

## **COMMITTEE OF ADJUSTMENT AGENDA**

**Date:** April 6, 2022, 6:00 p.m.  
**Location:** VIA ZOOM  
**Members:** T. Jenney, T. Hill, N. Panchuk, J. Watson, L. Hillier

### **Pages**

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

**a. Minor Variance D13VAR22.007H – Shantz**

**4**

**Location:** 24 Ewing 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 an accessory structure from the maximum 20 sq m to permit a floor area of 42.2 sq m.
2. To increase the height for an accessory structure from the maximum 3.5 m to permit a height of 3.9 m.

**To accommodate a proposed accessory structure.**

**Owner(s):** Elwood Shantz

**b. Minor Variance D13VAR22.008H – Watch Tower**

9

**Location:** 13893 Highway 7, Town of Halton Hills (Esquesing), Regional Municipality of Halton

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

1. To increase the floor area for an accessory structure from the maximum 50 sq m to permit a floor area of 51.6 sq m.
2. To increase the height for an accessory structure from the maximum 4.5 m to permit a height of 5.6 m.
3. To increase the number of accessory structures from the maximum 2, to permit 7 existing and 1 proposed accessory structure(s).

**To accommodate a proposed accessory structure.**

**Owner(s):** Watch Tower Bible and Tract Society of Canada, Justin Noseworthy, **Agent(s):** Korsiak Urban Planning, Alison Bucking

**c. Minor Variance D13VAR22.009H – Gougeon**

14

**Location:** 32 Church 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 a detached garage from the maximum 40 sq m to permit a floor area of 44.7 sq m.
2. To increase the height for a detached garage from the maximum 4.5 m to permit a height of 5.09 m.
3. To reduce the side yard setback from the minimum 1 m, to permit a side yard setback of 0.91 m (detached garage).
4. To permit a detached garage to be built closer to the front lot line (6.1 m) than the main building (dwelling) from the front lot line (6.81 m).

**To accommodate a proposed detached garage.**

**Owner(s):** Peter Scholz & Michelle Gougeon, **Agent:** Matthews Design & Drafting, Doug Matthews / Bethany VanRavens

d. **Minor Variance D13VAR22.010H – SGR Gillz Holdings Inc.**

18

**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 no screening of the outdoor storage for the interior side lot lines.

**To accommodate a proposed transportation terminal.**

**Owner(s):** SGR Gillz Holdings Inc., Prithpal Singh, **Agent:** DSH Planning, Andrew Head

e. **Minor Variance D13VAR22.011H – AMICO 42 MILL LTD**

21

**Location:** 26, 36, 38, and 42 Mill Street, Town of Halton Hills (Georgetown), Regional

Municipality of Halton

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

1. To reduce the minimum resident parking requirement from 1.5 spaces per apartment dwelling unit (291 spaces) to permit 1.4 resident parking spaces per apartment dwelling unit (272 spaces).

**To accommodate resident parking for 2 apartment buildings (one under construction and one to be built in the future).**

**Owner(s):** AMICO 42 MILL LTD, Cindy Prince

4. **ADJOURNMENT**

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

**FROM:** Tharushe Jayaveer, Planner – Policy/Development Review

**DATE:** March 31, 2022

**RE:** Planning Recommendation for  
Application D13VAR22.007H – Shantz  
Municipally known as 24 Ewing Street,  
Town of Halton Hills (Georgetown)

---

### **APPLICATION**

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

1. To increase the floor area for an accessory structure from the maximum 20 sq m to permit a floor area of 42.2 sq m.
2. To increase the height for an accessory structure from the maximum 3.5 m to permit a height of 3.9 m.

To accommodate a proposed accessory structure.

### **Proposal**

The Applicant is proposing to construct a new shed and demolish two existing sheds.

### **POLICY CONTEXT**

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

The property is designated Low Density Residential Area in the Town's Official Plan and also located within the "Mature Neighbourhood Area" overlay established through the adoption of Official Plan Amendment No. 22 (Mature Neighbourhoods Character Study). This designation permits existing single detached dwellings. 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. The LDR1-2(MN) zone permits single detached dwellings and accessory buildings and structures.

In an LDR1-2(MN) zone the Zoning By-law limits accessory structures to a maximum floor area of 20 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 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. An accessory building is not permitted to be used for human habitation or for an occupation for gain or profit.

Staff is of the opinion that this intent is being maintained as the proposed accessory structure is clearly incidental and subordinate to the principal residential use. It does not appear that there will be any significant impacts to the surrounding properties.

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:

1. The location and construction of the of the accessory building shall be generally in accordance with the Shed Concept, Proposed Property Layout, and Elevation drawings date stamped by the Committee of Adjustment on February 8, 2022, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and approved by,

A handwritten signature in black ink, appearing to read "Jeff Markowiak", written in a cursive style.

