

COMMITTEE OF ADJUSTMENT AGENDA

Date: Monday, June 23, 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 D13VAR25.015H - 5 Norton Crescent**

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Location: 5 Norton 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 side yard setback to the second storey from the minimum 1.8 m to permit an interior side yard setback of 1.4 m (north).
2. To reduce the side yard setback from the minimum 1.2 m to permit an interior side yard setback of 0.7 m (south).
3. To increase the encroachment of the roof overhang from the maximum 50% of the side yard setback (0.35 m from interior side lot line) to permit a roof overhang encroachment of 62% (0.27 m from the south interior side lot line).

To accommodate a proposed two storey dwelling on existing foundations.

Owner(s): Gabriel Knezovic, **Agent:** RocMar Engineering, Sarah Korba Alakhras

b. **Minor Variance D13VAR25.016H - 8049 Hornby Road**

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Location: 8049 Hornby Road, Town of Halton Hills (Premier Gateway),
Regional Municipality of Halton

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

1. To reduce the parking spaces from the minimum 58 to permit 56 parking spaces.

To accommodate a proposed increase in the second floor area of a proposed industrial building.

Owner(s): Verendra Ragubance, **Agent:** Weston Consulting, Katie Pandey

c. Minor Variance D13VAR25.017H - 58 Gamble Street

11

Location: 58 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 lot coverage from the maximum 350 sq m to permit a lot coverage of 400.4 sq m.

To accommodate a proposed addition to a single detached dwelling.

Owner(s): Muhammad Poonah & Bibi Souraya Ramjane, **Agent:** Matthews Design & Drafting, Doug Matthews / Bethany VanRavens

4. ADJOURNMENT

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

FROM: Jessica Rahim, Senior Planner – Development Review

DATE: June 18, 2025

RE: Planning Recommendation for
Application D13VAR25.015H
Municipally known as 5 Norton Crescent,
Town of Halton Hills (Georgetown)

APPLICATION

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 an interior side yard setback of 1.4 m (north).
2. To reduce the side yard setback from the minimum 1.2 m to permit an interior side yard setback of 0.7 m (south).
3. To increase the encroachment of the roof overhang from the maximum 50% of the side yard setback (0.35 m from interior side lot line) to permit a roof overhang encroachment of 62% (0.27 m from the south interior side lot line).

To accommodate a proposed two storey dwelling on existing foundations.

Proposal

The Applicant proposes to demolish the existing dwelling and construct a new two-storey single detached dwelling utilizing the foundation of the existing dwelling.

POLICY CONTEXT

Town of Halton Hills Official Plan

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

Section D1.4.2 of the Official Plan outlines the policy framework for evaluating new housing, replacement housing, additions, and alterations within Mature Neighbourhood Areas provided

it is compatible, context sensitive, and respectful of the existing character of the neighbourhood, and that the Zoning By-law should further detail the appropriate standards within Mature Neighbourhoods. Furthermore, the policy also sets out what should be considered when evaluating the merits of Minor Variances in Mature Neighbourhoods. These criteria are:

- a) compatibility with existing building orientation and building setbacks;
- b) that the scale, massing, building height, and built form features are compatible with the existing character of the neighbourhood;
- c) the preservation of landscaped open space areas and the protection of existing trees; and,
- d) that impacts on adjacent properties are minimized.

Town of Halton Hills Zoning By-Law

The property is zoned Low Density Residential One, Mature Neighbourhood (LDR1-2(MN)) in the Town's Comprehensive Zoning By-law 2010-0050, as amended. The LDR1-2(MN) zone permits single detached dwellings.

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

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

The zoning by-law further states that the encroachment of a roof overhang into an interior side yard shall be no more than 50% of the required interior sided yard setback for the main building on the lot.

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

Variance #1 & #2 – Interior Side Yard Setback (proposed dwelling)

The intent of the interior side yard setback is to provide adequate separation between the dwelling and the lot line, allowing for building maintenance, including access to the eaves and exterior walls,

while ensuring unobstructed access to the rear yard. Additionally, these requirements help maintain a consistent pattern of setbacks and mitigate land use conflicts by preserving privacy and reinforcing the established character of the mature neighbourhood.

