

**COMMITTEE OF ADJUSTMENT  
AGENDA**

**Date:** Wednesday, April 2, 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 D13VAR25.007H – 248 McDonald Boulevard** 2  
**Location:** 248 McDonald Boulevard, Town of Halton Hills (Acton),  
 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 1.5 m.**To accommodate a proposed addition, attached garage and an Additional Residential Unit.**  
  
**Owner(s):** Jaime Vaillancourt & Mike McLaughlin, **Agent:** Chris Lahn
  - b. **Minor Variance D13VAR25.008H – 20 McIntyre Crescent** 7  
**Location:** 20 McIntyre 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 interior side yard setback to the second storey from the minimum 1.8 m to permit a side yard setback of 1.42 m.**To accommodate a proposed second storey addition to a single detached dwelling.**  
  
**Owner(s):** Brad Carr, c/o Phil McLaren, **Agent:** Matthew Ribau
4. ADJOURNMENT

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

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

**DATE:** March 26, 2025

**RE:** Planning Recommendation for  
Application D13VAR25.007H  
Municipally known as 248 McDonald Boulevard,  
Town of Halton Hills (Acton)

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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 1.5 m.

To accommodate a proposed addition, attached garage and an Additional Residential Unit (ARU).

## **Proposal**

The Applicant is proposing to construct an addition to the current one and a half storey dwelling in order to accommodate an additional residential unit and associated parking for the ARU on the subject property.

## **POLICY CONTEXT**

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

Under the 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 dwellings and accessory apartments, subject to Section D1.3.1.6 and Section D1.4.2.

Section D1.3.1.6 outlines the policy framework for accessory residential units, specifically that an ARU is designed and located in such a manner to not have a negative impact on the character of the surrounding neighbourhood and to that end any building addition shall be compatible with the massing, height, and setbacks of adjacent dwelling units.

Section D1.4.2 outlines the 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:

#### **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 an addition to the existing one and a half storey dwelling to accommodate an additional residential unit and associated parking for the accessory apartment, which does not comply with the minimum exterior side yard setback. Comments from Town staff have confirmed that the reduced exterior side yard setback is not anticipated to impact sight lines. Several factors were considered when reviewing this application, including:

- The proposed addition meets all other By-law requirements including the setbacks from the neighbouring properties and the maximum lot coverage of 35%.
- Although reduced, the proposed 1.5 m setback will maintain adequate access to the rear of the property. Additionally, the right-of-way provides additional buffering from the existing constructed road.
- The lot narrows slightly toward the rear property line; therefore, the building design includes a parking space within the proposed attached garage for the apartment at the front, with the building stepping inward to maintain the 1.5 m setback toward the rear property line.

- The proposed addition will have a similar setback to the existing shed on the property, which is to be removed and replaced by the addition.
- There are no trees on the lot or boulevard that will be impacted by the proposed addition.

Therefore, Planning staff has no objection to the proposed variances.

### **Public Comments**

Town staff received comments from the abutting property at 244 McDonald Boulevard expressing concerns about the proposed second floor balcony citing potential loss of privacy and decreased property values, as well as opposition to the reduced exterior side yard setback.

As mentioned above, all other setbacks from neighbouring properties are being met, including the interior side yard setback to the adjacent property at 244 McDonald Boulevard. The second storey balcony is permitted within the zoning by-law, and the reduced exterior side yard setback is not the primary factor contributing to the neighbour's privacy concern.

### **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 Site Plan (SP.1) prepared by Chris Lahn, date stamped by the Committee of Adjustment on February 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 require a Site Alteration Permit and Grading Plan at building permit stage. Please contact Development Engineering for more information.

## Natural Heritage

- There are no environmental planning concerns related to natural heritage for this application. However, please be advise that the watercourse at the rear of the property is a natural heritage feature of interest to the Town and that activities that may impact its form or function should be avoided unless approved by the Town and CVC.

## Credit Valey Conservation (CVC)

- The proposed addition, attached garage, and Additional Residential unit are located outside of and sufficiently setback from the flood and erosion hazards. As such, CVC staff have no objections to the approval of the minor variance by the Committee at his time.

