

**COMMITTEE OF ADJUSTMENT
AGENDA**

Date: Wednesday, May 6, 2026, 6:00 p.m.
Location: VIA Zoom Meeting
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 D13VAR26.014H – 21 Ewing Street

4

Location: 21 Ewing 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 rear yard setback from the minimum 7.5 m to permit a 3.18 m rear yard setback.

To accommodate a new Single Detached Dwelling with 2 Additional Residential Units.

Owner(s): RDM Construction Group Ltd., Marijan Boras, Davor Mulig, Rudy Spajic **Agent:** Netta Designs Inc., Jonathan Netta

b. Minor Variance D13VAR26.015H – 14 Main Street South

5

Location: 14 Main Street South, Town of Halton Hills (Georgetown), Regional Municipality of Halton

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

1. To reduce the width of a two-way driveway from the minimum 6 m to permit 3.97 m.
2. To permit a dwelling unit in the basement, whereas the By-law does not permit a dwelling unit in the basement for a non-residential building.

To accommodate a dwelling unit in the basement of a place of worship.

Owner(s): Sri Krishna Brundavan Religious and Charitable Institution
Agent: The Planning Hub, Mahesh Sharma

c. Minor Variance D13VAR26.016H – 12500 17 Side Road

8

Location: 12500 17 Side Road, Town of Halton Hills (Esquesing),
Regional Municipality of Halton

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

1. To increase the height of an accessory structure from the maximum 5 m to permit a maximum height of 7.87 m.
2. To increase the floor area of an individual accessory structure from the maximum 80 sq m to permit a floor area of 430 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 438 sq m.
4. To increase the driveway width from the maximum 7 m to permit a maximum 14.63 m driveway width.

To accommodate an accessory structure with a loft.

Owner(s): David Bell **Agent:** Matthews Design & Drafting Services Inc.,
Doug Matthews / Bethany VanRavens

d. Minor Variance D13VAR26.017H – 28 Churchill Crescent

11

Location: 28 Churchill 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 from the minimum 1.8 m to permit a 1.34 m interior side yard setback (North).
2. To reduce the rear yard setback from the minimum 7.5 m to permit a 6.61 m rear yard setback.

To accommodate a two-storey dwelling.

Owner(s): Domagoj Cutuk and Ivana Cutuk

e. Permission & Minor Variance D13VAR26.018H – 43 Guelph Street

15

Location: 43 Guelph Street, Town of Halton Hills (Georgetown), Regional
Municipality of Halton

Permission Purpose: To permit the altering of a legal non-conforming use
from retail store to a takeout restaurant.

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

1. To reduce the number of additional parking spaces required from 1 to 0 to accommodate a new takeout restaurant.

To accommodate a new takeout restaurant in an existing building.

Owner(s): Arshad Muhammed **Agent:** Israel Ufomadu

f. **Minor Variance D13VAR26.019H – 102 Confederation Street**

20

Location: 102 Confederation 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 number of model homes on a Draft Plan of Subdivision from the maximum 5, to permit 10 model homes on a Draft Plan of Subdivision.

To accommodate additional model homes on a Draft Plan of Subdivision

Owner(s): Glen Williams Estates Inc., Frank Doracin **Agent:** Wellings
Planning Consultants Inc., Glenn Wellings

4. **ADJOURNMENT**

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

FROM: Ruth Conard, Planner – Development Review

DATE: April 28, 2026

RE: Planning Recommendation for
Application D13VAR26.014H
Municipally known as 21 Ewing Street
Town of Halton Hills (Georgetown)

APPLICATION

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

1. To reduce the rear yard setback from the minimum 7.5 m to permit a 3.18 m rear yard setback.

To accommodate a new single detached dwelling with two additional residential units.

Proposal

The variance is required in order to construct a two-storey single detached dwelling with a gross floor area of 358.33 square metres (3,857 square feet) containing two additional residential units.

RECOMMENDATION

Planning staff recommend that the Committee **defers** its decision to allow further discussions with the Applicant regarding the Mature Neighbourhoods policies and provisions as well as the four tests of a minor variance as outlined in the *Planning Act*.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

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

FROM: Ruth Conard, Planner – Development Review

DATE: April 28, 2026

RE: Planning Recommendation for
Application D13VAR26.0015H
Municipally known as 14 Main Street South
Town of Halton Hills (Georgetown)

APPLICATION

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

1. To reduce the width of a two-way driveway from the minimum 6 m to permit 3.97 m.
2. To permit a dwelling unit in the basement, whereas the By-law does not permit a dwelling unit in the basement of a non-residential building.

