

**COMMITTEE OF ADJUSTMENT
AGENDA**

Date: Wednesday, July 8, 2020, 6:00 p.m.
Location: VIA Zoom Meeting
Members: G. Driedger, Chair, T. Hill, N. Panchuk, W. Scott, J. Watson

Pages

1. CALL TO ORDER
2. DISCLOSURE OF PECUNIARY/CONFLICT OF INTEREST
3. APPLICATIONS TO BE HEARD

a. **Minor Variance D13VAR20.005H - Zaatreh**

5

Location: 2 Holdroyd Court, Town of Halton Hills (Glen Williams),
Regional Municipality of Halton

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

1. To permit an accessory building (cabana) to be built closer to the exterior side lot line (5.5 m) than the main building (dwelling) from the exterior side lot line (12.12 m).
2. To increase the total floor area of all accessory structures from the maximum 20 sq m to permit a total floor area of 75 sq m (cabana).

To accommodate a proposed cabana.

Owner(s): Salim & Ranin Zaatreh

b. Minor Variance D13VAR20.006H - Mackay

8

Location: 178 Delrex Boulevard, Town of Halton Hills (Georgetown),
Regional Municipality of Halton

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

1. To increase the floor area for a single accessory building from the maximum 40 sq m to permit a 53 sq m accessory building (garage).
2. To increase the height for an accessory building from the maximum 4.5 m to permit a height of 4.9 m (garage).
3. To increase the driveway width from the maximum 7 m to permit a driveway width of 8.4 m.

To accommodate a proposed garage.

Owner(s): Scott & Lisa Mackay

c. Minor Variance D12VAR20.007H - Cordes

11

Location: 9435 Regional Road 25, Town of Halton Hills (Esquesing),
Regional Municipality of Halton

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

1. To reduce the minimum interior side yard setback from 4.5 m to permit a 3 m interior side yard setback (addition).
2. To increase the driveway width from the maximum 7 m to permit a 16.45 m driveway width.

To accommodate a proposed addition.

Owner(s): Heinz & Ilona Cordes, **Agent:** Jansen Consulting, Sean Macdonald

d. Minor Variance D13VAR20.008H - Cambridge Aggregate

16

Location: 0 Wallace Street, Town of Halton Hills (Acton), Regional Municipality of Halton

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

1. To permit the shortest lot line that abuts a street (Commerce Crescent) to be deemed the front lot line, whereas the Zoning By-law requires the longest lot line that abuts a street (Wallace Street) to be deemed as the front lot line.
2. To permit outdoor storage to be screened by an opaque fence with a minimum height of 1.8 m for the lot lines adjacent to an industrial lot.
3. To permit no screening of the outdoor storage for the lot line adjacent to the abutting Town owned lands to the north-west of the site.

To accommodate a proposed transportation terminal.

Owner(s): Cambridge Aggregate Services Inc., Chris Isley, **Agent:** Dryden, Smith & Head Planning Consultants Ltd., Andrew Head

e. Minor Variance D13VAR20.009H - HHIDGP

21

Location: 6 Cleve Court, Town of Halton Hills (Premier Gateway), Regional Municipality of Halton

Purpose: Requesting relief from Zoning By-law 57-91, as amended,

1. To increase the height of the buildings to the top of the parapet from the maximum 10.6 m to permit a height of 14 m.
2. To decrease the lot frontage on an accessible public road from the minimum 45 m to permit a lot frontage of 28 m.

To accommodate proposed warehouse and accessory office uses.

Owner(s): Halton Hills Industrial Development GP, Stephen Rawlin, **Agents:** Triovest Realty, Daniel Castiglione & Gagan Sobti

f. **Minor Variance D13VAR20.010H - Vickery**

25

Location: 13634 Fourth Line, Town of Halton Hills (Bannockburn),
Regional Municipality of Halton

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

1. To permit an accessory building to be built closer to the front lot line whereas the by-law requires that accessory structures not be permitted any closer to the front lot line than the main building from the front lot line.
2. To increase the floor area for a single accessory building from the maximum 40 sq m to permit a 111.20 sq m accessory building.
3. To increase the total floor area of all accessory structures from the maximum 60 sq m to permit a total floor area of 139.74 sq m.
4. To increase the height for an accessory building from the maximum 4.5 m to permit a height of 6.4 m.

