

**COMMITTEE OF ADJUSTMENT
AGENDA**

Date: Wednesday, December 6, 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. **Minor Variance D13VAR23.032H – Dykas** 4

Revised proposal: revised documents (October 30), and original package attached.

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

Minor Variance 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 floor area of 45.6 sq m.

To accommodate a proposed accessory structure (cabana).

Owner(s): Dan Dykas, **Agent:** Alana + Kelly Design, Alana Nielsen
 - b. **Minor Variance D13VAR23.034H – Hastie** 7

Location: 59 Cobblehill Road, Town of Halton Hills (Acton), Regional Municipality of Halton

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

 1. To increase the floor area of an accessory garage from the maximum 40 sq m to permit a floor area of 53.2 sq m.
 2. To permit the construction of a porch within the 4.5 m site triangle.

3. To permit the encroachment of a porch 1.18 m from the front lot line, whereas the bylaw indicates that no porch shall be located closer than 1.5 m to a front lot line.
4. To permit the encroachment of a porch 0.9 m from the exterior side lot line, whereas the by-law indicates that no porch shall be located closer than 1.5 m to an exterior side lot line.

To accommodate a proposed porch and detached garage.

Owner(s): Steven Hastie

c. Minor Variance D13VAR23.035H – Cruz

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Note: You may recall this address/proposal from a previous year. The owner had asked for the application to be held back for revisions, and it never went through all the requirements. The proposal is now ready to proceed and has been assigned a new file number.

Location: 13520 5 Side Road, Town of Halton Hills (Esquesing), Regional Municipality of Halton

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

1. To reduce the interior side yard setback from the minimum 4.5 m to permit an interior side yard setback of 3 m, to the second storey addition over the garage (east).
2. To increase the driveway width from the maximum 7 m to permit a driveway width of 29.8 m.
3. To reduce the interior side yard setback for a driveway from the required 4.5 m to permit an interior side yard setback of 0 m to the driveway (east).
4. To increase the floor area of an accessory structure from the maximum 80 sq m to permit a floor area of 169 sq m.
5. To increase the total floor area of all accessory structures from the maximum 120 sq m to permit a total floor area of 178 sq m.

To accommodate an existing second storey addition over the garage, existing driveway, and proposed accessory structure.

Owner(s): Inervis Maria Bello Cruz & Natanael Perera Caceres, **Agent:** Douglas Lozada

d. Minor Variance D13VAR23.036H – Rakhra

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Location: 8343 Tenth Line, Town of Halton Hills (Esquesing), Regional Municipality of Halton

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

1. To reduce the side yard setback from the minimum 4.5 m to permit an interior side yard setback of 3.9 m (north).

To accommodate a detached dwelling under construction.

Owner(s): Paramjit Kaur Rakhra

e. Minor Variance D13VAR23.037H – Gallinger

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Location: 21 Gooderham Drive, Town of Halton Hills (Georgetown),
Regional Municipality of Halton

Minor Variance 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 25.3 sq m.

To accommodate a proposed accessory structure (pavilion).

Owner(s): Tom Gallinger Agent: Scott Wood

4. ADJOURNMENT

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

FROM: Ruth Conard, Planner – Development Review

DATE: November 29, 2023

RE: Planning Recommendation for
Application D13VAR23.032H - Dykas
Municipally known as 52 Barraclough Boulevard
Town of Halton Hills (Glen Williams)

APPLICATION

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 floor area of 45.6 sq m.

To accommodate a proposed accessory structure (cabana).

Proposal

The variance is required in order to construct a 45.6 sq m cabana in the rear yard of the subject property.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Hamlet Residential Area under the Glen Williams Secondary Plan. The main permitted uses in the Hamlet Residential Area include single detached dwellings. The Secondary Plan does not specifically identify maximum total floor area 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 Hamlet Residential One (Exception 16) (HR1(16)) under the Town's Comprehensive Zoning By-law 2010-0050, as amended. Single detached dwellings are permitted. The HR1(16) zone restricts the size of accessory buildings to 20 sq 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 the Zoning By-law to regulate the maximum floor area of accessory structures 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. Staff is of the opinion that the intent for accessory structures is being maintained as the proposed garage is clearly incidental to the principal residential use.