**Jeff Markowiak, Director of Development Review**

## Notes

### Development Engineering

- The Town requires a sealed grading plan that demonstrates how grading and drainage shall function for the applicant's proposal. The grading plan shall be set to a metric scale and contain existing vs proposed topographical data.
- The Owner/Applicant shall apply for and acquire a Site Alteration Permit under Bylaw 2017-0040 for the proposed works through the Development Engineering Department prior to the issuance of the associated Building Permit. Please contact the Development Engineering Department or visit the Town's website and search "Site Alteration" for further details prior to making the application. Please note that a grading plan, prepared by an appropriate professional, will be required to support this Site Alteration Permit application.

### Zoning

- An accessory building is not permitted to be used for human habitation or for an occupation for gain or profit.

### Halton Region

- It should be noted that the entirety of the property is identified as having archaeological potential. Although an archaeological assessment is not required by Halton Region, the proponent is cautioned that during development activities, should archaeological materials be found on the property, the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries should be notified immediately (416-212-8886 or [archaeology@ontario.ca](mailto:archaeology@ontario.ca)). In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and all soil disturbance must stop to allow the authorities to investigate and the Registrar of Cemeteries to be consulted.
- Source Water Protection
  - 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 WHPA-E (VS-9), an Issue Contributing Area for chloride, WHPA-Q1/Q2 (moderate risk) and a Highly Vulnerable Area.
  - The application qualifies as a "residential use" – it is therefore exempt from the S.59 review process under the SPP per policy G-2. The application can proceed from the perspective of Source Water Protection and no S.59 notice will be 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.

- Please note that any costs due to changes required of Halton Hills Hydro's distribution system (i.e. extending 3- phase line, moving poles or other equipment 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:** March 31, 2022

**RE:** Planning Recommendation for  
Application D13VAR22.008H – Watch Tower  
Municipally known as 13893 Highway 7,  
Town of Halton Hills (Esquesing)

---

## **APPLICATION**

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

1. To increase the floor area for an accessory structure from the maximum 50 sq m to permit a floor area of 51.6 sq m.
2. To increase the height for an accessory structure from the maximum 4.5 m to permit a height of 5.6 m.
3. To increase the number of accessory structures from the maximum 2, to permit 7 existing and 1 proposed accessory structure(s).

To accommodate a proposed accessory structure.

## **Proposal**

The Applicant is proposing to construct a tent structure over two aggregate bins.

## **POLICY CONTEXT**

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

The portion of the property where the proposed accessory structure is intended to be constructed is designated Major Institutional Area under the Town's Official Plan. 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 Protected Countryside (PC), Institutional Exception 45 (I (45)), Protected Countryside Natural Heritage System 1 with Holding Provision 2 (PC-NHS1 (H2)), and

Protected Countryside Natural Heritage System 2 (PC-NHS2). The proposed accessory structure is intended to be constructed within the portion of the lot zoned Institutional (I), which permits accessory buildings and structures.

In an Institutional zone, the Zoning By-law limits accessory structures to a maximum floor area of 50 square metres, a maximum height of 3.5 metres, and applies a maximum of two accessory 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 accessory buildings and structures is to ensure that they do not visually dominate the lot, are clearly accessory to the principal use and do not create impacts to surrounding properties. Staff is of the opinion that this intent is being maintained as the proposed accessory structure is clearly incidental and subordinate to the principal structures. Given the size of the subject property and its secluded nature, the proposed additional structure should not have any impact to surrounding properties.

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.

Reviewed and approved by,

A handwritten signature in black ink, appearing to read "Jeff Markowiak". The signature is written in a cursive, flowing style with a large initial "J" and "M".

**Jeff Markowiak, Director of Development Review**

## Notes

### Building

- A building permit is required for the revision to the structure.

### Credit Valley Conservation Authority

- As the proposed accessory structure is in close proximity to a Regional Key Natural Heritage Feature, CVC staff recommend keeping light and noise disturbance to a minimum (downcast energy efficient lighting).

### Development Engineering

- The Town requires a sealed grading plan completed by an Ontario Land Surveyor (O.L.S.) or Professional Engineer (P.Eng) that demonstrates how grading and drainage shall function for the applicant's proposal. The grading plan shall be set to a metric scale and contain existing vs proposed topographical data.
- The Owner/Applicant shall apply for and acquire a Site Alteration Permit under Bylaw 2017-0040 for the proposed works through the Development Engineering Department prior to the issuance of the associated Building Permit. Please contact the Development Engineering Department or visit the Town's website and search "Site Alteration" for further details prior to making the application. Please note that a grading plan, prepared by an appropriate professional, will be required to support this Site Alteration Permit application.