To accommodate a proposed garage.

Owner(s): Wade Vickery, **Agent:** Matthews Design and Drafting Services Inc., Doug Matthews

g. **Minor Variance D13VAR20.011H - 2183025 ON Ltd.**

28

Location: 284 Queen Street East, Town of Halton Hills (Acton), Regional Municipality of Halton

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

1. To permit a half storey situated partially within the roof to have a floor area of 68% of the floor area of the floor below, where as the By-law requires the half storey not exceed 50% of the floor area of the floor below.

To accommodate proposed 1.5 storey townhouses (increase the floor area of the partial second storey for the previously approved 1.5 storey townhouses).

Owner(s): 2183025 Ontario Limited, Jonas White, **Agent:** Astrid J. Clos Planning, Astrid Clos

4. **ADJOURNMENT**

TO: Niloo Hodjati, Secretary-Treasurer, Committee of Adjustment & Consent Official

FROM: Ruth Conard, Planner – Development Review

DATE: June 25, 2020

RE: Planning Recommendation for
Application D13VAR20.005H – Zaatreh
Municipally known as 2 Holdroyd Court
Town of Halton Hills (Glen Williams)

APPLICATION

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

1. To permit an accessory building (cabana) to be built closer to the exterior side lot line (5.5 m) than the main building (dwelling) from the exterior side lot line (12.12 m).
2. To increase the total floor area of all accessory structures from the maximum 20 sq m to permit a total floor area of 75 sq m (cabana).

To accommodate a proposed cabana.

Proposal

The applicant is proposing to construct a 75 sq m (807 sq ft) cabana in the rear and exterior side yards of the subject property.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Hamlet Residential Area and Hamlet Buffer under in the Glen Williams Secondary Plan. The cabana is proposed within the Hamlet Residential Area designation, which permits single detached dwellings and accessory structures. The Secondary Plan does not specifically identify maximum total accessory structure floor area and 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 One Exception (HR1(16-C)) 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-C), which permits accessory buildings/structures.

Under the By-law accessory structures are not permitted to be any closer to an exterior side lot line than the main dwelling. Accessory structures are also limited to an individual maximum floor area of 40.0 sq.m. and a cumulative floor area of 60.0 sq.m. for all accessory structures on one lot.

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 Zoning By-law to keep accessory structures out of exterior side yards is to maintain the residential character of a property, provide an area on the lot for landscaping and to ensure a consistent pattern of setbacks. The intent of the Zoning By-law to cap the maximum total floor area of accessory structures is to ensure that the buildings do not visually dominate the lot, are clearly accessory to the principal residential use (i.e. detached dwelling) and do not create impacts to surrounding properties. Given the location of the lot (corner lot) as well as the existing landscape in place on the property, it does not appear that the proposed variances will have an 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 location of the accessory building (proposed cabana) shall be generally in accordance with the Site Plan prepared by Salim and Ranin Zaatreh, date stamped by the Committee of

Adjustment on February 28, 2020, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Development Engineering

- The applicant will require a Site Alteration Permit and Pool Enclosure Permit. The applicant shall provide a Grading Plan of the building envelope showing suitable surface drainage on the property, including existing and proposed elevations and demonstrate the intentions and effects of the infiltration gallery. If the infiltration gallery is affected by these works, it shall be relocated to an appropriate location at the sole expense of the applicant. All of this shall be to the satisfaction of the Commissioner of Transportation and Public Works.

Planning

- 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, Committee of Adjustment & Consent Official

FROM: Ruth Conard, Planner – Development Review

DATE: June 25, 2020

RE: Planning Recommendation for
Application D13VAR20.006H – Mackay
Municipally known as 178 Delrex Boulevard
Town of Halton Hills (Georgetown)

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 40.0 sq m to permit a 53.0 sq m accessory building (garage).
2. To increase the height for an accessory building from the maximum 4.5 m to permit a height of 4.9 m (garage).
3. To increase the driveway width from the maximum 7.0 m to permit a driveway width of 8.4 m.

