

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

FROM: Ruth Conard, Planner – Development Review

DATE: June 25, 2020

RE: Planning Recommendation for
Application D13VAR20.005H – Zaatreh
Municipally known as 2 Holdroyd Court
Town of Halton Hills (Glen Williams)

APPLICATION

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

1. To permit an accessory building (cabana) to be built closer to the exterior side lot line (5.5 m) than the main building (dwelling) from the exterior side lot line (12.12 m).
2. To increase the total floor area of all accessory structures from the maximum 20 sq m to permit a total floor area of 75 sq m (cabana).

To accommodate a proposed cabana.

Proposal

The applicant is proposing to construct a 75 sq m (807 sq ft) cabana in the rear and exterior side yards of the subject property.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is designated Hamlet Residential Area and Hamlet Buffer under in the Glen Williams Secondary Plan. The cabana is proposed within the Hamlet Residential Area designation, which permits single detached dwellings and accessory structures. The Secondary Plan does not specifically identify maximum total accessory structure floor area and setback requirements for properties located within the Hamlet Residential Area designation.

Town of Halton Hills Zoning By-Law

The subject property is zoned Hamlet Residential One Exception (HR1(16-C)) and Environmental Protection Two Exception (EP2(17)) in the Town's Comprehensive Zoning By-law 2010-0050. The proposed cabana would be located within the portion of the property zoned HR1(16-C), which permits accessory buildings/structures.

Under the By-law accessory structures are not permitted to be any closer to an exterior side lot line than the main dwelling. Accessory structures are also limited to an individual maximum floor area of 40.0 sq.m. and a cumulative floor area of 60.0 sq.m. for all accessory structures on one lot.

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

The intent of the Zoning By-law to keep accessory structures out of exterior side yards is to maintain the residential character of a property, provide an area on the lot for landscaping and to ensure a consistent pattern of setbacks. The intent of the Zoning By-law to cap the maximum total floor area of accessory structures is to ensure that the buildings do not visually dominate the lot, are clearly accessory to the principal residential use (i.e. detached dwelling) and do not create impacts to surrounding properties. Given the location of the lot (corner lot) as well as the existing landscape in place on the property, it does not appear that the proposed variances will have an impact on these considerations. Therefore, Planning staff has no objection to the proposal.

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 location of the accessory building (proposed cabana) shall be generally in accordance with the Site Plan prepared by Salim and Ranin Zaatreh, date stamped by the Committee of

Adjustment on February 28, 2020, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read "Jeff Markowiak", is positioned above the printed name.

Jeff Markowiak, Director of Development Review

Notes

Development Engineering

- The applicant will require a Site Alteration Permit and Pool Enclosure Permit. The applicant shall provide a Grading Plan of the building envelope showing suitable surface drainage on the property, including existing and proposed elevations and demonstrate the intentions and effects of the infiltration gallery. If the infiltration gallery is affected by these works, it shall be relocated to an appropriate location at the sole expense of the applicant. All of this shall be to the satisfaction of the Commissioner of Transportation and Public Works.

Planning

- Accessory buildings or structures shall not be used for human habitation or an occupation for gain or profit.

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.
- 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.