

**COMMITTEE OF ADJUSTMENT  
AGENDA**

**Date:** Wednesday, April 3, 2024, 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. **D13VAR24.007H - 11 Academy Road** 3

**Location:** 11 Academy Road, Town of Halton Hills (Georgetown), Regional Municipality of Halton

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

    1. To reduce the minimum interior side yard setback from the minimum 1.2 m to permit an interior side yard setback of 1.13 m.
    2. To permit a door providing access to a dwelling to be located in a wall that is 1.13 m from a lot line, whereas the by-law requires the wall to be located a minimum of 1.2 m from a lot line.

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

**Owner(s):** Eva Bosnjak & Robert Grubestic
  - b. **D13VAR24.008H - 17 Guelph Street** 6

**Location:** 17 Guelph 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 interior side yard setback shown on schedule 3 of By-law 2022-0007 from the minimum 6.3 m to permit a 1.5 m interior side yard setback (north-east corner of building).
    2. To reduce the rear yard setback as shown on schedule 3 of By-law 2022-0007 from the minimum 25.7 m to permit a 13.2 m rear

yard setback (north-east corner of building).

3. To reduce the exterior side yard setback as shown on schedule 3 of By-law 2022-0007 from the minimum 2.8 m and 4 m to permit a 2.4 m exterior side yard setback.
4. To reduce the number of parking spaces from the minimum 21 to permit 10 parking spaces.

**To accommodate a proposed 12-unit apartment building.**

**Owner(s):** Homestarts Non-Profit Housing Corporation, Georg Schneider,  
**Agent:** Tim Welch Consulting Inc., Leah Bennett Cooke

#### **4. ADJOURNMENT**

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

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

**DATE:** March 25, 2024

**RE:** Planning Recommendation for  
Application D13VAR24.007H  
Municipally known as 11 Academy Road  
Town of Halton Hills (Georgetown)

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## **APPLICATION**

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

1. To reduce the minimum interior side yard setback from 1.2 m to permit an interior side yard setback of 1.13 m.
2. To permit a door providing access to a dwelling to be located in a wall that is 1.13 m from a lot line, whereas the by-law requires the wall to be located a minimum of 1.2 m from a lot line.

To accommodate a detached dwelling under construction.

## **Proposal**

The variances are required in order to accommodate a two-storey dwelling that is currently under construction on the subject property.

## **POLICY CONTEXT**

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

The subject property is designated Low Density Residential Area under the Town of Halton Hills Official Plan. The main permitted uses in the Low Density Residential Area designation include single detached dwellings.

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

The subject property is zoned Low Density Residential One – Two (Mature Neighbourhood) (LDR1-2)(MN) under the Town of Halton Hills Comprehensive Zoning By-law 2010-0050, as amended. The LDR1-2(MN) zone requires a minimum interior side yard setback of 1.2 m to the first storey. The General Provisions section of the Zoning By-law states that a door that provides access to the interior of a main building or accessory building shall not be permitted in any portion of a wall facing the interior side lot line that is located less than 1.2 m from the interior side lot line.

### **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

###### *Variance #1 – Interior Side Yard Setback*

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. Given the extent of the relief requested, the variance will not impact the above considerations. Therefore, staff view the intent of this requirement to be maintained and have no objections with the minor variance.

###### *Variance #2 – Openings for Doors in a Wall Facing Interior Side Lot Line*

The intent of not permitting a door that provides access to the interior of a main building (or accessory building) in a wall facing an interior side lot line to be less than 1.2 m to an interior side lot line is to ensure there is adequate clearance for the door to open and not encroach onto the adjacent property and for access purposes. Also, the Ontario Building Code requires proper fire separation to be provided where there are openings adjacent to a property line. Through the Building Permit process, the Applicant is providing the appropriate fire rated door to ensure it meets the Ontario Building Code. It does not appear that the minor variance will impact the above considerations and therefore staff have no concerns.

#### **Public Comments**

No comments have been received from the public as of the date this report was prepared.

### **RECOMMENDATION**

It is the opinion of Planning staff that the application for Minor Variance meets the four tests of a Minor Variance as outlined in the Planning Act. The application:

- 1) meets the intent and purpose of the Town of Halton Hills Official Plan;
- 2) meets the intent and purpose of the Town of Halton Hills Zoning By-law;
- 3) is considered to be desirable for the appropriate development or use of the property; and,
- 4) is considered to be minor in nature.

Planning staff has no objection to the approval of this application, subject to the following condition:

1. The dwelling shall be in accordance with the survey, date stamped by the Committee of Adjustment on February 21, 2024, 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,



**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.

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

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

**DATE:** March 27, 2024

**RE:** Planning Recommendation for  
Application D13VAR23.008H  
Municipally known as 17 Guelph 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 shown on schedule 3 of By-law 2022-0007 from the minimum 6.3 m to permit a 1.5 m interior side yard setback (north-east corner of building).
2. To reduce the rear yard setback as shown on schedule 3 of By-law 2022-0007 from the minimum 25.7 m to permit a 13.2 m rear yard setback (north-east corner of building).
3. To reduce the exterior side yard setback as shown on schedule 3 of By-law 2022-0007 from the minimum 2.8 m and 4 m to permit a 2.4 m exterior side yard setback.
4. To reduce the number of parking spaces from the minimum 21 to permit 10 parking spaces.

To accommodate a proposed 12-unit apartment building.

## **Proposal**

The property is owned by the Town of Halton Hills and has site-specific permissions for a 4-storey, 14-unit apartment building. The subject application is seeking relief to modify the site-specific permissions in order to revise the building design and construct a 3-storey, 12-unit building. The project will be constructed and operated by Homestarts Inc. and Home Suite Hope and will offer 12 affordable rental housing units.

**RECOMMENDATION**

Planning staff recommends that the Committee **defers** its decision in order to allow for further discussions between the Applicant and Halton Hills Hydro to resolve concerns related to the proposed location of the building and its proximity to an adjacent hydro pole and associated infrastructure.

Reviewed and Approved by,

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

**Jeff Markowiak, Director of Development Review**