

## COMMITTEE OF ADJUSTMENT AGENDA

**Date:** Wednesday, August 6, 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 D13VAR25.018H – 129 Rexway Drive**

4

**Location:** 129 Rexway Drive, Town of Halton Hills (Georgetown),  
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 4.5 m to permit a height of 5.1 m.
2. To increase the floor area of a detached garage from the maximum 40 sq m to permit a floor area of 71.4 sq m.
3. To increase the width of a driveway from the maximum 7 m to permit a driveway width of 10.2 m.

**To accommodate a proposed detached garage.**

**Owner(s):** Andrew Go & Genevie Go, **Agent:** Zero Degree Studio, Roy Chan

b. **Minor Variance D13VAR25.019H – 38 John Street**

9

**Location:** 38 John 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 side yard setback to the second storey from the minimum 1.8 m to permit a side yard setback of 1.63 m (north-east).

**To accommodate a detached dwelling under construction.**

**Owner(s):** Sunraj Gill, **Agent:** TAES Architects, Shenshu Zhang

**c. Minor Variance D13VAR25.020H – 211 Wallace Street**

14

**Location:** 211 Wallace Street, Town of Halton Hills (Acton), Regional Municipality of Halton

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

1. To permit outdoor storage in the front yard, whereas the Zoning By-law does not permit outdoor storage in the front yard.
2. To reduce the interior side yard setback for outdoor storage from the minimum 3 m to permit a 0 m interior setback (east).
3. To reduce the interior side yard setback for outdoor storage from the minimum 3 m to permit a 0 m interior setback (west).
4. To reduce the rear yard setback for outdoor storage from the minimum 7.5 m to permit a 0 m rear yard setback.
5. To permit no screening of the outdoor storage for the interior and rear lot lines.

**To accommodate the existing storage of trucks for a transportation terminal.**

**Owner(s):** 1000430652 Ontario Inc., Amandeep Singh, **Agent:** Mainline Planning, Joseph Plutino

**d. Minor Variance D13VAR25.021H – 42 Gamble Street**

19

**Location:** 42 Gamble Street, 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 projection of a deck from the rear wall, from the maximum 2 m, to permit a 3.66 m projection beyond the rear wall.

**To accommodate a proposed rear deck.**

**Owner(s):** Arunesh Sohi, **Agent:** Pawandeep Grewal

**e. Minor Variance D13VAR25.022H – 16984 27 Side Road**

22

**Location:** 16984 27 Side Road, Town of Halton Hills (Terra Cotta), Regional Municipality of Halton

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

1. To increase the height of a detached ARU from the maximum 4.03 (1 m less in height than the top of the roof of the main residential building - 5.03 m) to permit a height of 4.88 m (0.15 m less in height than the top of the roof of the main residential

building).

**To accommodate a proposed Additional Residential Unit.**

**Owner(s):** Ryan & Rosa Alber, **Agent:** Ryan Alber

**4. ADJOURNMENT**

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

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

**DATE:** July 30, 2025

**RE:** Planning Recommendation for  
Application D13VAR25.018H  
Municipally known as 129 Rexway Drive,  
Town of Halton Hills (Georgetown)

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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 4.5 m to permit a height of 5.1 m.
2. To increase the floor area of an individual accessory structure from the maximum 40 sq m to permit a floor area of 71.4 sq. m.
3. To increase the width of a driveway from the maximum 7 m to permit a driveway width of 10.2m.

To accommodate a proposed detached garage.

### **Proposal**

The requested variances are to increase the maximum permitted floor area and height for an accessory building to accommodate vehicle parking, including a work truck and a future RV camper, both of which require additional height. The driveway width is existing and to be recognized as part of this minor variance application.

### **POLICY CONTEXT**

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

The subject lands are designated Low Density Residential Area in the Town's Official Plan and located within the Mature Neighbourhood Area overlay established through adoption of Official Plan Amendment No. 22 (Mature Neighbourhoods Character Study). 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, building or structures normally incidental and accessory to that use are also permitted.

