway width. Exception 16 (vii) limits the floor area of detached individual accessory buildings to 20 m<sup>2</sup>.

## **COMMENTS**

### **Internal Department and External Agency Comments**

This application was circulated for review and comment to Town departments and external agencies. No objections were received.

#### **Planning**

The intent of the maximum floor area requirement for a single accessory building is to ensure that the accessory building does not visually dominate the lot, is clearly accessory to the principal residential use (i.e. single detached dwelling) and does not create impacts to surrounding properties. Given the extent of relief requested, the location of the pavilion, size of the lot and that the pavilion would exceed all required yard setbacks, the proposed variance would have no impact on these considerations. Therefore, Planning staff has no objection to the proposal.

### **Public Comments**

No comments have been received from the public as of the date this report was prepared.

## **RECOMMENDATION**

It is the opinion of Planning staff that the application for Minor Variance meets the four tests of a Minor Variance as outlined in the Planning Act. The application:

- 1) meets the intent and purpose of the Town of Halton Hills Official Plan;
- 2) meets the intent and purpose of the Town of Halton Hills Zoning By-law;
- 3) is considered to be desirable for the appropriate development or use of the property; and,
- 4) is considered to be minor in nature.

Planning staff has no objection to the approval of this application, subject to the following condition:

1. The pavilion shall be constructed generally in accordance with the architectural design as shown in the elevations on Drawing D.3 prepared by Your Backyard Haven, date stamped by the Committee of Adjustment on January 4, 2019, to the satisfaction of the Commissioner of Planning & Sustainability.

### **Notes**

#### **Development Engineering**

- The Owner/Applicant may require a Site Alteration Permit. Please contact Development Engineering at the Town of Halton Hills for further details.

## Halton Hills Hydro

- Halton Hills Hydro must be contacted for an Electrical Service Layout if a new service or upgrade to an existing service is required; or metering changes. Location and method of servicing is at the sole discretion of Halton Hills Hydro.
- Any costs due to changes required of Halton Hills Hydro's distribution system (i.e. moving poles to accommodate lane ways, driveways and parking lots etc.) will be borne by the applicant.



**TO:** Niloo Hodjati, Secretary-Treasurer of the Committee of Adjustment

**FROM:** Tony Boutassis, Senior Planner – Development Review

**DATE:** January 29, 2019

**RE:** Planning Recommendation for  
Application D13VAR19.003H – IAD CAPITAL  
Municipally known as 30 Armstrong Avenue  
Town of Halton Hills (Georgetown)

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## **APPLICATION**

Requesting relief from Zoning By-law 2010-0050, as amended:

1. To permit 5 existing loading spaces and 3 proposed loading spaces to be located in the front yard, whereas loading spaces are not permitted in the front yard.

To accommodate a proposed addition to an industrial building.

## **Proposal**

The Applicant is applying to permit 5 existing loading spaces and 3 proposed loading spaces to be located in the front yard of an industrial building. The existing portion of the industrial building currently contains 5 loading spaces in the front yard, which predate the Zoning By-law provision that does not permit loading spaces to be located in that area. Through this application the existing loading spaces are being formalized and the Applicant is seeking permission for 3 additional spaces. The property is currently the subject of a Site Plan application (File No. D11SPA18.011), which proposes a 5,433 m<sup>2</sup> (58,481 ft<sup>2</sup>) addition to the existing industrial building.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated “General Employment Area” in the Town’s Official Plan. This designation permits employment industrial uses.

### **Town of Halton Hills Zoning By-Law**

The subject property is zoned “Employment One (EMP1)” in the Town’s Comprehensive Zoning By-law 2010-0050. The By-law does not permit loading spaces to be located in the front yard of

industrial buildings within this zone.

## **COMMENTS**

### **Internal Department and External Agency Comments**

This application was circulated for review and comment to Town departments and external agencies. No objections were received.

### **Public Comments**

No comments have been received from the public as of the date this report was prepared.

## **RECOMMENDATION**

It is the opinion of Planning staff that the application for Minor Variance meets the four tests of a Minor Variance as outlined in the Planning Act. The application:

- 1) meets the intent and purpose of the Town of Halton Hills Official Plan;
- 2) meets the intent and purpose of the Town of Halton Hills Zoning By-law;
- 3) is considered to be desirable for the appropriate development or use of the property; and,
- 4) is considered to be minor in nature.

Planning staff has no objection to the approval of this application.

## **Notes**

### **Development Engineering**

- The Truck Turning Memo included in the submission package addresses the initial concerns from Development Engineering. Improvements to the entrance of the site from Armstrong Avenue may be required but will be facilitated through the Site Plan Approval application process.

