



The Committee of Adjustment and Consent for the Corporation of the Town of Milton met in regular session at 6:00 p.m. electronically via Live Streaming Video with Mark Kluge in the Chair.

The Committee of Adjustment is appointed by Town Council to act upon matters respecting upon planning applications in accordance with Sections 44 and 45 of the *Planning Act*.

I. AGENDA ANNOUNCEMENTS/AMENDMENTS

II. DISCLOSURE OF PECUNIARY INTEREST

None

III. REQUESTS FOR DEFERRAL OR WITHDRAWAL OF APPLICATIONS

Deferrals were requested and granted for the following:

- None

IV. MINUTES

COA-025-21 THAT Minutes of the Committee of Adjustment Meeting held on Thursday, March 25, 2021 be **APPROVED**.

V. ITEMS FOR CONSIDERATION

Minor Variance Applications:

1. File: D13 (A2-21/006/M) - 10223 Guelph Line

Requesting relief from the Zoning By-law to allow for the proposed construction of a new dwelling and detached garage. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

Owner/Applicant Input:

The applicant provided a brief overview of the proposed application:

- Purchased with an existing house and shed. In rough condition and in addition the house is too small for our family needs. Looking to demolish and rebuild. 3 bedroom and 2.5 bath to meet family needs
- Existing lot of record and a weird shape setback constraints
- Met with area neighbours. No concerns.

Public Input:

- None

Committee Deliberations:

None

COA-026-21 THAT under Section 45(1) of the “*Planning Act*” - File A2-21/006/M to the Milton Committee of Adjustment and Consent requesting permission to allow:

1. A decrease in the front yard setback to 6.0 metres **WHEREAS** Section 10.2, Table 10B of the A2 Zone of Comprehensive Zoning By-law 144-2003, as amended, states the minimum required front yard setback for a detached dwelling is 22.5 metres;
2. A decrease in the rear yard setback to 6.3 metres **WHEREAS** Section 10.2, Table 10B of the A2 Zone of Comprehensive Zoning By-law 144-2003, as amended, states the minimum required rear yard setback for a detached dwelling is 22.5 metres;
3. A decrease in the front yard setback to 20.1 metres **WHEREAS** Section 4.1.2.2 i) of the A2 Zone of Comprehensive Zoning By-law 144-2003, as amended, states the minimum required front yard setback for an accessory structure is 22.5 metres;
4. A decrease in the rear yard setback to 4.8 metres **WHEREAS** Section 4.1.2.2 i) of the A2 Zone of Comprehensive Zoning By-law 144-2003, as amended, states the minimum required rear yard setback for an accessory structure is 22.5 metres;
5. A decrease in the required setback from the front lot line to 7.5 metres **WHEREAS** Section 4.1.2.7 ii) Table 4D of the A2 Zone of Comprehensive Zoning By-law 144-2003, as amended, states the minimum required from the front lot line for a deck is 22.5 metres; and
6. A decrease in the required setback from the rear lot line to 14.8 metres **WHEREAS** Section 4.1.2.7 ii) Table 4D of the A2 Zone of Comprehensive Zoning By-law 144-2003, as amended, states the minimum required from the rear lot line for a deck is 22.5 metres

on Part Lot 12, Concession 4, municipally known as 10223 Guelph Line in the Town of Milton, Regional Municipality of Halton **WAS APPROVED** by recorded vote. Please see the Notice of Decision for Conditions and Reasons of Approval.

2. File: D13 (A2-21/014/M) - 367 Powadiuk Place

Requesting relief from Zoning By-law to allow a reduction in width of a required parking space on a residential driveway for a proposed accessory unit within the dwelling. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

Owner/Applicant Input:

The applicant provided a brief overview of the proposed application.

- The applicant is proposing to construct a basement apartment we need three parking spaces.
- The existing podium altering the clearance of a parking space. We have submitted photograph is parking two cars on the driveway

Public Input:

None

Committee Deliberations:

Member Summers asked the following:

- The basement apartment front door is at the front of the house? The front elevation not be changed? Does this change?

Staff noted:

- Town Planner, Taylor Wellings noted that staff had no concern with the entrance at the front of the house as it does maintain the character and does not alter or impact.

