



**COMMITTEE OF ADJUSTMENT  
MINUTES**

Minutes of the Committee of Adjustment hearing held on **November 1, 2023**, at 6 p.m. via Zoom.

Members Present: Todd Jenney (Chair), Jane Watson, Keith Medenblik, Jason Smith

Regrets: Lloyd Hillier

Staff Present: Greg Macdonald, Senior Planner  
Ruth Conard, 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 order of the listed applications as shown on the agenda was altered to address attendance, and a deferral.*

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.

**d) Minor Variance D13VAR23.032H – Dykas**

**Location:** 52 Barraclough Boulevard, Town of Halton Hills (Glen Williams), Regional Municipality of Halton

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

1. To increase the total floor area of all accessory structures from the maximum 20 sq m to permit a total floor area of 62.8 sq m.
2. To increase the height of an accessory structure from the maximum 4.5 m to permit a height of 5.2 m.

**To accommodate a proposed cabana.**

**Owner(s):** Dan Dykas, **Agent:** Alana + Kelly Design, Alana Nielsen

The Secretary-Treasurer stated that the owner/agent would like an opportunity to revise the proposal (public objections were received).

It was MOVED by Jane Watson, SECONDED, and CARRIED

THAT the decision for the application be deferred.

**c) Minor Variance D13VAR23.031H – Leyburne**

**Location:** 5 Elizabeth Street, Town of Halton Hills (Georgetown), Regional Municipality of Halton

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

1. To reduce the minimum setback to the driveway in the front yard (that crosses the exterior side lot line), from the minimum 6 m to permit a setback of 2.69 m to the front lot line (Ewing Street).

**To accommodate additional parking for a proposed accessory dwelling unit.**

**Owner(s):** Troy Leyburne

The Town Planner referenced an objection from 9 Hewson Crescent regarding tree removal; responded that the Town does not have a tree-cutting by-law, and noted no staff objections to approval, subject to condition. The owner was present to speak to the application, and stated that he had no intention of cutting trees down.

It was MOVED by Keith Medenblik, 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.

**e) Minor Variance D13VAR23.033H – Canadian Tire**

**Location:** 315 Guelph 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 parking spaces from the required 592 to permit 439 parking spaces.

**To accommodate a proposed expansion to the existing retail use.**

**Owner(s):** Canadian Property Holdings (Ontario) Inc., Peter Brown, **Agent:** Zelinka Priamo Ltd., Jonathan Rodger

The Town Planner verbally amended the report by stating that condition 2 was no longer required as the parking information was sufficient to address concerns; referenced the previous decision, and noted no staff objections to approval, subject to condition. The agent (Connor Wright) was present to speak to the application.

It was MOVED by Jason Smith, 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.

**b) Minor Variance D13VAR23.030H – 1000187682 Ontario Inc.**

**Location:** 504 Guelph Street, Town of Halton Hills (Georgetown), Regional Municipality of Halton

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

1. To permit the encroachment of stairs accessing a basement, 1.98 m from the interior side lot line, whereas the By-law does not permit stairs to encroach into the 4.5 m side yard setback.

**To accommodate proposed stairs accessing the basement.**

**Owner(s):** Bhupinder Sidhu, **Agent:** Peter Vozikas

The Town Planner referenced received objections from 498 Guelph Street, 5 York Lane, 401 Draper Street, and 8 Green Street, regarding matters which included flooding, and basement entrance; responded that the proposal meets the tests, and that the Credit Valley Conservation and Halton Region had no objections. The Town Planner also referenced received submissions in support of the proposal from 500 and 506 Guelph Street, and noted no staff objections to approval, subject to conditions. The owner and agent were present to speak to the application.

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.

**a) Consent D10CON23.004H – Panchuk & Minor Variance D13VAR23.020H – Panchuk**

**Location:** 100 Confederation Street, Town of Halton Hills (Glen Williams), Regional Municipality of Halton

**Consent Purpose:** Proposed **new lot**, and proposed **daylight triangle** (related to the Glen Williams Estates proposed Draft Plan of Subdivision, File No. D12SUB20.001). The parcels are shown on the sketch of the subject lands as **Parcel A ± 0.10 ha, and Parcel C ± 0.01 ha** prepared by Van Harten Surveying Inc., date stamped as received by the Committee of Adjustment on September 26, 2023.

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

1. To reduce the lot frontage from the minimum 30 m to permit a lot frontage of 23.3 m (severed lot).
2. To reduce the lot area from the minimum 0.2 hectares to permit 0.1 hectares (severed lot).
3. To permit an existing garage and a barn on a lot prior to the erection of the main building (retained lot).
4. To increase the height of an accessory structure from the maximum 4.5 m to permit a height of 6.86 m (existing garage).
5. To increase the floor area of an accessory structure from the maximum 40 sq m to permit a floor area of 158 sq m (existing garage - proposed new roof and cladding).

6. To increase the total floor area of all accessory structures from the maximum 60 sq m to permit a total floor area of 360 sq m.
7. To permit the accessory structure to be located closer to the front lot line (2.7 m) than the future dwelling to the front lot line (existing garage - retained lot).

**To accommodate a proposed new lot, alterations to existing garage, and improved access to future subdivision (related to Draft Plan of Subdivision, File No. D12SUB20.001).**

**Legal Description:** PT LT 21, CON 9 ESQ, AS IN 607981; HALTON HILLS/ESQUESING

**Owner(s):** Neal & Ivana Panchuk, **Agent:** Wellings Planning Consultants Inc., Glenn Wellings

The Town Planner discussed the proposal and verbally amended the report by stating that the conditions were updated to add clarity, but that the intent remains the exact same. The Town Planner also referenced received objections (from 11 Mountain Street, 92, 118, & 144 Confederation Street, and the Glen Williams Community Association) regarding matters that included taxes being used, and the proposal being premature; responded that no taxpayer money is involved with the daylight triangle, and the proposal is not premature as a settlement is before the Ontario Land Tribunal. The Town Planner noted no staff objections to approval, subject to conditions.

The owners, their lawyer, and the agent were present to speak to the application. The agent discussed the proposal, and stated that the preference would be to have the Committee's decisions prior to the Ontario Land Tribunal's decision. The owner's lawyer (Bert Arnold) stated that matters are being coordinated, a decision is needed from both the Committee and the Ontario Land Tribunal, and the imposed conditions will address any outstanding matters.

It was MOVED by Jane Watson, SECONDED, and CARRIED

THAT the applications be approved, subject to conditions.

For the Minor Variance, 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.

For the Consent, the Committee considered:

- The matters set out under Section 51 (24) of the *Planning Act*, 1990, as amended.
- The proposal to conform to the Regional Official Plan.

- The proposal to conform to the Local Official Plan.

Note: submissions in support received from 98 and 104 Confederation Street.

#### **4. ADJOURNMENT**

Adjourned at approximately 6:55 p.m.