To accommodate a dwelling unit in the basement of a place of worship.

Proposal

The variances are required in order to recognize the existing two-way driveway and to establish an accessory dwelling unit in the basement of a place of worship.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Historic Main Street Area under the Destination Downtown Secondary Plan. The main permitted uses under this designation include places of worship and other institutional uses.

Town of Halton Hills Zoning By-Law

The subject property is zoned Downtown Commercial One (DC1) under the Town's Zoning Bylaw 2010-0050, as amended. Permitted uses in this zone include places of worship.

Part 5 of the Zoning By-law entitled Parking and Loading Standards states that driveways accessing a parking lot shall be a minimum of 6.0 metres in width for two-way traffic.

Part 7 of the Zoning By-law entitled Urban Commercial Zones states that an accessory dwelling unit is permitted on any floor above the first storey where a non-residential use is located in the first storey. An accessory dwelling unit may also be permitted within the first storey provided no part of the dwelling unit is located within 9.0 metres of the streetline.

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

Driveway Width

The intent of the minimum driveway width is to ensure safe and functional vehicle access and protect existing infrastructure such as drainage, sewer, hydro and telecommunications. Development Engineering staff have indicated that given this is an existing situation (heritage building and driveway) they have no technical concerns and there does not appear to be any infrastructure issues such as drainage. On this basis, Planning staff have no objections to the minor variance.

Dwelling Unit

The intent of permitting a dwelling unit above the first floor only in a non-residential building is to preserve the main floor in the downtown for commercial uses and to avoid mixing residential uses with potential incompatible activities. These restrictions are also enforced to protect residents from safety hazards like fire and the lack of proper exits. However, staff understand that a member of the place of worship will be occupying the dwelling unit which is considered accessory to the current place of worship use. The Applicant will be required to obtain a building permit to ensure proper fire safety and egress requirements. Therefore, Planning staff have no objections to the minor 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 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. A 0.1 - Site Plan, date stamped by the Committee of Adjustment on March 10, 2026, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes:

Halton Hills Hydro

- The Applicant should contact Halton Hills Hydro for disconnections if construction or demolitions take place especially where Halton Hills Hydro infrastructure and assets are in place. Location and method of service is at the sole discretion of Halton Hills Hydro.
- Any costs due to changes required of Halton Hills Hydro's distribution system (i.e. moving poles to accommodate lane ways, driveways and parking lots, etc.) will be borne by the applicant.

Region of Halton

- It is recommended that the Owner verify the location of existing services to determine if relocation of these services will be required to facilitate the development. For the Applicant's information, should services need to be relocated as a result of the proposed development, the following will be required as part of a Regional Service Permit:
 - Any existing water or wastewater services that will not be re-used must be disconnected at the mains at the expense of the Owner.
 - No wastewater service laterals or water service connections are to cross existing or proposed property lines.
 - The Applicant shall comply with the Region's current construction and design standards as stated in the Region's Development Engineering Review Manual, Region of Halton Design Criteria, Contract Specifications and Standards 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: April 28, 2026

RE: Planning Recommendation for
Application D13VAR26.016H
Municipally known as 12500 17 Side Road
Town of Halton Hills (Esquesing)

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 maximum height of 7.87 m.
2. To increase the floor area of an individual accessory structure from the maximum 80 sq m to permit a floor area of 430 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 438 sq m.
4. To increase the driveway width from the maximum 7 m to permit a maximum 14.63 m driveway width.

To accommodate an accessory structure with a loft.

Proposal

The variances are required in order to construct a 430 sq m accessory building with a partial loft on the subject property.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Protected Countryside Area under the Town's Official Plan. The main permitted uses in the Protected Countryside Area designation include single detached dwellings. Section G13.6 of the Official Plan states that whenever a use is permitted

in a land use designation, it is intended that uses, buildings or structures normally incidental, and accessory to that use are also permitted.

Town of Halton Hills Zoning By-Law

The subject property is zoned Protected Countryside (PC) under the Town's Zoning By-law 2010-0050, as amended. This zone permits single detached dwellings and accessory structures.