To accommodate a proposed garage.

Proposal

The applicant is applying to increase the maximum floor area and height requirements for a proposed detached garage and also seeking to increase the width of the driveway accessing the 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 maximum floor area and height requirements for accessory structures on properties located within the Low Density Residential Area designation nor does it identify maximum driveway widths.

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. The LDR1-2(MN) zone permits single detached dwellings and accessory buildings and structures. In an LDR1 zone, the zoning by-law limits individual accessory structures to a maximum floor area of 40.0 sq m and a maximum height of 4.5 m. Part 5 of the Zoning By-law entitled Parking and Loading Standards limits driveways to a maximum 7.0 m width.

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 accessory buildings and structures is to ensure that they do not visually dominate the lot, are clearly accessory to the principal residential use (i.e. detached dwelling) and do not create impacts to surrounding properties. Staff is of the opinion that this intent is being maintained as is the proposed detached garage is clearly incidental and subordinate to the principal residential use and it does not appear that there will be any significant impacts to the surrounding properties.

The intent of the maximum driveway width requirement is to limit the width of the vehicular access onto the public road for traffic safety and to maintain area on the lot for soft landscaping. Given the extent of the relief requested, the amount of soft landscaping to be maintained on the lot and that the driveway width is requested in order to provide vehicular access to the proposed garage, Planning staff views the variance to the maximum driveway width requirement to be technical in nature

Public Comments

Two letters of support were received from neighbours located at 23 Garnet Drive and 182 Delrex Boulevard.

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 (proposed garage) shall be generally in accordance with the Site Plan and Elevations prepared by Scott Mackay, date stamped by the Committee of Adjustment on March 13, 2020, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Development Engineering

- A site alteration permit will be required as part of the building permit application. Information related to the site alteration permit can be found on the Towns website (<https://www.haltonhills.ca/development/siteAlt.php>).
- The minor variance request to increase the driveway width only applies to private property and does not include the Town's boulevard. The maximum width permitted through an entrance permit is 6.0 m.

Planning

- 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.
- Please note that 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, Committee of Adjustment & Consent Official

FROM: Tharushe Jayaveer, Planner – Policy/Development Review

DATE: June 26, 2020

RE: Planning Recommendation for
Application D13VAR20.007H - Cordes
Municipally known as 9435 Regional Road 25
Town of Halton Hills (Esquesing)

APPLICATION

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

1. To reduce the minimum interior side yard setback from 4.5 m to permit a 3.0 m interior side yard setback (addition).
2. To increase the driveway width from maximum 7.0 m to permit a 16.45 m driveway width.

To accommodate a proposed addition.

Proposal

The Applicant is proposing to construct a new two-storey addition to the front of the existing dwelling; the addition would contain a two-car garage at ground level. The Applicant is applying to reduce the minimum interior side yard setback from 4.5 m to 3.0 m in order to construct the addition.

The Applicant is also applying to increase the driveway width from maximum 7.0 m to permit a 16.45 m driveway width in order to provide vehicular access to the proposed garage.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated “Protected Countryside 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 specifically identify policies related to minimum interior side yard setbacks and maximum driveway width.

Town of Halton Hills Zoning By-Law

The subject property is zoned “Protected Countryside Natural Heritage System Two (PC-NHS2)” in the Town’s Comprehensive Zoning By-law 2010-0050. The PC-NHS2 zone permits single detached dwellings and accessory buildings and structures.

In a PC-NHS2 zone, the by-law limits interior side yard set backs to a minimum of 4.5 m. Part 5 of the Zoning By-law entitled Parking and Loading Standards limits driveways to a maximum 7.0 m width.

