



Town of Halton Hills Mature Neighbourhoods Character Study and Interim Control By-law 2016-0009

Frequently Asked Questions
July 2016



Why was Interim Control By-law 2016-0009 enacted?

The Town of Halton Hills is currently experiencing increased pressure for large scale home rebuilds, sometimes referred to as “monster homes”, which has raised public concern about the character and integrity of the Town’s mature neighbourhoods.

As such, the Mature Neighbourhoods Character Study was initiated on February 29, 2016, to examine whether the regulatory framework of the Town’s Zoning By-law is effective in maintaining the character of mature neighbourhoods, and propose recommendations for amendments if necessary. Council enacted Interim Control By-law 2016-0009 on February 29, 2016, to restrict the level of change in the Town’s mature neighbourhoods until new directions have been established through completion of the Mature Neighbourhoods Character Study in 2017.

How does Interim Control By-law 2016-0009 affect me?

Interim Control By-law 2016-0009 prohibits the erection of, or additions to, a single detached dwelling within defined areas of the Town of Halton Hills, that results in an increase to the Gross Floor Area of the existing dwelling by 25% or more.

Does Interim Control By-law 2016-0009 apply to all properties in the Town?

No. Interim Control By-law 2016-0009 only applies to any lands, buildings, and structures within the Low Density Residential One (LDR1) and Downtown Commercial Two (DC2) zones of Zoning By-law 2010-0050, including any such parent zone with an exception, within defined areas of the Town of Halton Hills generally located north of Hungry Hollow in Georgetown and west of Churchill Road in Acton. The subject area of Interim Control By-law 2016-0009 is clearly defined on Schedule 1 of the By-law.

How long will Interim Control By-law 2016-0009 be in effect for?

Interim Control By-law 2016-0009 came into effect upon Council enactment on February 29, 2016. The By-law will be in effect for one year, until March 1, 2017, unless extended by Council for one additional year in accordance with Section 38 of the Planning Act, or repealed by Council at an earlier date.

How is "Gross Floor Area" defined, for the purposes of Interim Control By-law 2016-0009?

“Gross Floor Area” is defined as: The aggregate of the areas of each floor of a building or structure above or below established grade, measured between the exterior faces of the exterior walls of the building or structure excluding the sum of the areas of each floor used, or designed or intended for use for the parking or motor vehicles, unless the parking of motor vehicles is the principle use of the building or structure. The definition of “Gross Floor Area” in Interim Control By-law 2016-0009 is consistent with the definition of “Gross Floor Area” in the Town’s Comprehensive Zoning By-law 2010-0050.

How do I request exemption from Interim Control By-law 2016-0009?

To request exemption from Interim Control By-law 2016-0009, you must submit a written exemption request to the Town's Planning and Infrastructure department, which includes:

- the address, lot dimensions, and legal survey of the subject property;
- photos of all four sides of the existing dwelling (front, sides, and rear), as well as photos of the streetscape that depict the relationship between the existing dwelling and adjacent dwellings;
- the gross floor area of the existing dwelling;
- the gross floor area and conceptual site plan of the proposed dwelling or addition, including a break down of existing and proposed gross floor area, by floor;
- four elevations of the proposed dwelling or addition (front, sides, and rear), including existing and proposed building height;
- identification of any trees or mature vegetation that will be removed to allow for the rebuild or addition;
- explanation of how the proposed dwelling or addition is compatible with the existing character of the neighbourhood; and,
- the applicant's contact information.

Exemption requests must be submitted to Rukshan de Silva, Planner (Policy), at rukshand@haltonhills.ca or 1 Halton Hills Drive, Halton Hills ON L7G 5G2.

How will exemption requests be evaluated?

Exemption requests will be evaluated against the following two criteria:

Physical Character

Compatibility of the proposed dwelling or addition with the physical character of the existing neighbourhood, inclusive of height, massing, roof lines, and built form.

Streetscape Character

Compatibility of the proposed dwelling or addition with the streetscape character of the existing neighbourhood, inclusive of setbacks, building projections, siting on property, and relationship to adjacent dwellings.

Upon receipt of an exemption request, the Town will notify:

- property owners that abut the subject property; and,
- property owners that are located across the street and within 25 metres of the subject property.

These property owners will be provided with 10 days to make a written submission to the Town for staff consideration. Exemption requests and written submissions will be reviewed internally by planning, zoning, and building staff, and a subsequent recommendation will be presented in a staff report to Council for approval. If an exemption is granted by Council, the Town will notify the aforementioned property owners that a Council-approved site-specific exemption from Interim Control By-law 2016-0009 has been granted. As required under Section 38 of the Planning Act, any Council-approved exemption from Interim Control By-law 2016-0009 will be subject to a 60-day appeal period. The Town will only issue the required building permits for

proposed residential dwellings or additions after a site-specific exemption has been granted by Council and the associated appeal period has lapsed.

Does Interim Control By-law 2016-0009 apply to renovations?

Renovations to a dwelling that will not result in an increase to Gross Floor Area by 25% or more, are not subject to Interim Control By-law 2016-0009. Similarly, any internal renovations, such as renovations to an unfinished basement or attic, are not subject to Interim Control By-law 2016-0009.

If I submitted a building permit application to the Town prior to enactment of Interim Control By-law 2016-0009, am I still affected by the Interim Control By-law?

No. Interim Control By-law 2016-0009 does not apply to building permit applications that were complete on or before February 29, 2016, and were filed with the Town in accordance with the Ontario Building Code Act.

Does Interim Control By-law 2016-0009 apply to second storey additions that do not propose an increase to the building footprint?

Interim Control By-law 2016-0009 restricts Gross Floor Area (as defined above), regardless of the impact of building footprint, lot coverage, or other zoning regulations. As such, if a second storey addition on the existing building footprint represents an increase to the Gross Floor Area of the existing dwelling by 25% or more, then Interim Control By-law 2016-0009 applies.

Does Interim Control By-law 2016-0009 apply to proposed dwellings or additions that increase existing Gross Floor Area by 25% or more, but are smaller than adjacent dwellings?

Yes. Interim Control By-law 2016-0009 was enacted as a temporary measure, to restrict the level of change in the Town's mature neighbourhoods until new directions have been established through completion of the Mature Neighbourhoods Character Study in 2017. Interim Control By-law 2016-0009 will be repealed once final amendments to the Town's Comprehensive Zoning By-law have been approved by Council.

Where can I access Interim Control By-law 2016-0009?

Interim Control By-law 2016-0009 can be accessed on the Town's website at www.haltonhills.ca/neighbourhoodcharacter/PDF/InterimControlBy-law2016-0009.pdf.

Who can I contact for more information?

For more information, please contact Rukshan de Silva, Planner (Policy), at rukshand@haltonhills.ca or (905) 873-2601 ext. 2302.