### **Halton Hills Hydro**

- Halton Hills Hydro must be contacted for an Electrical Service Layout if a new service or upgrade to an existing service is required; or metering changes. Location and method of servicing is at the sole discretion of Halton Hills Hydro.
- Any costs due to changes required of Halton Hills Hydro's distribution system (i.e. moving poles to accommodate lane ways, driveways and parking lots etc.) will be borne by the applicant.

**TO:** Niloo Hodjati, Secretary-Treasurer of the Committee of Adjustment

**FROM:** John McMulkin, Planner – Development Review

**DATE:** February 27, 2019

**RE:** Planning Recommendation for  
Application D13VAR19.004H – GROVE  
Municipally known as 585 Main Street  
Town of Halton Hills (Glen Williams)

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## **APPLICATION**

Requesting relief from Zoning By-law 2010-0050, as amended:

1. To reduce the rear yard setback from the minimum 7.5 m to permit a 7.27 m rear yard setback (dwelling).

To accommodate an existing foundation of a dwelling under construction.

## **Proposal**

The applicant is applying to reduce the minimum required rear yard setback in order to accommodate a single detached dwelling, which is currently under construction. The owner noted in the application that the need for the proposed variance stems from contractor error in the installation of the dwelling's foundation.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated "Hamlet Residential Area" in the Hamlet of Glen Williams Secondary Plan. This designation permits single detached dwellings. The Secondary Plan does not specifically identify minimum rear yard setback requirements for properties located within the Hamlet Residential Area designation.

### **Town of Halton Hills Zoning By-Law**

The subject property is zoned "Hamlet Residential Two (HR2)" in the Town's Comprehensive Zoning By-law 2010-0050, which permits single detached dwellings.

## **COMMENTS**

### **Internal Department and External Agency Comments**

This application was circulated for review and comment to Town departments and external agencies. No objections were received; relevant comments regarding the Minor Variance application are as follows:

#### **Planning**

The intent of the minimum rear yard setback requirement is to provide separation between the dwelling and the rear lot line in order to maintain outdoor amenity area and privacy to neighbouring dwellings. Given the extent of relief requested and the location of the dwelling, the requested variance would have no impact on these considerations. Therefore, Planning staff has no objection to the proposal.

### **Public Comments**

No comments have been received from the public as of the date this report was prepared.

## **RECOMMENDATION**

It is the opinion of Planning staff that the application for Minor Variance meets the four tests of a Minor Variance as outlined in the Planning Act. The application:

- 1) meets the intent and purpose of the Town of Halton Hills Official Plan;
- 2) meets the intent and purpose of the Town of Halton Hills Zoning By-law;
- 3) is considered to be desirable for the appropriate development or use of the property; and,
- 4) is considered to be minor in nature.

Planning staff has no objection to the approval of this application.

### **Notes**

#### **Credit Valley Conservation**

- A new CVC permit is required.

#### **Halton Hills Hydro**

- Halton Hills Hydro must be contacted for an Electrical Service Layout if a new service or upgrade to an existing service is required or metering changes. Location and method of servicing is at the sole discretion of Halton Hills Hydro.
- Any costs due to changes required of Halton Hills Hydro's distribution system (i.e. moving poles to accommodate lane ways, driveways and parking lots, etc.) will be borne by the applicant.

**TO:** Niloo Hodjati, Secretary-Treasurer of the Committee of Adjustment

**FROM:** John McMulkin, Planner – Development Review

**DATE:** February 27, 2019

**RE:** Planning Recommendation for  
Application D13VAR19.005H – KANDOLA  
Municipally known as 29 Barraclough Boulevard  
Town of Halton Hills (Glen Williams)

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## **APPLICATION**

Requesting relief from Zoning By-law 2010-0050, as amended:

1. To increase the total floor area of all accessory structures from the maximum 20 sq. m to permit a total of 107 sq. m (proposed cabana and existing structures).
2. To increase the height for a single accessory building from the maximum 4.5 m to permit a height of 5.3 m (cabana).

To accommodate a proposed cabana.

## **Proposal**

The applicant is applying to increase the maximum total floor area requirement for all accessory structures and the maximum height requirement for a single accessory building in order to accommodate the construction of a proposed pool cabana. The site plan submitted in support of the application did not include the two (2) existing accessory structures, which are intended to remain on the property. As such, the first variance has been revised to increase the requested requirement from 79 sq. m to 107 sq. m in order to recognize these existing structures.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated “Hamlet Residential Area” in the Hamlet of Glen Williams Secondary Plan and “Agricultural Area” in the Town’s Official Plan. The proposed cabana would be constructed within the portion of the property designated Hamlet Residential Area, which permits single detached dwellings and accessory buildings/structures. The Secondary Plan does not specifically identify maximum total accessory building/structure floor area and height requirements for properties located within the Hamlet Residential Area designation.