It should be noted that through discussions with the Applicant, staff requested that the original proposal be revised so that the cabana meets the height requirement in the Zoning By-law (4.5 m) and that the floor area be reduced. Staff is now satisfied with the proposal as the Applicant has removed the height variance and reduced the floor from 62.8 sq m to 45.6 sq m which appears to be acceptable for the size of the lot and its location in the rear yard.

Therefore, staff have no objections to the proposed minor variance.

Public Comments

The original proposal received two written objections; however, no written objections have been received regarding the revised proposal.

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 proposal shall be constructed generally in accordance with the Site Plan and Elevations, date stamped by the Committee of Adjustment on October 30, 2023, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Town of Halton Hills, Development Engineering

- Construction of the cabana over the existing infiltration gallery will create considerable challenges with future maintenance of the gallery.
- Maintain the existing drainage pattern and ensure positive drainage is achieved.
- Repair any drainage problems caused by the proposed works on the subject property and or the adjacent property.
- All site works are to remain a minimum of 0.6 m from all lot lines as per Site Alteration By-law 2017-0040.

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.
- 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: John McMulkin, Senior Planner – Development Review

DATE: November 29, 2023

RE: Planning Recommendation for
Application D13VAR23.034H – Hastie
Municipally known as 59 Cobblehill Road
Town of Halton Hills (Acton)

APPLICATION

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

1. To increase the floor area of an accessory garage from the maximum 40 sq m to permit a floor area of 53.2 sq m.
2. To permit the construction of a porch within the 4.5 m sight triangle.
3. To permit the encroachment of a porch 1.18 m from the front lot line, whereas the by-law indicates that no porch shall be located closer than 1.5 m to a front lot line.
4. To permit the encroachment of a porch 0.9 m from the exterior side lot line, whereas the by-law indicates that no porch shall be located closer than 1.5 m to an exterior side lot line.

To accommodate a proposed porch and detached garage.

Proposal

The variances are required to accommodate a ~53.2m² (572ft²) detached garage and a porch for the existing single detached dwelling.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated “Low Density Residential Area” under the Town’s Official Plan and located within a “Mature Neighbourhood Area” established through adoption of Official Plan Amendment No. 22 (Mature Neighbourhoods Character Study). 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 Mature Neighbourhood (LDR1-2(MN))” under the Town’s Comprehensive Zoning By-law 2010-0050, as amended. The LDR1-2(MN) zone permits single detached dwellings and accessory buildings and structures.

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:

Development Engineering

Based on a site visit to the property, Development Engineering staff has no objection to the proposed variances. However, staff would not support the porch being enclosed as that would change the dynamic and lead to sightline impacts. Therefore, the porch will need to remain open (unenclosed), and this requirement shall be listed as a condition of approval.

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., single detached dwelling) and do not create impacts to surrounding properties. Given the location of the proposed detached garage and the extent of the requested relief, the variance would not impact these considerations. The relief requested through the subject Minor Variance application is also consistent with relief granted for accessory buildings on comparable residential properties by the Committee.

The intent of the minimum front yard setback and exterior side yard setback requirements for a porch is to provide amenity area while maintaining area on the private lot for landscaping/snow storage and a consistent pattern of dwelling setbacks. The intent of the minimum sight triangle requirement is to maintain sightlines for vehicular traffic. Given the location of the existing single detached dwelling, the design of the proposed porch and the extent of the requested relief, the variances would not impact these considerations.

Therefore, staff views the intent of the above requirements to be maintained.

Public Comments

No comments have been received from the public as of the date this report was prepared.

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 conditions:

1. The locations of the proposed detached garage and porch shall be generally in accordance with the Site Plan, date stamped by the Committee of Adjustment on November 13, 2023, to the satisfaction of the Commissioner of Planning & Development.
2. The construction of the proposed detached garage and porch shall be generally in accordance with the Elevations and Detail Drawings, date stamped by the Committee of Adjustment on October 11, 2023, to the satisfaction of the Commissioner of Planning & Development.
3. The porch shall remain open (unenclosed), and its architectural design shall be generally in accordance with the Renderings, date stamped by the Committee of Adjustment on October 11, 2023, 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.
- 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.

