

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

**FROM:** Tharushe Jayaveer, Planner – Policy/Development Review

**DATE:** June 26, 2020

**RE:** Planning Recommendation for  
Application D13VAR20.007H - Cordes  
Municipally known as 9435 Regional Road 25  
Town of Halton Hills (Esquesing)

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### **APPLICATION**

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

1. To reduce the minimum interior side yard setback from 4.5 m to permit a 3.0 m interior side yard setback (addition).
2. To increase the driveway width from maximum 7.0 m to permit a 16.45 m driveway width.

To accommodate a proposed addition.

### **Proposal**

The Applicant is proposing to construct a new two-storey addition to the front of the existing dwelling; the addition would contain a two-car garage at ground level. The Applicant is applying to reduce the minimum interior side yard setback from 4.5 m to 3.0 m in order to construct the addition.

The Applicant is also applying to increase the driveway width from maximum 7.0 m to permit a 16.45 m driveway width in order to provide vehicular access to the proposed garage.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated “Protected Countryside Area” in the Town’s Official Plan. This designation permits single detached dwellings on existing lots and accessory buildings and structures. The Town’s Official Plan does not specifically identify policies related to minimum interior side yard setbacks and maximum driveway width.

### **Town of Halton Hills Zoning By-Law**

The subject property is zoned “Protected Countryside Natural Heritage System Two (PC-NHS2)” in the Town’s Comprehensive Zoning By-law 2010-0050. The PC-NHS2 zone permits single detached dwellings and accessory buildings and structures.

In a PC-NHS2 zone, the by-law limits interior side yard set backs to a minimum of 4.5 m. Part 5 of the Zoning By-law entitled Parking and Loading Standards limits driveways to a maximum 7.0 m width.

## **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 Applicant is proposing to reduce the minimum interior side yard setback from 4.5 m to 3.0 m in order to construct an addition to the existing dwelling. The intent of the minimum interior side yard setback is to ensure that there is sufficient separation to the side lot line in order to provide access for maintenance purposes, access to the rear yard of the property and promote the retention of open space on individual lots. Given the nature and orientation of the existing house on the lot and the extent of relief requested to accommodate the construction of the addition, Planning staff is of the opinion that the intent of this requirement is being maintained.

The Applicant is also applying to increase the permitted maximum driveway width from 7.0 m to 16.45 m. The intent of the maximum driveway width requirement is to limit the width of the vehicular access onto the public road for traffic safety and to maintain area on the lot for soft landscaping. Given the extent of the relief requested, the amount of soft landscaping to be maintained on the lot and that the driveway width is requested in order to provide vehicular access to the proposed garage, Planning staff views the variance to the maximum driveway width requirement to be technical in nature.

Therefore, Planning staff has no objection to the proposed variances.

### **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(s):

1. The 3.0 m interior side yard setback shall apply to the north side yard, as generally shown on the Site Plan drawing prepared by Jansen Consulting, date stamped by the Committee of Adjustment on April 21, 2020, to the satisfaction of the Commissioner of Planning & Development.
2. The 16.45 m driveway width shall be limited to the portion of the driveway as generally shown on the Site Plan drawing prepared by Jansen Consulting, date stamped by the Committee of Adjustment on April 21, 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 written over a light gray circular stamp.

**Jeff Markowiak, Director of Development Review**

## Notes

### Development Engineering

- A Grading Plan
  - The Applicant shall provide a detailed Grading Plan of the proposed building envelope showing suitable surface drainage on the property, including existing and proposed elevations. This topographical survey must be completed and stamped by a Professional Engineer or an Ontario Land Surveyor. The grading plan must demonstrate that drainage is not affected and can be conveyed to an appropriate outlet. The grading plan is to include septic bed locations, retaining walls, finished floor elevations, slopes, property line grades, swales, and any other existing or proposed topographic or grading information deemed relevant. These works are to be completed to the satisfaction of the Director of Engineering, Public Works and Building Services.
- A Site Alteration Permit
  - The Owner/Applicant will require a Site Alteration Permit. Please contact Development Engineering for further details.
  - If significant elevation change is required to accommodate the buildings and driveway, additional details pertaining to the fill, truck haul routes, and construction management plan may be required.
  - If work is required on the municipal right-of-way an excavation permit will be required.

### Fire Department

- Due to the complete demo of the floor areas that the Applicant will need to comply with the new installation requirements for smoke alarms – 9.10.19 and carbon monoxide alarms – 9.33.4 as per Ontario Building Code.

### Zoning

- The property is permitted to be used as a single family dwelling only. An accessory dwelling is not permitted in the PC-NHS2 Zone.

### Halton Hills Hydro

- The existing hydro service to this residence is underground from HHH's hydro pole alongside Regional Road #25 to the meter base.
- It is unclear of the exact route of the underground secondary service however, given the plans provided in this application, it is possible the addition to the residence along the north side of the property may conflict with the underground cable.
- Advise the customer/ their contractor to obtain locates prior to excavating.
- Customer to request for hydro disconnection prior to commencement of construction and submit temporary service request as required.

- Customer shall request for a Technical Service Layout Request for permanent service when required. The customer should review our Condition of Service prior to submitting applications.
- 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.