



TOWN OF
HALTON HILLS
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REPORT

TO: Mayor Bonnette and Members of Council

FROM: Romaine Scott, Legal Coordinator

DATE: October 5, 2021

REPORT NO.: PD-2021-0066

SUBJECT: Deeming By-law Request
Lots 2 and 3, Plan 20M-687, 5 and 6 McMaster Street, Halton Hills (Glen Williams)

RECOMMENDATION:

THAT Report No. PD-2021-0066 regarding a by-law to deem Lots 2 and 3, Plan 20M-687 not to be within a registered plan of subdivision for the purposes of subsection 50(3) of the Planning Act, R.S.O., 1990, as amended, (subdivision control) be received;

AND FURTHER THAT staff be authorized to bring forward a by-law under subsection 50(4) to deem Lots 2 and 3, Plan 20M-687 not to be within a registered plan of subdivision for the purposes of subsection 50(3) of the Planning Act, R.S.O., 1990, as amended;

AND FURTHER THAT the Clerk be directed to lodge a certified copy of such by-law in the office of the Minister of Municipal Affairs and Housing, pursuant to subsection 50(26) of the Planning Act;

AND FURTHER THAT the Clerk be directed to give notice of the passing of such by-law within thirty (30) days of the passing to each person appearing on the revised assessment roll to be the owner of the land to which the by-law applies, which notice shall be sent to the last known address of such person, pursuant to subsection 50(29) of the Planning Act.

KEY POINTS:

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

- The properties at 5 and 6 McMaster Street (Lots 2 and 3 in Glen Williams) are in common ownership and are being operated by the owner as one residential property. The owner is proposing to construct a house addition that would straddle the shared lot line of the two lots.
- The proposal has been reviewed for compliance with the Comprehensive Zoning By-law, including the Mature Neighbourhood Provisions as well as the Hamlet Design Guidelines.
- The deeming by-law has the effect of lifting the existing lot line between Lots 2 and 3, such that each lot is legally merged with the other as a whole and may not be transferred or otherwise dealt with separately. A building permit cannot be issued for the addition until the lots have been merged.
- Once the deeming by-law is passed and registered, the Building Department will be able to issue a building permit for the proposed house addition.
- Staff has no concerns with the recommendation for the deeming by-law to merge the two lots to allow the proposed extension to the existing house and the two lots to continue to operate as one residential property.

BACKGROUND AND DISCUSSION:

Lots 2 and 3 municipality known as 5 and 6 McMaster Street are whole lots on the Plan of Subdivision 20M-687. The owner of the two lots is seeking approval to construct an addition to the existing house on 6 McMaster Street that will straddle the lot line between the two lots. While the two lots have historically operated as one residential property, the Town's Zoning By-law prohibits the construction of an addition that straddles the lot line of two whole lots. It is therefore necessary for the owner to merge the lots to allow the issuance of the required building permit.

Zoning staff has reviewed a preliminary sketch of the proposed house addition and has confirmed that the addition, provided that the lots are merged, would comply with the existing Zoning By-law and no additional zoning approval would be required. This includes the maximum lot coverage provisions established through the Glen Williams Mature Neighbourhood Study. The proposed site plan and elevations are attached as Schedule "2" to this report.

In accordance with subsection 50(29) of the *Planning Act*, the Clerk shall notify the owner of the property of the passing of the by-law, within thirty (30) days of the passing of such by-law. The Clerk will also provide a certified copy of the by-law to the Minister of Municipal Affairs and Housing pursuant to subsection 50(26) of the *Planning Act*.

The deeming by-law will be registered on title to the two lots to effect the merger of the lots as shown in the map attached as Schedule “1” to this report.

STRATEGIC PLAN ALIGNMENT:

This report is administrative in nature and does not have an impact on the Town’s Strategic Plan.

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:

There has been consultation between the Town’s Legal Coordinator, the Director of Development Review and the Zoning Officer.

FINANCIAL IMPLICATIONS:

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

Reviewed and approved by,

John Linhardt, Commissioner of Planning and Development

Chris Mills, Acting Chief Administrative Officer