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

FROM: Ruth Conard, Planner – Development Review

DATE: November 29, 2023

RE: Planning Recommendation for
Application D13VAR23.035H - Cruz
Municipally known as 13520 5 Side Road
Town of Halton Hills (Esquesing)

APPLICATION

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

1. To reduce the interior side yard setback from the minimum 4.5 m to permit an interior side yard setback of 3 m, to the second storey addition over the garage (east).
2. To increase the driveway width from the maximum 7 m to permit a driveway width of 29.8 m.
3. To reduce the interior side yard setback for a driveway from the required 4.5 m to permit an interior side yard setback of 0 m to the driveway (east).
4. To increase the floor area of an accessory structure from the maximum 80 sq m to permit a floor area of 169 sq m.
5. To increase the total floor area of all accessory structures from the maximum 120 sq m to permit a total floor area of 178 sq m.

To accommodate an existing second storey addition over the garage, existing driveway, and proposed accessory structure.

Proposal

The variances are required in order to recognize an existing addition over the garage, an existing driveway and a proposed accessory structure in the rear yard.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Agricultural Area and Greenlands B under the Town's Official Plan. The proposal is entirely within the Agricultural Area designation where single detached dwellings are permitted. 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) and Environmental Protection Two (EP2) under the Town's Comprehensive Zoning By-law 2010-0050, as amended. The proposal is entirely within the Agricultural (A) zone. Under Table 9.2 of the Zoning By-law, the interior side yard setback is 4.5 m. Under Part 4 of the Zoning By-law, the maximum floor area of accessory buildings is 80.0 sq m and the maximum total floor area of all accessory buildings is 120.0 sq m. Under Part 5 of the Zoning By-law, the maximum driveway width is 7.0 m and the interior side yard setback for a driveway is 4.5 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

Variance #1 – Second Storey Addition

The intent of the minimum interior side yard setback requirement is to provide separation between the dwelling and the lot line for maintenance of the building's eaves/outside walls and to access the property's rear yard. The second storey addition is aligned with the outside wall of the existing dwelling (garage). There is ample separation between the dwelling and the lot line to provide easy access for maintenance and to the rear yard. The requested minor variance should have no impact on the above considerations and therefore Planning staff have no concerns with the minor variance.

Variance #2 and #3 – Driveway

The intent of regulating the width and setback of driveways is to ensure that hard surfaced driveways do not visually dominate the front of properties and that sufficient front yard landscaping is provided.

Given the size of the lot, it does not appear that the driveway dominates the front of the lot. Also, there is ample landscaping in the front yard to meet the requirement for soft landscaping required in

the Zoning By-law. It does not appear that the driveway will impact the above considerations and therefore staff have no concerns with the minor variances.

Variance #4 and #5

The intent to regulate the floor area of accessory buildings (both singularly and combined) is to ensure that accessory buildings do not visually dominate the lot; are clearly accessory to the principle residential use (i.e. single detached dwelling) and do not create impacts to surrounding properties.

Given the size of the lot and the location of the accessory building in the rear yard of the subject property, staff have no concerns with the minor variances. Staff requested that the Applicant meet the height requirement in the Zoning By-law (5.0 m) and remove all windows from the north elevation (adjacent to the neighbours backyard). The Applicant's submission complied with staff's request and therefore staff have no objections with the minor variances.

Public Comments

No comments have been received from the public as of the date this report was prepared.

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 proposal shall be constructed generally in accordance with the Site Plan and Elevations, date stamped by the Committee of Adjustment on October 13, 2023, to the satisfaction of the Commissioner of Planning & Development.
2. The Owner shall provide proof of payment of outstanding property taxes, plus any penalty fees, to the satisfaction of the Town.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Building

- Building permit 17 104055 was issued May, 2017 for a new detached accessory building for storage. A revision to the building permit will be required for the change in size of the detached accessory building.

Development Engineering

- The Applicant shall provide a Grading Plan of the building envelopes showing suitable surface drainage on the property, including existing and proposed elevations. This topographical survey must be completed and stamped by a Professional Engineer or an Ontario Land Surveyor. These works are to be completed to the satisfaction of the Commissioner of Transportation and Public Works. The grading plan shall show that there will be no drainage issues with the proposed 0m setback from the side lot line. Additionally, Development Engineering will require further grading information for the proposed one-story accessory building and the proposed asphalt driveway.
- The requested variance for the maximum driveway width is only permitted as shown on the submitted Site Plan drawing number SP1 prepared by SauzTeq Engineering Inc., stamped April 25th, 2023.
- The Applicant shall acquire and obtain a Site Alteration Permit per by-law 2017-0040.
- There is an existing stone fencing and gate currently encroaching on the Town's right-of-way that may be dealt with through other Development Engineering permit processes.

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.
- 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.

