

**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 D13VAR20.010H – Vickery  
Municipally known as 13634 Fourth Line  
Town of Halton Hills (Bannockburn)

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## **APPLICATION**

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

1. To permit an accessory building to be built closer to the front lot line whereas the by-law requires that accessory structures not be permitted any closer to the front lot line than the main building from the front lot line.
2. To increase the floor area for a single accessory building from the maximum 40 sq m to permit a 111.20 sq m accessory building.
3. To increase the total floor area of all accessory structures from the maximum 60 sq m to permit a total floor area of 139.74 sq m.
4. To increase the height for an accessory building from the maximum 4.5 m to permit a height of 6.4 m.

To accommodate a proposed garage.

## **Proposal**

The Applicant is proposing to build a new 111.2 sq m (1,196 sq ft), 6.4 m (20.1 ft) tall garage closer to the front lot line than the existing house. Two accessory sheds also currently exist on the property.

## **POLICY CONTEXT**

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

The subject property is designated Rural Cluster Area and Protected Countryside Area in the Town's Official Plan. These designations permit single detached dwellings on existing lots and accessory buildings and structures. The Town's Official Plan does not contain policies related to location, maximum floor area and height for accessory structures.

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

The subject property is zoned Rural Cluster Residential Two (RCR2) in the Town's Zoning By-law 2010-0050, as amended. The RCR2 zone permits single detached dwellings and accessory buildings and structures.

The By-law limits any individual accessory building to a maximum floor area of 40 sq. m, the maximum total floor area for all accessory buildings to 60 sq. m and the height of accessory buildings to 4.5 m. The By-law also restricts the location of accessory buildings to be no closer to the front lot line than the main building.

### **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 restricting the location of accessory buildings to be no closer to the front lot line than the main building (i.e. residential dwelling) is to ensure the character of the neighborhood is maintained and that accessory buildings do not detract from the streetscape. Based on the configuration of the lot and the location of the dwelling and driveway (which is to be extended), it does not appear that detached garage will dominate the lot or be visible from the street.

The intent of maximum total floor areas and height requirements for accessory buildings is to ensure that the accessory buildings are incidental and subordinate to the principal residential use (i.e. residential dwelling) and do not create impacts to surrounding properties. Given the size of the lot, proposed location for the detached garage and the existing vegetation providing screening for neighbouring properties, the proposed variances would have no impact on these considerations.

#### **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 detached garage shall be constructed generally in accordance with the architectural design as shown on Drawing No. MV-2 prepared by Matthews Design & Drafting Services Inc., date stamped by the Committee of Adjustment on June 3, 2020, to the satisfaction of the Commissioner of Planning & Sustainability.

Reviewed and Approved by,



**Jeff Markowiak, Director of Development Review**

## **Notes**

### Planning

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

### Development Engineering

- The Owner/Applicant may require a Site Alteration Permit. Please contact Development Engineering at the Town of Halton Hills for further details.
- Prior to the issuance of a Building Permit the applicant shall provide a Grading Plan of the building envelopes showing suitable surface drainage on the property, including existing and proposed elevations, to the satisfaction of the Commissioner of Transportation and Public Works.
- The applicant shall provide a Grading Plan of the building envelopes 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. These works are to be completed to the satisfaction of the Commissioner of Transportation and Public Works.
- It is the owner's responsibility to maintain the existing drainage pattern. Ensure positive drainage is achieved. It is the owner's responsibility to repair any drainage problems caused by the proposed works on their property and/or the adjacent owner's properties.
- All proposed site works are to remain 0.6m (2ft.) minimum from all lot lines as per Site Alteration By-Law 2017-0040.