The Applicant is proposing to construct a two-storey dwelling on the existing foundation, which would maintain the current interior side yard setback. However, the proposed new second storey does not comply with the required interior side yard setback. A limited number of windows are proposed on the north side of the addition, and they are located toward the front of the house, thereby minimizing potential privacy or overlook concerns. Therefore, Planning staff is satisfied that the intent of the side yard setback provision is being maintained and staff has no objection to the proposed variance.

Variance #3 - Encroachment of Roof Overhang (Dwelling)

The intent of permitting architectural features such as roof overhangs to encroach no more than 50% of the required interior side yard setback is to ensure, in part, that roof runoff does not discharge into neighbouring properties. The Applicant is seeking a roof overhang encroachment of 62% (0.27 m from the south interior side lot line). The Applicant is proposing to recognize an existing situation which does not appear to be impacting the above considerations. As such, Planning staff have no concerns with the minor variance.

Development Engineering

Based on the information provided, Development Engineering has no concerns with any of the variances. 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 single detached dwelling shall be constructed generally in accordance with the drawings A-0, A-0(1), A-1, A-2, A-3, prepared by RocMar Engineering Inc, date stamped

by the Committee of Adjustment on May 13, 2025, to the satisfaction of the Commissioner of Planning & Development.

2. The proposed grading shall be constructed in accordance with the site grading and servicing plan, prepared by Cunningham McConnell Limited Ontario Land Surveyors, date stamped by the Committee of Adjustment on May 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 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.

Region of Halton

Regional Servicing:

The owner should verify the location of existing services and determine that no relocation of services will be required to facilitate this development. For the 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 Servicing Permit:

- Any existing water or wastewater services that will not be re-used must be disconnected at the mains at the expense of the owner.
- No wastewater service laterals or water service connections are to cross existing or proposed property lines.

- The 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-Law02-03, 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.

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: <https://www.ctcswp.ca/source-protection-plan/the-ctc-source-protection-plan>. The property is located in a WHPA-Q1/Q2 (moderate risk to quantity) and a Highly Vulnerable Area.

The application qualifies as a residential use and is therefore exempt from the S.59 review process under the Source Protection Plan per policy G-2. 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: June 16, 2025

RE: Planning Recommendation for
Application D13VAR25.016H
Municipally known as 8049 Hornby Road
Town of Halton Hills (Premier Gateway Employment Area)

APPLICATION

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

1. To reduce the parking spaces from the minimum 58 to permit 56 parking spaces.

To accommodate a proposed increase in the second floor area of a proposed industrial building.

Proposal

The variance is required in order to construct a second floor mezzanine within a proposed industrial warehouse on the subject property.

In July 2024 Planning staff deemed complete a Site Plan application (File No. D11SPA24.001) submitted by Weston Consulting (the Applicant) seeking to construct a 2,825.49 m² industrial warehouse on the subject property. Conditional Site Plan approval was granted in April 2025; the Applicant is working to satisfy the conditions of approval and obtain a building permit.

The original approved design did not contemplate a second storey mezzanine within the building; however, the Applicant has recently revised the proposal to include the additional floor area resulting in the requirement for two (2) additional parking spaces.

POLICY CONTEXT

Town of Halton Hills Official Plan

Under the Town of Halton Hills Official Plan, the property is located within the Premier Gateway Employment Area Phase 1B Secondary Plan area. The Plan identifies the subject lands as being

designated Prestige Industrial Area which permits a wide range of employment related industrial uses, including warehouses.

Town of Halton Hills Zoning By-Law

Under Zoning By-law 2010-0050, as amended by By-law 2023-0103 and By-law 2024-0025, the property is zoned (Holding 8) Corridor Prestige Industrial 4 (H8)(M7-4) which permits warehouse uses. The Zoning By-law provides the following parking standards:

- Warehouse = 1/90 sq m of net floor area
- Office, showroom and display = 1/30 sq m of net floor area

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:

The intent of the minimum parking requirement is to ensure that sufficient parking is provided to accommodate the proposed land use. Staff have no concerns with the minimal amount of relief requested and views the intent of the minimum parking requirement to be maintained. Therefore, staff have no concerns with the requested 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 has no objection to the approval of this application, subject to the following condition:

1. The proposal shall be constructed generally in accordance with Drawing No. A-1.0, Site Plan, A-2.1, First Floor Plan, A-2.2, Second Floor Plan and A-2.3, Roof Plan date stamped by the Committee of Adjustment on May 21, 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.