Part 4 of the Zoning By-law entitled General Provisions restricts the maximum height of an accessory structure in the PC zone to 5 metres; the maximum floor area of any individual accessory structure to 80 square metres and the maximum floor area of all accessory structures to 120 square metres. Part 5 of the Zoning By-law entitled Parking and Loading Standards permits a maximum driveway width of 7 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

Height and Floor Area

The intent of the maximum height and floor area requirements for accessory buildings and structures is to ensure they do not visually dominate the lot, are clearly accessory to the principal residential use (i.e. single detached dwelling) and do not create impacts to surrounding properties. Given the location of the accessory building at the rear of the subject property and being surrounded by a woodlot, it does not appear that it will visually dominate the lot or create impacts to other surrounding properties. Planning staff have no objection to the minor variances regarding height and floor area.

Driveway Width

The intent of regulating driveway width is to ensure that hard surfaced driveways do not visually dominate properties and that sufficient landscaping is provided. The only portion of the driveway that requires relief is adjacent to the garage doors for access purposes. The remainder of the driveway meets the required driveway width and does not compromise any of the above considerations. Planning staff have no objection to the minor variance regarding driveway width.

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 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. A-1 - Site Plan and A-2 – Main Floor Plan and Exterior Elevations, date stamped by the Committee of Adjustment on March 9, 2026, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes:

Development Engineering

- As part of future permit processes, a grading plan will be required to demonstrate how existing and proposed drainage patterns will be managed around the proposed garage, to the Town's satisfaction, and to confirm that positive drainage is directed away from the structure.
- Development Engineering provided a redlined plan outlining items to be addressed prior to the submission of a grading plan as part of the permit process.
- The Town has a Site Alteration By-law 2025-0009, which regulates site alterations within the Town of Halton Hills. The Applicant is responsible for reviewing the by-law requirements and contacting Development Engineering staff to apply for permits based on the proposed works.

Halton Hills Hydro

- The Applicant should contact Halton Hills Hydro for disconnections before construction or demolitions take place, especially where Halton Hills Hydro infrastructure and assets are in place.
- Any costs due to changes required of Halton Hills Hydro's distribution system (i.e. moving poles to accommodate lane ways, driveways and parking lots, etc.) will be borne by the applicant.

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

FROM: John McMulkin, Senior Planner – Development Review

DATE: April 28, 2026

RE: Planning Recommendation for
Application D13VAR22.017H
Municipally known as 28 Churchill Crescent
Town of Halton Hills (Georgetown)

APPLICATION

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

1. To reduce the interior side yard setback from the minimum 1.8 m to permit a 1.34 m interior side yard setback (North).
2. To reduce the rear yard setback from the minimum 7.5 m to permit a 6.61 m rear yard setback.

To accommodate a two-storey dwelling.

Proposal

The variances are required to accommodate a proposed 2-storey single detached dwelling to replace the existing 1.5-storey single detached dwelling on the property.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated “Low Density Residential Area” under the Town’s Official Plan and located within a “Mature Neighbourhood Area” established through adoption of Official Plan Amendment No. 22 (Mature Neighbourhoods Character Study). Single detached dwellings are permitted in this designation.

Town of Halton Hills Zoning By-Law

The subject property is zoned “Low Density Residential One Mature Neighbourhood (LDR1-2(MN))” under the Town’s Comprehensive Zoning By-law 2010-0050. Single detached dwellings are permitted in this zone.

Through the approval of the Mature Neighbourhoods 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 objections were received; relevant comments regarding the Minor Variance application are as follows:

Planning

The intent of the minimum rear yard setback requirement is to provide separation between the dwelling and the rear lot line in order to provide an outdoor amenity area and maintain a level of privacy between neighbouring dwellings. The intent of the minimum interior side yard setback requirement is to provide separation between the dwelling and the lot line for maintenance of the building's eaves/outside walls and to access the property's rear yard. This requirement is also intended to provide a consistent pattern of dwelling setbacks and area for landscaping to maintain privacy and character of the mature neighbourhood.

The Applicant has noted that the variances are necessary due to the irregular, pie-shaped configuration of the lot, which is narrow at the front and widens towards the rear. Further, the proposed dwelling has been positioned to align with the front yard setback of the neighbouring dwelling located at 30 Churchill Crescent to accommodate an appropriately sized dwelling and maintain a consistent pattern of dwelling setbacks. However, this results in a small portion of the proposed dwelling being located within the required interior side yard (front northern corner) and a small portion of the dwelling being located within the required rear yard (rear southern corner).

