

**COMMITTEE OF ADJUSTMENT  
AGENDA**

**Date:** Wednesday, February 5, 2025, 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 D13VAR24.012H - 51 Ontario Street** 2

**Location:** 51 Ontario 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 exterior side yard setback from the minimum 4.5 m to permit an exterior side yard setback of 0.02 m.

**To accommodate a second storey addition.**

**Owner(s):** Florent Lefevre-Schlick & Diana Zdravecky
  - b. **Minor Variance D13VAR25.001H - 7 Jessop Court** 6

**Location:** 7 Jessop Court, Town of Halton Hills (Georgetown), Regional Municipality of Halton

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

    1. To reduce the side yard setback to the stairs accessing a basement from the minimum 1.2 m to permit a side yard setback of 0.76 m.

**To accommodate proposed stairs accessing the basement of a single detached dwelling.**

**Owner(s):** Tracey Arnold, **Agent:** Alana + Kelly Design, Alana Nielsen
4. ADJOURNMENT

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

**FROM:** Jessica Rahim, Senior Planner – Development Review

**DATE:** January 27, 2025

**RE:** Planning Recommendation for  
Application D13VAR24.012H – Lefevre-Shlick  
Municipally known as 51 Ontario Street,  
Town of Halton Hills (Georgetown)

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## **APPLICATION**

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

1. To reduce the exterior side yard setback from the minimum 4.5 m to permit an exterior side yard setback of 0.02 m.

To accommodate a proposed second storey addition.

## **Proposal**

The Applicant is proposing to construct a full second storey addition to the current one and a half storey dwelling located on the subject property.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated Low Density Residential Area and is located within the “Mature Neighbourhood Area” overlay established through the adoption of Official Plan Amendment No. 22 (Mature Neighbourhood Character Study). This designation permits single detached dwelling.

Section D1.4.2 of the Official Plan outlines policy framework for evaluating new housing, replacement housing, additions, and alterations within Mature Neighbourhood Areas provided it is compatible, context sensitive, and respectful of the existing character of the neighbourhood, and that the Zoning By-law should further detail the appropriate standards within Mature Neighbourhoods. Furthermore, the policy also sets out what should be considered when evaluating the merits of Minor Variances in Mature Neighbourhoods. These criteria are:

- a) compatibility with existing building orientation and building setbacks;
- b) that the scale, massing, building height, and built form features are compatible with the existing character of the neighbourhood;
- c) the preservation of landscaped open space areas and the protection of existing trees; and,
- d) that impacts on adjacent properties are minimized.

## **Town of Halton Hills Zoning By-Law**

The property is zoned Low Density Residential One, Mature Neighbourhood (LDR1-2(MN)) in the Town's Comprehensive Zoning By-law 2010-0050, as amended. The LDR1-2(MN) zone permits single detached dwellings subject to a range of zoning standards, including a minimum required exterior side yard setback of 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 concerns or objections were identified; relevant comments regarding the Minor Variance application are as follows:

#### Development Engineering & Halton Hills Hydro:

This application was previously considered by the Committee at its June 5, 2024, hearing where it was deferred to allow for further discussions between the Applicant, Halton Hills Hydro and Town Development Engineering staff to address the following:

- Concerns exist over the proximity and clearance between the proposed second storey addition and existing energized power lines located adjacent to the property;
- The location of the proposed second storey overhang and if it will encroach into the Town's road allowance; and,
- The location of footings for the proposed addition and whether or not it would encroach onto Town lands. Also, Town Development Engineering staff will need to understand if open excavation will be required for this proposal, and if it will encroach on the Town's road allowance requiring the road to be closed for safety purposes during construction.

The Applicant has addressed the above concerns, and both Halton Hills Hydro and Town Development Engineering staff are satisfied that the proposed addition can meet their requirements.