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

The subject property is zoned Low Density Residential One Mature Neighbourhood (LDR1-2(MN)) in the Town's Comprehensive Zoning By-law 2010-0050, as amended. Under the Zoning By-law, accessory buildings and structures are required to be a maximum of 40 sq m in size and 4.5 m in height.

The zoning by-law further states that the maximum driveway width for ground oriented residential dwelling units is 7 metres provided the minimum of 40% of the front or exterior side yard in which the driveway is located is the site of soft landscaping.

### **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:**

##### **Variance #1 and #2 - Floor Area and Height**

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.

It should be noted that the accessory building is not to be used for commercial purposes.

##### **Variance #3 – Driveway Width**

The intent of the maximum driveway width requirement is to ensure safe and functional vehicle access between the street and the dwelling, while protecting existing infrastructure such as drainage, sewer, hydro, and telecommunications, and maintaining neighbourhood character. In this case, Planning staff are of the opinion that the intent of the provision is being maintained, as no concerns have been raised regarding potential impacts on drainage, servicing, or utilities. Furthermore, the driveway width is existing and not anticipated to significantly impact the character of the neighbourhood.

## 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 garage shall be constructed generally in accordance with the site plan and architectural drawings SD1, A1.01, and A2.01 prepared by Zero Degree Studio, dated April 25, 2025, date stamped by the Committee of Adjustment on May 30, 2025, to the satisfaction of the Commissioner of Planning & Development.
2. The Owner shall provide proof of payment of outstanding property taxes, plus any penalty fees, to the satisfaction of the Town.

Reviewed and Approved by,

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

**Jeff Markowiak, Director of Development Review**

## Notes

### Halton Hills Hydro

- Halton Hills Hydro requires that the following be posted in the conditions for site plan approval or Committee of Adjustment in the note(s) section.
- 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.
- Clearances with all hydro infrastructure must be maintained at all times. Please see the following for more information about Halton Hills Hydro clearance requirements.  
<https://haltonhillshydro.com/outages-safety/clearance-information/>
- Halton Hills Hydro shall have access to Customer's property in accordance with Section 40 of the Electricity Act, 1998. This right is crucial for maintaining the distribution system and ensuring power delivery.
- Customers are responsible for ensuring that their property does not impede access to this equipment. This includes ensuring that there are no obstructions like trees, shrubs, or structures that could interfere with safe and efficient operations.

### Region of Halton

#### Regional Servicing:

The property is currently serviced by Regional water and wastewater through a 200mm diameter watermain and a 250mm diameter sanitary wastewater main along Rexway Drive. 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:

- 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.
- That prior to final approval, the owner obtain water and wastewater servicing permits

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.

Source Water Protection:

- The subject property is located within the jurisdiction of the CTC Source Protection Plan (SPP). The CTC SPP can be accessed online at: <http://www.ctcswp.ca/ctc-source-protection-plan/>. The property is located in a WHPA-C (VS =8), an Issue Contributing Area (ICA) for Chloride, Highly Vulnerable Aquifer (VS = 6) and WHPA Q1 and Q2 with moderate risk.
- The application qualifies as a residential use and is therefore exempt from the S.59 review process under the SPP per policy G-2 under the Clean Water Act, 2006. The application can proceed from the perspective of Source Water Protection and no S.59 notice will be required.
- Reference material related to the Source Water Protection Program and the important role landowners play in protecting drinking water sources has been attached for the owner's information.



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

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

**DATE:** July 30, 2025

**RE:** Planning Recommendation for  
Application D13VAR25.019H  
Municipally known as 38 John 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 interior side yard setback to the second storey from the minimum 1.8 m to permit a side yard setback of 1.63m (north-east).

To accommodate a detached dwelling under construction.

### **Proposal**

The single detached dwelling is currently under construction. As-built drawings are required as part of the building permit inspection process, and during this review, it was determined that the interior side yard setback for the second storey does not comply with the zoning requirements. As a result, a minor variance is required to recognize the reduced interior side yard setback.

