TOWN OF HALTON HILLS

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE OR PERMISSION (The *Planning Act*, 1990, Section 45)
CONSENT (The *Planning Act,* 1990, Section 53)

MINUTES

Committee of Adjustment hearing on **Thursday, April 12, 2018** at 7:00 p.m. in the in the Council Chambers, Town Hall, 1 Halton Hills Drive, Halton Hills (Georgetown).

MEMBERS PRESENT:	**REGRETS:**
Allan Cook (Chair), Todd Jenney, Wayne Scott	Blair Roedding
STAFF PRESENT: Tony Boutassis, Senior Planner John McMulkin, Planner Niloo Hodjati, Secretary-Treasurer, Committee of Adjustment	

1. CHAIR'S OPENING REMARKS.

2. DISCLOSURES OF PECUNIARY INTEREST: None declared.

3. **It was MOVED by Todd Jenney, SECONDED by Wayne Scott, AND CARRIED**
"THAT THE MINUTES OF THE HALTON HILLS COMMITTEE OF ADJUSTMENT HEARING HELD ON MARCH 07, 2018 BE ADOPTED.**"**

4. REQUESTS FOR DEFERRAL: None.

5. APPLICATIONS FOR MINOR VARIANCE OR PERMISSION, AND/OR FOR CONSENT, HEARD BY THE COMMITTEE:

5A. HEARING #1

MINOR VARIANCE APPLICATION D13VAR18.008H - JOHNSTONE
REQUESTING RELIEF FROM ZONING BY-LAW 2010-0050, AS AMENDED,

1. TO INCREASE THE FLOOR AREA FOR A SINGLE ACCESSORY BUILDING FROM THE MAXIMUM 60 SQ M TO PERMIT A 143 SQ M ACCESSORY BUILDING (DETACHED GARAGE).
2. TO INCREASE THE TOTAL ACCESSORY BUILDING FLOOR AREA FROM THE MAXIMUM 80 SQ M TO PERMIT A 163 SQ M ACCESSORY BUILDING FLOOR AREA FOR ALL ACCESSORY STRUCTURES (DETACHED GARAGE AND SHED).

3. TO INCREASE THE HEIGHT FOR A SINGLE ACCESSORY BUILDING FROM THE MAXIMUM 4.5 M TO PERMIT A HEIGHT OF 7.88 M (DETACHED GARAGE).
4. TO INCREASE THE HEIGHT FOR A SINGLE ACCESSORY BUILDING FROM THE MAXIMUM 4.5 M TO PERMIT A HEIGHT OF 5.28 M (SHED).

TO ACCOMMODATE A PROPOSED DETACHED GARAGE & SHED.

LOCATION: MUNICIPALLY KNOWN AS 38 BISHOP COURT, TOWN OF HALTON HILLS (GLEN WILLIAMS), REGIONAL MUNICIPALITY OF HALTON

OWNER(S): COLLEEN JOHNSTONE, 38 BISHOP COURT, GEORGETOWN, ON L7G 6G8

AGENT: DOUG MATTHEWS, MATTHEWS DESIGN & DRAFTING SERVICES INC., 66 MAIN STREET SOUTH, GEORGETOWN, ON L7G 3G3

Present:

- Doug Matthews, agent

T. Boutassis: Noted no objection to approval.

D. Matthews: Stated that he was there to answer any questions.

It was MOVED by Wayne Scott, SECONDED by Todd Jenney, AND CARRIED "THAT MINOR VARIANCE D13VAR18.008H - JOHNSTONE, BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. The detached garage and shed shall be constructed generally in accordance with the architectural design as shown in the building elevations on drawings MV-1 and MV-2 prepared by Matthews Design & Drafting Services Inc., date stamped by the Committee of Adjustment on February 22, 2018, to the satisfaction of the Commissioner of Planning & Sustainability.
2. The Owner shall provide proof of payment of outstanding property taxes in the amount of $3,310.38, plus any penalty fees, to the satisfaction of the Town.**"**

<u>Reasons for Approval - Minor Variance</u>:

1. The Committee considered the requested variance(s) to be minor in nature.
2. The Committee considered the requested variance(s) to be desirable for the appropriate use of the land, building or structure.
3. The Committee considered the requested variance(s) to meet the intent and purpose of the Official Plan.
4. The Committee considered the requested variance(s) to meet the intent and purpose of the Zoning By-law.