## **Town of Halton Hills Zoning By-Law**

The subject property is zoned “Hamlet Residential One Exception (HR1(16-B))” and “Environmental Protection Two Exception (EP2(17))” in the Town’s Comprehensive Zoning By-law 2010-0050. The proposed cabana would be located within the portion of the property zoned “HR1(16-B)”, which permits accessory buildings/structures. An existing shed is located within the “EP2(17)” zone, which does not permit accessory buildings/structures.

### **COMMENTS**

#### **Internal Department and External Agency Comments**

This application was circulated for review and comment to Town departments and external agencies. No objections were received; relevant comments regarding the Minor Variance application are as follows:

##### Zoning

Requested variance #1 shall be revised to include all accessory structures intended to remain on the property. The “Environmental Protection Two Exception (EP2(17))” zone does not permit accessory buildings/structures. The existing shed located within the “EP2(17)” zone shall be relocated to the “Hamlet Residential One Exception (HR1(16-B))” zone, which permits accessory buildings/structures.

##### Planning

The intent of the maximum total floor area and height requirements for accessory buildings and structures is to ensure that the accessory buildings/structures do not visually dominate the lot, are clearly accessory to the principal residential use (i.e. single detached dwelling) and do not create impacts to surrounding properties. Given the extent of relief requested and the location of the proposed cabana, the proposed variances would have no impact on these considerations. Therefore, Planning staff has no objection to the proposal.

#### **Public Comments**

No comments have been received from the public as of the date this report was prepared.

### **RECOMMENDATION**

It is the opinion of Planning staff that the application for Minor Variance meets the four tests of a Minor Variance as outlined in the Planning Act. The application:

- 1) meets the intent and purpose of the Town of Halton Hills Official Plan;
- 2) meets the intent and purpose of the Town of Halton Hills Zoning By-law;
- 3) is considered to be desirable for the appropriate development or use of the property; and,
- 4) is considered to be minor in nature.

Planning staff has no objection to the approval of this application, subject to the following conditions:

1. The cabana shall be constructed generally in accordance with the architectural design as shown on Drawing No. D.3 prepared by Your Backyard Haven, date stamped by the Committee of Adjustment on February 4, 2019, to the satisfaction of the Commissioner of Planning & Sustainability.
2. The building permit for the cabana shall be revised to include the relocation of the existing shed from the "Environmental Protection Two Exception (EP2(17))" zone to the "Hamlet Residential One Exception (HR1(16-B))" zone.

## **Notes**

### Development Engineering

- The applicant may require a Site Alteration Permit. Please contact Development Engineering at the Town of Halton Hills for further details.
- The applicant will have to verify the location of the infiltration gallery prior to final approvals.

### Zoning

- Accessory buildings or structures shall not be used for human habitation or an occupation for gain or profit.

### Halton Hills Hydro

- Halton Hills Hydro must be contacted for an Electrical Service Layout if a new service or upgrade to an existing service is required or metering changes. Location and method of servicing is at the sole discretion of Halton Hills Hydro.
- Any costs due to changes required of Halton Hills Hydro's distribution system (i.e. moving poles to accommodate lane ways, driveways and parking lots, etc.) will be borne by the applicant.

**TO:** Niloo Hodjati, Secretary-Treasurer of the Committee of Adjustment

**FROM:** John McMulkin, Planner – Development Review

**DATE:** February 27, 2019

**RE:** Planning Recommendation for  
Application D13VAR19.006H – VAN ZEUMEREN  
Municipally known as 11 Arletta Street  
Town of Halton Hills (Georgetown)

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## **APPLICATION**

Requesting relief from Zoning By-law 2010-0050, as amended:

1. To reduce the exterior side yard setback from the minimum 4.5 m to permit a 1.22 m exterior side yard setback (garage).

To accommodate a proposed garage.

## **Proposal**

The applicant is applying to reduce the minimum exterior side yard setback requirement in order to construct a single detached dwelling with an attached garage.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated “Low Density Residential Area” in the Town’s Official Plan and located within the “Mature Neighbourhood Area” overlay established through adoption of Official Plan Amendment No. 22 (Mature Neighbourhoods Character Study). This designation permits single detached dwellings and accessory buildings and structures.