### **POLICY CONTEXT**

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

Under the Town's Official Plan the subject property is designated "Low Density Residential Area" via the Georgetown Go Station Secondary Plan and 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.

There are currently three dwellings under construction adjacent to one another. During the framing inspection and review of the as-built survey for 38 John Street dwelling, it was identified that the second storey does not comply with the minimum interior side yard setback requirement. The reduced setback is along the shared lot line with the adjacent dwelling at 40 John Street, which is also under construction with a similar design and height. Additionally, the proposed design includes

limited windows on the east side of the second storey, thereby mitigating any potential privacy or overlook concerns. As such, Planning staff are satisfied that the general intent and purpose of the interior side yard setback provision is being maintained and have no objection to the proposed minor variance.

### Development Engineering

Development Engineering has reviewed this Minor Variance as presented for 38 John Street and has no concerns. A site alteration permit has already been applied for by the Applicant, and should any changes occur due to the Minor Variance, the Applicant is to amend their site alteration permit application.

### **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 dwelling shall be constructed generally in accordance with the drawings A001, A201, A202, A203, A204, prepared by TAES Architects Inc., date stamped by the Committee of Adjustment on June 13, 2025, to the satisfaction of the Commissioner of Planning & Development; and
2. The proposed dwelling shall be constructed generally in accordance with the survey Project No. 24-047, prepared by M&M Surveying Ltd., date stamped by the Committee of Adjustment on June 13, 2025, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



**Jeff Markowiak, Director of Development Review**

## Notes

### Halton Hills Hydro

- Halton Hills Hydro requires that the following be posted in the conditions for site plan approval or Committee of Adjustment in the note(s) section.
- 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.
- Clearances with all hydro infrastructure must be maintained at all times. Please see the following for more information about Halton Hills Hydro clearance requirements.  
<https://haltonhillshydro.com/outages-safety/clearance-information/> Halton Hills Hydro shall have access to Customer's property in accordance with Section 40 of the Electricity Act, 1998. This right is crucial for maintaining the distribution system and ensuring power delivery.
- Customers are responsible for ensuring that their property does not impede access to this equipment. This includes ensuring that there are no obstructions like trees, shrubs, or structures that could interfere with safe and efficient operations

### Region of Halton

#### Regional Servicing:

The property is currently serviced by Regional water and wastewater through a 250mm diameter watermain and a 200mm diameter sanitary wastewater main along John Street. 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:

- 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.
- That prior to final approval, the owner obtain water and wastewater servicing permits 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. Please note that further development of this property will require water allocation from the Town of Halton Hills.

Source Water Protection:

- The subject property is located within the jurisdiction of the CTC Source Protection Plan (SPP). The CTC SPP can be accessed online at: <http://www.ctcswp.ca/ctc-source-protection-plan/>. The entirety of the property is located in an Issue Contributing Area (ICA) for Chloride, WHPA-E (VS=9), and WHPA-Q with a moderate risk level.
- The application qualifies as a residential use and is therefore exempt from the S.59 review process under the Source Protection Plan per policy GEN-1. The application can proceed from the perspective of Source Water Protection and no S.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:** July 30, 2025

**RE:** Planning Recommendation for  
Application D13VAR25.020H  
Municipally known as 211 Wallace Street  
Town of Halton Hills (Acton)

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## **APPLICATION**

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

1. To permit outdoor storage in the front yard, whereas the Zoning By-law does not permit outdoor storage in the front yard.
2. To reduce the interior side yard setback for outdoor storage from the minimum 3 m to permit a 0 m interior setback (east).
3. To reduce the interior side yard setback for outdoor storage from the minimum 3 m to permit a 0 m interior setback (west).
4. To reduce the rear yard setback for outdoor storage from the minimum 7.5 m to permit a 0 m rear yard setback.
5. To permit no screening of the outdoor storage for interior and rear lot lines.

To accommodate the existing storage of trucks for a transportation terminal.