- The conditions were read out.
- The associated Planning report is dated April 05, 2018.
- The Chairman informed those in attendance of the 20-day appeal period.

5B. HEARING #2

MINOR VARIANCE APPLICATION D13VAR18.009H - FAHMY

REQUESTING RELIEF FROM ZONING BY-LAW 2010-0050, AS AMENDED,

1. TO REDUCE THE SIDE YARD SETBACK FROM THE MINIMUM 4.5 M TO PERMIT A 3.082 M SIDE YARD SETBACK (ADDITION).

TO ACCOMMODATE A PROPOSED ADDITION TO AN EXISTING DWELLING.

LOCATION: MUNICIPALLY KNOWN AS 8853 TENTH LINE, TOWN OF HALTON HILLS (ESQUESING), REGIONAL MUNICIPALITY OF HALTON

OWNER(S): ALIA FAHMY, 7361 BREAD FRUIT LANE, MISSISSAUGA, ON L5N 8N3

AGENT: MARK FAHMY, MARK FAHMY LAW OFFICE, 295 MATHESON BOULEVARD EAST, MISSISSAUGA, ON L4Z 1X8

Present:

- Mark Fahmy, agent

J. McMulkin: Noted no objection to approval.

M. Fahmy: Stated that they want to construct an addition to the existing building.

It was MOVED by Todd Jenney, SECONDED by Wayne Scott, AND CARRIED "THAT MINOR VARIANCE D13VAR18.009H - FAHMY, BE APPROVED."

Reasons for Approval - Minor Variance:

1. The Committee considered the requested variance(s) to be minor in nature.
2. The Committee considered the requested variance(s) to be desirable for the appropriate use of the land, building or structure.
3. The Committee considered the requested variance(s) to meet the intent and purpose of the Official Plan.
4. The Committee considered the requested variance(s) to meet the intent and purpose of the Zoning By-law.

- The associated Planning report is dated April 04, 2018.
- The Chairman informed those in attendance of the 20-day appeal period.

5C. HEARING #3

CONSENT APPLICATION D10CON18.001H - BRIDGEMONT PROPERTIES

PURPOSE: TO CREATE A **NEW LOT**. THE PARCEL TO BE SEVERED IS DESCRIBED AS LOT 6 & PART LOT 7, PLAN 229, AS IN 753443; ALSO SHOWN ON PLAN 1098, MUNICIPALLY KNOWN AS PART OF 32 CAMERON STREET, TOWN OF HALTON HILLS (ACTON). THE PARCEL (± 605.3 SQ M) IS SHOWN ON THE SKETCH OF SURVEY AS "LANDS TO BE SEPARATED", PREPARED BY DOLLIVER SURVEYING INC., ONTARIO LAND SURVEYOR, FILE NO. "812-9", DATED DECEMBER 06, 2017, REVISED JANUARY 10, 2018, DATE STAMPED BY THE COMMITTEE OF ADJUSTMENT ON JANUARY 17, 2018.

LOCATION: MUNICIPALLY KNOWN AS PART OF 32 CAMERON STREET, TOWN OF HALTON HILLS (ACTON), REGIONAL MUNICIPALITY OF HALTON

OWNER: BRIDGEMONT PROPERTIES INC., ROCCO MORRA, 51 TURNER ROAD, TORONTO, ON M6G 3H7

AGENT: ARNOLD, FOSTER LLP, HERBERT ARNOLD, 232A GUELPH STREET, SUITE 201, GEORGETOWN, ON L7G 4B

Present:

- Herbert Arnold, agent
- Judy Townsley & Jeff Townsley 29 Cameron Street, Acton, ON L7J 1Y6
- Irene Searle, 26 Cameron Street, Acton, ON L7J 1Y7

T. Boutassis: Stated that objections have been received in regards to construction, increased traffic, sewer concerns, flooding, property values, and a response to all concerns has been provided in the report. Noted no objection to approval.

