

COMMITTEE OF ADJUSTMENT AGENDA

Date: Wednesday, December 7, 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 D13VAR22.035H – Pancevski

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Location: 48 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 reduce the interior side yard setback from the minimum 2.25 m to permit an interior side yard setback of 0.91 m (south).
2. To reduce the interior side yard setback from the minimum 2.25 m to permit an interior side yard setback of 1.94 m (north).
3. To reduce the interior side yard setback from the minimum 2.25 m to permit an interior side yard setback of 0.5 m (driveway).

To accommodate a proposed attached garage and rear addition to the dwelling.

Owner(s): Toni & Kristina Pancevski, **Agent:** Matthews Design & Drafting,
Doug Matthews / Bethany VanRavens

b. Minor Variance D13VAR22.040H – Esposito

Location: 34 Chester 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 of an accessory structure from the maximum 20 sq m to permit a floor area of 35.1 sq m.
2. To increase the height of an accessory structure from the maximum 3.5 m to permit a height of 3.91 m.

To accommodate a proposed accessory structure (pavilion).

Owner(s): Leana Esposito & Anthony Esposito

4. ADJOURNMENT

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

FROM: Ruth Conard, Planner – Development Review

DATE: November 30, 2022

RE: Planning Recommendation for
Application D13VAR22.035H - Pancevski
Municipally known as 48 Confederation Street
Town of Halton Hills (Glen Williams)

APPLICATION

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

1. To reduce the interior side yard setback from the minimum 2.25 m to permit an interior side yard setback of 0.91 m (south).
2. To reduce the interior side yard setback from the minimum 2.25 m to permit an interior side yard setback of 1.94 m (north).
3. To reduce the interior side yard setback from the minimum 2.25 m to permit an interior side yard setback of 0.5 m (driveway).

To accommodate a proposed attached garage and rear addition to the dwelling.

Proposal

The variances are required in order to construct a 44 sq m garage addition on the south side of the lot, a 31.76 sq m dwelling addition on the north side of the lot and recognize an existing driveway.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Hamlet Residential Area under the Glen Williams Secondary 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.

Town of Halton Hills Zoning By-Law

The subject property is zoned Hamlet Residential One (Mature Neighbourhood One) Holding 5 (HR1(MN1)H5) under the Town's Comprehensive Zoning By-law 2010-0050, as amended. Single detached dwellings are permitted in this zone.

In the HR1(MN1) zone the minimum required interior side yard setback to a structure or driveway is 2.25 m.

The Holding (H5) Provision applies to all lands within the regulatory flood limit for Glen Williams and cannot be lifted until staff is satisfied that the policies of the Secondary Plan pertaining to the Credit Valley Conservation regulatory flood limit are met. The Applicant will be required to submit an application to lift the Holding (H5) Provision prior to the issuance of a Building Permit.

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 interior side yard setback requirement is to provide separation between the building and the lot line for maintenance of the building's eaves/outside walls and to access the property's rear yard. To a lesser extent, the side yard setback requirement is to mitigate visual concerns from neighbouring properties. The Applicant is proposing three minor variances to the interior side yard setback as follows:

Variance #1 – Garage Addition

To reduce the interior side yard setback from the minimum 2.25 m to permit an interior side yard setback of 0.91 m in order to construct a garage addition. The 0.91 m interior side yard setback appears to provide adequate separation between the building and the lot line for repair and maintenance. In addition, the proposed garage will have a back door to allow access to the rear of the property.

Variance #2 – Dwelling addition (north side)

To reduce the interior side yard setback from the minimum 2.25 m to permit an interior side yard setback of 1.94 m in order to construct an addition to the existing dwelling. The addition is proposed to be aligned with the outside wall of the dwelling; however, since the dwelling is on an angle, the addition gets closer to the interior side lot line which triggers the requirement for a minor variance. Given the extent of relief proposed, it appears that the intent of the setback requirements is being maintained.

Variance #3 – Driveway

To reduce the interior side yard setback from the minimum 2.25 m to permit an interior side yard setback of 0.5 m in order to recognize an existing driveway. Development Engineering have reviewed the minor variance and have no concerns from a drainage perspective. A letter of support was received from the adjacent landowner stating no objections to the approval of the application.

For the reasons outlined above, Planning staff have no objections to the three requested minor variances.

Public Comments

As of the date of this report, one (1) letter of support has been received from the homeowner located directly south of the subject property (46 Confederation Street).

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 propped additions shall be constructed generally in accordance with the Site Plan prepared by Matthews Design & Drafting Services Inc., date stamped by the Committee of Adjustment on October 17, 2022, 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.

- 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.

Development Engineering

- The Applicant may be required to obtain a Site Alteration Permit and/or Excavation Permit from the Town. Please contact Development Engineering to discuss.

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

FROM: Ruth Conard, Planner – Development Review

DATE: November 30, 2022

RE: Planning Recommendation for
Application D13VAR22.040H - Esposito
Municipally known as 34 Chester Crescent
Town of Halton Hills (Georgetown)

APPLICATION

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

1. To increase the floor area of an accessory structure from the maximum 20 sq m to permit a floor area of 35.1 sq m.
2. To increase the height of an accessory structure from the maximum 3.5 m to permit a height of 3.91 m.

To accommodate a proposed accessory structure (pavilion).

Proposal

The variances are required in order to construct a 35.1 sq m pavilion in the rear yard of the subject property.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Low Density Residential Area in the Town's Official Plan. 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 (LDR1-3) in the Town's Comprehensive Zoning By-law 2010-0050, as amended. Single detached dwellings are permitted.

The Zoning By-law (General Provisions) limits the floor area of accessory buildings to 20 sq m and the height to 3.5 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. As illustrated in the structural drawings, the proposed pavilion will contain posts and a slanted roof - there will be no walls. The top of the slanted roof will be 3.91 m in height whereas the bottom will be 2.86 m in height which is well within the limits of the By-law. The proposed pavilion meets all other setbacks requirements as set out in the LDR1-3 zone. The larger pie-shaped lot will still be predominantly landscaped, maintaining ample amenity area. Planning staff is of the opinion that the proposed pavilion is clearly subordinate to the principal residential use and the minor variances proposed are consistent with other relief granted within the urban residential area.

Planning staff have no objection to the proposed minor variances.

Public Comments

As of the date of this report, four letters of support have been received from the following property owners; two that directly abuts the subject property:

- 27 Chester Crescent
- 30 Chester Crescent
- 32 Chester Crescent
- 36 Chester Crescent

One letter of objection was received from a property owner to the south (20 May Street) as of the date of this report. The resident indicated concerns with the size of the pavilion and possible spacing and congestion issues and incompatibility with the adjacent properties.

As mentioned above, the relief requested is compatible with other minor variances that have been approved in the urban residential area. The proposed pavilion will be located adjacent to the most northerly side lot line, furthest away from the objecting party.

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 proposed accessory structure (pavilion) shall be constructed generally in accordance with the Site Plan and Structural Drawing prepared by Design Professional Engineering Inc., date stamped by the Committee of Adjustment on October 18, 2022, 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.
- 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.

Development Engineering

- The Owner may require a Site Alteration Permit. Please contact Development Engineering at the Town of Halton Hills for more information.
- It is the Owner's responsibility to:
 - Maintain the existing drainage pattern and ensure positive drainage is achieved.
 - Repair any drainage problems caused by the proposed site works on their property and/or adjacent properties.
 - All proposed site works are to remain 0.6 m (2 ft) minimum from all lot lines as per Site Alteration By-law 2017-0040.