

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

**FROM:** Keith Hamilton, Planner – Policy

**DATE:** June 24, 2020

**RE:** Planning Recommendation for  
Application D13VAR20.011H – 2182035 Ontario Ltd.  
Municipally known as 284 Queen Street East  
Town of Halton Hills (Acton)

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### **APPLICATION**

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

1. To permit a half storey situated partially within the roof to have a floor area of 68% of the floor area of the floor below, where as the By-law requires the half storey not exceed 50% of the floor area of the floor below.

To accommodate proposed 1.5-storey townhouses.

### **Proposal**

The Applicant is applying to increase the maximum floor area of the half storey (loft space) within the sixteen (16) previously approved 1.5-storey (bungalow) townhouses.

### **POLICY CONTEXT**

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

The subject property is designated Medium Density Residential Area (Residential Special Policy Area 15) in the Town's Official Plan, by way of Official Plan Amendment No. 36, which was approved by Town Council on July 8, 2019. The site specific designation permits 16 bungalow townhouses with a maximum height of 1.5-storeys.

The designation does not specifically identify maximum floor area requirements for the half storey within the 16 residential dwelling units.

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

The subject property is zoned Medium Density Residential Two - Exception Number 104 (MDR2 (104)) under the Town's Comprehensive Zoning By-law 2010-0050, as amended by By-law 2019-0039. The MDR2 (104) zone is site-specific, and permits a maximum of 16, 1.5 storey townhouse dwelling units accessed by a private lane. The maximum height for the 1.5 storey townhouse units is 8.5 metres.

The half storey (loft space) permitted as part of these units is limited to a maximum floor area of 50 per cent of the ground floor. This provision is set out in Part 3 of Zoning By-law 2010-0050 under the definition for 'Storey, Half'.

### **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 a half storey is for it to be situated wholly or partially within the roof so as not to take on the appearance and size of a full second storey. Size parameters within the Zoning By-law definition of a half storey, including floor level, ceiling height and floor area (50% of the ground floor) are set out to ensure that the half storey is habitable while clearly smaller in size to the full ground floor of the dwelling. Staff is of the opinion that this intent is being maintained as the building envelope (including height) and appearance of the previously approved townhouse units has not been increased or altered. As a result, there will be no added impacts to the properties surrounding the proposed development.

#### **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 floor plans of the proposed townhouses shall be generally in accordance with the drawings prepared by 2183025 Ontario Ltd., date stamped by the Committee of Adjustment on June 4, 2020, to the satisfaction of the Commissioner of Planning & Development.

Reviewed and Approved by,



**Jeff Markowiak, Director of Development Review**

## **Notes**

### 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.
- Please note that 284 Queen St. E., Acton Townhouse Subd. is designed for underground electrical distribution but Halton Hills Hydro Inc. has existing overhead pole line at the front and side of the development. Refer to HHH Standard 3-105 on Minimum Conductor Clearances from Buildings, Permanent Structures or Building Apparatus (see attached Std. 3-105R2).