



TOWN OF
HALTON HILLS
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REPORT

TO: Mayor Bonnette and Members of Council

FROM: John McMulkin, Planner – Development Review

DATE: June 18, 2021

REPORT NO.: PD-2021-0041

SUBJECT: Recommendation Report for Removal of Holding (H2)
Provision for 13850 Sixth Line (Esquesing)

RECOMMENDATION:

THAT Report No. PD-2021-0041, dated June 18, 2021, with respect to “Recommendation Report for Removal of Holding (H2) Provision for 13850 Sixth Line (Esquesing)”, be received;

AND FURTHER THAT the request to remove the Holding (H2) Provision from Zoning By-law 2010-0050, as amended, for the lands described as Part of Lot 30, Concession 6 Esquesing, Town of Halton Hills, Regional Municipality of Halton, 13850 Sixth Line (Esquesing), be approved;

AND FURTHER THAT the necessary By-law be enacted to authorize the removal of the Holding (H2) Provision, as generally shown in SCHEDULE 4 of this report.

KEY POINTS:

The following are key points for consideration with respect to this report:

- The Owners of 13850 Sixth Line have submitted a Minor Variance application seeking approval, in part, to increase by-law requirements to accommodate a proposed detached garage.
- The site is also subject to a Holding (H2) Provision, due to its location within the Greenbelt Plan’s Natural Heritage System, which must be lifted to accommodate the proposed detached garage. The H2 Provision is conditional upon an Environmental Impact Study (EIS) demonstrating the proposed garage will have no impact to the on-site key natural heritage features or their ecological function.
- Through their review of the Minor Variance and Holding Removal applications, Halton Region and Credit Valley Conservation (CVC) staff identified that an EIS

is not required to support the lifting of the H2 Provision, subject to Eastern White Cedar trees being planted along the dripline of the significant woodland to the satisfaction of CVC.

- This report is recommending the removal of the H2 Provision from the portion of the property to be occupied by the proposed detached garage.

BACKGROUND AND DISCUSSION:

On June 1, 2021, Lance Tribble and Wanda Jesso (the Owners) submitted a Minor Variance application (File No. D13VAR21.019H) to increase the allowable height and floor area requirements for accessory structures and the width for a driveway to accommodate a proposed 195.1 m² (2,100.0 ft²) detached garage and recognize an existing garden shed and driveway; see **SCHEDULE 1 – LOCATION MAP** and **SCHEDULE 2 – SITE PLAN**. The application is scheduled to be considered by the Town's Committee of Adjustment at their meeting on July 7, 2021.

Town and external agency staff have completed their review of the Minor Variance application and have identified no objections. In addition, no objections have been received from the public as of the date this report was prepared.

The subject property is located within the Greenbelt Plan's Natural Heritage System and is zoned Protected Countryside Natural Heritage System One (PC-NHS1), Protected Countryside Natural Heritage System Two (PC-NHS2) and Protected Countryside (PC). The detached garage is proposed within the portion of the property zoned PC-NHS1, which is subject to a Holding (H2) Provision. As outlined in Table 14.1 of the Town's Zoning By-law, the H2 Provision applies to the:

- replacement or expansion of existing permitted buildings where the ground floor area that existed on the effective date of this By-law is proposed to be increased by greater than 50%; and,
- construction of accessory buildings, if any part of the accessory building is located more than 20 metres from the main building on the lot.

Given the above, the Holding (H2) Provision must be lifted before construction of the detached garage can commence.

Should the proposal obtain Minor Variance approval from the Town's Committee of Adjustment on July 7th, the Owners are seeking to construct the detached garage this summer. Therefore, the Owners have requested that the Town commence the process to remove the Holding (H2) Provision now.

The Holding (H2) Provision may be lifted once the applicable policies in Section E2.5.3.3 of the Town's Official Plan have been met.

Section E2.5.3.3 pertains to the protection of key natural heritage features. Subsection (d) specifically requires the submission of an Environmental Impact Study (EIS) for any new development within 120 metres of a key natural heritage feature. The proposed

accessory building would be located within 120 metres of key natural heritage features (i.e. significant woodland and provincially significant wetland).

However, through consultation with the Town's Building Department, the Region of Halton and Credit Valley Conservation, staff has determined that an EIS is not required for the proposed accessory building given that:

- the detached garage would replace existing accessory buildings located in the same area, meaning disturbance to the earth would be minimal;
- the proposed location of the detached garage would be outside the key natural heritage features existing on and adjacent to the property; and,
- Credit Valley Conservation staff has confirmed that they do not anticipate any impact to the key natural heritage features on and adjacent to the property given the Owners have planted 44 Eastern White Cedar trees, to their satisfaction, along the dripline of the significant woodland as staked by the Regional Forester; see **SCHEDULE 3 – PHOTOS OF TREE PLANTINGS**.

Based on the above, Town staff is satisfied that the policies of Section E2.5.3.3 have been met and is recommending that Council lifts the Holding (H2) Provision from the portion of the lands to be occupied by the proposed accessory building; see **SCHEDULE 4 – PROPOSED HOLDING REMOVAL BY-LAW**.

STRATEGIC PLAN ALIGNMENT:

This report aligns to the Town's Strategic plan recognizing the value to preserve, protect and enhance our natural environment for the health benefits and enjoyment it provides to present and future generations.

This report also identifies climate change and the environment as one of the Town's Strategic priorities.

RELATIONSHIP TO CLIMATE CHANGE:

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

PUBLIC ENGAGEMENT:

Public Engagement was not needed as this report is administrative in nature.

INTERNAL CONSULTATION:

Planning staff has consulted with appropriate Town departments, the Region of Halton, and Credit Valley Conservation in preparation of this report.

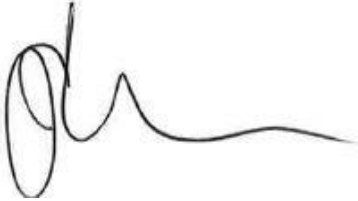
FINANCIAL IMPLICATIONS:

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

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Jeff Markowiak, Director of Development Review

A handwritten signature in black ink, appearing to read "John Linhardt". The signature is fluid and cursive, with the first name "John" being more prominent.

John Linhardt, Commissioner of Planning and Development

A handwritten signature in black ink, appearing to read "Chris Mills". The signature is fluid and cursive, with the first name "Chris" being more prominent.

Chris Mills, Acting Chief Administrative Officer