

**COMMITTEE OF ADJUSTMENT
AGENDA**

Date: Wednesday, November 4, 2020, 6:00 p.m.
Location: VIA ZOOM
Members: T. Jenney, Chair, T. Hill, L. Hillier, N. Panchuk, J. Watson

Pages

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

a. **Minor Variance D13VAR20.018H - 2570997 Ontario Inc.**

4

Location: 16268 17 Side Road, Town of Halton Hills (Esquesing),
Regional Municipality of Halton

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

1. To reduce the distance to the front lot for an existing dwelling used as accessory farm employee accommodation from the minimum 30 m to permit a 10 m distance.
2. To increase the distance from the detached dwelling on the same lot to an existing dwelling used as accessory farm employee accommodation from the maximum 30 m to permit a 250 m distance.

To accommodate a proposed accessory farm employee accommodation (existing dwelling).

Owner(s): 2570997 Ontario Inc., Hernak Daliwhal, **Agent:** Robert Russell
Planning Consultants Inc., Rob Russell

b. Minor Variance D13VAR20.019H - Van Ryn

7

Location: 53 Confederation Street, Town of Halton Hills (Glen Williams), 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 120 sq m accessory building (detached garage).
2. To increase the total floor area for all accessory structures from the maximum 60 sq m to permit a total floor area of 130 sq m (detached garage and existing sheds).
3. To increase the height for an accessory building from the maximum 4.5 m to permit a height of 6.2 m (detached garage).

To accommodate a proposed detached garage.

Owner(s): William & Susan Van Ryn

c. Minor Variance D13VAR20.020H - Rocha

11

Location: 4 Ainley Trail, Town of Halton Hills (Glen Williams), Regional Municipality of Halton

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

1. To increase the total floor area for all accessory structures from the maximum 20 sq m to permit a total floor area of 34 sq m (existing cabana and shed).

To accommodate an existing cabana.

Owner(s): Marlene & Domingos Rocha

d. Minor Variance D13VAR20.021H - Perusse

14

Location: 70 King Street, 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 two accessory structures from the maximum 20 sq m each to permit a floor area of 35.1 sq m each (swim spa and golf simulator).
2. To increase the height for two accessory structures from the maximum 3.5 m to permit a height of 4.1 m each (swim spa and golf simulator).

To accommodate proposed accessory structures (2), (swim spa and golf simulator).

Owner(s): Vaughn Perusse & Rossana Cossaro

e. **Minor Variance D13VAR20.022H - Worthington Homes (Humberstone) Inc.**

Location: 3 & 5 Halton Hills Drive, Town of Halton Hills (Georgetown), Regional Municipality of Halton

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

1. To reduce the exterior side yard setback from a 0.3 metres reserve from the minimum 2.7 metres to permit the following:
 - 2.67 metres for Block 4 unit 25
 - 2.68 metres for Block 10 unit 65
 - 2.44 metres for block 12 unit 74
 - 2.05 metres for block 12 unit 78
2. To reduce the setback from a porch encroachment into the exterior side yard, from the minimum 1.5 metres to permit the following:
 - 1.40 metres from the 0.3 metre reserve for block 4 unit 25
 - 1.49 metres from the 0.3 metre reserve for block 10 unit 65
 - 1.10 metres from the 0.3 metre reserve for block 12 unit 78
3. To reduce the interior side yard setback to a porch from the minimum 1.2 metres to permit the following:
 - 0.60 metres for Block 11 Unit 66
 - 1.15 metres for Block 11 Unit 73
4. To reduce the minimum garage width from the minimum 3.5 metres to permit the following:
 - 3.35 metres for block 16 units 99, 100 and 101.

To accommodate proposed townhouses.

Owner(s): Worthington Homes (Humberstone) Inc., Ron Bawks

4. **ADJOURNMENT**

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

FROM: Ruth Conard, Planner – Development Review

DATE: October 29, 2020

RE: Planning Recommendation for
Application D13VAR20.018H – 2570997 Ontario Inc.
Municipally known as 16268 17 Sideroad
Town of Halton Hills (Esquesing)

APPLICATION

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

1. To reduce the distance to the front lot for an existing dwelling used as accessory farm employee accommodation from the minimum 30 m to permit a 10 m distance.
2. To increase the distance from the detached dwelling on the same lot to an existing dwelling used as accessory farm employee accommodation from the maximum 30 m to permit a 250 m distance.

To accommodate a proposed accessory farm employee accommodation (existing dwelling).

