

**COMMITTEE OF ADJUSTMENT  
AGENDA**

**Date:** Wednesday, March 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 D13VAR25.002H – 14177 Trafalgar Road**

4

**Location:** 14177 Trafalgar Road, Town of Halton Hills (Esquesing),  
Regional Municipality of Halton

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

1. To permit the expansion of the retail use that legally existed on the effective date of the by-law from 200.6 sq m to permit a retail floor area of 290.8 sq m (as-built addition of 90.2 sq m).
2. To reduce the side yard setback from the minimum 15 m to permit a side yard setback of 2.2 m (greenhouse south).
3. To reduce the side yard setback from the minimum 15 m to permit a side yard setback of 9.1 m (greenhouse north).

**To accommodate the existing expansion of the retail garden centre, and the existing greenhouses.**

**Owner(s):** Julia Lanz Holdings Incorporated, Barbara Duckitt, c/o Enzo Lantarotta, **Agent:** Jason Gorman

**b. Minor Variance D13VAR25.003H – 35 Rosset Valley Court**

8

**Location:** 35 Rosset Valley 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 front yard soft landscaping from the minimum

40% (32.7 sq m) of the front yard area to permit 25.6% (20.9 sq m) of the front yard area.

**To accommodate proposed additional parking for an Accessory Residential Unit.**

**Owner(s):** Alexander Cadete

**c. Minor Variance D13VAR25.004H – 95 Agnes Street**

12

**Location:** 95 Agnes Street, Town of Halton Hills (Acton), Regional Municipality of Halton

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

1. To reduce the interior side yard setback from the minimum 1.2 m to permit an interior side yard setback of 0.37 m (sunroom addition).
2. To increase the encroachment of the roof overhang from the maximum 50% of the side yard setback (0.185 m from the side lot line) to permit a roof overhang encroachment of 100% (0 m from the side lot line).
3. To reduce the front yard setback from the minimum 6 m to permit a front yard setback of 1.58 m (sunroom addition).
4. To increase the driveway width from the maximum 7 m to permit a driveway width of 8.8 m.
5. To increase the floor area of a detached garage from the maximum 40 square m to permit a floor area of 58 sq m (detached garage).
6. To increase the height of a detached garage from the maximum 4.5 m to permit a height of 4.94 m (detached garage).
7. To increase the height of an accessory structure from the maximum 3.5 m to permit a height of 4.7 m (accessory shed).
8. To reduce the interior side yard setback for an accessory structure from the minimum 1 m to permit an interior side yard setback 0.83 m (accessory shed).
9. To increase the floor area of an accessory structure from the max 20 sq m to permit a floor area of 36 sq m (accessory shed).

**To accommodate the existing sunroom addition (front of dwelling), the existing garage, and the existing 2 storey accessory shed.**

**Owner(s):** Julian Lysak

**d. Minor Variance D13VAR25.005H – 8218 Tenth Line**

16

**Location:** 8218 Tenth Line, Town of Halton Hills (Premier Gateway), Regional Municipality of Halton

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

1. To increase the height of an accessory structure from the maximum 5 m to permit a height of 5.74 m.
2. To increase the floor area of an individual accessory structure from the maximum 80 sq m to permit a floor area of 125 sq m.
3. To increase the total floor area of all accessory structures from the maximum 120 sq m to permit a total floor area of 125 sq m.

**To accommodate a proposed accessory structure (garage).**

**Owner(s):** Joginder Singh & Tripatjit Sidhu, **Agent:** Peter Vozikas

**e. Minor Variance D13VAR25.006H – 112 Branigan Crescent**

19

**Location:** 112 Branigan Crescent, Town of Halton Hills (Georgetown),  
Regional Municipality of Halton

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

1. To reduce the front yard landscaping from the minimum 40% (21.4 sq m) of the front yard area to permit a front yard landscaping of 37.65 % (20.15 sq m) of the front yard area.

**To accommodate additional parking for a proposed Accessory Residential Unit.**

**Owner(s):** Rohit Jain & Neha Agarwal, **Agent:** Shivang Tarika

**4. ADJOURNMENT**

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

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

**DATE:** February 25, 2025

**RE:** Planning Recommendation for  
Application D13VAR25.002H  
Municipally known as 14177 Trafalgar Road,  
Town of Halton Hills (Esquesing)

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## **APPLICATION**

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

1. To permit the expansion of the retail use that legally existed on the effective date of the by-law from 200.6 sq m to permit a retail floor area of 290.8 sq m (as-built addition of 90.2 sq m).
2. To reduce the side yard setback from the minimum 15 m to permit a side yard setback of 2.2 m (greenhouse south).
3. To reduce the side yard setback from the minimum 15 m to permit a side yard setback of 9.1 m (greenhouse north).

