



**The Corporation of the
Town of Milton
Committee of Adjustment Minutes**

June 29, 2023, 6:00 p.m.

Members Present: Tyler Slaght, Christopher Trombino, Tharushe Jayaveer, Salman Ellahi

Members Absent: Chair Kluge

Staff Present: Greta Susa, Serena Graci, Rachel Suffern

The Committee of Adjustment for the Corporation of the Town of Milton met in regular session. Electronically via Live Streaming Video.

1. AGENDA ANNOUNCEMENTS / AMENDMENTS

There are no agenda announcements/amendments.

2. DISCLOSURE OF PECUNIARY INTEREST

There are no disclosures of pecuniary interest.

3. MINUTES

3.1 Minutes of Committee of Adjustment Hearing held on May 25, 2023

BE IT RESOLVED THAT

1. The MINUTES of Milton Committee of Adjustment and Consent Meeting held on Thursday, May 25, 2023 BE APPROVED.

Carried

4. HOUSEKEEPING

Chair Slaght provided an overview of the housekeeping items.

5. ITEMS FOR CONSIDERATION

5.1 A23-040M - 66 Martin Street

Raymond Pollard, owner, address: 66 Martin Street, provided an overview of the application.

Questions to the owner

Member Ellahi inquired about whether or not there is anything underneath their deck. Owner Pollard stated the deck that is relevant to this minor variance application, is a very small deck with stairs going down with an open space below it. Member Ellahi inquired if there will be nothing underneath the new deck. Owner Pollard claimed there will only be grass underneath the new deck.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23-040/M) for 66 Martin Street in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the residential addition and attached garage shall be generally located and constructed in accordance with the site plan and building elevations, prepared by Pamela Farrow, date stamped by Town Zoning on May 11, 2023.
2. That engineered drawings for the proposed retaining wall, prepared and stamped by a professional engineering be submitted to the satisfaction of Town Engineering, prior to building permit issuance.
3. That a building permit application be obtained within two (2) years from the date of this decision.
4. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

Carried

5.2 A23-042M - 377 Martin Street

Enrique Valencia of Valencia Enterprises, agent for the applicant, address: 200 Hanlan Road, Woodbridge, provided an overview of the application.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23-042/M) for 377 Martin Street in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the residential addition shall be generally located and constructed in accordance with the site plan and building elevations, prepared by Valencia Enterprises Inc., date stamped by Town Zoning on May 25, 2023.
2. That a building permit application be obtained within two (2) years from the date of this decision.
3. That the applicant provide, to the satisfaction of Town Development Engineering, a Stormwater Management Brief, prepared and stamped by a professional engineer, prior to building permit issuance.
4. That the applicant provide, to the satisfaction of Town Development Engineering, a detailed Grading Plan, in accordance with the Town of Milton Std. No. E-18, prior to building permit issuance.
5. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

Carried

5.3 A23-039M - 382 Broadway Avenue

David Nelson, agent for the applicant, address: 382 Bartos Drive, Oakville, provided an overview of the application.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23-039/M) for 382 Broadway Avenue in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the dwelling shall be generally located and constructed in accordance with the site plan and building elevations, prepared by MEM Engineering Inc., date stamped by Town Zoning on May 17, 2023.

2. That a building permit application be obtained within two (2) years from the date of this decision.
3. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

Carried

5.4 A23-037M - 5290 Sixth Line

Teresa Correia, agent for the applicant, address: 10 Northhampton Drive, Etobicoke, provided an overview of the application.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23 – 037/M) for 5290 Sixth Line in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the residential addition shall be generally located and constructed in accordance with the site plan, prepared by Cunha Design Consultants Inc., date stamped by Town Zoning on May 17, 2023.
2. That a building permit application be obtained within two (2) years from the date of this decision.
3. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

5.5 A23-038M - 1380 Costigan Road

In the absence of the applicant, town planner Rachel Suffern provided an overview of the application.

Public Participation

Daniel Avilata, Resident of 1380 Costigan Road, unit 104 inquired whether or not his unit would be affected by the minor variance. Planner Suffern claimed it doesn't appear that Unit 104 would be affected.

Questions for Planner Suffern

Member Trombino inquired about the makeshift wooden step and whether or not the intent of the application is to make a more permanent concrete step. Planner Suffern stated they would require the applicant to address the steps with concrete prior to final inspection.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23-038/M) for 1380 Costigan Road in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the landings and stairs shall remain located in accordance with the survey and building elevations, prepared by Rose Surveyors Inc., date stamped by Town Zoning on May 17, 2023.
2. That Trustee Clearance be obtained, confirming the landowner is in good standing with the Landowner's Group, prior to building permit issuance.
3. That the stairs/landings affecting units 32 and 35 be re-constructed to comply with the Zoning By-law.
4. That a building permit application be obtained within two (2) years from the date of this decision.
5. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

Carried

5.6 A23-043M - 817 Willow Avenue

Patryk Kot, agent for the applicant, address: 30 Woodlawn Avenue provided an overview of the application.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23-043/M) for 817 Willow Avenue in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the shed and gazebo shall generally be located and constructed in accordance with the site plan and building

elevations, prepared by KLAB, date stamped by Town Zoning on May 26, 2023.