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 Applicant is proposing to reduce the minimum interior side yard setback from 4.5 m to 3.0 m in order to construct an addition to the existing dwelling. The intent of the minimum interior side yard setback is to ensure that there is sufficient separation to the side lot line in order to provide access for maintenance purposes, access to the rear yard of the property and promote the retention of open space on individual lots. Given the nature and orientation of the existing house on the lot and the extent of relief requested to accommodate the construction of the addition, Planning staff is of the opinion that the intent of this requirement is being maintained.

The Applicant is also applying to increase the permitted maximum driveway width from 7.0 m to 16.45 m. The intent of the maximum driveway width requirement is to limit the width of the vehicular access onto the public road for traffic safety and to maintain area on the lot for soft landscaping. Given the extent of the relief requested, the amount of soft landscaping to be maintained on the lot and that the driveway width is requested in order to provide vehicular access to the proposed garage, Planning staff views the variance to the maximum driveway width requirement to be technical in nature.

Therefore, Planning staff has no objection to the proposed variances.

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(s):

1. The 3.0 m interior side yard setback shall apply to the north side yard, as generally shown on the Site Plan drawing prepared by Jansen Consulting, date stamped by the Committee of Adjustment on April 21, 2020, to the satisfaction of the Commissioner of Planning & Development.
2. The 16.45 m driveway width shall be limited to the portion of the driveway as generally shown on the Site Plan drawing prepared by Jansen Consulting, date stamped by the Committee of Adjustment on April 21, 2020, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Development Engineering

- A Grading Plan
 - The Applicant shall provide a detailed Grading Plan of the proposed building envelope showing suitable surface drainage on the property, including existing and proposed elevations. This topographical survey must be completed and stamped by a Professional Engineer or an Ontario Land Surveyor. The grading plan must demonstrate that drainage is not affected and can be conveyed to an appropriate outlet. The grading plan is to include septic bed locations, retaining walls, finished floor elevations, slopes, property line grades, swales, and any other existing or proposed topographic or grading information deemed relevant. These works are to be completed to the satisfaction of the Director of Engineering, Public Works and Building Services.
- A Site Alteration Permit
 - The Owner/Applicant will require a Site Alteration Permit. Please contact Development Engineering for further details.
 - If significant elevation change is required to accommodate the buildings and driveway, additional details pertaining to the fill, truck haul routes, and construction management plan may be required.
 - If work is required on the municipal right-of-way an excavation permit will be required.

Fire Department

- Due to the complete demo of the floor areas that the Applicant will need to comply with the new installation requirements for smoke alarms – 9.10.19 and carbon monoxide alarms – 9.33.4 as per Ontario Building Code.

Zoning

- The property is permitted to be used as a single family dwelling only. An accessory dwelling is not permitted in the PC-NHS2 Zone.

Halton Hills Hydro

- The existing hydro service to this residence is underground from HHH's hydro pole alongside Regional Road #25 to the meter base.
- It is unclear of the exact route of the underground secondary service however, given the plans provided in this application, it is possible the addition to the residence along the north side of the property may conflict with the underground cable.
- Advise the customer/ their contractor to obtain locates prior to excavating.
- Customer to request for hydro disconnection prior to commencement of construction and submit temporary service request as required.

- Customer shall request for a Technical Service Layout Request for permanent service when required. The customer should review our Condition of Service prior to submitting applications.
- 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, Committee of Adjustment & Consent Official

FROM: Ruth Conard, Planner – Development Review

DATE: June 25, 2020

RE: Planning Recommendation for
Application D13VAR20.008H – Cambridge Aggregate
Municipally known as 0 Wallace Street
Town of Halton Hills (Acton)

APPLICATION

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

1. To permit the shortest lot line that abuts a street (Commerce Crescent) to be deemed the front lot line, whereas the Zoning By-law requires the longest lot line that abuts a street (Wallace Street) to be deemed as the front lot line.
2. To permit outdoor storage to be screened by an opaque fence with a minimum height of 1.8 m for the lot lines adjacent to an industrial lot.
3. To permit no screening of the outdoor storage for the lot line adjacent to the abutting Town owned lands to the north-west of the site.

To accommodate a proposed transportation terminal.