Proposal

The applicant is proposing to construct a second dwelling on the property approximately 450 sq m (4,843 sq ft) in size for occupancy by the owner(s) while maintaining the existing dwelling approximately 169 sq m (1,891 sq ft) in size for accessory farm employee accommodation.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Protected Countryside Area in the Town's Official Plan with the south west corner containing a Natural Heritage System Overlay. No new development is proposed within the Natural Heritage System. The property is also identified within the Greenbelt Plan Boundary.

Permitted uses within the Protected Countryside Area include agricultural operations and accessory residential uses on farm properties subject to Section E1.4.2 of the Official Plan.

Section E1.4.2 entitled Accessory Residential Uses on Farm Properties states that the establishment of additional dwelling unit(s) on a commercial farm for bona fide farm help is permitted provided the lands are appropriately zoned. Prior to considering an application for a dwelling for use for bona fide farm help the Applicant must demonstrate that the dwelling unit:

- a) is required for farm help as set out in a detailed submission addressing matters such as labour requirements related to the size and the nature of the farm operation, and such an assessment of the available residential accommodation of the farm;
- b) will be available within the existing farm cluster;
- c) can be serviced by appropriate sewage and water services; and,
- d) will be designed and/or located to be compatible or otherwise blend in with the farm operation.

Town of Halton Hills Zoning By-Law

The property is zoned Protected Countryside (PC) in Zoning By-law 2010-0050, as amended, with the south west corner zoned Protected Countryside – Natural Heritage System 2 (PC-NHS2). No new development is proposed in the PC-NHS2 zone.

The PC zone permits agricultural uses and accessory farm employee accommodation. Section 4.2 of the Zoning By-law entitled Accessory Farm Employee Accommodation states where accessory farm employee accommodation is permitted in a zone, the following provisions shall apply:

- a) the accessory farm accommodation is located on a lot that is the site of a commercial farm and a residence that is occupied by the operator of the commercial farm;
- b) any building and associated activity area used for the accessory farm employee accommodation shall be located no further than 30.0 metres from the detached dwelling on the same lot and no closer than 30.0 metres from any lot line.
- c) buildings or structures for accessory farm employee accommodation shall only be located on a lot with a minimum lot area of at least 20.0 hectares;
- d) the driveway accessing the accessory farm employee accommodation shall be shared with the driveway that is utilized for the principal use on the lot; and,
- e) the accessory farm employee accommodation shall be secondary and accessory to the principal use on the same lot.

COMMENTS

Internal Department and External Agency Comments

This application was circulated for review and comment to Town departments and external agencies. Region and Town staff have identified the need for additional information to determine if the proposal conforms to the intent of the Region of Halton and Town of Halton Hills Official Plans. As such, the Town and Region are requesting that the Committee defers its decision on the application.

The Applicant is proposing a second dwelling for farm employee accommodation; as per Region and Town Official Plan policies, second dwellings for farm help are only permitted on a bona fide commercial farm. The Town defers to the Region for direction regarding bone fide farm operations. Comments have been provided from the Region requesting additional information to evaluate the request for farm employee accommodation as the Region questions whether the subject site would qualify as a bona fide commercial farm. Town staff supports the Region's position.

In addition, the Region has requested further information in order to support the hydrogeological report submitted by the Applicant.

RECOMMENDATION

Planning staff recommends that the Committee *defers* its decision in order to allow for further discussions with the Applicant regarding the following items:

1. The status of the existing farm and whether it qualifies as a bona fide commercial farm
2. The submitted hydrogeological report.

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

FROM: Tharushe Jayaveer, Planner – Policy/Development Review

DATE: October 28, 2020

RE: Planning Recommendation for
Application D13VAR20.019H – Van Ryn
Municipally known as 53 Confederation Street
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 maximum 40 sq m to permit a 120 sq m accessory building (detached garage).
2. To increase the total floor area for all accessory structures from the maximum 60 sq m to permit a total floor area of 130 sq m (detached garage and existing sheds).
3. To increase the height for an accessory building from the maximum 4.5 m to permit a height of 6.2 m (detached garage).

To accommodate a proposed detached garage.

Proposal

The Applicant is proposing to construct a new one-storey detached garage (with loft space) and maintain two existing sheds on the property.

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 and accessory buildings and structures. Section G13.6 of the Official Plan states that whenever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, and accessory to that use are also permitted.

Town of Halton Hills Zoning By-Law

The subject property is zoned Hamlet Residential One (Mature Neighbourhood 1) (HR1(MN1)) in the Town's Comprehensive Zoning By-law 2010-0050 as amended. The HR1 (MN1) zone permits semi-detached dwellings and accessory buildings and structures.