2. That a building permit application be obtained within two (2) years from the date of this decision.
3. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

Carried

5.7 A23-034M 90 Mary Street

Planner Suffern provided an overview of the application.

Public Participation

Adam Russo, address: 48 Bell Street, claimed he is support of the minor variances his Neighbours have applied for, but wish to add two conditions. Firstly, there is a hedge that was planted between his property and the owner's proposed garage, he wishes the constructors make their best efforts for the hedge to be maintained. Not only to act as a surface water mitigation measure, but also as a visual screening between his property and the proposed garage. The second condition being, to reduce the overall height of the proposed garage, as his master bedroom looks directly over top of the proposed garage and will also cover majority of his bedroom windows.

Questions to Planner Suffern

Member Ellahi stated now that there is a concern with the hedge, and it clearly states in the plan that the hedge is being re-located, thus does a condition need to be added. Planner Suffern stated they can look to the homeowner to see if the hedge were something they would retain or replace when construction is completed. Planner Suffern also noted town staff are quite aware that this area of town is volatile as it relates to stormwater management and drainage in this area, particularly because it is a historic area and wasn't engineered as it would be under modern standards. Thus, it is something town staff will review both at time of building permit and through the engineered submissions that were provided as part of the variance, to ensure that the private property can handle its own runoff. Marella Marshall, owner of 90 Mary Street, claimed

she is open to keeping the hedge, as they discussed with Neighbour Adam Russo, the hedge can be relocated for the moment, and once the garage is finished being constructed, they can replant them behind the garage.

Chair Slaght inquired now from hearing from the homeowner's willingness to keep the vegetation intact, if there is a condition that can be added. Planner Suffern explained the difficulty is, they look to the applicant to fulfill those conditions prior to building permit issuance. In order to determine whether or not that hedge will or will not be affected during construction, isn't something that can be confirmed with certainty until construction takes place. With that being said, a condition can be included requiring the applicant to have enhanced landscaping along the southerly interior lot line. As well, as update their Site Plan at time of building permit to identify that the existing shrub will remain and/or be replaced post construction.

Owner Mirella Marshall confirmed she would be agreeable to adding this condition.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23-034/M) for 90 Mary Street in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, AMENDED AS FOLLOWS:**

1. That the veranda and detached garage shall be generally located and constructed in accordance with the site plan, prepared by Cunningham McConnell Limited, date stamped by Town Zoning on May 16, 2023.
2. That a building permit application be obtained within two (2) years from the date of this decision.
3. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.
4. That the landowner updated the Site Plan to enhance the landscape to the Southerly point of lot line

Carried

5.8 A23-035M 395 Nunn Court

Chris Kotowicz, agent for the applicant, address: 13442 22nd Side Road, Georgetown, provided an overview of the application.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23-035/M) for 395 Nunn Court in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the accessory structure shall be generally located and constructed in accordance with the site plan and building elevations, prepared by Benjamin Res, date stamped by Town Zoning on May 16, 2023.
2. That a building permit application be obtained within two (2) years from the date of this decision.
3. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

5.9 A23-036M 11261 Fifth Line

Bruno Cossi, applicant, address: 11261 Fifth Line, provided an overview of the application.

Questions to the owner

Member Ellahi inquired about the second minor variance, being to permit eaves and gutters to encroach in the rear yard and for him to pinpoint on the Site Plan where exactly it is. Owner Cossi explained that this variance was highlighted by the Planning department, and he isn't too sure what it means.

Questions to Planner Suffern

Member Trombino inquired if she can educate the committee on the basis of the second minor variance. Planner Suffern explains the Site Plan being viewed is slightly off, as it relates to the side yards. In this instance, the planning department requires that the eaves and gutters do not encroach into a required side yard within a certain degree (in this instance 0.6 metres) which is to accommodate runoff from any structure.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23-036/M) for 11261 Fifth Line in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That a building permit application be obtained within two (2) years from the date of this decision.
2. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.
3. That a CH Letter of Permission be obtained from Conservation Halton for the proposed development.

Carried

5.10 A23-041M 1399 Hamman Way

Chris Kotowicz, agent for the applicant, address: 13442 22nd Side Road, Georgetown, provided an overview of the application.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23-041/M) for 1399 Hamman Way in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the accessory structure (cabana) shall be generally located and constructed in accordance with the site plan date stamped by Town Zoning on May 18, 2023.
2. That a building permit application be obtained within two (2) years from the date of this decision.
3. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

Carried

6. NEXT MEETING

Thursday, July 27, 2023 commencing at 6:00 p.m.

7. ADJOURNMENT

There being no further business to discuss the Chair adjourned the meeting at 7:04 p.m.

Serena Graci, Secretary Treasurer