Proposal and Background

The Applicant is applying to permit Commerce Crescent to be defined as the front lot line, reduce the height of the fence required to the outdoor storage area from the adjacent industrial lots (3 & 211 Wallace St. and 285 Main St. N) and to eliminate the screening for the outdoor storage area required adjacent to the Town owned lands to the north-west of the site. These variances are requested to facilitate the construction of a new 1-storey (plus mezzanine) industrial building with associated outdoor storage (trucks) on an existing vacant lot.

The subject Minor Variance application is related to a Site Plan application (Town File No. D11SPA20.001) for the proposed building, which is currently under review.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is within the Urban Area of Acton and designated General Employment Area in the Town's Official Plan, which permits industrial uses, including those that have a significant outdoor storage component. The following policies apply to outdoor storage:

- a) not located in a front yard;
- b) clearly accessory to the main use on the property;
- c) is setback an appropriate distance from the side and rear lot lines, having regard to the nature of adjacent land uses; and,
- d) is completely enclosed and/or screened by landscaping, berming and/or fencing that functions year-round.

Town of Halton Hills Zoning By-Law

The subject property is zoned Employment One Exception 1 (EMP1(1)) under Zoning By-law 2010-0050, as amended , which permits transport terminals and accessory outdoor storage (trucks).

The following provisions apply to outdoor storage:

- a) Outdoor storage shall be permitted only in a rear or interior side yards and shall not be located any closer than 9.0 metres to any streetline;
- b) The height of stored materials shall not exceed 6.0 metres above the surface of the ground;
- c) Outdoor storage shall be screened by opaque fencing or a berm with a minimum height of 3.0 metres;
- d) Outdoor storage shall not be permitted within any yard abutting a Residential Zone boundary;
- e) Outdoor storage shall comply with the required setbacks for the main building in each zone;
- f) Outdoor storage shall not be permitted in any yard abutting a lot line that serves as a Residential Zone boundary in the Acton and Georgetown urban areas; and
- g) Outdoor storage shall not be permitted in any yard abutting Guelph Street, Maple Avenue, Mountainview Road or River Drive in Georgetown, notwithstanding sub-sections a) thru e) above.

Part 3 of the Zoning By-law entitled Definitions states that the front lot line of a through lot is the longest of the lot lines, which divides the lot from the public streets. A through lot is defined as a lot bounded on opposite sides by a public street.

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 following provides an evaluation of the proposal in relation to the proposed variances:

Variance #1:

To permit the shortest lot line that abuts a street (Commerce Crescent) to be deemed the front lot line, whereas the Zoning By-law requires the longest lot line that abuts a street (Wallace Street) to be deemed as the front lot line.

- Under the current definition, the proposed outdoor storage would be situated in the front yard as Wallace Street is technically considered the front lot line. As outdoor storage is prohibited in the front yard, the intent of this variance is to ensure outdoor storage is not located in the front yard of the property.
- Outdoor storage is not permitted within the front and exterior side yards because it cannot be screened from the street. Staff have no objections to the requested variance as a berm is being provided along Wallace Street (the current front lot line) for screening and the outdoor storage will be located behind the building proposed adjacent to Commerce Crescent (proposed front lot line)

Variance #2:

To permit outdoor storage to be screened by an opaque fence with a minimum height of 1.8 m for the lot lines adjacent to an industrial lot.

- The intent of screening outdoor storage (either through berm or fence) is to reduce visibility from adjacent properties and the public realm and, in some instances, to increase security measures on site.
- Staff does not object to the request to reduce the height of the fence proposed for the lot lines adjacent to the industrial lots given that the adjacent lots have some existing outdoor storage component themselves. The 1.8 metre tall fence should still provide some measure of security.

Variance #3:

To permit no screening of the outdoor storage for the lot line adjacent to the abutting Town owned lands to the north-west of the site.

- The applicant is proposing to reduce the screening adjacent to the Town owned lands from 3.0 metres to 0.0 metres. The Town owned lands contain a drainage ditch for the surrounding development.
- Staff has no objection to this variance given the applicant is proposing to maintain the existing natural tree area adjacent to the north-west lot line and also proposing a drainage swale adjacent to the north-west lot line creating further setbacks to the outdoor storage. In addition the majority of the outdoor storage is located in the rear yard of the subject property, minimizing any negative impacts on the vacant lot to the north-west (beyond the Town owned land).