Given the size of the rear yard, the extent of the requested relief and the location of the dwelling, staff believe the requested variance to the minimum required rear yard setback would have no impact on the above considerations. Regarding the minimum required interior side yard setback, staff concurs with the Applicant that most of the dwelling meets the requirement and that only a small portion of the dwelling at the front northern corner is located within the required setback due to the narrowing of the lot from the front to the rear. In addition, only the 2nd storey in this corner does not meet the required setback given the minimum required interior side yard setback for the 1st storey is 1.2 metres. Therefore, staff views the intent of these requirements to be 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 conditions:

1. The location of the single detached dwelling shall be generally in accordance with the Sketch Prepared For Building Permit Application, prepared by Qplus Land Surveying Inc., dated January 29, 2026, and Drawing No. A004, Site/Roof Plan, dated September 17, 2025, both date stamped by the Committee of Adjustment on March 20, 2026, to the satisfaction of the Commissioner of Planning & Development.
2. The single detached dwelling shall be constructed generally in accordance with the architectural design as shown on Drawing No. A006, North & South Elevations, and Drawing No. A007, East & West Elevations, both dated September 14, 2025 and both date stamped by the Committee of Adjustment on March 20, 2026, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes:

Development Engineering

- A Site Alteration Permit will be required at the Building Permit stage.
 - Further grading information may be requested upon a detailed review of the grading plan. Please note that as per the Town's Site Alteration By-law 2025-0009, the grading plan will be required to be stamped by a Professional Engineer.

- The Town has a Site Alteration By-law 2025-0009 which regulates site alterations within the Town of Halton Hills. The Applicant is responsible for reviewing the by-law requirements and contacting Development Engineering staff to apply for permits based on the proposed works.
- An Entrance Permit will be required at the Building Permit stage.
 - The Town has an Entrance By-law 2018-0028 which regulates the construction, installation, widening, or alteration of driveways and curb cuts located within Town-owned road allowances or other lands under the Town's jurisdiction. The Applicant is responsible for reviewing the by-law requirements and contacting Development Engineering staff to apply for permits based on the proposed works.
 - This comment does not impact the proposed variance; however, staff would like to make the Applicant aware that the proposed driveway will be required to be at minimum 1.5 m from the existing infrastructure (i.e., ground level utility box (GLB), fire hydrant, trees, etc.) in the Town's boulevard. The Applicant will need to demonstrate this to the Town through the grading plan.

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.
- The Applicant must apply for a Disconnect of service before any demolition and construction take place.
- The Applicant will need to apply for a new Technical Service Layout in case they need service on a temporary basis until construction is completed.
- 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.

Halton Region

- 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 By-Law 157-05 Respecting the Prevention of Backflow Into the Water System.

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

FROM: John McMulkin, Senior Planner – Development Review

DATE: April 29, 2026

RE: Planning Recommendation for
Application D13VAR26.018H
Municipally known as 43 Guelph Street
Town of Halton Hills (Georgetown)

APPLICATION

Permission Purpose: To permit the altering of a legal non-conforming use from retail store to a take-out restaurant.

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

1. To reduce the number of additional parking spaces required from 1 to 0 to accommodate a new take-out restaurant.

To accommodate a new take-out restaurant in an existing building.

Proposal

The permission and variance are required to permit the conversion of a legal non-conforming use (retail store) within the existing commercial building into a take-out restaurant, which is also not a permitted use under the property's zoning and has a higher parking requirement.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is primarily designated "Medium Density Residential Area" under the Town's Official Plan. A small portion at the rear of the property is designated "Greenlands", which is located outside of the footprint of the existing commercial building. Commercial uses such as retail stores, service commercial uses and take-out restaurants are not permitted under the Medium Density Residential Area designation.

Town of Halton Hills Zoning By-Law

The subject property is primarily zoned “Low Density Residential One (LDR1-2)” under the Town’s Comprehensive Zoning By-law 2010-0050. A small portion at the rear of the property is zoned “Environmental Protection One (EP1)”, which is located outside of the footprint of the existing commercial building.

Commercial uses such as retail stores, service commercial uses and take-out restaurants are not permitted under the LDR1-2 Zone. However, given the commercial uses (retail stores and service commercial uses) were legally established and have continued to operate within this building, the uses are considered legal non-conforming. Therefore, a permission from the Committee of Adjustment is required to permit the conversion of the former retail store in Unit 1B of the existing commercial building into the proposed take-out restaurant.

In addition to the required permission, given the proposed take-out restaurant has a higher parking requirement than the retail store, additional parking is required. However, there is no area on the property to accommodate additional parking. Therefore, a variance is required to reduce the minimum parking required for the proposed take-out restaurant to permit the proposed change of use within this commercial unit.

