

**COMMITTEE OF ADJUSTMENT
AGENDA**

Date: Wednesday, February 7, 2024, 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 D13VAR20.018H – 2570997 Ontario Inc.** 3

Location: 16268 17 Side Road, Town of Halton Hills (Esquesing),
Regional Municipality of Halton

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

 1. To reduce the distance to the front lot for an existing dwelling used as accessory farm employee accommodation from the minimum 30 m to permit a 10 m distance.
 2. To increase the distance from the detached dwelling on the same lot to an existing dwelling used as accessory farm employee accommodation from the maximum 30 m to permit a 250 m distance.

To accommodate a proposed accessory farm employee accommodation (existing dwelling).

Owner(s): 2570997 Ontario Inc., Hernak Daliwhal, **Agent:** Robert Russell Planning Consultants Inc., Rob Russell
 - b. **Minor Variance D13VAR23.025H – Klassen** 7

Location: 3 Tweedle Street, 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 reduce the side yard setback to the first storey of an addition

from the minimum 2.25 m to permit a side yard setback of 1.22 m.

To accommodate a proposed addition to a garage, and a proposed accessory dwelling unit.

Owner(s): Matthew & Kajsa Klassen, **Agent:** Matthews Design & Drafting, Doug Matthews / Bethany VanRavens

c. Minor Variance D13VAR24.001H – 6 Dawkins Crescent 11

Location: 6 Dawkins Crescent, Town of Halton Hills (Acton), 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 40.6 sq m.
2. To increase the number of accessory structures from the maximum 2, to permit a total of 3 accessory structures.

To accommodate an existing pergola structure and two existing sheds.

Owner(s): James Lippett & Carmen Stef

d. Minor Variance D13VAR24.002H – 45 Church Street West 14

Location: 45 Church Street West, Town of Halton Hills (Acton), Regional Municipality of Halton

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

1. To permit one proposed silo, whereas the by-law only permits two additional silos beyond the number that existed on February 26, 1996 (three silos were already constructed since 1996).

To accommodate a proposed silo.

Owner(s): P & H Milling Group, W. Bruce MacIntyre (Parrish & Helmbecker Limited), **Agent:** Van Harten Land Surveyors, Chris Corosky

e. Minor Variance D13VAR24.003H – 19 Barraclough Boulevard 18

Location: 19 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 for all accessory structures from the maximum 20 sq m to permit a total floor area of 48 sq m.

To accommodate an existing cabana and a proposed pool shed.

Owner(s): Patrick Lizotte, **Agent:** Alana + Kelly Design, Alana Nielsen

4. ADJOURNMENT

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

FROM: Ruth Conard, Planner – Development Review

DATE: January 29, 2024

RE: Planning Recommendation for
Application D13VAR20.018H – 2570997 Ontario Inc.
Municipally known as 16268 17 Side Road
Town of Halton Hills (Esquesing)

APPLICATION

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

1. To reduce the distance to the front lot line for an existing dwelling used as accessory farm employee accommodation from the minimum 30 m to permit a 10 m distance.
2. To increase the distance from the detached dwelling on the same lot to an existing dwelling used as accessory farm employee accommodation from the maximum 30 m to permit a 250 m distance.

To accommodate a proposed accessory farm employee accommodation (existing dwelling).

Proposal

The Applicant is proposing to construct a new single detached dwelling on the subject property and to also maintain the existing dwelling adjacent to 17 Side Road for farm employee accommodation. The following variances are required to accommodate the proposal:

- The existing house would be 10 metres from the front lot line, whereas a 30 metre setback is required for accessory dwellings used for farm accommodation; and,
- The existing dwelling to be used for farm accommodation would be separated 250 metres from the proposed new principal dwelling, whereas the two dwellings are supposed to be no further than 30 metres from each other.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Protected Countryside Area under the Town's Official Plan and partially contains a Natural Heritage System Overlay. Permitted uses in the Protected

Countryside Area designation include, but are not limited to, agricultural uses and single detached dwellings. Accessory residential uses on farm properties are permitted subject to Section E1.4.2 of the Official Plan.