## 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.

## Region of Halton

- The property is currently serviced by Regional water and sanitary sewer services along McDonald Boulevard. The owner should verify the location of existing services and determine that no relocation of services will be required. Should services need to be relocated as a result of the proposed development, the following would apply:
  - i. Any existing water or wastewater services that will not be re-used must be disconnected at the mains at the expense of the Owner.
  - ii. No wastewater service laterals or water service connections are to cross existing or proposed property lines.
  - iii. 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.

- iv. The owner will be required to obtain water and wastewater servicing permit from Halton, pay all the necessary fees associated with the permits and meet all of the service permit requirements including the installation of all water meters, to the satisfaction of Halton's Development Project Manager.
- The subject property is located within the jurisdiction of the CTC Source Protection Plan (SPP). Based on the information provided by the applicant, this application is not subject to either a Section 57 or Section 58 under the Clean Water Act, 2006. Therefore, the applicant can proceed from a Source Water Protection perspective and no Section 59 notice will be required.

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

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

**DATE:** March 26, 2025

**RE:** Planning Recommendation for  
Application D13VAR25.008H  
Municipally known as 20 McIntyre 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 interior side yard setback to the second storey from the minimum 1.8 m to permit a side yard setback of 1.42m.

To accommodate a proposed second storey addition to a single detached dwelling.

## **Proposal**

The Applicant is proposing to construct a second storey addition above the current one-storey single detached dwelling.

## **POLICY CONTEXT**

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

Under the 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). Single detached dwellings are permitted in this designation.

Section D1.4.2 of the Official Plan outlines the 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.

Through the approval of the Mature Neighbourhood Character Study, the following provisions were established for the construction of single detached dwellings in the LDR1-2(MN) zone:

- **Minimum Interior Side Yard Setback – 1.2 m (3.9 ft.) for the first storey; 1.8 m (5.9 ft.) for any second storey;**
- Minimum Exterior Side Yard Setback – 4.5 m (14.8 ft.);
- Maximum Height – 10.0 m (32.8 ft.) and 2.5 storeys; and,
- Maximum Lot Coverage – 40% for 1- and 1.5-storey dwellings; 35% for 2- and 2.5-storey dwellings.

## **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:

#### Planning

The intent of the interior side yard setback is to provide adequate separation between the dwelling and the lot line, allowing for building maintenance, including access to the eaves and exterior walls, while ensuring unobstructed access to the rear yard. Additionally, these requirements help maintain a consistent pattern of setbacks and mitigate land use conflicts by preserving privacy and reinforcing the established character of the mature neighbourhood.

The Applicant is proposing a second-storey addition directly above the existing single-storey dwelling, maintaining the existing side yard setback. Furthermore, no windows are proposed on the west side of the addition, eliminating potential privacy or overlook concerns. Therefore, Planning staff is satisfied that the intent of the side yard setback provision is being maintained and staff has no objection to the proposed variance.



## 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 drawings A100, A204, A205, A206, A207, prepared by Perspective Views Architectural Design, date stamped by the Committee of Adjustment on February 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 require a Site Alteration Permit and Grading Plan at building permit stage. Please contact Development Engineering for more information.

### 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.

### Region of Halton

- The property is currently serviced by Regional water and sanitary sewer services along McIntyre Crescent. The owner should verify the location of existing services and determine that no relocation of services will be required. Should services need to be relocated as a result of the proposed development, the following would apply:
  - i. Any existing water or wastewater services that will not be re-used must be disconnected at the mains at the expense of the Owner.
  - ii. No wastewater service laterals or water service connections are to cross existing or proposed property lines.
  - iii. 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.
  - iv. The owner will be required to obtain water and wastewater servicing permit from Halton, pay all the necessary fees associated with the permits and meet all of the service permit requirements including the installation of all water meters, to the satisfaction of Halton's Development Project Manager.
- The subject property is located within the jurisdiction of the CTC Source Protection Plan (SPP). Based on the information provided by the applicant, this application is not subject to either a Section 57 or Section 58 under the Clean Water Act, 2006. Therefore, the applicant can proceed from a Source Water Protection perspective and no Section 59 notice will be required.