To accommodate the existing expansion of the retail garden centre, and the existing greenhouses.

## **Proposal**

The property currently holds a legacy permission to operate a garden centre and retail use. The Applicant is proposing to continue this use while seeking variances to recognize a previously constructed addition to the existing retail building and reduced side yard setbacks to two previously constructed greenhouse structures.

## **POLICY CONTEXT**

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

The subject property is designated “Protected Countryside Area” under the Town’s Official Plan and contains a Natural Heritage System overly. The protected Countryside is intended to be restricted to uses that support and protect the Town’s agricultural land base and rural communities.

This designation is generally limited to agricultural and agriculturally related uses. A Retail Use is not a permitted within this designation; however, a garden centre/retail use existed on-site prior to the adoption of the Town's Official Plan.

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

The subject property had site specific permission to operate a garden centre on the property prior to the adoption of Zoning By-law 2010-0050; a garden centre is considered a Retail Use.

Under Comprehensive Zoning By-law 2010-0050, as amended, the majority of the property is zoned Protected Countryside (PC) with a small front portion of the property zoned Protected Countryside Natural Heritage System One (PC-NHS1). Retail Stores are permitted in the PC Zone provided they legally existed on the property prior to the effective date of the By-law, which is applicable to the subject site. However, the expansion of existing buildings used for a Retail Store is not permitted. The PC Zone also requires a minimum setback of 15 metres to any structure.

### **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 received; relevant comments regarding the Minor Variance application are as follows:

#### **Natural Heritage**

The subject property is located within the protected countryside of the Greenbelt Plan and Town of Halton Hills Official Plan and is subject to the natural heritage policies of both Plans. The southern property line is directly adjacent to a candidate Key natural heritage feature (significant woodland) which is generally protected through setbacks called minimum vegetation protection zones within which certain uses are restricted.

The requested 2.2 metre setback for the existing greenhouse (Hoop House 2) places the structure within this environmental setback. However, recognizing that the structure exists, staff will be recommending that any approval be conditional upon the Owner maintaining the building in accordance with the submitted drawings. Any future development proposed along the southern side yard would be subject to further environmental review by the Town.

#### **Planning**

##### *Variance #1 – Expansion of a Retail Use*

The subject site has a legacy permission for a garden centre/retail use and contains a number of buildings and greenhouse structures associated with a previous garden centre operation. The current owner intends to open a new garden centre using the existing structures. To do so they are seeking permission to recognize an addition (90.2 sq.m) to the existing retail building (200.6 sq.m)

that was constructed by a previous owner without the necessary permits. While additions to Retail Store Uses in the PC Zone are not permitted, staff have no objections to the current owners maintaining the existing 90.2 sq.m. addition for the following reasons:

- the existing addition is a modest in relation to the original retail building;
- the addition is to the rear of the original retail building, setback from any neighbouring residence and has not resulted in any nuisance complains from adjacent landowners;
- the Applicant has no plans for any expansions to those buildings. Therefore, the impact on neighbouring properties remains unchanged and consistent to what they are already accustomed to; and,
- the property is currently surrounded with rows of mature trees which provides screening for abutting properties.

Based on the above, Planning staff are of the opinion that the Minor Variance process is an appropriate tool to recognize the existing Retail Use expansion and have no objections to the requested variance.

#### *Variance #2 and #3 – Interior Side Yard Setback*

The intent of the minimum side yard setback requirement is to ensure that there is sufficient separation between the structure and the lot line for privacy reasons, maintenance of the building's eaves/outside walls, and maintaining a consistent appearance within the neighbourhood. The subject property is approximately 2.4 acres in size and bordered by a large farm property on both sides. The subject property contains significant vegetation along the north and south property lines, providing adequate screening to the neighbouring properties. The greenhouses are existing structures on the lot and do not appear to inhibit the surrounding neighbourhood. Therefore, staff view the intent of this requirement to be maintained and have no objections with the minor 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 Applicant is to maintain the building in accordance with Drawing A00 prepared by Abacus & Plinth Design Group, dated December 2024, date stamped by the Committee of Adjustment on January 27, 2025, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read "Jeff Markowiak". The signature is written in a cursive, flowing style.

