



## COMMITTEE OF ADJUSTMENT MINUTES

Minutes of the Committee of Adjustment hearing held on **September 7, 2022**, at 6 p.m. via Zoom.

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

Staff Present: Greg Macdonald, Senior Planner  
Josh Salisbury, 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 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.

#### a) **Minor Variance D13VAR22.029H – Lefevre-Schlick**

**Location:** 51 Ontario 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 height of an accessory structure from the maximum 3.5 m to permit a height of 4.6 m.
2. To increase the floor area of an accessory structure from the maximum 20 sq m to permit a floor area of 28.7 sq m.

**To accommodate a proposed shed.**

**Owner(s):** Florent Lefevre-Schlick

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

It was MOVED by Thomas Hill, SECONDED, and CARRIED

THAT the application be approved, subject to condition(s).

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.

**b) Minor Variance D13VAR22.030H – St. Denis**

**Location:** 15 Ann 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 height of an accessory structure from the maximum 3.5 m to permit a height of 4.1 m.

**To accommodate an existing shed.**

**Owner(s):** Gabriel St. Denis, **Agent:** Matthews Design & Drafting, Doug Matthews / Bethany VanRavens

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

It was MOVED by Todd Jenney, 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.

**c) Minor Variance D13VAR22.031H – Manson**

**Location:** 21 Meadvale Road, Town of Halton Hills (Acton), Regional Municipality of Halton

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

1. To increase the driveway width from the maximum 7 m, to permit a driveway width of 8.53 m.
2. To reduce the rear yard setback from the minimum 7.5 m to permit a rear yard setback of 4 m.

**To accommodate a proposed attached garage.**

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

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

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.

**d) Minor Variance D13VAR22.032H – Jeffery**

**Location:** 27 George 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 front yard setback from the minimum 6 m to permit a front yard setback of 4.36 m.

**To accommodate a proposed alteration to the second storey of an existing dwelling.**

**Owner(s):** Justin & Lisa Jeffery, **Agent:** Matthews Design & Drafting, Doug Matthews / Bethany VanRavens

The Town Planner noted no staff objections to approval, subject to condition(s). 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(s).

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 D13VAR22.033H – Madduluri**

**Location:** 98 Autumn Circle, Town of Halton Hills (Esquesing), Regional Municipality of Halton

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

1. To permit an accessory structure to be built closer to the exterior side lot line (9.45 m) than the main building from the exterior side lot line (26.19 m)
2. To increase the floor area of an accessory structure from the maximum 60 sq m to permit a floor area of 346.61 sq m.
3. To increase the total floor area of all accessory structures from the maximum 80 sq m to permit a total floor area of 346.61 sq m.
4. To increase the height of an accessory structure from the maximum 4.5 m to permit a height of 8.84 m.

**To accommodate a proposed detached garage / cabana with loft.**

**Owner(s):** Swamy & Rukmini Madduluri, **Agent:** Matthews Design & Drafting, Doug Matthews / Bethany VanRavens

The Town Planner noted staff objections, including: the accumulative impact of the height and size of structure, the proximity to the lot line, and its appearance as a second dwelling; referenced drawings; and recommended that the application be refused.

The agent was present to speak to the application; discussed the proposal and noted that trees would be planted.

Committee deliberations included: elevation, setbacks, size of other houses and structures on the street, visual impacts, and whether the variances can be considered minor.

The agent noted that he would consult with the owners about revisions to the proposal, and asked about a deferral.

The Secretary-Treasurer spoke to the deferral process, and advised that a deferral and revisions to the proposal would not be a guarantee of approval, and would just mean that the Committee would set aside the decision until a later date.

It was MOVED by Thomas Hill, SECONDED, and CARRIED

THAT the decision for the application be deferred.

**f) Minor Variance D13VAR22.034H – Hillcrest United Church**

**Location:** 8958 Trafalgar Road, Town of Halton Hills (Esquesing), Regional Municipality of Halton

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

1. To permit a Hospice, defined as housing or a premises occupied by not more than ten residents, exclusive of staff and receiving family, designed to accommodate individuals with specific needs, who live under supervision and require 24-hour palliative care, where varying degrees of support services are provided, in an Agricultural (A) Zone.
2. To reduce the rear yard setback from the minimum 15 m to permit a rear yard setback of 9 m.

**To accommodate a proposed hospice.**

**Owner(s):** The Trustees of the Hillcrest Congregation of the United Church of Canada, John Field, **Agent:** Wellings Planning Consultants Inc., Glenn Wellings

The Town Planner noted no staff objections to approval, subject to condition(s). Stated that the agricultural areas in Halton Hills already permit residential care facilities and group homes, and that the general form, function, operation, and characteristics of a hospice is similar and comparable to a Type 1 Group Home. Noted that the unique use will be in a shared building with worship space, spoke to the conditions, addressed received letters of support, and requested a change to the wording of the variance, to remove any reference to the Zone (noting that the agent was in support of this change).

The agent was present to speak to the application. Discussed the proposal, referenced the received letters of support, and stated that the Town's Official Plan permits residential care facilities within agricultural areas, and that the Region was the approval authority for the Town's Official Plan. Opposed the conditions, as the hospice use will be subject to a future Site Plan, and any studies would be determined through the formal Pre-Consultation process. Noted that the conditions are not related to a Minor Variance

and should not be attached to the application. Also noted that a conditional Minor Variance would not enable the purchase of the property to go through, and would stop any hospice plans. Stated that the intention is not to circumvent reports and studies, but to have the discussion about what is required at the Pre-Consultation stage.

Committee deliberations included: elimination of conditions, the Region and Town having different opinions, and why the Committee was being asked to permit a hospice, in effect mediating between the Town and the Region.

The Town planner responded that there is simply a difference in planning opinion: the Town is of the opinion that a hospice falls under the residential category of residential care facility use, which is permitted in agricultural areas, and the Region is of the opinion that the combined facility is institutional. Noted that the difference in opinion is whether it is an institutional facility use, or a residential care facility use. Advised that there is no conflict between the Town and Regional Official Plans, but simply a difference of opinion, and that the decision is within the purview of the Committee.

In response to questions, the Secretary-Treasurer clarified that a motion would be needed to amend the application to revise the wording of the first variance, in order to remove the zone reference, and read out the amended variance.

It was MOVED by Thomas Hill, SECONDED, and CARRIED

THAT the application be approved, as amended.

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 7:15 p.m.