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.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Development Engineering

- The applicant will be required to complete the design and obtain permits to close and restore any current accesses that are on Wallace Street to the Town's satisfaction. This will be done through the Site Plan 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. Customer should review our Conditions of Service prior to submitting an application.
- Please note that 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, Committee of Adjustment & Consent Official

FROM: John McMulkin, Planner – Development Review

DATE: June 25, 2020

RE: Planning Recommendation for
Application D13VAR20.009H – HHIDGP
Municipally known as 6 Cleve Court
Town of Halton Hills (Premier Gateway)

APPLICATION

Requesting relief from Zoning By-law 57-91, as amended,

1. To increase the height of the 2 buildings to the top of the parapet from the maximum 10.6 m to permit a height of 14 m.
2. To decrease the lot frontage on an accessible public road from the minimum 45 m to permit a lot frontage of 28 m.

To accommodate proposed warehouse and accessory office uses.

Proposal and Background

The Applicant is applying to increase the maximum building height requirement and reduce the minimum lot frontage requirement in order to facilitate the construction of 2 new industrial warehouse buildings at the rear of the property (Buildings “B1” and “B2”). The proposal includes an extension of Cleve Court and a watercourse bridge connecting the north and south portions of the property. The proposal is currently under staff review through Site Plan Application D11SPA19.009.

The Committee of Adjustment previously considered a Minor Variance Application (File No. D13VAR20.002H) for this project at its March 4, 2020, meeting, where it approved the following zoning relief:

- a maximum building height of 11.8 metres for Buildings B1 and B2;
- a reduced lot frontage of 38.0 metres;
- a reduced parking requirement of 0.48 spaces per 100 sq. m of gross floor area; and
- an increase in the number of commercial waiting spaces of 26% of the provided loading spaces.

The subject application is now seeking to further amend the variances pertaining to building height and lot frontage, as follows:

- reduce the minimum lot frontage requirement (from the previously approved 38.0 metres) to permit a 28.0 metre frontage. The further reduction has been deemed necessary as a result of natural hazard land dedication requirements; and
- increase the maximum building height requirement (from the previously approved 11.8 metres) to permit a height of 14.0 metres. This request is to respond to the operational needs of their prospective tenants and urban design comments provided by the Town through the review of the Site Plan Application.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated “Prestige Industrial Area” and “Greenlands” in the Town’s Official Plan. The buildings are proposed within the “Prestige Industrial Area” designation, which permits warehouse and accessory office uses. The maximum building height within the Prestige Industrial Area designation shall be no more than 2 storeys. The Town’s Official Plan does not specifically identify minimum lot frontage requirements.

Town of Halton Hills Zoning By-Law

The subject property is zoned “401 Corridor Prestige Industrial Holding (M7(H))” and “Conservation Special (O3-1)” in Zoning By-law 57-91, as amended by Zoning By-law 00-138. The buildings are proposed within the “M7(H)” zone, which permits warehouse and accessory office uses.

By-law 00-138 permits a maximum building height of 10.6 metres and requires a minimum lot frontage of 45.0 metres. Through Minor Variance application (File No. D13VAR20.002H) a maximum building height of 11.8 metres and minimum lot frontage of 38.0 metres was approved for the subject site.

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 following provides an evaluation of the proposal in relation to the proposed variances:

Maximum Building Height

The intent of the maximum building height requirement is to ensure that the building does not create visual impacts for surrounding properties, exceed the maximum of 2 storeys in height stipulated in the Official Plan, and reflects market demands for the proposed uses. A further variance to this requirement is being requested by the Applicant to respond to the operational needs of their prospective tenants and the urban design comments provided by the Town indicating that the rooftop mechanical equipment shall be screened by a building parapet.