**Jeff Markowiak, Director of Development Review**

**Notes:**

Development Engineering

- A site alteration permit and grading plan may be required at the building permit stage.

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

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

**DATE:** February 26, 2025

**RE:** Planning Recommendation for  
Application D13VAR25.003H  
Municipally known as 35 Rosset Valley 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 front yard landscaping from the minimum 40% (32.7 sq m) of the front yard area to permit 25.6% (20.9 sq m) of the front yard area.

To accommodate proposed additional parking for an Accessory Residential Unit.

## **Proposal**

The variance is required in order to accommodate an additional on-site parking space for an accessory residential unit proposed to be constructed within the existing house on the subject property.

## **POLICY CONTEXT**

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

The subject property is designated Low Density Residential Area under the Town's Official Plan. This designation permits single detached dwellings and accessory residential units.

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

The subject property is zoned Low Density Residential One – Four (LDR1-4) under the Town's Comprehensive Zoning By-law 2010-0050, as amended. The LDR1-4 zone permits single detached dwellings and accessory residential units.

Section 5.2.14(b) of the Zoning By-law requires that for ground oriented residential dwelling units, the maximum driveway width shall be 7.0 metres provided a minimum of 40% of the front or



exterior side yard in which the driveway is located is the site of soft landscaping. Accessory residential units are required to provide one parking space on-site, in addition to the two parking spaces required for the principal dwelling.

## **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 soft landscaping requirement is to ensure that there is sufficient soft landscaping within the front yard to facilitate proper drainage and stormwater management, accommodate snow storage as well as good urban design/landscape design along the street. The variance is mostly to reflect an existing situation due to the pie-shaped configuration of the lot (the current landscaped area is 36%) as the Applicant is proposing a modest expansion to the existing driveway width to accommodate the additional parking space. Given the amount of landscaping in the front yard is not changing much and that there have been no noted drainage/stormwater management issues in the front yard, Planning staff is of the opinion that the intent of the minimum soft landscaping requirement is maintained.

### **Public Comments**

Town staff received comments from the neighbour at 31 Rosset Valley Court stating concerns about the number of vehicles currently parked in the driveway, the loss of soft landscaping, drainage issues, snow storage and decreased property values. Concern was also expressed about the garage being converted into living space. Town Building staff have confirmed that only a portion of the garage is to be converted into living space, leaving enough room for one parking spot.

As mentioned above, the minimum soft landscaping is already deficient as a result of a previous driveway widening and therefore the actual minor variance is to reduce the soft landscaping by only 10.41% (8.5 sq m). Development Engineering staff have confirmed that natural grades show positive drainage to the road, and they are satisfied that there is sufficient soft landscaping to accommodate snow.

Regarding the number of vehicles parking on the property, Municipal Enforcement staff should be notified if issues occur.

## **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 Drawing No. A01, Driveway Expansion, date stamped by the Committee of Adjustment on January 28, 2025, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



**Jeff Markowiak, Director of Development Review**

## **Notes**

### Development Engineering

- The Applicant may require a Site Alteration Permit and Grading Plan at the Building Permit stage. Please contact Development Engineering for more information.

### Halton Region

There are no Regional servicing requirements for this application.

The property abuts a Regional Watermain Easement; therefore, the Owner is not permitted to plant trees, erect any buildings or structures, and the easement is to be excluded from the placement of any heavy equipment and/or material within the easement limits. Regional easements are to always be free from any encumbrances.

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 Owner'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 Owner 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.