COA-027-21 THAT Minor Variance Application - File (A2-21/014/M) to the Milton Committee of Adjustment and Consent requesting permission to allow a decrease in the width of two (2) residential parking spaces on a driveway to 2.59 metres wide WHEREAS Section 5.6.2 i) of the RMD1 Zone of Comprehensive Zoning By-law 016-2014, as amended, requires that the minimum size of a required parking space on a residential driveway be 2.75 metres in width on Lot 214, Plan 20M-1147, municipally known as 367 Powadiuk Place in the Town of Milton, Regional Municipality of Halton **IS APPROVED** by recorded vote. Please see the Notice of Decision for Conditions and Reasons for Approval.

3. File: D13 (A2-21/015/M) - 939 Kennedy Circle

Requesting relief from the Zoning By-law for to allow an increase in gross floor area and height for accessory structures on the lot. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. Written comment was received in support prior the Hearing.

Owner/Applicant Input:

The applicant provided a brief overview of the proposed application.

- Rear yard setback for a proposed for a proposed sunroom addition built. Configuration of the lot brings us to the Committee

Public Input:

- None

Committee Deliberations:

Member Chandler asked the following:

- Why is it not affecting lot coverage?

Member Summers asked the following:

- Does this addition classify as an extension to the house or an accessory structure as it is on a deck? If it was attached to the house it would be lot coverage?

Staff noted:

- Engineering reviewed and had no concerns with the exception of some grading issues to be satisfied.

- Zoning reviewed and confirmed that is a rear yard setback. The reason regardless how it appears on the RMD1 zone does have a lot coverage provisions.

COA-028-20 THAT Minor Variance Application File (A2-21/015/M) to the Milton Committee of Adjustment and Consent requesting permission to allow a decrease in the rear yard setback to 5.8 metres **WHEREAS** Section 6.2, Table 6C of the RMD1 Zone of Comprehensive Zoning By-law 016-2014, as amended, requires that the minimum required rear yard setback for a principal building is 7.0 metres on Lot 11, Plan 20M-959, municipally known as 939 Kennedy Circle in the Town of Milton, Regional Municipality of Halton **IS APPROVED WITH CONDITIONS** by recorded vote. Please see the Notice of Decision for Conditions and Reasons for Approval.

4. File: D13 (A2-21/016/M) - 270 Fay Court

Requesting relief from the Zoning By-law to permit the proposed construction of a new single family dwelling. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

Owner/Applicant Input:

The applicant provided a brief overview of the proposed application.

- Looking for an increase in lot coverage for a new build. Most of the coverage is covered porches on the new build.
- Due to the shape of the lot, the lot coverage has limitations
- This property received an exception to the Interim Control By-law from Town Council
- Agent addressed the concerns of the privacy issues from the second floor.

Public Input:

- None

Committee Deliberations:

Member Kluge asked the following:

- I will leave it to staff to address the privacy concerns regarding frosting of the windows.

Staff noted:

- We cannot regulate windows, doors, nor can the committee. If the homeowner wants they can consult with the neighbours but staff and this committee are not regulated to.

COA-029-20 THAT Minor Variance File A2-21/016/M to the Milton Committee of Adjustment and Consent requesting permission to allow an increase in lot coverage to 24.74%, **WHEREAS** Section 6.2 Table 6B(1) of the RLD Zone of the Comprehensive Zoning By-law 016-2014, as amended, states that lots with an area greater than 830 square metres are permitted a maximum lot coverage of 20% on Lot 10, Plan M98, municipally known as 270 Fay Court in the Town of Milton, Regional Municipality of

Halton IS **APPROVED WITH CONDITIONS** by recorded vote. Please see the Notice of Decision for Conditions and Reasons for Approval.

5. File: D13 (A2-21/017/M) - 291 Whitlock Avenue

Requesting relief from the Zoning By-law to reduce the width of a parking space on a residential driveway for a proposed accessory unit within the dwelling. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

Owner/Applicant Input:

The applicant provided a brief overview of the proposed application.

- The owners are planning to construct a basement apartment to allow a decrease in the width of a parking space required for the basement apartment.
- Photographs have been provided demonstrating that the cars fit.