Minimum Lot Frontage

The need for the previously approved lot frontage variance (38.0 m) resulted from the northern portion of the property being separated from the remainder of the site through the dedication of the extension of Cleve Court to the Town as a municipal road. Once the extension of Cleve Court is dedicated to the Town, the ownership of the north and south parcels will be fractured, thereby creating a natural severance. The need for a further variance (28.0 m) results from Conservation Halton policy requirements that lands containing natural features (the portion of Mansewood Creek that exists on site) and their associated hazards (e.g. flooding, erosion) shall be dedicated to the municipality.

The intent of the minimum lot frontage requirement is to ensure that the lot is of sufficient width to accommodate pedestrian and vehicular access, municipal services, utilities, and landscaping.

Given the extent of the relief requested, the proximity of the site to surrounding development and that the variances are sought to respond to comments from staff and the operational needs of tenants, staff views the intent of the maximum building height and minimum lot frontage requirements to be maintained.

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.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Development Engineering

- The required amount of land to be dedicated to the Town to accommodate the natural feature (Mansewood Creek) and its associated hazards (e.g. flooding, erosion) may slightly reduce depending on the size of the culvert structure proposed over the creek crossing (which is still to be approved by the Town and Conservation Halton). While the minimum lot frontage will not be impacted given it is measured from a point farther south from where the culvert structure is required, the Owner is advised that approval of this Minor Variance Application does not imply approval of the amount of land to be dedicated to the Town.

Conservation Halton

- Prior to the initiation of works, a Permit must be obtained from Conservation Halton for the proposed development.

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, Committee of Adjustment & Consent Official

FROM: Ruth Conard, Planner – Development Review

DATE: June 25, 2020

RE: Planning Recommendation for
Application D13VAR20.010H – Vickery
Municipally known as 13634 Fourth Line
Town of Halton Hills (Bannockburn)

APPLICATION

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

1. To permit an accessory building to be built closer to the front lot line whereas the by-law requires that accessory structures not be permitted any closer to the front lot line than the main building from the front lot line.
2. To increase the floor area for a single accessory building from the maximum 40 sq m to permit a 111.20 sq m accessory building.
3. To increase the total floor area of all accessory structures from the maximum 60 sq m to permit a total floor area of 139.74 sq m.
4. To increase the height for an accessory building from the maximum 4.5 m to permit a height of 6.4 m.

To accommodate a proposed garage.

Proposal

The Applicant is proposing to build a new 111.2 sq m (1,196 sq ft), 6.4 m (20.1 ft) tall garage closer to the front lot line than the existing house. Two accessory sheds also currently exist on the property.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Rural Cluster Area and Protected Countryside Area in the Town's Official Plan. These designations permit single detached dwellings on existing lots and accessory buildings and structures. The Town's Official Plan does not contain policies related to location, maximum floor area and height for accessory structures.

Town of Halton Hills Zoning By-Law

The subject property is zoned Rural Cluster Residential Two (RCR2) in the Town's Zoning By-law 2010-0050, as amended. The RCR2 zone permits single detached dwellings and accessory buildings and structures.

The By-law limits any individual accessory building to a maximum floor area of 40 sq. m, the maximum total floor area for all accessory buildings to 60 sq. m and the height of accessory buildings to 4.5 m. The By-law also restricts the location of accessory buildings to be no closer to the front lot line than the main building.

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 restricting the location of accessory buildings to be no closer to the front lot line than the main building (i.e. residential dwelling) is to ensure the character of the neighborhood is maintained and that accessory buildings do not detract from the streetscape. Based on the configuration of the lot and the location of the dwelling and driveway (which is to be extended), it does not appear that detached garage will dominate the lot or be visible from the street.

The intent of maximum total floor areas and height requirements for accessory buildings is to ensure that the accessory buildings are incidental and subordinate to the principal residential use (i.e. residential dwelling) and do not create impacts to surrounding properties. Given the size of the lot, proposed location for the detached garage and the existing vegetation providing screening for neighbouring properties, the proposed variances would have no impact on these considerations.