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:

Transportation

Upon review of the second revision of the Parking Justification Letter and discussion with the Applicant, the letter is satisfactory and Transportation supports the 1 parking space relief for the Minor Variance application.

Development Engineering

Development Engineering staff have reviewed the proposal and have no objection to the requested variance. Transportation staff supported the request for relief of one parking space associated with the Minor Variance, and approval of the one-space parking shortfall was confirmed following review of the revised site plan reflecting the proposed take-out restaurant land use.

Planning

Minor Variance

The former retail store within Unit 1B of the existing commercial building (which was a used clothing store known as “Renewed”) had a minimum parking requirement of 1 space per 30 square metres

of net floor area, which resulted in a minimum of 2 parking spaces being required for this use. The proposed take-out restaurant within this unit has a minimum parking requirement of 1 space per 16.6 square metres of net floor area, which results in a minimum of 3 parking spaces being required for this use. However, as noted, there is no area on-site to accommodate additional parking – the existing 7 parking spaces currently on the property for the existing commercial uses are deficient in number and are considered legal non-complying given they were legally established. Therefore, a variance is required to recognize the additional 1 parking space needed to permit the conversion of the former retail store into the proposed take-out restaurant that cannot be accommodated on-site.

The intent of the minimum parking requirement is to ensure that sufficient parking is provided to accommodate the proposed land use. Planning staff have discussed the Minor Variance application with Town Transportation staff, who have noted no concerns with the extent of the zoning relief requested given the proposed parking configuration and the analysis provided in the submitted Parking Justification Letter. Therefore, Planning staff views the intent of the minimum parking requirement to be maintained.

Permission

As noted, commercial uses are not permitted under the property's current LDR1-2 zoning, and the retail store and service commercial uses are considered legal non-conforming given they were legally established and have continued to operate within the existing building. Therefore, a permission from the Committee of Adjustment is required to permit the conversion of the former retail store in Unit 1B into the proposed take-out restaurant. In accordance with the Planning Act, the Committee of Adjustment may grant the requested permission provided the Committee is of the opinion that the proposed use is similar or more compatible with the uses that existed when the Zoning By-law was passed.

The Applicant has noted that the proposed take-out restaurant aligns with the established commercial pattern of Guelph Street, which is characterized by neighbourhood-serving commercial uses including food establishments. Given its proximity to Downtown Georgetown and Georgetown District High School, and its take-out operation, it is anticipated that much of the traffic to the business will be via active transportation (e.g., foot traffic, cycling). Further, staff concurs with the Applicant that take-out restaurants are similar to retail stores and service commercial uses in that they operate in multi-unit commercial buildings alongside these uses both within Downtown Georgetown and along Guelph Street. Given this, and in consideration of the minimal parking relief required to permit the proposed change of use, Planning staff views the proposed take-out restaurant to be similar to the uses that existed when the Zoning By-law was passed in 2010 (retail stores and service commercial uses).

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 Permission meets the test of a Permission as outlined in the Planning Act. The application is similar to the uses that existed when the Zoning By-law was passed.

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.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes:

Building

- A Building Permit is required for the proposed change of use. Please contact Building Services staff for further information.

Credit Valley Conservation (CVC)

- The subject property is partially regulated by CVC. A CVC permit will be required prior to any future development within CVC's Regulated Area.

Development Engineering

- As part of any future permit applications, a grading plan will be required to demonstrate that existing and proposed drainage patterns will be managed to the Town's satisfaction.
- The Town of Halton Hills has enacted Site Alteration By-law 2025-0009, which regulates site alteration activities within the Town. The Applicant is responsible for reviewing the applicable by-law requirements and contacting Development Engineering staff to obtain any required permits related to the proposed works.
- Future modifications to the existing entrance will require an Entrance Permit.

- The Town of Halton Hills Entrance By-law 2018-0028 governs the construction, installation, widening, or alteration of driveways and curb cuts within Town-owned road allowances or other lands under Town jurisdiction. The Applicant is responsible for reviewing the by-law requirements and contacting Development Engineering staff to apply for the necessary permits associated with the proposed works.

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.
- The Applicant must apply for a Disconnect of service before any demolition and construction take place.
- The Applicant will need to apply for a new Technical Service Layout in case they need service on a temporary basis until construction is completed.
- 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.

Halton Region

- 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 By-Law 157-05 Respecting the Prevention of Backflow Into the Water System.
- The Regional easement is to remain free and clear of any encumbrances or structures of any kind at all times.