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

FROM: Jessica Rahim, Senior Planner – Development Review

DATE: June 18, 2025

RE: Planning Recommendation for
Application D13VAR25.017H
Municipally known as 58 Gamble Street,
Town of Halton Hills (Glen Williams)

APPLICATION

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

1. To increase the lot coverage from the maximum 350 sq m to permit a lot coverage of 400.4 sq m.

To accommodate a proposed addition to a single detached dwelling.

Proposal

The Applicant is proposing to construct a single storey addition to the current two storey dwelling located on the subject property.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Hamlet Residential Area, with a small portion at the rear identified as Natural Heritage System under the Glen Williams Secondary Plan. Single detached dwellings are permitted within the Hamlet Residential Area designation, and the proposed addition is set back from the Natural Heritage System portion of the property.

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. The HR1(64) zone permits single

detached dwellings subject to a range of zoning standards, including a maximum lot coverage of 350 square metres.

COMMENTS

Internal Department and External Agency Comments

This application was circulated for review and comment to Town departments and external agencies. No concerns or objections were identified; relevant comments regarding the Minor Variance application are as follows:

Planning

The intent of the maximum lot coverage requirements is to manage stormwater runoff, preserve open space, and prevent overbuilding within a neighbourhood. The Applicant is proposing a modest single-storey addition to the existing dwelling, which is not anticipated to have any adverse impacts on the surrounding area and remains in keeping with the size and scale of other dwellings on the street. Despite the unique lot shape being located at the end of a cul-de-sac, all required setbacks are being maintained. Furthermore, the proposed addition is appropriately set back from existing natural heritage features on the property. Therefore, Planning staff have no objections to the requested variance.

Public Comments

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

RECOMMENDATION

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

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

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

1. The proposed additions shall be constructed generally in accordance with the drawings MV-1, MV-2, MV-3, prepared by Matthews Design & Drafting Services Inc., date stamped by the Committee of Adjustment on May 22, 2025, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Town of Halton Hills

- It should be noted that the entirety of the property is identified as having archaeological potential. Although no studies are required, should deeply buried archaeological remains/resources be found on the property during construction activities, the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism should be notified immediately (archaeology@ontario.ca). In the event that human remains are encountered during construction, the owner shall immediately notify the police or coroner, the Registrar, Ontario Ministry of Public and Business Service Delivery, who administers provisions of that Act related to burial sites, and the Ministry of Citizenship and Multiculturalism.

Development Engineering

- A site alteration permit will be required from Development Engineering at the building permit stage.
- As part of the site alteration permit, it is the owner's responsibility to:
 - Maintain the existing drainage pattern. Ensure positive drainage is achieved.
 - Repair any drainage problems caused by the proposed works on their property and/or the adjacent owner's properties.

Halton Hills Hydro

- Halton Hills Hydro Inc. (HHHI) is to be contacted for any electrical changes and service layouts. Presently the address at 58 Gamble Street has an existing 120/240V Underground secondary service under the affected drive way.
- Existing Underground secondary cable path may have conflict with the customer proposed plans. Customer is responsible for obtaining all necessary locates and permits prior to the commencement of construction of the proposed plans.
- It is essential to account for the location of existing and proposed, above and below-grade utilities early in the site design process. This ensures compliance with utility requirements, facilitates maintenance and access, and mitigates visual impacts on public streets. Adequate space should be provided for these utilities.
- 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.

Region of Halton

Regional Servicing

The owner should verify the location of existing services and determine that no relocation of services will be required to facilitate this development. For the 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 Servicing Permit:

- Any existing water or wastewater services that will not be re-used must be disconnected at the mains at the expense of the owner.
- No wastewater service laterals or water service connections are to cross existing or proposed property lines.
- The 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-Law02-03, 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.

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: <https://www.ctcswp.ca/source-protection-plan/the-ctc-source-protection-plan>.

The property is located in a WHPA-Q1/Q2 (moderate risk to quantity).

The application qualifies as a residential use and is therefore exempt from the S.59 review process under the Source Protection Plan per policy G-2. 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