Public Input:

- None

Committee Deliberations:

Member Summers asked the following:

- How many cars are going to be parked at the house once the unit is rented?

The applicant responded the following:

- My two cars will be in the garage and the driveway will be for the tenants.

COA-030-20 THAT Minor Variance File A2-21/017/M to the Milton Committee of Adjustment and Consent requesting permission to allow a reduction in the width of a parking space to 2.55 metres **WHEREAS** Section 5.6.2 i) of the RMD1*207 Zone of Comprehensive Zoning By-law 016-2014, as amended, states the minimum width of parking space on a residential driveway is 2.75 metres on Lot 9, Plan 20M-1194, municipally known as 291 Whitlock Avenue in the Town of Milton, Regional Municipality of Halton **IS APPROVED WITH CONDITIONS** by recorded vote. Please see the Notice of Decision for Conditions and Reasons for Approval.

6. File: D13 (A2-21/018/M) - 212 Queen Street

Requesting relief from the Zoning By-law to permit the proposed construction of covered porch a new single family dwelling. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

Owner/Applicant Input:

The applicant provided a brief overview of the proposed application.

- The owners wish to add a cover porch on the east side of their house. They need lot coverage variance and for an extension of their existing driveway
- .Porch has been designed to address the character of the neighbourhood.

Public Input:

- None

Committee Deliberations:

None

COA-031-20 THAT Minor Variance File A2-21/018/M to the Milton Committee of Adjustment and Consent requesting permission to allow:

1. An increase in lot coverage to 28% **WHEREAS** Section 6.2, Table 6B(1) of the RLD1 Zone of the Comprehensive Zoning By-law 016-2014, as amended, states that lots having a lot area between 660 and 830 square meters have a maximum lot coverage of 25%; and
2. A decrease in the width of a driveway to 2.75 metres **WHEREAS** Section 5.6.2 iv) a) of the RLD1 Zone states that the minimum width of a residential driveway be 3.2 metres

on Lot 4, Block 12, Foster Survey, municipally known as 212 Queen Street in the Town of Milton, Regional Municipality of Halton **IS APPROVED WITH CONDITIONS** by recorded vote. Please see the Notice of Decision for Conditions and Reasons for Approval.

7. File: D13 (A2-21/019/M) - 12352 Guelph Line

Requesting relief from the Zoning By-law is required to address non-compliance of the Zoning By-law in relation to a recently approved Consent Application. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

Owner/Applicant Input:

The applicant provided a brief overview of the proposed application.

- Recently applied for a consent that was conditionally approved to lawful access and parent lot for 12346 Guelph Line. In order to sever the legal access to the main lot, the remaining lot did not confirm to the Zoning By-law.

Public Input:

- None.

Committee Deliberations:

- None

COA-032-20 THAT Minor Variance File A2-21/019/M to the Milton Committee of Adjustment and Consent requesting permission to allow:

1. A decrease in the lot area to 0.29 hectares **WHEREAS** Section 10.2, Table 10B of the A2 Zone of Comprehensive Zoning By-law 144-2003, as amended, states that the minimum lot area be 0.8 hectares; and

2. A decrease in the minimum lot frontage to 46.1 metres **WHEREAS** Section 10.2, Table 10B of the A2 Zone of Comprehensive Zoning By-law 144-2003, as amended, states that the minimum lot frontage is 60 metres; and
3. A decrease in the lot depth to 70.1 metres **WHEREAS** Section 10.2, Table 10B of the A2 Zone of Comprehensive Zoning By-law 144-2003, as amended, states that the minimum lot depth be 130 metres; and
4. A decrease in the rear yard setback to 22.4 metres **WHEREAS** Section 10.2, Table 10B of the A2 Zone of Comprehensive Zoning By-law 144-2003, as amended, states that the rear yard setback is 22.5 metres

on Part Lot 23, Concession 3, municipally known as 12352 Guelph Line in the Town of Milton, Regional Municipality of Halton **IS APPROVED WITH CONDITIONS** by recorded vote. Please see the Notice of Decision for Conditions and Reasons for Approval.