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

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

**DATE:** February 25, 2025

**RE:** Planning Recommendation for  
Application D13VAR25.004H  
Municipally known as 95 Agnes Street  
Town of Halton Hills (Acton)

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## **APPLICATION**

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

1. To reduce the interior side yard setback from the minimum 1.2 m to permit an interior side yard setback of 0.37 m (sunroom addition).
2. To increase the encroachment of the roof overhang from the maximum 50% of the side yard setback (0.185 m from the side lot line) to permit a roof overhang encroachment of 100% (0 m from the side lot line).
3. To reduce the front yard setback from the minimum 6 m to permit a front yard setback of 1.58 m (sunroom addition).
4. To increase the driveway width from the maximum 7 m to permit a driveway width of 8.8 m.
5. To increase the floor area of a detached garage from the maximum 40 square m to permit a floor area of 58 sq m (detached garage).
6. To increase the height of a detached garage from the maximum 4.5 m to permit a height of 4.94 m (detached garage).
7. To increase the height of an accessory structure from the maximum 3.5 m to permit a height of 4.7 m (accessory shed).
8. To reduce the interior side yard setback for an accessory structure from the minimum 1 m to permit an interior side yard setback 0.83 m (accessory shed).
9. To increase the floor area of an accessory structure from the max 20 sq m to permit a floor area of 36 sq m (accessory shed).

To accommodate the existing sunroom addition (front of dwelling), the driveway widening, the existing garage, and the existing 2 storey accessory shed.

## Proposal

The variances are required in order to recognize an existing sunroom at the front of the dwelling, an existing widened driveway, an existing detached garage and an existing accessory building 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's Official Plan, which 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 Low Density Residential One – Two, Mature Neighbourhood LDR1-2 (MN) under the Town's Comprehensive Zoning By-law 2010-0050, as amended. The following zone standards apply to the subject application:

#### Part 6 – Urban Residential Zones

Minimum interior side yard setback (sunroom) 1.2 metre

Minimum front yard setback (sunroom) 6.0 metres

#### Part 5 – Parking and Loading Standards

Maximum driveway width 7.0 metres

#### Part 4 – General Provisions

Encroachment into the required interior side yard (sunroom) 50% of the required interior side yard for the main building

Maximum floor area for a detached private garage 40.0 square metres

Maximum height for a detached private garage with peaked roof 4.5 metres

Maximum height for all other accessory buildings and structures (shed) 3.5 metres

Interior side yard setback (shed) 1.0 metre

Maximum floor area for all other  
accessory buildings and structures  
(shed)

20.0 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

##### *Sunroom addition*

Based on historic mapping, the sunroom appears to have been constructed a number of years ago and was deficient in certain zone standards (i.e. front yard setback). The Owner recently renovated the original sunroom resulting in a slightly larger addition to the front of the dwelling. As a result, several minor variances are required to recognize the previous sunroom and subsequent renovation, including a reduction in the side and front yard setbacks and encroachment of the roof overhang into the side yard. The intent of these zone standards is to ensure there is adequate space for maintenance, to provide a consistent pattern of dwelling setbacks in order to protect the character of the neighbourhood and to ensure there are no impacts on adjacent properties. To date, there does not appear to be any impact on the above considerations. The majority of houses on Agnes Street are built closer to the front lot line; therefore, the reduced setback adjacent to the street is in keeping with the existing character. Staff have no concerns with the three requested minor variances associated with the sunroom.

##### *Driveway width*

The intent of regulating driveway width is to ensure that hard surfaced driveways do not visually dominate the front of properties, and that sufficient landscaping is provided. It does not appear that the existing driveway dominates the front of the lot. There is also ample landscaping to meet the requirements for soft landscaping in the Zoning By-law. Staff have no objections to the minor variance.

##### *Accessory buildings (detached garage and shed)*

The intent to regulate the floor area, height and setbacks of accessory buildings is to ensure they 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 extent of the minor variances, it does not appear that the existing garage or shed impact the intent of the Zoning By-law and both structures appear to be subordinate to the main dwelling. Therefore, staff have no concerns with the five minor variances associated with the accessory buildings.

## 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 January 24, 2025, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



**Jeff Markowiak, Director of Development Review**

## Notes

### Development Engineering

- The Applicant may be required to submit a grading plan to demonstrate that grading and drainage will not be an issue and that there will be no encroachment onto the neighboring properties. Please contact Development Engineering for more information.

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

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

**DATE:** February 25, 2025

**RE:** Planning Recommendation for  
Application D13VAR25.005H  
Municipally known as 8218 Tenth Line,  
Town of Halton Hills (Premier Gateway)

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## **APPLICATION**

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

1. To increase the height of an accessory structure from the maximum 5 m to permit a height of 5.74 m.
2. To increase the floor area of an individual accessory structure from the maximum 80 sq m to permit a floor area of 125 sq. m.
3. To increase the total floor area of all accessory structures from the maximum 120 sq m to permit a total floor area of 125 sq m.