The Town’s Official Plan does not specifically identify minimum exterior side yard setback requirements for properties located within the Low Density Residential Area designation. However, the following criteria shall be considered when evaluating relief being requested from the new zoning provisions that were adopted to implement the Mature Neighbourhood Areas policies:

- a) compatibility with existing building orientation and building setbacks;



- b) that the scale, massing, building height, and built form features are compatible with the existing character of the neighbourhood;
- c) the preservation of landscaped open space areas and the protection of existing trees; and
- d) that impacts on adjacent properties are minimized.

## **Town of Halton Hills Zoning By-Law**

The subject property is zoned “Low Density Residential One Mature Neighbourhood (LDR1-2(MN))” in the Town’s Comprehensive Zoning By-law 2010-0050, as amended. As a result of the recommendations of the Mature Neighbourhoods Character Study, properties located within the LDR1-2 (MN) zone are subject to the following new development standards:

- Minimum Interior Side Yard Setback: 1.8 metres (for a 2 storey dwelling);
- Minimum Exterior Side Yard Setback: 4.5 metres;
- Maximum Height: 10.0 metres (2.5 storeys); and,
- Maximum Lot Coverage: 40% for 1 and 1.5 storeys; 35% for 2 and 2.5 storeys.

## **COMMENTS**

### **Internal Department and External Agency Comments**

This application was circulated for review and comment to Town departments and external agencies. No objections were received; relevant comments regarding the Minor Variance application are as follows:

#### **Planning**

The intent of the minimum exterior side yard setback requirement is to maintain sightlines for vehicular traffic and maintain spatial separation between the dwelling and the lot line for landscaping and snow storage. Given the extent of relief requested and the location of the proposed building, the requested variance would have no impact on these considerations. Therefore, Planning staff has no objection to the proposal.

### **Public Comments**

No comments have been received from the public as of the date this report was prepared.

## **RECOMMENDATION**

It is the opinion of Planning staff that the application for Minor Variance meets the four tests of a Minor Variance as outlined in the Planning Act. The application:

- 1) meets the intent and purpose of the Town of Halton Hills Official Plan;
- 2) meets the intent and purpose of the Town of Halton Hills Zoning By-law;
- 3) is considered to be desirable for the appropriate development or use of the property; and,
- 4) is considered to be minor in nature.

Planning staff has no objection to the approval of this application, subject to the following condition:

1. The single detached dwelling and attached garage shall be constructed generally in accordance with the architectural design as shown on Drawing No. A-2 prepared by Matthews Design & Drafting Services Inc., date stamped by the Committee of Adjustment on February 5, 2019, to the satisfaction of the Commissioner of Planning & Sustainability.

## **Notes**

### Halton Hills Hydro

- Existing Meter Base is located on wall of house where new garage is planned to be built. Customer will be required to apply for a Technical Service Layout to have meter base relocated. This will be required prior to start of construction on the garage. Location and method of servicing is at the sole discretion of Halton Hills Hydro.
- Any costs due to changes required of Halton Hills Hydro's distribution system (i.e. moving poles to accommodate lane ways, driveways and parking lots, etc.) will be borne by the applicant.

**TO:** Niloo Hodjati, Secretary-Treasurer of the Committee of Adjustment

**FROM:** John McMulkin, Planner – Development Review

**DATE:** February 27, 2019

**RE:** Planning Recommendation for  
Application D13VAR19.007H – UPSON  
Municipally known as 9116 Sixth Line  
Town of Halton Hills (Esquesing)

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## **APPLICATION**

Requesting relief from Zoning By-law 2010-0050, as amended:

1. To increase the floor area for a single accessory building from the maximum 80 sq. m to permit a 254.3 sq. m accessory building (accessory building).
2. To increase the total accessory building floor area from the maximum 120 sq. m to permit a 265.44 sq. m accessory building floor area for all accessory structures.
3. To increase the height for a single accessory building from the maximum 5 m to permit a height of 7.4 m (accessory building).

To accommodate a proposed accessory building.

## **Proposal**

The applicant is applying to increase the maximum total floor area requirement for all accessory structures and the maximum floor area and height requirements for a single accessory building in order to accommodate the construction of a 254.3 sq. m accessory building. The proposal involves the removal of the existing storage building and the preservation of the existing shed.

## **Application History**

In 2015, a Minor Variance application (File No. D13VAR15.018H) was submitted on the property for a proposed 465.0 sq. m accessory building consisting of the following requested variances:

1. Increase the floor area for a single accessory building from the maximum 80.0 sq. m to permit a 465.0 sq. m accessory building (accessory building).
2. Increase the total accessory building floor area from the maximum 120.0 sq. m to permit a 538.0 sq. m accessory building floor area for all accessory structures.