## **Proposal**

The variances are required in order to expand the open storage area permissions associated with an existing transportation terminal.

## **POLICY CONTEXT**

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

The subject property is located within the Urban Area of Acton and designated General Employment Area under the Town's Official Plan. Industrial uses that contain outdoor storage are permitted, including transport terminals. When considering a proposal for outdoor storage, the policies of Section D3.4.1.4.2 of the Official Plan may be used for guidance:

- not located in the front yard;
- clearly accessory to the main use on the property;
- is set back an appropriate distance from the side and rear lot lines, having regard to the nature of adjacent land uses; and,
- is completely enclosed and/or screened by landscaping, berms and/or fencing that functions year-round.

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

The subject property is zoned Employment One Holding One (EMP1)(1)) under the Town's Zoning By-law. Transport terminals and open storage uses are permitted in the EMP(1) zone subject to Part 4.23 of the Zoning By-law, which states the following:

- outdoor storage shall be permitted only in a rear or interior side yard;
- the height of stored materials shall not exceed 6.0 metres above the surface of the ground;
- outdoor storage shall be screened by opaque fencing or a berm with a minimum height of 3.0 metres;
- outdoor storage shall comply with the required setbacks for the main building in each zone;
- outdoor storage shall not be permitted in any yard abutting a lot line that serves as residential zone boundary in the Acton and Georgetown urban areas; and,
- outdoor storage shall not be permitted in any yard abutting Guelph Street, Maple Avenue, Mountainview Road or River Drive in Georgetown, notwithstanding the subsections above.

## **COMMENTS**

### **Internal Department and External Agency Comments**

This application was circulated for review and comment to Town departments and external agencies. Comments regarding the Minor Variance application are as follows:

#### **Planning**

*Variance #1:*

*To permit outdoor storage in the front yard, whereas the Zoning By-law does not permit outdoor storage in the front yard.*

The intent of prohibiting outdoor storage in the front yard is to maintain an aesthetically pleasing streetscape, prevent visual disturbance and avoid potential nuisances and hazards associated with the use. Limiting outdoor storage in the front yard also ensures the front yard functions as a landscaped area and contributes positively to the overall character of the neighbourhood.

The front yard of the subject property is directly adjacent to a low density residential neighbourhood. Permitting outdoor storage within the front yard of this site, closer to the adjacent sensitive land use, will increase the nuisances and hazards related to noise, dust, lighting and odour associated with trucks idling and maneuvering within the lot. It will also negatively impact the public realm by being more visible from the street. The Town's Official Plan also prohibits outdoor storage in the front yard within the General Employment Area, meaning the variance does not satisfy the intent of the Official Plan.

When considering all the above, it is the opinion of Planning staff that the variance cannot be supported.

*Variance #2 and #3:*

*To reduce the interior side yard setback for outdoor storage from the minimum 3 m to permit a 0 m interior setback (east and west).*

The intent of maintaining setbacks for open storage is to ensure the use is appropriately sized and situated on site and to mitigate any impacts to abutting properties. Permitting a 0 metre side yard setback to the east and west lot lines would result in an outdoor storage area that is not proportionate to the site and places the use closer to abutting properties, thereby increasing the likelihood for nuisance complaints related to noise, dust, odour and light, especially for the residential lots to the west (adjacent to Main Street North). The Town's Official Plan also requires any outdoor storage to be an appropriate distance from the side lot lines, having regard to the nature of adjacent land uses. Requesting a 0 metre setback, especially adjacent to residential uses would not meet the intent of this policy.

It is the opinion of Planning staff that the variances cannot be supported.

*Variance #4:*

*To reduce the rear yard setback for outdoor storage from the minimum 7.5 m to permit a 0 m rear yard setback.*

As mentioned above, the intent of maintaining setbacks for outdoor storage is to ensure its size and location are appropriate and it does not impact adjacent lands. While staff recognize the rear yard of the subject property is abutting a similar industrial use, a reduction as significant as 0 metres eliminates any opportunity to protect the abutting property from encroachment and hazards or accidents. Staff recommend a revision of the minor variance to reduce the rear yard setback for outdoor storage from 7.5 m to 3.0 m to be consistent with the setback on the adjacent lot (which is a side lot line requiring a 3.0 m setback).