Conservation Halton

- Approval from Conservation Halton (CH) shall be obtained for the proposed accessory structure. As part of that process, a revised site plan and drawings will be required which show the proposed accessory structure (and any connections to the existing septic system) maintaining a minimum 30 metre setback from the limit of the wetland.

Halton Region

- There is a portion of a regulated wetland on the property which was previously staked by Conservation Halton (CH) staff. This wetland is mapped in the Regional Official Plan as being a Key Feature of the Regional Natural Heritage System. Regional staff note that additional drawings provided by the Applicant as part of the review of this application show infrastructure associated with the private septic system extending from the proposed accessory structure through the required 30m buffer to the wetland.
- While Regional staff do not object to the proposed floor area variances associated with the proposed accessory structure, any development related to the proposed accessory structure (including private septic system infrastructure) should be located outside of the 30 metre wetland buffer. The Region's EIA requirements may be waived in this instance, on the premise that the Applicant is required to demonstrate to Conservation Halton's satisfaction that all proposed structures and associated infrastructure is located outside of the regulated wetland's 30 m buffer.

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

FROM: John McMulkin, Senior Planner – Development Review

DATE: November 29, 2023

RE: Planning Recommendation for
Application D13VAR23.036H – Rakhra
Municipally known as 8343 Tenth Line
Town of Halton Hills (Esquesing)

APPLICATION

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

1. To reduce the side yard setback from the minimum 4.5 m to permit an interior side yard setback of 3.9 m (north).

To accommodate a detached dwelling under construction.

Proposal

The variance is required to accommodate a ~448m² (4,827ft²) single detached dwelling, which is currently under construction. The Applicant noted in the application that the need for the proposed variance stems from contractor error in the intended location of the concrete foundation for the carport, which is attached to the dwelling and supports residential floor area on the 2nd storey.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated “Agricultural Area” under the Town’s Official Plan and contains the “Future Strategic Employment Area” overlay. A small portion of the property is also located within the “GTA West Corridor Protection Area” overlay; however, it is located outside the footprint of the dwelling. The Future Strategic Employment Area and GTA West Corridor Protection Area overlays permit development in accordance with the underlying Agricultural Area designation, which permits single detached dwellings and accessory buildings and structures.

Town of Halton Hills Zoning By-Law

The subject property is zoned “Agricultural (A)” under the Town’s Comprehensive Zoning By-law 2010-0050, as amended. The A zone permits single detached dwellings and accessory buildings and structures.

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 minimum interior side yard setback requirement is to provide separation between the dwelling and the lot line for maintenance of the building’s eaves/outside walls and to access the property’s rear yard. This requirement is also intended to provide a consistent pattern of dwelling setbacks and area for landscaping to maintain privacy and the rural character of the area. Given the extent of the requested relief (60 cm), the requested variance would not impact the above considerations. Therefore, staff views the intent of this requirement to be maintained.

Public Comments

One (1) letter of support has been received from the public as of the date this report was prepared. The municipal address of the property is 8360 Tenth Line, which is located across the road from the subject 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 location and construction of the dwelling shall be generally in accordance with the Site Plan, Floor Plans and Elevations, date stamped by the Committee of Adjustment on October 23, 2023, 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.
- 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.

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

FROM: Ruth Conard, Planner – Development Review

DATE: November 29, 2023

RE: Planning Recommendation for
Application D13VAR23.037H – Gallinger
Municipally known as 21 Gooderham Drive
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 25.3 sq m.

To accommodate a proposed accessory structure (pavilion).

Proposal

The variance is required in order to construct a 25.3 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 under the Town of Halton Hills Official Plan. The main permitted uses in the Low Density Residential Area designation include single detached dwellings. 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 – Two (LDR1-2) under the Town of Halton Hills Comprehensive Zoning By-law 2010-0050, as amended. Under the General Provisions section of the Zoning By-law, accessory buildings and structures are required to be a maximum of 20 sq 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 the Zoning By-law to cap the maximum floor area 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. Staff is of the opinion that the intent is being maintained as the proposed pavilion is clearly incidental and subordinate to the principle residential use. It does not appear that there will be significant impacts to the surrounding properties.

Public Comments

No comments have been received from the public as of the date this report was prepared.

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 (pavilion) shall be constructed generally in accordance with the Site Plan and Elevations, date stamped by the Committee of Adjustment on October 26, 2023, 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.
- 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.