To accommodate a proposed accessory structure (garage).

## **Proposal**

The variances are required to increase the maximum floor area and height requirements for an accessory building and the maximum total accessory building floor area for all accessory structures in order to accommodate a 125 m<sup>2</sup> (~1,345.5 sq.ft.) detached garage. All existing sheds and barns on the property are to be removed.

## **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” and “GTA West Corridor Protection Area” overlay. The Future Strategic Employment Area and GTA West Corridor Protection Area overlay permits 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 Agricultural Zone permits single detached dwellings and accessory buildings and structures subject to a range of zoning standards, including maximum required height of 5 metres, a maximum floor area for the individual accessory structure of 80 square metres, and a maximum total floor area for all accessory structures on the property of 120 square metres.

### **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 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 (single detached dwelling) and do not create impacts to surrounding properties. Given the size of the property, the proposed location of the detached garage maintaining minimum setbacks requirements, and the extent of the requested relief, it does not appear that the proposed structure will impact these considerations. Therefore, staff have no concerns and consider the intent of these requirements to be maintained.

#### **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 conditions:

1. The location of the accessory structure shall be generally in accordance with Drawing 24-2691-S.DWG prepared by Van Lankveld Surveying Limited, dated December 11, 2024, date stamped by the Committee of Adjustment on February 4, 2025, to the satisfaction of the Commissioner of Planning & Development.

2. That the removal of all existing sheds and barns shall be in accordance with Drawing 24-2691-S.DWG prepared by Van Lankveld Surveying Limited, dated December 11, 2024, date stamped by the Committee of Adjustment on February 4, 2025, to the satisfaction of the Commissioner of Planning & Development.
3. The proposed accessory structure is not to be used for human habitation, living space or an occupation for gain or profit that would require running water and fixtures, otherwise a hydrogeological assessment may be required, to the satisfaction of Town Administration.

Reviewed and Approved by,



**Jeff Markowiak, Director of Development Review**

**Notes:**

Development Engineering

- A site alteration permit and grading plan may be required at the building permit stage.

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

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

**DATE:** February 24, 2025

**RE:** Planning Recommendation for  
Application D13VAR25.006H  
Municipally known as 112 Branigan Crescent  
Town of Halton Hills (Georgetown)

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## **APPLICATION**

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

1. To reduce the front yard landscaping from the minimum 40% (21.4 sq m) of the front yard area to permit a front yard landscaping of 37.65% (20.15 sq m) of the front yard area.

To accommodate additional parking for a proposed Accessory Residential Unit.

## **Proposal**

The variance is required in order to accommodate an additional on-site parking space for an accessory residential unit to be constructed within the existing house on the subject property.

## **POLICY CONTEXT**

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

The subject property is designated Low Density Residential Area under the Town's Official Plan. This designation permits single detached dwellings and accessory residential units.

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

The subject property is zoned Low Density Residential One – Four (Exception 63) – LDR1-4 (63) under the Town's Comprehensive Zoning By-law 2010-0050, as amended. The LDR1-4 (63) zone permits single detached dwellings and accessory residential units.

Section 5.2.14(b) of the Zoning By-law requires that for ground oriented residential dwelling units, the maximum driveway width shall be 7.0 metres provided a minimum of 40% of the front or exterior side yard in which the driveway is located is the site of soft landscaping. Accessory

residential units are required to provide one parking space on-site, in addition to the two parking spaces required for the principal dwelling.

## **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 soft landscaping requirement is to ensure that there is sufficient soft landscaping within the front yard to facilitate proper drainage and stormwater management as well as good urban design/landscape design along the street. Given the extent of relief requested, it appears that the Owner has made best efforts to ensure that only a minimal amount of soft landscaping has been reduced on the subject property and there should not be any drainage/stormwater management impacts. Planning staff is of the opinion that the intent of the minimum soft landscaping requirement is 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 condition:

1. The proposal shall be constructed generally in accordance with Drawing No. A1, Site Plan, date stamped by the Committee of Adjustment on February 5, 2025, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



**Jeff Markowiak, Director of Development Review**

## Notes

### Development Engineering

- The Applicant may require a Site Alteration Permit and Grading Plan at the Building Permit stage. Please contact Development Engineering for more information.

### Halton Region

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 Owner'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 Owner 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.