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

FROM: Greg Macdonald, Senior Planner – Development Review

DATE: April 29, 2026

RE: Planning Recommendation for
Application D13VAR26.019H – 102 Confederation Street
Town of Halton Hills (Glen Williams)

APPLICATION

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

1. To increase the number of model homes on a Draft Plan of Subdivision from the maximum 5, to permit 10 model homes on a Draft Plan of Subdivision.

To accommodate additional model homes on a Draft Plan of Subdivision.

Proposal

The subject lands are the location of a Draft Approved Plan of Subdivision (Glen Williams Estates – now referred to for marketing purposes as “Canvas Hill”) that will ultimately contain 31 lots for single detached dwellings on a new public road called “Canvas Hill Circle”. The development was approved by the Ontario Land Tribunal in January 2024 subject to a series of ‘Draft Plan Conditions’. Currently, Town and external agency staff are completing the review of detailed technical submissions pertaining to engineering, servicing and storm water management in order to satisfy the conditions of approval of the subdivision. Once the conditions have been satisfied the subdivision can be registered, which would allow Building Permits to be issued for all 31 homes and for the lots to be legally created and transferred to new home purchasers. It is generally anticipated that the subdivision may be registered in early 2027.

As per Zoning By-law 2010-0050, 5 model homes are permitted to be constructed in advance of subdivision registration, subject to entering into a Model Home Agreement with the Town. These models cannot be serviced and are to be ‘dry’. Each home would be constructed in the location of one of the lots being created through the subdivision process. The Applicant is seeking permission to construct 10 model homes instead of the 5 currently permitted.

POLICY CONTEXT

Town of Halton Hills Official Plan

The portion of the subject lands proposed for residential development, including the 10 proposed model homes, is designated “Hamlet Residential Area” and subject to Special Policy Area 1 within the Glen Williams Secondary Plan (part of the Town of Halton Hills Official Plan). This designation permits single detached dwellings at a net residential density of a maximum of 6.8 units/ha. There are no policy references in the Official Plan that specifically reference permissions or regulations for model homes.

Town of Halton Hills Zoning By-Law

The subject property is zoned Hamlet Residential One (HR1-116) in the Town’s Comprehensive Zoning By-law 2010-0050, as amended. This zone permits single detached dwellings subject to a range of site-specific zoning provisions for which the proposed model homes would also have to comply with. A maximum of 5 model homes are permitted under the HR1-116 Zone.

Additionally, Section 4.15 of the Zoning By-law (part of the General Provisions section of the Zoning By-law) contains the general zoning requirements to be met for model homes. These provisions include the requirement that the model homes be built within a lot defined by the draft approved Plan of Subdivision and that the model home complies with all other requirements of the Zoning By-law for the applicable type of dwelling unit.

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 Zoning By-law in limiting the number of model homes is to allow sufficient enough models to be constructed so that an Applicant can demonstrate to potential purchasers the range of types of dwellings, floor plans, fixtures, etc. that would be available to purchase but not so many that substantial construction on a subdivision occurs prior to detailed grading, servicing and stormwater designs being finalized. Since model home construction can occur soon after Draft Plan Approval is granted, it is also not advantageous to allow too many homes to be constructed too early if it could take many more years for the subdivision to be serviced and registered, resulting in unoccupied ‘dry’ models for many years. However, in the case of the subject lands, the development has advanced sufficiently to consider allowing an increase in the number of model homes that could be constructed given:

- the Applicant continues to advance technical submissions to address Draft Plan Conditions;
- the Applicant has already entered into servicing and site alteration agreements that has resulted in substantial site grading to occur;
- the subdivision has been serviced (final extension to off-site services and pump stations is imminent subject to final regional permitting);
- the storm water management pond and related infrastructure is in place;
- the initial base for the new roadway has also been constructed;
- the Applicant has an off-site sales centre in place resulting in a series of home sales; and,
- it is anticipated by both the Applicant and the Town of Halton Hills that registration of the subdivision will occur in early 2027.

The Applicant has advised that the request to allow for 10 model homes instead of the permitted 5 is because the 10 homes proposed to be constructed all have, or soon will have, purchase agreements for them. Approval of the Minor Variances would serve to expedite early construction of those 10 homes, to try and time for them to be ready for occupancy by purchasers shortly after registration of the subdivision occurs in 2027. There are no engineering or grading concerns with their construction given the advancement of the technical review outlined above. Construction of the remaining homes within the subdivision would occur once the subdivision is registered and home sales have further progressed.

On the basis of the above, Planning staff have no objection to the proposal.

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.



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.

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.