

COMMITTEE OF ADJUSTMENT AGENDA

Date: Wednesday, July 5, 2023, 6:00 p.m.
Location: VIA ZOOM
Members: T. Jenney, Chair, J. Watson, L. Hillier, K. Medenblik, J. Smith

Pages

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

a. MinorVariance D13VAR23.008H– Sprickerhoff

3

Location: 10237 Fourth Line, 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 of an accessory structure from the maximum 80 sq m to permit a floor area of 328.2 sq m.
2. To increase the total floor area for all accessory structures from the maximum 120 sq m to permit a total floor area of 421 sq m.

To accommodate a proposed storage loft within the existing accessory structure.

Owner(s): Carole Sprickerhoff, **Agent:** Matthew Fratarcangeli

b. Minor Variance D13VAR23.019H – Rosen

Location: 573 Main 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 side yard setback to an addition from the minimum 2.25 m to permit a side yard setback to the first storey of 0.66 m.
2. To permit a balcony on the second floor of the interior side yard, whereas the by-law does not permit a balcony on the second floor of the interior yard.
3. To reduce the side yard setback from the minimum 1.5 m to permit a side yard setback of 0.2 m (existing shed).
4. To increase the encroachment of the roof overhang for of an accessory structure from the maximum 50% of the side yard setback (0.076 m from the side lot line) to permit a roof overhang encroachment of 100% (0 m from the side lot line), (existing shed).

To accommodate a proposed addition to the dwelling, and an existing shed.

Owner(s): Hillary Rosen, **Agent:** Alana Nielsen

4. ADJOURNMENT

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

FROM: Greg Macdonald, Senior Planner – Development Review

DATE: June 26, 2023

RE: Planning Recommendation for
Application D13VAR23.008H – Sprickerhoff
Municipally known as 10237 Fourth Line
Town of Halton Hills (Esquesing)

APPLICATION

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

1. To increase the floor area of an accessory structure from the maximum 80 sq m to permit a floor area of 328.2 sq m.
2. To increase the total floor area for all accessory structures from the maximum 120 sq m to permit a total floor area of 421 sq m.

To accommodate a proposed detached garage.

Proposal

The variances are required to construct a partial 2nd storey addition on top of an existing detached garage which is located within a treed area toward the rear of the large approximately 2.1 ha (5.2 acre) property. The existing garage would also be renovated. The partial addition would be open to the garage below and would also include a 2nd storey balcony/deck at the rear of the structure. Another existing detached garage is located toward the front of the property near to the existing single detached dwelling. An existing chicken coop structure also exists in the rear yard.

The application was originally before the Committee of Adjustment on April 5, 2023. However, as part of the review of the application it was determined that the existing chicken coop structure had not been identified on the site plan drawing, which would have resulted in a further increase in total floor area for all accessory structures (by approximately 17 sq. m. more). As a result, the application was deferred to include the chicken coop structure, update the requested variances and re-circulate.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated as “Agricultural Area” under the Town of Halton Hills Official Plan which permits single detached dwellings. The Official Plan does not specifically identify maximum total floor areas for accessory buildings; however, 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 Agricultural (A) Zone in the Town’s Comprehensive Zoning By-law 2010-0050, as amended. The Zoning By-law limits accessory structures to 80 sq m (for each structure) and to a maximum of 120 sq m for all structures combined.

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 Zoning By-law to regulate the maximum floor area of accessory structures (both singularly and combined) is to ensure that accessory buildings do not visually dominate the lot; are clearly accessory to the principal residential use (i.e., the existing single detached dwelling) and do not create impacts to surrounding properties.

With regards to Variances 1 and 2, the well sized (approximately 2.1 ha) subject property contains a single detached dwelling already with two accessory detached garages and a chicken coop. One garage is located close to the existing dwelling and appears to be used for personal vehicle use. The other garage (on top of which is the proposed partial 2nd storey addition), is located at the rear of the property within a treed area and appears to be used for general storage. The Applicant has indicated that the purpose of the addition (the existing garage would also be renovated) is to provide personal storage space as well as a hobby woodworking space.

Although the total combined Gross Floor Area (GFA) of the two detached garages is considerable and already exceeds Zoning By-law maximum floor area permissions, the proposed addition is only a further approximate 25% increase in additional floor area and must be considered in the context that the property itself is large (2.1 ha / 5.2 acres) and contains rural residential and expansive open space uses. As the addition is of a 2nd storey nature, no increase in lot coverage of accessory buildings is proposed. The location of the structure is at the rear of the large property. The balcony (and balcony door) are the only 2nd storey window features proposed and would look out towards a large farm property at the rear, not overlooking any nearby residential uses. Therefore, staff are

satisfied that the garage addition would not impact any other property and that despite the combined floor area of all existing and proposed accessory buildings, the accessory buildings are still subordinate to the principal residential use of the property.

Therefore, Planning staff has no objection to the proposal.

Public Comments

One letter of objection was received from the owners of the large farm property which abuts the subject lands at the rear (10293 Fourth Line), raising concerns over the amount and size of the existing accessory buildings and that the proposed expanded garage could be utilized for commercial use or as a secondary residential use. In this regard, as the loft is open to the garage below, it would be less likely to be utilized residentially. Staff are satisfied that due to the size of the subject lands and information provided by the Applicant, the garage would not be utilized commercially (which also isn't permitted by the Zoning By-law). Finally, the farm residence and main farm complex at 10293 Fourth Line are not located in close proximity to the subject lands; therefore, the proposal would not result in a direct impact to the enjoyment of the property.

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 accessory building addition shall be constructed generally in accordance with the Site Plan and Elevations, date stamped by the Committee of Adjustment on February 3, 2023, 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

Zoning

- Accessory buildings/ structures shall not be used for human habitation or an occupation for gain or profit.

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: June 28, 2023

RE: Planning Recommendation for
Application D13VAR23.019H - Rosen
Municipally known as 573 Main Street
Town of Halton Hills (Glen Williams)

APPLICATION

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

1. To reduce the side yard setback to an addition from the minimum 2.25 m to permit a side yard setback to the first storey of 0.66 m.
2. To permit a balcony on the second floor of the interior side yard, whereas the by-law does not permit a balcony on the second floor of the interior yard.
3. To reduce the side yard setback from the minimum 1.5 m to permit a side yard setback of 0.2 m (existing shed).
4. To increase the encroachment of the roof overhang for an accessory structure from the maximum 50% of the side yard setback (0.1 m from the side lot line) to permit a roof overhang encroachment of 100% (0 m from the side lot line), (existing shed).

To accommodate a proposed addition to a dwelling, and an existing shed.

Proposal

The minor variances are required in order to construct a 5.8 sq m addition on the first floor and a covered porch/balcony on the second floor of an existing dwelling, and to recognize an existing 8.1 sq m shed in the rear yard.

RECOMMENDATION

Planning staff recommends that the Committee **defers** its decision in order to allow for further discussions between the Applicant and Credit Valley Conservation regarding the following items:

1. Floodproofing and the requirement for a geodetic survey to confirm the extent and depth of flooding on the property.
2. Review and confirmation that the existing house and proposed new addition are located outside the slope hazard of the Credit River.

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