### Halton Region

- It should be noted that the portion of the property where the accessory structure is proposed is identified as having archaeological potential. Although an archaeological assessment is not required by Halton Region, the proponent is cautioned that during development activities, should archaeological materials be found on the property, the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries should be notified immediately (416-212-8886 or [archaeology@ontario.ca](mailto:archaeology@ontario.ca)). In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and all soil disturbance must stop to allow the authorities to investigate and the Registrar of Cemeteries to be consulted.
- Source Water Protection
  - 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 WHPA-E (VS-9), an Issue Contributing Area for chloride, WHPA-Q1/Q2 (moderate risk), a Significant Groundwater Recharge Area and a Highly Vulnerable Area.
  - Through the established Risk Management Plan for this property and based on the information provided by the applicant, a new Section 59(2)(b) Notice (attached) has

been issued and meets the requirements set out in Section 59 under the Clean Water Act, 2006.

#### 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:** March 31, 2022

**RE:** Planning Recommendation for  
Application D13VAR22.009H – Gougeon  
Municipally known as 32 Church 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 detached garage from the maximum 40 sq m to permit a floor area of 44.7 sq m.
2. To increase the height for a detached garage from the maximum 4.5 m to permit a height of 5.09 m.
3. To reduce the side yard setback from the minimum 1 m, to permit a side yard setback of 0.91 m (detached garage).
4. To permit a detached garage to be built closer to the front lot line (6.1 m) than the main building (dwelling) from the front lot line (6.81 m).

To accommodate a proposed detached garage.

## **Proposal**

The Applicant is proposing to construct a new detached garage and demolish an existing shed.

## **POLICY CONTEXT**

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

The property is designated Low Density Residential Area in the Town's Official Plan and is located within the "Mature Neighbourhood Area" overlay established through the adoption of Official Plan Amendment No. 22 (Mature Neighbourhoods Character Study). This designation permits existing single detached dwellings. 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. The LDR1-2(MN) zone permits single detached dwellings and accessory buildings and structures.

In an LDR1-2(MN) zone the Zoning By-law limits a detached private garage to a maximum floor area of 20 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 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. An accessory building is not permitted to be used of human habitation or for an occupation for gain or profit.

Staff is of the opinion that this intent is being maintained as the proposed accessory structure is clearly incidental and subordinate to the principal residential use.

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

### **Public Comments**

As of the date of this report, one (1) letter of objection was received from the property owners to the east (30 Church Street). Their concern was in regard to the height of the accessory structure, the close proximity of the proposed structure to the shared lot line, and that the proposed side yard setback may negatively impact existing trees on their property. In response, the Applicant has reduced the height of the garage (originally proposed at 5.31 m; now proposed at 5.09 m) and increased the side yard setback (originally proposed at 0.6 m; now proposed at 0.91 m). The neighbour withdrawn their objection.

## **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 and construction of the detached garage shall be generally in accordance with the Site Plan, Floor Plan, Side and Back Elevations drawings prepared by Matthews Design & Drafting Services Inc. date stamped by the Committee of Adjustment on March 29, 2022, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read "Jeff Markowiak", written in a cursive style.

**Jeff Markowiak, Director of Development Review**

## Notes

### Development Engineering

- The Owner/Applicant shall apply for and acquire a Site Alteration Permit under Bylaw 2017-0040 for the proposed works through the Development Engineering Department prior to the issuance of the associated Building Permit. Please contact the Development Engineering Department or visit the Town's website and search "Site Alteration" for further details prior to making the application. Please note that a grading plan, prepared by an appropriate professional, will be required to support this Site Alteration Permit application.

### Zoning

- An accessory building is not permitted to be used for human habitation or for an occupation for gain or profit.

### Halton Region

- It should be noted that the entirety of the property is identified as having archaeological potential. Although an archaeological assessment is not required by Halton Region, the proponent is cautioned that during development activities, should archaeological materials be found on the property, the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries should be notified immediately (416-212-8886 or [archaeology@ontario.ca](mailto:archaeology@ontario.ca)). In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and all soil disturbance must stop to allow the authorities to investigate and the Registrar of Cemeteries to be consulted.
- Source Water Protection
  - 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 WHPA-B (8), WHPA-E (VS-9), an Issue Contributing Area for chloride, WHPA-Q1/Q2 (moderate risk), a Significant Groundwater Recharge Area and a Highly Vulnerable Area
  - The application qualifies as a "residential use" – it is therefore exempt from the S.59 review process under the SPP per policy G-2. The application can proceed from the perspective of Source Water Protection and no S.59 notice will be 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.
- 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:** March 30, 2022

**RE:** Planning Recommendation for  
Application D13VAR22.010H – SGR Gillz Holdings Inc.  
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 no screening of the outdoor storage for the interior side lot lines.