*Variance #5:*

*To permit no screening of the outdoor storage for the interior and rear lot lines.*

The intent of screening outdoor storage areas is to ensure there is appropriate buffering from public view and mitigating any negative impact to the streetscape and/or adjacent lands. The Applicant is



proposing no screening of outdoor storage for the interior and rear lot lines. Given the east interior side lot line and north (rear) lot line abut a similar industrial use, staff do not object with the request for no screening; however, the west interior side lot lines abut several residential properties. Therefore, staff recommend appropriate screening be provided along the entirety of the west interior side lot lines. It should be noted that the Applicant will be required to install screening that is parallel to Wallace Street in-line with the front wall of the building as per the Zoning By-law.

### *General Planning Comments*

Transportation terminals are currently located on two directly abutting properties to the subject site – 285 Main Street North located to the rear and 70 Commerce Crescent located to the east. Both properties maintain the minimum required rear and side yard setbacks and do not have any outdoor storage located within the front yard.

The 70 Commerce Crescent site also shares a property line along Wallace Street, directly across from the same residential properties from the subject site but has provided substantial buffering and screening to try and mitigate potential impacts to the residential neighbourhood, including a setback to the outdoor storage ranging between approximately 13 to 22 metres, a substantial berm as well as a wooden fence.

### **Public Comments**

As of the date of the staff report, 16 written objections and one petition containing 130 signatures have been received from landowners located on the following streets:

- Danville Avenue
- Dairy Drive
- Elizabeth Drive
- Coles Court
- Elmore Drive
- Tidey Avenue
- Spruce Boulevard
- Pearl Court
- Acton Boulevard
- Bonnette Street
- Hill Street
- Matthew Court

The objections relate to truck traffic, safety hazards, visual impacts, light and air pollution, increased dust and stormwater management.

### **RECOMMENDATION**

Planning staff recommends refusal of minor variances #1, #2 and #3 as they do not meet the four tests under Section 45(1) of the Planning Act.

Planning staff recommend approval of minor variances #4 and #5 as amended:

4. To reduce the rear yard setback for outdoor storage from 7.5 m to permit a 3 m rear yard setback.
5. To permit no screening of the outdoor storage for the east interior side lot line and rear (north) lot line.

However, should the Committee wish to consider the merits of any or all of the minor variances that any approval be subject to the following conditions:

1. The proposal shall be generally in accordance with Drawing No. MV1, date stamped by the Committee of Adjustment on June 24, 2025, to the satisfaction of the Commissioner of Planning & Development.
2. The Source Protection Checklist be completed and returned to Halton Region.
3. The Owner shall provide proof of payment of outstanding property taxes, plus any penalty fees, to the satisfaction of the Town.

Reviewed and Approved by,



**Jeff Markowiak, Director of Development Review**

## **Notes**

### 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.
- Clearances with all hydro infrastructure must be maintained at all times. Please see the following for more information about Halton Hills Hydro clearance requirements.  
<https://haltonhillshydro.com/outages-safety/clearance-information/>
- Halton Hills Hydro shall have access to Customer's property in accordance with Section 40 of the Electricity Act, 1998. This right is crucial for maintaining the distribution system and ensuring power delivery.
- Customers are responsible for ensuring that their property does not impede access to this equipment. This includes ensuring that there are no obstructions like trees, shrubs, or structures that could interfere with safe and efficient operations.

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

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

**DATE:** July 29, 2025

**RE:** Planning Recommendation for  
Application D13VAR25.021H  
Municipally known as 42 Gamble Street  
Town of Halton Hills (Glen Williams)

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### **APPLICATION**

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

1. To increase the projection of a deck from the rear wall from the maximum 2 m to permit a 3.66 m projection beyond the rear wall.