Section E1.4.2, entitled Accessory Residential Uses on Farm Properties states, in part, that the establishment of an additional dwelling unit on a commercial farm for bona fide farm help is permitted, subject to the following criteria:

- a) is required for farm help as set out in a detailed submission addressing such matters as labour requirements related to size and nature of the farm operation, and an assessment of the available residential accommodation on the farm;
- b) will be located within the existing farm-building cluster;
- c) can be serviced by appropriate sewage and water services; and,
- d) will be designed and/or located to be compatible or otherwise blend in with the farm operation.

The Applicant submitted a Planning Justification Report which outlines how the proposal meets the above criteria including crop production, livestock operations, sales at local markets as well as the locations of the existing and proposed dwellings and their location in the farm cluster.

Regional staff have confirmed that a hydrogeological report will be required as a condition of any minor variance approval to ensure an appropriate supply of water and treatment of wastewater are available for both dwellings on site.

Town of Halton Hills Zoning By-Law

The subject property is zoned Protected Countryside (PC) and Protected Countryside – Natural Heritage System Two (PC-NHS2) under the Comprehensive Zoning By-law 2010-0050. The existing farm operation is located within the PC zone.

Accessory farm employee accommodation is permitted in the PC zone subject to the following criteria, as outlined in Section 4.2 entitled Accessory Farm Employee Accommodation:

- a) the accessory farm accommodation is located on a lot that is the site of a commercial farm and a residence that is occupied by the operator of the commercial farm;
- b) any building and any associated activity area used for the accessory farm employee accommodation shall be located no further than 30 metres from the detached dwelling on the same lot and no closer than 30 metres from any lot line;
- c) buildings or structures for accessory farm employee accommodation shall only be located on a lot with a minimum lot area of 20 hectares;
- d) the driveway accessing the accessory farm employee accommodation shall be shared with the driveway that is utilized for the principal use on the lot; and,
- e) the accessory farm employee accommodation shall be secondary to the principal use on the same lot.

As mentioned above, the Applicant submitted a Planning Justification Report outlining how all the requirements of Section 4.2 have been satisfied. The Applicant is requesting relief from the Zoning

By-law to increase the distance between the accessory farm employee accommodation and the new proposed principal detached dwelling from 30 metres to 250 metres and for the farm accommodation dwelling to be 10 metres from the front lot line instead of 30 metres.

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 purpose of accessory farm employee accommodation buildings is to ensure sufficient accommodation is provided for full-time labour when the size and nature of an agricultural operation necessitates it. The intent of locating the accessory farm employee accommodation no closer than 30 metres from any lot line and no further than 30 metres from the detached dwelling is to minimize the area of land used for non-agricultural purposes. The Owner intends to maintain the existing dwelling in its current location being 10 metres from the front lot line while constructing a new dwelling approximately 250 metres away. The Applicant has indicated that the existing farm building cluster is linear in nature and located along the existing driveway to avoid the active agricultural operation. The existing and proposed dwellings are located just north and south of the current farm building cluster, respectively. Staff is of the opinion that the intent is being maintained and therefore have no objections to 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 existing and proposed dwellings shall be in accordance with the Concept Plan (CP-01), date stamped by the Committee of Adjustment on September 29, 2020, to the satisfaction of the Commissioner of Planning & Development.

2. A hydrogeological analysis following the direction of the Region's Hydrological Studies & Best Management Practices for Groundwater Protection Guidelines be completed to the satisfaction of Halton Region.

Reviewed and approved by,



Jeff Markowiak, Director of Development Review

Notes

Credit Valley Conservation

- Provide a site plan to CVC staff prior to submitting a building permit to the Town of Halton Hills in order obtain clearance as portions of the property are within CVC Regulated Area.