H. Arnold: Stated that he has read the comments and report and is in agreement with the conditions. Noted that the building envelope on the sketch shows the maximum area within which you can build a dwelling, not the proposed building sizes.

J. Townsley (Judy)**:** Stated that traffic is a concern and questioned why Engineering would have no concerns as no one on the street was asked how they felt about traffic. Questioned the accuracy of the frontage, noting that it is only 14.92 m, and asked how a fence can go up correctly if the buyer thinks the frontage is 15 m.

T. Boutassis: Replied that Engineering has no concerns with the proposal, and if they would like further discussion with Engineering about traffic matters, that discussion can be arranged. Stated that the frontage is around 15.1 m for each lot, and explained the method for calculating frontage, noting that a fence would go up on the property line.

J. Townsley (Jeff)**:** Wanted clarification regarding the calculation of frontages.

T. Boutassis: Stated that frontages are calculated midpoint to midpoint on the perpendicular, and used the sketch to illustrate the calculation method.

J. Townsley (Jeff)**:** Asked what a real estate agent would list the frontage as, noting potential fence issues.

T. Boutassis: Replied that fence issues would be a civil matter between neighbours.

I. Searle: Discussed various wildlife on the street, and the applicant not trimming trees.

A. Cook: Asked for clarification as to what the objection was.

I. Searle: Replied that the snow fence is blocking animals from coming on her property, noting that she lives next door and does not like the proposal.

H. Arnold: Stated that various shaped lots exist, and this one is not an unusual lot.

W. Scott: Stated that Planning procedures acknowledge various shaped lots, and for

example, a lot that looks small from the road, can be much larger in the back.

It was MOVED by Todd Jenney, SECONDED by Wayne Scott, AND CARRIED "THAT CONSENT D10CON18.001H - BRIDGEMONT PROPERTIES, BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. The Owner shall provide the Town with five (5) copies of the deposited reference plan, whenever a reference plan is required for registration purposes.
2. The existing driveway is to be removed prior to Final Consent Approval.
3. An Entrance Permit is required from the Engineering Department at the Town of Halton Hills and the proposed driveway is to be installed as per Drawings 812-9 and 812-10GRID prepared by Dolliver Surveying Inc., date stamped by the Committee of Adjustment on January 17, 2018, prior to Final Consent Approval.
4. Pursuant to Section 51.1 of the Planning Act, prior to Final Consent Approval the Owner shall provide cash-in-lieu of parkland. The cash-in-lieu of parkland amount is 5% of the appraised value of the new lots. The Recreation & Parks Department has received an appraisal of the lands and the total amount due is $10,313.
5. A Building Permit is obtained for the alteration of the existing dwelling to accommodate 2 parking spaces in compliance with the Comprehensive Zoning By-law.
6. A Building Permit is obtained for the demolition of the attached garage on the west side of the dwelling.
7. That, the Applicant obtains sufficient servicing capacity (1 SDE) from the Town of Halton Hills for the proposed development.
8. That, the Applicant provides documentation to confirm that water and wastewater services to both the severed and retained lots will not cross lot lines, to the satisfaction of Halton Region.**"**

<u>Reasons for Approval - Consent</u>:

- The Town/Committee considered the matters set out under Section 51 (24) of the *Planning Act*, 1990, as amended (plan of subdivision not required).
- The Committee considered the proposal to conform to the Regional Official Plan.
- The Committee considered the proposal to conform to the Local Official Plan.

- The conditions were read out.
- The associated Planning report is dated April 05, 2018.
- The Chairman informed those in attendance of the 20-day appeal period.

6. OTHER MATTERS: No discussions occurred.

7. **It was MOVED by Wayne Scott, SECONDED by Todd Jenney, AND CARRIED**
"THAT this Committee of Adjustment do now ADJOURN to meet again at 7:00 p.m. on Wednesday, May 02, 2018, or at the call of the Chair.**"**
The hearing adjourned at approximately 7:45 p.m.

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Chair

C: Halton Hills Clerks, Attention: Council and Committee Services Coordinator