To accommodate a proposed transportation terminal.

## **Proposal**

The Applicant is proposing to eliminate the requirement for opaque fencing (i.e. berm or wood fence) on the interior side lot lines adjacent to the existing industrial uses to the east and west. The variance is requested to facilitate the construction of a new industrial building with associated outdoor storage (transport trucks) on an existing vacant lot.

The subject Minor Variance application is related to a Site Plan application (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 under 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.

## **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**

A previous minor variance was approved (D13VAR20.008H) to permit outdoor storage (trucks) to be screened by a 1.8 metres opaque fence whereas 3.0 metres is required. This variance only applies to the lot lines adjacent to existing industrial uses to the east and west. The Applicant is now proposing to completely eliminate the opaque fence requirement.

The intent of screening outdoor storage (either through berm or opaque 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 eliminate the opaque fence requirement adjacent to the industrial lots given that these lots have some existing outdoor storage component themselves. A 3.0 metre combination berm and fence is still proposed adjacent to the residential uses on Wallace Street to minimize visibility of the outdoor storage. For the rest of the lot lines the Owner will erect a chain link fence and security gate at the entrance to provide some measure of security.

## **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,

A handwritten signature in black ink, appearing to read "Jeff Markowiak", is written over a faint, light-colored circular stamp.

**Jeff Markowiak, Director of Development Review**

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

**FROM:** Ruth Conard, Planner – Development Review

**DATE:** March 30, 2022

**RE:** Planning Recommendation for  
Application D13VAR22.011H – AMICO 42 MILL LTD  
Municipally known as 26, 36, 38 and 42 Mill Street  
Town of Halton Hills (Georgetown)

---

### **APPLICATION**

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

1. To reduce the minimum resident parking requirement from 1.5 spaces per apartment dwelling unit (291 spaces) to permit 1.4 resident parking spaces per apartment dwelling unit (272 spaces).

To accommodate resident parking for two apartment buildings (one under construction and one to be built in the future).

### **Proposal**

In 2017 Council approved site-specific Official Plan and Zoning By-law Amendments to allow the construction of a 6-storey residential apartment building containing 78 units (Building 1) on the former Memorial Arena lands. A related site plan application was approved in 2020 and the building is now under construction.

In 2020 Council approved the second phase of the site-specific Official Plan and Zoning By-law Amendments to allow for the development of 14 townhouse units (Building 2) and a 5-storey apartment building containing 116 units (Building 3) on the lands. The site plan application for these two buildings is currently under review.

Amico (the Applicant) is proposing to reduce the resident parking rate for Buildings 1 and 3 from 1.5 spaces per apartment dwelling unit (291 spaces) to 1.4 spaces per apartment dwelling unit (272 spaces). Resident parking for Building 2 will remain unchanged as well as the visitor parking requirement for the consolidated site.

## **POLICY CONTEXT**

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

Under the Town's Official Plan, the consolidated site is included within the boundaries of the Georgetown GO Station Secondary Plan and specifically within the Mill Street Corridor Precinct of that Plan. The site is designated High Density Residential/Community Facility Area Special Policy Area 1 (SPA1) and permits, among other things, apartment buildings.

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

Under the Town's Zoning By-law 2010-0050, as amended, the site is zoned High Density Residential (HDR(92))(H18) which permits apartment buildings, among other things.

The parking rate for apartment buildings as outlined in Part 5 of the Zoning By-law requires 1.5 spaces per unit for residents plus 0.25 spaces per unit for visitors.

## **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:

#### **Transportation:**

As mentioned previously, the Applicant is proposing to reduce the parking rate for the apartment buildings (Buildings 1 and 3) from 1.5 spaces per unit (291 spaces) to 1.4 spaces per unit (272 spaces). The resident parking for the townhouse units (Building 2) and all visitor parking remains unchanged.

The Applicant submitted a Parking Study, prepared by LEA Consulting Ltd. in support of their variance request. The Study suggests the variance should be supported due to the proximity of the site to the Georgetown GO Station, proposed cycling networks for the development and walkability of the community.

A technical review of the application was completed by Transportation staff, who conclude that the findings of the submitted Parking Study adequately support the proposed parking reduction request. The Study concludes that based on the review of the Transportation Tomorrow Survey (Neighborhood Vehicle Ownership Review), Parking Sales Data, Proxy Parking Surveys, Precedent Parking Demand and Transportation Demand Management initiatives, the parking reduction can be accommodated on-site without creating adverse impacts on the surrounding road network or neighbourhood.

Based on the above, staff have no objections with the proposed minor variance.

## **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,

A handwritten signature in black ink, appearing to read 'Jeff Markowiak', is written over a faint, light-colored circular stamp or watermark.

**Jeff Markowiak, Director of Development Review**