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 detached garage shall be constructed generally in accordance with the architectural design as shown on Drawing No. MV-2 prepared by Matthews Design & Drafting Services Inc., date stamped by the Committee of Adjustment on June 3, 2020, to the satisfaction of the Commissioner of Planning & Sustainability.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Planning

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

Development Engineering

- The Owner/Applicant may require a Site Alteration Permit. Please contact Development Engineering at the Town of Halton Hills for further details.
- Prior to the issuance of a Building Permit the applicant shall provide a Grading Plan of the building envelopes showing suitable surface drainage on the property, including existing and proposed elevations, to the satisfaction of the Commissioner of Transportation and Public Works.
- The applicant shall provide a Grading Plan of the building envelopes showing suitable surface drainage on the property, including existing and proposed elevations, this topographical survey must be completed and stamped by a Professional Engineer or an Ontario Land Surveyor. These works are to be completed to the satisfaction of the Commissioner of Transportation and Public Works.
- It is the owner's responsibility to maintain the existing drainage pattern. Ensure positive drainage is achieved. It is the owner's responsibility to repair any drainage problems caused by the proposed works on their property and/or the adjacent owner's properties.
- All proposed site works are to remain 0.6m (2ft.) minimum from all lot lines as per Site Alteration By-Law 2017-0040.

TO: Niloo Hodjati, Secretary-Treasurer, Committee of Adjustment & Consent Official

FROM: Keith Hamilton, Planner – Policy

DATE: June 24, 2020

RE: Planning Recommendation for
Application D13VAR20.011H – 2182035 Ontario Ltd.
Municipally known as 284 Queen Street East
Town of Halton Hills (Acton)

APPLICATION

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

1. To permit a half storey situated partially within the roof to have a floor area of 68% of the floor area of the floor below, where as the By-law requires the half storey not exceed 50% of the floor area of the floor below.

To accommodate proposed 1.5-storey townhouses.

Proposal

The Applicant is applying to increase the maximum floor area of the half storey (loft space) within the sixteen (16) previously approved 1.5-storey (bungalow) townhouses.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Medium Density Residential Area (Residential Special Policy Area 15) in the Town's Official Plan, by way of Official Plan Amendment No. 36, which was approved by Town Council on July 8, 2019. The site specific designation permits 16 bungalow townhouses with a maximum height of 1.5-storeys.

The designation does not specifically identify maximum floor area requirements for the half storey within the 16 residential dwelling units.

Town of Halton Hills Zoning By-Law

The subject property is zoned Medium Density Residential Two - Exception Number 104 (MDR2 (104)) under the Town's Comprehensive Zoning By-law 2010-0050, as amended by By-law 2019-0039. The MDR2 (104) zone is site-specific, and permits a maximum of 16, 1.5 storey townhouse dwelling units accessed by a private lane. The maximum height for the 1.5 storey townhouse units is 8.5 metres.

The half storey (loft space) permitted as part of these units is limited to a maximum floor area of 50 per cent of the ground floor. This provision is set out in Part 3 of Zoning By-law 2010-0050 under the definition for 'Storey, Half'.

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 a half storey is for it to be situated wholly or partially within the roof so as not to take on the appearance and size of a full second storey. Size parameters within the Zoning By-law definition of a half storey, including floor level, ceiling height and floor area (50% of the ground floor) are set out to ensure that the half storey is habitable while clearly smaller in size to the full ground floor of the dwelling. Staff is of the opinion that this intent is being maintained as the building envelope (including height) and appearance of the previously approved townhouse units has not been increased or altered. As a result, there will be no added impacts to the properties surrounding the proposed development.

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 floor plans of the proposed townhouses shall be generally in accordance with the drawings prepared by 2183025 Ontario Ltd., date stamped by the Committee of Adjustment on June 4, 2020, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

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.
- Please note that 284 Queen St. E., Acton Townhouse Subd. is designed for underground electrical distribution but Halton Hills Hydro Inc. has existing overhead pole line at the front and side of the development. Refer to HHH Standard 3-105 on Minimum Conductor Clearances from Buildings, Permanent Structures or Building Apparatus (see attached Std. 3-105R2).