8. File: D13 (A2-21/020/M) - 965 Mara Circle

Requesting relief from the Zoning By-law to permit the proposed construction of a new accessory building. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

Owner/Applicant Input:

The applicant provided a brief overview of the proposed application.

- For increase the floor area for an accessory structure. The rook of the cabana and shaded spot to be used with the pool

Public Input:

- None

Committee Deliberations:

Member Chandler asked the following:

- Has it been determined the water run off? Entire backyard is hardscaped? How does this relate to the permeability of the official plan?
- If everyone hardscapes their backyard are there not policies regarding drainage and run-off?

Member Kluge asked the following:

- Has a pool permit been issued? Has Engineering reviewed the plan? I have to show existing and proposed grading.

Member Summers asked the following:

- Fence that runs down the side of the house is 1.8 metres height. The cabana is 3 metres high only set back 2 feet from the fence? Most of the backyard is hardscaping? Please confirm.
- Cabana to be situated is above the grade of the sidewalk and slopes towards the sidewalk. Water will drain on the sidewalk.

Member Slaght asked the following:

Staff noted:

- Engineering reviewed the plan. A grading plan is to be provided through the pool permit process.
- There are no landscaping in the zoning by-law.

The applicant responded the following:

- Correct. Essentially to extend the roof slightly to provide shade.
- The pool permit has been issued and the Engineering Department has been provided with an existing and proposed grading plan.
- There will no more water drainage as the water is within the pool. If there was a leak there would be a problem.

COA-033-20 THAT Minor Variance File A2-21/020/M to the Milton Committee of Adjustment and Consent requesting permission to allow an increase in the gross floor area to 18.6 square metres **WHEREAS** Section 4.2.1 Table 4A of the RMD1 Zone of the Comprehensive Zoning By-law 016-2014, as amended, states the total permitted gross floor area for all accessory structures and buildings on a lot is 10 square metres on Lot 19, Plan 20M-932, municipally known as 965 Mara Circle in the Town of Milton, Regional Municipality of Halton **IS APPROVED WITH CONDITIONS** by recorded vote. Please see the Notice of Decision for Conditions and Reasons for Approval.

9. File: D13 (A1-21/021/M) - 100 Bronte Street South

Requesting relief from the Zoning By-law to permit the proposed reconstruction of a building. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

Owner/Applicant Input:

The applicant provided a brief overview of the proposed application.

- Applying for reduced residential and commercial parking.
- Current site plan application to convert existing commercial space to residential units.
- No changes to the parking lot or the functionality of the parking lot

Public Input:

- None

Committee Deliberations:

Member Kluge asked the following:

- Three residential units will have access to a walkway to the building?

Member Summers asked the following:

- Will these proposed residents accesses from the inside the building.

- How many parking spaces dedicated to the vacant commercial space?

The applicant responded the following:

- Access from the inside and outside. Residential units face the south side.
- The vacant unit should have 7 spaces and 1 visitor

COA-034-20 THAT Minor Variance File A2-21/021/M to the Milton Committee of Adjustment and Consent requesting permission to allow:

1. A decrease in the required residential parking spaces to 28 spaces, **WHEREAS** Section 5.8.1 Table 5E of the CBD-B Zone of Comprehensive Zoning By-law 016-2014, as amended, states that the minimum required parking for the residential component is 30 parking spaces; and
2. A decrease in the required commercial parking spaces to 32 spaces, **WHEREAS** Section 5.8.1 Table 5F of the CBD-B Zone of Comprehensive Zoning By-law 016-2014, as amended, states that the minimum required parking for the commercial component is 34 parking spaces; and

on Part Lot 13, Concession 1, municipally known as 100 Bronte Street South in the Town of Milton, Regional Municipality of Halton **IS APPROVED WITH CONDITIONS** by recorded vote. Please see the Notice of Decision for Conditions and Reasons for Approval.

VI. NEW BUSINESS

None

VII. NEXT MEETING

Date: Thursday, June 24, 2021
Time: 6:00 p.m.
Location: Live Stream

VIII. ADJOURNMENT

There being no further business the Chair adjourned the meeting at 8:00 p.m.

Mark Kluge

Chair

Deborah Johnson

Secretary-Treasurer