Halton Hills Hydro

- The existing hydro service to this residence property is a customer owned secondary overhead pole line fed off HHHI main overhead distribution circuit on 17 Side Road. As a result, the customer shall request a Technical Service Layout Request for permanent service when required, in coordination with the Electrical Safety Authority approval. If required, the customer shall request a temporary service during construction of the proposed dwelling. The customer should review our Condition of Service prior to submitting applications. Please find links below:

TSLO - <https://haltonhillshydro.com/for-home/building-upgrades-or-demolition/new-service-upgrades/>

COS - <https://haltonhillshydro.com/for-business/conditions-of-service/>

- 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: Josh Salisbury, Planner – Development Review

DATE: January 30, 2024

RE: Planning Recommendation for
Application D13VAR23.025H – Klassen
Municipally known as 3 Tweedle 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 the first storey of an addition from the minimum 2.25 m to permit a side yard setback of 1.22 m.

To accommodate a proposed addition to a garage, and a proposed accessory dwelling unit.

Proposal

The Applicant is proposing to construct a one-storey addition intended to accommodate an attached garage and accessory dwelling unit. The addition would be connected to the existing dwelling via a covered breezeway. The new one-storey addition is intended to be placed in a similar location to the existing one-storey detached garage. During the September 6, 2023, Committee of Adjustment hearing, a decision for this application was moved to be deferred.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Hamlet Residential Area under the Glen Williams Secondary Plan and is also located within the “Mature Neighbourhood Area” overlay established through the adoption of Official Plan Amendment No. 22 (Mature Neighbourhoods Character Study). This designation permits existing single detached dwellings. Section H4.2 (I) of the Secondary Plan states that an objective of the Plan is to maintain and enhance the character of Mature Neighbourhood Areas by ensuring that new housing, replacement housing, additions, alterations and new or enlarged accessory buildings, are compatible, context sensitive, and respectful of the existing character of the neighbourhood.

Town of Halton Hills Zoning By-Law

The subject property is zoned Hamlet Residential One Mature Neighbourhood One (HR1(MN1)) in the Town's Comprehensive Zoning By-law 2010-0050, as amended. The HR1(MN1) zone permits single detached dwellings and accessory buildings and structures.

In an HR1(MN1) zone, the Zoning By-law limits the interior side yard setback to 2.25 metres for the first storey.

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 under the Mature Neighbourhood policies and provisions is to provide separation between the dwelling and the lot line to provide for a consistent pattern of dwelling setbacks to maintain the character of the Glen and address privacy and overlook concerns. In addition, the setback requirements are intended to provide sufficient area for maintenance of the building's eaves/outside walls and to access the property's rear yard. Given the proposed one-storey addition is located directly on the building footprint of the current accessory garage, the requested variance should have no impact on the above considerations. There are also no windows proposed at the side of the addition that could cause potential privacy concerns. Further, since the proposed addition does not appear to be inhibiting any access of water to the swale on the boundary lot line or preventing proper access between the structure and lot line, Planning staff is of the opinion that the intent of this requirement is being maintained. Therefore, Planning staff is of the opinion that the proposed variance seeking a 1.22 metre side yard setback meets the intent of the side yard setback provisions, and Planning staff has no objection to the proposed variance.

Public Comments

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

RECOMMENDATION

Planning staff have no objections to the variance subject to the following condition:

1. The addition shall be constructed generally in accordance with the architectural design as shown on Drawing Nos. MV-1, dated December 11, 2023; MV-2, dated November 15, 2023; MV-3, dated November 11, 2023; MV-4, dated November 6, 2023; and MV-5, dated November 15, 2023, prepared by Matthews Design &

Drafting Services Inc., date stamped by the Committee of Adjustment on December 14, 2023, to the satisfaction of the Commissioner of Planning & Development

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Development Engineering

Please note that in support of the required Building Permit the following will be required:

- A sealed grading plan completed by a Professional Engineer (P.Eng) that demonstrates how grading and drainage shall function for the applicant's proposal to the satisfaction of the Director of Engineering, Public Works and Building Services. Sufficient existing topographic detail shall be shown on the subject property and abutting properties to clearly show existing vs proposed drainage patterns and shall confirm that no additional flows will be directed to neighboring properties. The grading plan shall be set to a metric scale and clearly denote existing vs proposed topographical data.
- The Owner/Applicant shall apply for and acquire a Site Alteration Permit under Bylaw 2017-0040 for the proposed works through the Development Engineering Department prior to the issuance of the associated Building Permit. Please contact the Development Engineering Department or visit the Town's website and search "Site Alteration" for further details prior to making the application. Please note that the grading plan required in the previous comment can be utilized for this application.

Halton Region

From a servicing perspective, the owner should verify the location of existing services and determine if relocation of services will be required to facilitate this development. For the applicant's information, should services need to be relocated as a result of the proposed development:

- any existing water services that will not be re-used must be disconnected at the mains, at the expense of the owner;
- no water service connections are to cross existing or proposed lot lines;
- the applicant shall comply with the Region's current construction and design standards as stated in the Region's Development Engineering Review Manual, Region of Halton Design Criteria, Contract Specifications and Standard Drawings, Sewer Discharge By-Law 02-03, Multi-unit Servicing Policy as set out in Report PPW01-96 and the By-Law Respecting the Prevention of Backflow Into the Water System as set out in By-Law 157-05; and

- Regional staff note that should a future minor variance or other planning application be submitted for the property, hydrogeological studies may be required at that time;
- If for any reason the applicant does not wish to service the addition with the existing septic system, Regional staff recommend the existing system be replaced with a new system which is highly effective at removing contaminants (such as a tertiary treatment system) to minimize potential negative impacts to local groundwater quality.

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.

If it is an application for a subdivision, the applicant is required to complete the necessary requirements to obtain a Registered Subdivision Agreement with Halton Hills Hydro. Please contact Codi for further information at Ext. 414.

Credit Valley Conservation

Please note that the property is partially regulated by CVC and a CVC permit may be required for the proposed development. As part of CVC permitting review and to confirm that the proposed works are located outside of the floodplain, please submit to CVC the topographic survey signed and sealed by an OLS or P.Eng as referenced on the provided Site Plan.

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

FROM: Ruth Conard, Planner – Development Review

DATE: January 29, 2024

RE: Planning Recommendation for
Application D13VAR24.001H
Municipally known as 6 Dawkins Crescent
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 structure from the maximum 20 sq m to permit a floor area of 40.6 sq m.
2. To increase the number of accessory structures from the maximum 2, to permit a total of 3 accessory structures.

To accommodate an existing pergola structure and two existing sheds.

Proposal

The variances are required in order to recognize an existing pergola and two existing sheds located in the rear yard of the subject property. The pergola is 40.6 sq m in size.

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. The maximum number of accessory buildings and structures permitted is two per lot.

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. Staff is of the opinion that the intent is being maintained as the existing pergola and sheds are incidental and subordinate to the principle residential use. They are located in the rear of the subject property and meet all other zone standards (i.e. height and setbacks).

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 existing accessory buildings (pergola and sheds) shall be in accordance with the Site Plan (A3), date stamped by the Committee of Adjustment on December 12, 2023, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Building

- A building permit is required for the as-built pergola.

Development Engineering

- A Site Alteration Permit may be required. Confirmation will be provided upon review of the building permit application. Please contact Development Engineering at the Town of Halton Hills for further details.

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: Josh Salisbury, Planner – Development Review

DATE: January 30, 2024

RE: Planning Recommendation for
Application D13VAR24.002H – 45 Church Street West
Municipally known as 45 Church Street West,
Town of Halton Hills (Acton)

APPLICATION

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

1. To permit one proposed silo, whereas the by-law only permits two additional silos beyond the number that existed on February 26, 1996 (two silos were already constructed since 1996).

To accommodate a proposed silo.