#### Planning

The intent of the minimum exterior side yard setback requirement is to maintain sightlines for vehicular traffic, provide an area on the lot for landscaping and snow storage, ensure drainage can

be addressed on the subject property, and maintain a consistent pattern of dwelling that maintains the character of the mature neighbourhood. The Applicant is proposing a modest second storey addition to the existing dwelling, which is not expected to adversely impact any of these considerations. As the existing dwelling setback does not conform to the setback requirements of the Zoning By-law, any second storey addition or alterations requires a minor variance. However, the addition will not result in the side yard setback being any further deficient. Therefore, Planning staff has no objection to the proposed variances.

### **Public Comments**

No objections 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 proposed additions shall be constructed generally in accordance with the Grading Plan prepared by Fiddes Clipsham Inc., date stamped by the Committee of Adjustment on January 8, 2025, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



**Jeff Markowiak, Director of Development Review**

## Notes

### Development Engineering

- A site alteration permit may be required from the Development Engineering.
- As part of the site alteration permit, it is the owner's responsibility to:
  - Maintain the existing drainage pattern. Ensure positive drainage is achieved.
  - Repair any drainage problems caused by the proposed works on their property and/or the adjacent owner's properties.

### 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.

### Region of Halton

- The owner should verify the location of existing services and determine that no 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, the following will be required as part of a Regional Servicing 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 subject property is located within the jurisdiction of the CTC Source Protection Plan (SPP), which can be accessed online at: <http://www.ctcswp.ca/ctc-source-protection-plan/>. The property is located in a WHPA E (VS=9), Issue Contributing Area (Chloride), and WHPA-Q1/Q2 (moderate risk to quantity).
- Based on the information provided by the applicant, the proposed application qualifies as "residential use" and is therefore exempt from the Section 59 review process under the CTC Source Protection Plan per policy GEN-1. The application can proceed from the perspective of Source Water Protection and no Section 59 notice will be required.
- Reference material has also been attached for the owner's information, related to the Source Water Protection Program and the important role landowners play in protecting drinking water sources.

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

**FROM:** Ruth Conard, Planner – Development Review

**DATE:** January 27, 2025

**RE:** Planning Recommendation for  
Application D13VAR25.001H  
Municipally known as 7 Jessop Court  
Town of Halton Hills (Georgetown)

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## **APPLICATION**

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

1. To reduce the side yard setback to the stairs accessing a basement from the minimum 1.2 m to permit a side yard of 0.76 m.

To accommodate proposed stairs accessing the basement of a single detached dwelling.

### **Proposal**

The variance is required in order to install new stairs on the south side of the dwelling for access to the basement.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated Low Density Residential Area under the Town's Official Plan. Single detached dwellings are permitted in this designation.

### **Town of Halton Hills Zoning By-Law**

The subject property is zoned Low Density Residential One – Two (Mature Neighbourhood) – LDR1-2 (MN) under the Town's Comprehensive Zoning By-law 2010-0050, as amended. Single detached dwellings are permitted in this zone. The minimum interior side yard setback in the LDR1-2 (MN) zone is 1.2 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 maintaining a 1.2 metre interior side yard setback is to provide separation between the lot line for drainage purposes, maintenance of the building's eaves/outside walls and to access the property's rear yard. In addition, these requirements are intended to provide an area for landscaping to maintain privacy. Given the extent of the relief proposed, it does not appear that the new staircase will impact any of the above considerations. Therefore, Planning staff have no objection to the proposed minor variance.

#### **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 have 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, prepared by Alana + Kelly Design Co., date stamped by the Committee of Adjustment on December 23, 2024, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



**Jeff Markowiak, Director of Development Review**

## Notes

### Development Engineering

- A grading plan will be required for the proposed works. A site alteration permit may also be required; however, confirmation will be provided upon submission of the building permit.

### Halton Region

- The owner should verify the location of existing services and determine that no relocation of services will be required. For the applicant's information, should services need to be relocated as a result of the proposed development, the following will be required as part of a Regional Servicing 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.