



## **COMMITTEE OF ADJUSTMENT MINUTES**

Minutes of the Committee of Adjustment hearing held on **June 1, 2022**, at 6 p.m. via Zoom.

Members Present: Todd Jenney (Chair), Jane Watson, Lloyd Hillier, Neal Panchuk, Thomas Hill

Staff Present: John McMulkin, Planner  
Ruth Conard, Planner  
Tharushe Jayaveer, Planner  
Niloo Hodjati, Secretary-Treasurer, Committee of Adjustment & Consent Official

### **1. CALL TO ORDER**

### **2. DISCLOSURE OF PECUNIARY/CONFLICT OF INTEREST**

None.

### **3. APPLICATIONS HEARD**

The order of the listed applications as shown on the agenda was altered.

The Chair's comments about the procedure were as follows:

- Town staff would speak.
- Owner or agent would be given an opportunity to speak.
- Any members of the public would be given an opportunity to speak (owner or agent would have an opportunity to respond, if needed).
- The Committee would then deliberate, ask any questions, and make a decision.
- A decision would be subject to a 20 day appeal period.

#### **b) Minor Variance D13VAR22.015H – Bhullar**

**Location:** 244 Main Street South, Town of Halton Hills (Acton), Regional Municipality of Halton

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

1. To permit the construction of a new detached dwelling, whereas the By-law only permits existing buildings, structures, and additions to existing single detached dwellings.

**To accommodate a proposed new detached dwelling.**

**Owner(s):** Abhai Singh Bhullar, **Agent:** Stonecrest Engineering, Bram Van den Heuvel

The Secretary-Treasurer noted that there are outstanding matters (per the Planning report) that need to be addressed with the Region and Credit Valley Conservation, and as such, Town staff are recommending that the decision for this application be deferred. The agent had concurred.

It was MOVED by Todd Jenney, SECONDED, and CARRIED

THAT the decision for the subject application be deferred.

**a) Minor Variance D13VAR22.014H – Klutt**

**Location:** 23 Norton Crescent, 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 78.3 sq m.
2. To increase the height for a detached garage from the maximum 4.5 m to permit a height of 5.15 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).

**To accommodate a proposed detached garage.**

**Owner(s):** Andrew Klutt, **Agent:** Matthews Design & Drafting, Doug Matthews / Bethany VanRavens

The Town Planner noted no staff objections to approval, subject to condition. The agent was present to speak to the application.

It was MOVED by Thomas Hill, SECONDED, and CARRIED

THAT the application be approved, subject to condition.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

**d) Minor Variance D13VAR22.017H – Pozderka**

**Location:** 10 Blue Mountain Place, Town of Halton Hills (Silvercreek), Regional Municipality of Halton

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

1. To increase the height for an accessory structure from the maximum 4.5 m to permit a height of 5.7 m.
2. To increase the floor area for an accessory structure from the maximum 60 sq m to permit a floor area of 96.7 sq m.
3. To increase the total floor area for all accessory structures from the maximum 80 sq m to permit a total floor area of 120.5 sq m.

**To accommodate a proposed accessory structure.**

**Owner(s):** Laszlo Pozderka, **Agent:** Hull Drafting & Development, Lonny Gibson

The Town Planner noted no staff objections to approval, subject to condition. The owner was present to speak to the application.

It was MOVED by Todd Jenney, SECONDED, and CARRIED

THAT the application be approved, subject to condition.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

**c) Minor Variance D13VAR22.016H – Otel Enterprises Inc.**

**Location:** 222 Mountainview Road North, Town of Halton Hills (Georgetown), Regional Municipality of Halton

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

1. To increase the height for a building from the maximum 11 m to permit a height of 16 m.

**To accommodate a proposed addition to the existing building.**

**Owner(s):** Otel Enterprises Inc., Christoph Summer, **Agent:** Wellings Planning Consultants Inc., Glenn Wellings

Oral Submissions:

- Helen Kwan & Zoran Tasevski, 24 Anderson Court
- Kerry Leanne Muscat, 38 Meadowglen Boulevard

The Town Planner referenced received objections from 40 Meadowglen Boulevard, 24 Anderson Court, and 38 Meadowglen Boulevard, noting issues with privacy, landscaping, lighting, and parking; responded that trees can be planted, lighting can be addressed, and there are no parking deficiencies; noted no staff objections to approval.

The agent, owner, and David McLagan (Robert J. Dyck Architect & Engineer Inc.) were present to speak to the application. The agent noted that permissions for the subject development were in place prior to the surrounding houses being built, and noted he would work with staff to resolve some of the issues raised by the public.

Helen Kwan & Zoran Tasevski spoke against the application, and noted concerns including privacy, permanent shading, balconies, trees, and lighting. The Town Planner responded that terraces and balconies are not part of the application, some lights can be turned off at night, and additional trees will be planted. Also noted that staff would work with the homeowners and agent to address the issues.

Kerry Leanne Muscat spoke against the application noting issues with parking. The Town Planner responded that a parking variance was not needed.

It was MOVED by Thomas Hill, SECONDED, and CARRIED

THAT the application be approved.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

**e) Minor Variance Minor Variance D13VAR22.018H – Pena**

**Location:** 30 Spruce Boulevard, Town of Halton Hills (Acton), Regional Municipality of Halton

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

1. To reduce the required rear yard setback for a deck with a height of 0.6 m or greater above grade from the minimum 3 m to permit 0 m.
2. To reduce the required side yard setback for a deck with a height of 0.6 m or greater above grade from the minimum 0.6 m on one side to permit 0 m (east).
3. To reduce the required side yard setback for a deck with a height of 0.6 m or greater above grade from the minimum 1 m on one side to permit 0 m (west).

**To accommodate an existing deck around the pool.**

**Owner(s):** Jason Pena & Joanna Waugh

Oral Submissions:

- Rosemary Wilson, 150 Acton Boulevard
- Wendy Filipozzi, 152 Acton Boulevard
- Hrvoje Fabek, 185 Acton Boulevard
- Craig Samson, 187 Acton Boulevard

The Town Planner referenced received objections from 152 Acton Boulevard, 144 Acton Boulevard, 150 Acton Boulevard, 142 Acton Boulevard, and 146 Acton Boulevard, noting issues with noise, and privacy (noise complaints would need to go through By-law Enforcement, and to address privacy, the raised platform would be lowered to match the existing deck and concrete pad). Also referenced received support from 26 Spruce Boulevard, 185 Acton Boulevard, 187 Acton Boulevard, and 15 Spruce Boulevard. Recommended an additional condition related to a privacy screen, and noted no staff objections to approval, subject to conditions.

The owner was present to speak to the application and noted his agreement with the report.

Rosemary Wilson spoke against the application noting concerns with privacy, and the raised platform.

Wendy Filipozzi spoke against the application, but noted she was ok with the changes.

Hrvoje Fabek spoke in support of the application.

Craig Sampson spoke in support of the application.

Committee deliberation included: height of the fence, safety, Site Alteration Permit, and a permanent privacy screen.

It was MOVED by Todd Jenney, SECONDED, and CARRIED

THAT the application be approved, subject to conditions.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

#### **4. ADJOURNMENT**

Adjourned at approximately 7:30 p.m.