3. Increase the height for a single accessory building from the maximum 5.0 m to permit a height of 9.4 m (accessory building).

Staff recommended refusal of the application and the application was deferred by the Committee of Adjustment at the request of the applicant to allow for the size of the proposed building to be reconsidered.

The application was then revised by the applicant to include a proposed 299.0 sq. m accessory building consisting of the following requested variances:

1. Increase the floor area for a single accessory building from the maximum 80.0 sq. m to permit a 299.0 sq. m accessory building (accessory building).
2. Increase the total accessory building floor area from the maximum 120.0 sq. m to permit a 310.15 sq. m accessory building floor area for all accessory structures.
3. Increase the height for a single accessory building from the maximum 5.0 m to permit a height of 6.31 m (accessory building).

Given its size, staff was of the opinion that the proposed accessory building would not be incidental to the existing single detached dwelling and would not meet the four tests under Section 45(1) of the Planning Act. A neighbour (9100 Sixth Line) also objected to the proposed variances. Staff recommended refusal of the application and the Committee refused the application. The applicant did not appeal the decision of the Committee.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated “Agricultural Area” in the Town’s Official Plan. The Agricultural Area designation permits single detached dwellings and accessory buildings and structures. The Official Plan does not specifically identify maximum accessory building floor area and height requirements for properties located within the Agricultural Area designation.

### **Town of Halton Hills Zoning By-Law**

The subject property is zoned “Agricultural (A)” in the Town’s Comprehensive Zoning By-law 2010-0050. The “A” zone permits single detached dwellings and accessory buildings and structures.

## **COMMENTS**

### **Internal Department and External Agency Comments**

This application was circulated for review and comment to Town departments and external agencies. No objections were received; relevant comments regarding the Minor Variance application are as follows:

## Planning

The intent of the maximum floor area and height requirements for accessory buildings and structures is to ensure that the accessory buildings/structures do not visually dominate the lot, are clearly accessory to the principal residential use (i.e. single detached dwelling) and do not create impacts to surrounding properties. Planning staff is of the opinion that the intent of these requirements is being maintained for the following reasons:

- Due to the grade of the property sloping down behind the neighbouring property (9100 Sixth Line), the base of the proposed accessory building will be located below the neighbouring dwelling, thereby reducing the appearance of its height.
- There are tall deciduous trees that will partially screen the building from 9100 Sixth Line. These trees will provide greater screening in the spring/summer months when there are leaves on the trees.
- The orientation of the building to 9100 Sixth Line will reduce its appearance from this property given that only the width of the building will be visible (not its full length).
- A large berm with coniferous trees exists on the southeast side of the property to provide significant screening of the building on this side throughout the year.
- The applicant has noted in the application that “no commercial activities have or will be undertaken on the property”.

## **Public Comments**

The neighbour (9100 Sixth Line) who objected to the original Minor Variance application has submitted a letter stating that he no longer objects to the location and size of the proposed accessory building.

## **RECOMMENDATION**

It is the opinion of Planning staff that the application for Minor Variance meets the four tests of a Minor Variance as outlined in the Planning Act. The application:

- 1) meets the intent and purpose of the Town of Halton Hills Official Plan;
- 2) meets the intent and purpose of the Town of Halton Hills Zoning By-law;
- 3) is considered to be desirable for the appropriate development or use of the property; and,
- 4) is considered to be minor in nature.

Planning staff has no objection to the approval of this application, subject to the following condition:

1. The location of the accessory building shall be generally in accordance with the “Sketch Illustrating Proposed Garage” prepared by Dolliver Surveying Inc., date stamped by the Committee of Adjustment on February 5, 2019, to the satisfaction of the Commissioner of Planning & Sustainability.

## **Notes**

### Development Engineering

- The applicant may require a Site Alteration Permit. Please contact Development Engineering at the Town of Halton Hills for further details.

### Zoning

- Accessory buildings or structures shall not be used for human habitation or an occupation for gain or profit.

### Halton Hills Hydro

- Halton Hills Hydro must be contacted for an Electrical Service Layout if a new service or upgrade to an existing service is required or metering changes. Location and method of servicing is at the sole discretion of Halton Hills Hydro.
- Any costs due to changes required of Halton Hills Hydro's distribution system (i.e. moving poles to accommodate lane ways, driveways and parking lots, etc.) will be borne by the applicant.