In the HR1 (MN1) zone, the by-law limits individual accessory structures to a maximum gross floor area of 40.0 sq m, maximum height of 4.5 m and maximum total floor area for all accessory structures on the site to 60.0 sq 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; 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 the existing detached garage would appear to be incidental and subordinate to the principal residential use and it does not appear that there will be any significant impacts to the surrounding properties given the property has no abutting neighbours adjacent to where the garage is to be constructed. It should also be acknowledged that the 120 sq.m. size of the proposed garage includes the gross floor area of the loft space, which is the cause for the larger number. Additionally, as of the date of this report no objections have been received from any neighbours regarding the existing garage.

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 location of the proposed detached garage shall be constructed, as generally shown on the Site Map Location, date stamped by the Committee of Adjustment on October 02, 2020, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

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.
- 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.

Zoning

- An accessory structure is not permitted to be used for habitable space or an occupation for gain or profit.

Region of Halton

- The subject property is located within the jurisdiction of the CTC Source Protection Plan (SPP). The CTC SPP can be accessed online at: <http://www.ctcswp.ca/ctc-source-protection-plan/>. The property is located in a Significant Groundwater Recharge Area and Highly Vulnerable Aquifer. The application is not subject to Section 59 under the Clean Water Act and as such, no Section 59 notice is required at the building permit stage.

Credit Valley Conservation

- The proponent should be advised that the proposed garage requires a CVC permit.
- The garage would be subject to CVC floodproofing requirements as part of the CVC permit review process.
- The proponent is advised to follow up directly with CVC staff to resolve the CVC permitting requirements.

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: Ruth Conard, Planner – Development Review

DATE: October 29, 2020

RE: Planning Recommendation for
Application D13VAR20.020H – Rocha
Municipally known as 4 Ainley Trail
Town of Halton Hills (Glen Williams)

APPLICATION

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

1. To increase the total floor area for all accessory structures from the maximum 20 sq m to permit a total floor area of 34 sq m (existing cabana and shed).

To accommodate an existing cabana.

Proposal

The applicant is proposing to recognize an existing 9.3 sq m (100 sq ft) shed with a height of 3.3 m (11 ft) and a 24.7 sq m (266 sq ft) cabana with a height of 2.9 m (9.6 ft) which is currently under construction.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Hamlet Residential Area in the Town's Official Plan. These designations permit single detached dwellings on existing lots and accessory buildings and structures. Section G13.6 of the Official Plan states that wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, and accessory to that use are also permitted.

Town of Halton Hills Zoning By-Law

The property is zoned Hamlet Residential One - Exception 16 (HR1(16)) under Town Zoning By-law 2010-0050, as amended. The HR1(16) zone permits single detached dwellings and accessory

buildings and structures. The HR1(16) zone limits the maximum total gross floor area for all accessory structures on the site to 20 sq 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; relevant comments regarding the Minor Variance application are as follows:

Planning

The intent of the maximum floor area requirement for accessory structures is to ensure that the collective 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 extent of relief requested and the location of the shed and cabana being in the rear yard screened by vegetation, 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.

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.

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: John McMulkin, Planner – Development Review

DATE: October 28, 2020

RE: Planning Recommendation for
Application D13VAR20.021H – Perusse
Municipally known as 70 King Street
Town of Halton Hills (Georgetown)

APPLICATION

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

1. To increase the floor area for two accessory structures from the maximum 20 sq. m each to permit a floor area of 35.1 sq. m each (swim spa and golf simulator).
2. To increase the height for two accessory structures from the maximum 3.5 m to permit a height of 4.1 m each (swim spa and golf simulator).

To accommodate two (2) proposed accessory structures (swim spa and golf simulator).

Proposal

The variances are required in order to accommodate two (2) proposed accessory buildings, one of which is proposed to contain a swim spa and the other is proposed to contain a golf simulator.

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). Single detached dwellings are permitted in this designation. Section G13.6 of the Official Plan states that whenever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, and accessory to that use are also permitted.

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. Single detached dwellings are permitted. Section 4.1.1 of the Zoning By-law states where the By-law provides that land may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory buildings, structures or accessory uses located on the same lot as the primary use to which they are related.

The LDR1-2(MN) zone limits individual accessory structures to a maximum gross floor area of 20.0 square metres and a maximum height of 3.5 metres.

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 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 location of the proposed accessory buildings and the extent of the relief requested, Planning staff views the intent of the maximum floor area and height 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:

Town Development Engineering

- The Owner 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.

Town Zoning

- The proposed accessory structures are permitted to be used for personal use only.