To accommodate a proposed rear deck.

### **Proposal**

The variance is required in order to construct a deck in the rear yard of the subject property.

### **POLICY CONTEXT**

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

The subject property is designated Hamlet Residential Area under the Glen Williams Secondary Plan. Single detached residential uses are permitted in this designation. Section G13.6 of the Official Plan states that whenever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, and accessory to that use are also permitted.

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

The subject property is zoned Hamlet Residential One (Exception 64) (HR1(64)) under the Town's Comprehensive Zoning By-law 2010-0050, as amended. Single detached dwellings are permitted. The HR1(64) zone requires that decks 0.6 metres or more above grade not project more than 2 metres from the rear or side walls of the dwelling. The side yard projection

for the proposed deck complies with the minimum 2 metre requirement; therefore, the minor variance applies to the rear yard projection only.

## **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 rear yard projection for a deck is to mitigate visual and privacy concerns from neighbouring properties. Given the location of the lot being surrounded by a Town owned woodlot that is undevelopable and stormwater management facility, it does not appear that visual and privacy impacts will be an issue for neighbouring properties. Planning staff is of the opinion that the intent of the minimum rear yard projection is maintained and have no objection to the 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 Drawing No. A202 – Deck Framing Plan and A301 – Rear Side Elevation and date stamped by the Committee of Adjustment on June 30, 2025, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



**Jeff Markowiak, Director of Development Review**

**Notes:**Halton Hills Hydro

- Halton Hills Hydro must be contacted for an Electrical Service Layout if a new service or upgrade to an existing service is required; or metering changes. Location and method of servicing is at the sole discretion of Halton Hills Hydro.
- 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.
- Clearances with all hydro infrastructure must be maintained at all times. Please see the following for more information about Halton Hills Hydro clearance requirements.  
<https://haltonhillshydro.com/outages-safety/clearance-information/>
- Halton Hills Hydro shall have access to Customer's property in accordance with Section 40 of the Electricity Act, 1998. This right is crucial for maintaining the distribution system and ensuring power delivery.
- Customers are responsible for ensuring that their property does not impede access to this equipment. This includes ensuring that there are no obstructions like trees, shrubs, or structures that could interfere with safe and efficient operations.

Credit Valley Conservation (CVC)

- A CVC permit will be required for the proposed development. Please contact CVC staff for permit requirements if the minor variance is approved.

Halton Region

- The property is currently serviced by Regional water and wastewater through a 200mm diameter watermain and a 200mm diameter sanitary wastewater main along Gamble Street. The owner should verify the location of existing services and determine that no relocation of services is required. Should services need to be relocated as a result of the proposed development, the following would apply:
  - 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, Contact 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 Prevention of Backflow Into the Water System as set out in By-law 157-05.
  - That prior to final approval, the owner obtain water and wastewater servicing permits 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.

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

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

**DATE:** July 30, 2025

**RE:** Planning Recommendation for  
Application D13VAR24.022H  
Municipally known as 16984 27 Side Road,  
Town of Halton Hills (Terra Cotta)

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## **APPLICATION**

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

1. To increase the height of a detached ARU from the maximum 4.03 m (1 m less in height than the top of the roof of the main residential building – 5.03 m) to permit a height of 4.88 m (0.15 m less in height than the top of the roof of the main residential building).

To accommodate a proposed Additional Residential Unit.

## **Proposal**

The Applicant is proposing to construct a detached Additional Residential Unit on the subject property with an increased height.

## **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 overlying. 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 permits single detached dwellings on existing lots and additional residential units subject to Section E1.4.10.

Section E1.4.10 outlines the policy framework for permitting additional residential units on an existing lot of record, subject to the regulations of the Zoning By-law and the following criteria:

- a) the accessory apartment shall comply with the Ontario Building and Fire Codes;

- b) adequate parking is available on the lot for both dwelling units and minimizes the loss of outdoor amenity areas or landscaping;
- c) the accessory apartment is designed and located in such a manner to not have a negative impact on the character of the surrounding residential uses and to that end any building addition shall be compatible with the massing, height, and setbacks of adjacent dwelling units; and,
- d) municipal water and wastewater or septic and well facilities are adequate and available to accommodate an additional dwelling unit.