Proposal

The Applicant is proposing to construct a silo structure to be used for private storage of mill feed for flour production. It should be noted that three silos have been constructed on the subject property since 1996.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Low Density Residential Area under the Town's Official Plan. The current use of a flour mill, with an accessory business office, is considered a legal non-conforming use.

Section G5 of the Official Plan provides criteria for legal non-confirming uses; Section G5.1 states that uses that were legally existing at the date of the adoption of this Plan, which do not conform to the designations and policies of this Plan, may be recognized in the implementing Zoning By-law.

Town of Halton Hills Zoning By-Law

The subject property is partially zoned Low Density Residential One Mature Neighbourhood (LDR1-2)(MN) (Exception 55) and partially zoned as Environmental Protection One (EP1) (Exception 55)

under the Town's Comprehensive Zoning By-law 2010-0050, as amended. Exception 55 was established through site-specific By-law 96-025 when it was consolidated into By-law 2010-0050.

Exception 55 (ie. By-law 96-025) includes the following special provisions for 62 Mill Street West and 45 Church Street, Acton:

- i. Maximum net floor area for an accessory business office on the second storey of a single detached dwelling of - 27.5 square metres;
- ii. Maximum net floor area for a flour mill – 115.0 square metres;
- iii. Maximum permitted increase of the area of the roof beyond that which existed on February 26, 1996 – 255.0 square metres;
- iv. In-ground weigh scales are permitted to be located to the south-east of the main building;
- v. An additional two silos beyond the number that existed on February 26, 1996 are permitted to be erected, and shall be comparable in the size and height to the silos that existed on February 26, 1996;
- vi. Minimum required number of parking spaces for the expansions of buildings provided for in subsections (i) and (ii) – 8.

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

In June 2006 a minor variance (File: D13VAR06.021H) was granted for the subject property to approve the installation of two silos at the southwest corner of the main plant. This was required due to the provisions of site-specific by-law 96-025 which only permitted two additional silos on the lands. A condition of this minor variance was that no additional silos would be permitted.

Further, in March 2008 additional minor variance relief (File: D13VAR08.006H) was granted to approve the following:

- The addition of one additional new silo and relocation of four existing silos;
- To raise the warehouse roof from 13.689m to 18.512m;
- To add a 223 sq m addition to house a drive through truck scale;
- To add 80 sq m to close in the bulk mill feed bins;
- Relief from a condition attached to a previous minor variance (D13VAR06.021H) that stated additional silos shall not be permitted after the installation of the two silos.

The Applicant is required to apply for a new minor variance as they are now proposing to construct a new silo for the purposes of additional on-site storage of mill feed. Subsection (v) of By-law 96-025 only permits two additional silos on the subject lands, which had previously been constructed as outlined above (a total of 3 new silos have been built since By-law 96-025 was approved).

Therefore, zoning relief is required for this proposal. The Applicant has stated that the improved storage capacity would minimize or eliminate the need for weekend truck deliveries of mill feed, leading to less neighbourhood truck traffic on Saturdays and Sundays.

The intent of the original By-law 96-025 was to allow for the responsible development and expansion of a flour mill in a predominantly residential neighbourhood. The proposed silo is comparable in size to another silo that currently exists on the property. The new silo is to be used for storage, which the Applicant has stated will result in traffic reduction. The silo will be screened by the current flour mill building to the west and screened by existing mature trees to the east. It does not appear that this silo will result in any privacy or drainage concerns to adjacent neighbours. Therefore, Planning staff believe that this application is in keeping with the intent of the By-law. As such, Planning staff have no objections to the application.

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 location and construction of the proposed silo shall be generally in accordance with drawing Additional Shorts Silo, dated November 14, 2023, drafted by Artech Millwrights Ltd., and drawing Sketch Showing Proposed Silo, dated October 10, 2023, drafted by Van Harten Surveying Inc, date stamped by the Committee of Adjustment on December 18, 2023, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Fire

- If the proposal is approved, a revised safety plan will be required to be submitted to the new silo.