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: John McMulkin, Planner – Development Review

DATE: October 29, 2020

RE: Planning Recommendation for
Application D13VAR20.022H – Worthington Homes (Humberstone) Inc.
Municipally known as 3 & 5 Halton Hills Drive
Town of Halton Hills (Georgetown)

APPLICATION

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

1. To reduce the exterior side yard setback from a 0.3 metre reserve from the minimum 2.7 metres to permit the following:
 - 2.67 metres for Block 4, Unit 25
 - 2.68 metres for Block 10, Unit 65
 - 2.44 metres for Block 12, Unit 74
 - 2.05 metres for Block 12, Unit 78
2. To reduce the setback from a porch encroachment into the exterior side yard from the minimum 1.5 metres to permit the following:
 - 1.40 metres from the 0.3 metre reserve for Block 4, Unit 25
 - 1.49 metres from the 0.3 metre reserve for Block 10, Unit 65
 - 1.10 metres from the 0.3 metre reserve for Block 12, Unit 78
3. To reduce the interior side yard setback to a porch from the minimum 1.2 metres to permit the following:
 - 0.60 metres for Block 11, Unit 66
 - 1.15 metres for Block 11, Unit 73
4. To reduce the garage width from the minimum 3.5 metres to permit the following:
 - 3.35 metres for Block 16, Units 99, 100 and 101

To accommodate proposed townhouses.

Proposal

The variances are required in order to accommodate 101 residential townhouse units on public streets located off the future extension of Halton Hills Drive. The proposed development has received Draft Plan of Subdivision approval and is in the process of clearing conditions.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject lands are designated “Civic Centre Area” in the Town’s Official Plan. Townhouse dwellings are permitted in this designation.

Town of Halton Hills Zoning By-Law

The subject lands are located within the “Environmental Protection One (EP1)” zone, “Open Space One (OS1)” zone and site-specific “Medium Density Residential One (MDR1)” zones in the Town’s Comprehensive Zoning By-law 2010-0050, as amended by Zoning By-law 2017-0044. Street townhouse dwellings are permitted within the site-specific MDR1 zones (i.e. Exception Nos. 100-A, 100-B, 100-C and 100-D), which have varying development standards depending on the townhouse block and are subject to a Holding (H24) Provision.

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:

Halton Hills Hydro

Halton Hills Hydro identified concerns with the proposed 1.15 metre interior side yard setback for Unit 73 (Block 11) relating to access for the hydro service on that side and that the building would end up encroaching into the storm easement. As part of the development a 3.0 metre wide storm easement was to be located along the property line boundary between Units 73 and 74 (1.5 m on each side) for rear lot catch basins and associated sewers. Halton Hills Hydro also required a minimum 1.5 m wide area to access the hydro meter on the side of Unit 73. Given the requested interior side yard setback (1.15 m) for the porch to Unit 73 the building would encroach 0.35 metres into these areas.

As a result of the proposed encroachment of the porch into the storm easement, the Owner in consultation with Town Development Engineering staff is proposing to shift the easement farther south so that there would be a 1.15 m wide easement on Block 11 at the front corner of the porch to Unit 73 and a 1.85 m wide easement on Block 12 (Unit 74) at this location. As the 3.0 metre wide easement moves west past the porch it is proposed to shift slightly north, widening on Block 11 and narrowing on Block 12 until both sides are 1.5 m wide. In addition, the Owner has agreed to have

the hydro meter to service Unit 73 installed at the front of the building so that Halton Hills Hydro's required 1.5 m access area will be provided.

Planning

The intent of the minimum exterior side yard setback requirements is to maintain sightlines for vehicular traffic, provide an area on the private lot for landscaping/snow storage and ensure a consistent pattern of dwelling setbacks. The intent of the minimum interior side yard setback requirements is to provide area between the building and the lot line for access/maintenance purposes.

The intent of the minimum garage width requirement is to ensure the parking space within the garage is of sufficient width to accommodate a motor vehicle. It should be noted that despite a variance being requested to the minimum garage width requirement of Zoning By-law 2017-0044, the proposed garage width of 3.35 metres would exceed the minimum of 2.9 metres stipulated within the Town's Comprehensive Zoning By-law 2010-0050.

Given the extent of the relief requested, the location of the proposed development and its greenfield context, Planning staff views the variances to be technical in nature and maintain the intent of the minimum exterior side yard, interior side yard and garage width requirements.

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 residential townhouse units shall be generally in accordance with the Siting Plan, emailed from Corey Wehrle, Orchard Design to Rachel Purdy, Zoning Officer on October 6, 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.