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

The property is zoned Rural Cluster Residential One (RCR1) under the Town's Comprehensive Zoning By-law 2010-0050, as amended. The RCR1 zone permits single detached dwellings. An Additional Residential Unit (ARU) is permitted either within, or in a building detached from, a single detached dwelling, subject to various zoning provisions, including a maximum building height of 1.0 metre less than the height of the main residential building.

## **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 zoning provisions for detached Additional Residential Units (ARUs) is to ensure that the ARU remains clearly subordinate and accessory to the primary dwelling on the lot. In particular, the maximum permitted height for a detached ARU is directly tied to the height of the main dwelling; therefore the lower the height of the main dwelling, the lower the allowable height for the ARU, in order to maintain its accessory nature on the lot. The Applicant is proposing to construct a detached ARU on the subject property which does not comply with the maximum height requirements.

In this case, the height of the main dwelling results in a permitted ARU height that would not be sufficient for the unit to function effectively as living space. As such, the requested increase in height is considered reasonable to allow for a livable ARU while still ensuring that it remains subordinate to the principal dwelling.

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 detached Additional Residential Unit shall be constructed generally in accordance with the Site Plan and Elevation drawings, date stamped by the Committee of Adjustment on June 30, 2025, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



**Jeff Markowiak, Director of Development Review**

## **Notes**

### **Development Engineering**

Please advise the applicant that any grade changes outside of the scope of a building permit would require a site alteration permit in accordance with the Town's site alteration by-law 2025-0009. Additionally, a grading plan prepared by a qualified professional engineer is required to demonstrate any necessary grade changes to facilitate the proposed works, to ensure compliance with Ontario Building Code and Town standards.

### **Credit Valey Conservation (CVC)**

Based on our review, the proposed ARU is outside of and sufficiently setback from the slope hazard located on/adjacent to the property. As such, CVC staff have no objection to the approval of the minor variance by the Committee at this time.

As the property is partially regulated by CVC, a stamped CVC clearance will be required for



the proposed works. Please contact CVC staff for further requirements following approval of the minor variance.

Please note that the property is partially regulated by CVC and future works on the property may require a CVC permit. Pre-consultation with CVC is encouraged for any future development proposed on the property.

### Halton Hills Hydro

Halton Hills Hydro requires that the following be posted in the conditions for site plan approval or Committee of Adjustment in the note(s) section.

- 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.
- Clearances with all hydro infrastructure must be maintained at all times. Please see the following for more information about Halton Hills Hydro clearance requirements.  
<https://haltonhillshydro.com/outages-safety/clearance-information/>
- Halton Hills Hydro shall have access to Customer's property in accordance with Section 40 of the Electricity Act, 1998. This right is crucial for maintaining the distribution system and ensuring power delivery.
- Customers are responsible for ensuring that their property does not impede access to this equipment. This includes ensuring that there are no obstructions like trees, shrubs, or structures that could interfere with safe and efficient operations.

### Region of Halton

#### Regional Servicing:

The subject property is not connected to municipal services. There are no watermains or sanitary wastewater mains adjacent to the property along 27 Side Road. Further, the property resides outside of the Urban Area boundary and is not eligible for Regional Services. The Town of Halton Hills staff will need to be satisfied that private services can be accommodated for both dwelling units on the subject property.

#### Source Water Protection:

The subject property is located within the jurisdiction of the CTC Source Protection Plan (SPP). The CTC SPP can be accessed online at: <http://www.ctcswp.ca/ctc-source-protection-plan/>. The property is located in a Significant Groundwater Recharge Area.

Based on the information provided by the applicant, this application is not subject to Section 59 under the Clean Water Act, 2006. Therefore, this application can proceed from a Source Water Protection perspective 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.