Building Services

- A building permit is to be obtained for the proposed new silo.

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.

Credit Valley Conservation

- A CVC permit will be required for the proposed development within the CVC Regulated Area.

Halton Region

The owner should verify the location of existing services and determine if relocation of services will be required. In the event that services need to be relocated as a result of the proposed development, the following will be required as part of a Regional Services Permit:

- Any existing water or wastewater services that will not be re-used must be disconnected at the mains at the expense of the owner.
- No wastewater service laterals or water service connections are to cross existing or proposed property lines.
- The applicant shall comply with the Region's current construction and design standards as stated in the Region's Development Engineering Review Manual, Region of Halton Design Criteria, Contract Specifications and Standard Drawings, Sewer Discharge By-Law 02-03, Multi-unit Servicing Policy as set out in Report PPW01-96 and the By-Law respecting the Prevention of Backflow Into the Water System as set out in By-Law 157-05.

The applicant is encouraged, as a measure to achieve the greatest protection of the feature during the construction of the proposed silo, to implement temporary erosion and sediment control measures along the edge of the property that abuts the Black Creek bank wherever construction work is to occur or where any construction materials will be stored. The Region's Erosion and Sediment Control Guidelines for Urban Construction are available online at <http://www.sustainabletechnologies.ca/wp/wp-content/uploads/2013/01/ESC-Guideline-December-2006.pdf> and can be consulted to identify suitable erosion and sediment control measures to be implemented in relation to the proposed works.

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

FROM: Josh Salisbury, Planner – Development Review

DATE: January 30, 2023

RE: Planning Recommendation for
Application D13VAR24.003H – 19 Barraclough
Municipally known as 19 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 48 sq m.

To accommodate an existing cabana and proposed pool shed.

Proposal

The Applicant is proposing construct a one-storey accessory structure to be used exclusively as a pool shed, complete with a bathroom and space for pool equipment. The application also recognizes an existing cabana on the subject property.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Hamlet Residential Area under the Town's Official Plan. This designation permits 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 Hamlet Residential One (Exception 16) (HR1) (16-C) and Environmental Protection One (Exception 17) (EP2) (17) under the Town's Comprehensive Zoning By-law 2010-0050, as amended. The HR1 zone, which is where the existing single detached dwelling and cabana are located, as well as where the proposed pool shed is to be located, permits single detached dwellings and accessory structures.

The Zoning By-law limits the total maximum floor area for all accessory structures on a property to 20 square metres.

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 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 for accessory structures is being maintained as the proposed pool shed and existing cabana are clearly incidental to the principal residential use and it does not appear that there will be significant visual impacts to the surrounding properties. Therefore, Planning staff have no objections to the proposed application.

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 location and construction of the proposed pool shed shall be generally in accordance with drawings Cover Page, Site Plan Overall, Site Plan Pool Enclosure, Proposed Pool Shed Plans (1.00 and 2.00), drafted by Alana + Kelly Design Co., date stamped by the Committee of Adjustment on December 22, 2023, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Building Services

- A Building permit is required for a shed that is 15 sq m or greater, or a shed of any size containing plumbing. Please contact the Building Services department to obtain a permit.

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.

Halton Region

The owner should verify the location of existing services and determine if relocation of services will be required. In the event that services need to be relocated as a result of the proposed development, the following will be required as part of a Regional Services Permit:

- Any existing water or wastewater services that will not be re-used must be disconnected at the mains at the expense of the owner.
- No wastewater service laterals or water service connections are to cross existing or proposed property lines.
- The applicant shall comply with the Region's current construction and design standards as stated in the Region's Development Engineering Review Manual, Region of Halton Design Criteria, Contract Specifications and Standard Drawings, Sewer Discharge By-Law 02-03, Multi-unit Servicing Policy as set out in Report PPW01-96 and the By-Law respecting the Prevention of Backflow Into the Water System as set out in By-Law 157-05.