



The Corporation of the
Town of Milton
Committee of Adjustment Minutes

August 31, 2023, 6:00 p.m.

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

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. **REQUESTS FOR DEFERRAL OR WITHDRAWAL OF APPLICATIONS**

3.1 A23-051/M 1339 Chretien Street

4. **MINUTES**

4.1 Minutes of Committee of Adjustment Hearing held on July 27, 2023

The MINUTES of Milton Committee of Adjustment and Consent Meeting held on Thursday, July 27, 2023 BE APPROVED.

Carried

5. **ITEMS FOR CONSIDERATION**

5.1 A23-055/M - 5272 & 5280 Eighth Line

The agent for the applicant, Claire Riepma, Address: 220 Kempenfelt Drive Barrie provided an overview of the application.

Questions to the Agent

Member Ellahi inquired whether or not this application has already come forward to the committee. Agent Riepma states there was a previous application that came forward to the committee, however the issue at that time was the size of the house as they requested a much larger building. According to the policy of the Town, such a minor variance proposal in regard to the size a house needs to be more modest.

Member Ellahi claimed the reason why the committee denied the application the first time it went was presented was not because of the proposed size of the house.

Questions to Planner Suffern

Member Ellahi inquired what the objection of the previous application presented to the committee was. Planner Suffern stated she can't remember the conversations the committee had with one another. But Planning staff has concerns with the overall proposed Gross Floor Area of the proposed dwelling, claiming it was larger in size, had a second floor, a significant attached garage, where the bungalow at the time did not. But now, Planning staff is satisfied that the dwelling is appropriate in terms of what is currently existing as it is comparable and appropriate, and it is much closer in proximity to the existing footprint. Their overall concerns are alleviated.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(2)(a)(i) of the *Planning Act* – File (A23-055/M) for 5272 & 5280 Eighth Line in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That a Building Permit be obtained prior to constructing the proposed one-storey dwelling.
2. That prior to Building Permit issuance that a Septic Design Brief is provided to Halton Region's satisfaction.

3. That prior to Building Permit issuance, a CH “No Objections” letter be obtained from Conservation Halton for the proposed development.
4. That a Demolition Permit be obtained prior to removing the existing bungalow.
5. That prior to Building Permit issuance, a Grading Plan, to the satisfaction of Development Engineering, be provided, specifically including: downspout locations; existing elevations along property lines (which are not to be altered); existing and proposed elevations for the interior property; swale locations, directions and slope; and, proposed elevations at building corners.
6. That the dwelling shall not exceed the proposed footprint, as set-out on the Site Plan date stamped by Zoning Staff on July 20, 2023.
7. That the dwelling be located and constructed in accordance with the Site Plan date stamped by Zoning Staff on July 20, 2023.
8. That the approval be subject of an expiry of two 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 A23-048/M 171 Wakefield Road

Owner, Qaisim Swalah, address: 171 Wakefield Road provided an overview of the application.

Questions to Applicant

Chair Kluge inquired whether or not there was going to be a tree taken down. The applicant confirmed There is no tree on the property, but rather it is on the neighbours property.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1) of the *Planning Act* –File (A23-048/M) for 171 Wakefield Road 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.

Carried

5.3 A23-053/M 111 Robinwood Crescent

Jeff Jansen, agent for the applicant, address: 70 Main Street North PO Box 38, Campbellville provided an overview of the application.

Questions to the Agent

Member Ellahi inquired about how the drawings shows the second floor is pushed back, whereas the rendering does not show this. Agent Jansen claimed this rendering was completed as a demonstration to the Town planner Natalie Stopar. Originally, the homeowner wanted to bring the upper balcony on the same line as the lower balcony, however Natalie didn't feel it was appropriate. Agent Jansen claimed the rendering is incorrect as what's proposed is the upper balcony being pushed in four to five feet. The rendering is not fully correct, it was done in the beginning stages, and it wasn't worth spending more money on recreating renderings. Rather planner Natalie Stopar and agent Jansen used two dimensional drawings moving forward. Member Ellahi claimed he was still confused. Town Planner Rachel Suffern provided clarity; stating agent Jansen did update the drawings after speaking with Natalie. The projection of the second level balcony has been included in the revised agenda package, that will show the reduced projection. As per the planning report, Natalie did put a condition that the balcony would need to be done in accordance with that drawing.

Public Participation

Carol Punton, address: 134 Robinwood Crescent, claimed with living on a small crescent her and her and husband feel as if the size of the house going on the lot is far too big. She believes the family living in the home will be parking on the street, and there will be congestion as the lot is on the bend of the crescent. She stated she has no issues with the lower balcony, but the upper balcony over looks just about everyone's home.

Even though it is being reduced by five feet to make it ten feet there is still no privacy for anyone in their homes. Thus, she does not understand why the town allows such a large home to go into such a small area. It is edge to edge to the property, which is within the boundaries that are set. She questioned what the town is doing to the old part of Milton and the existing people, as she would like not to move out of her home. Planner Suffern provided context to what Ms.Punton is referring to as Old Milton, claiming the mature and character areas are designated areas in the Town's official plan which is how they delineate those neighbourhoods. In 2020, at the direction of Council a mature neighbourhood study was undertaken, which was a significant study taken by the town's policy staff, in response to new developments in these mature neighbourhoods and in the character area, that really did exceed what was existing. The Town wanted to do this study to ensure new development are thoughtful and compatible to existing properties in the neighbourhoods, while having an understanding that new developments would inherently have certain considerations. Through this study, the policy planner went street by street and reviewed different homes and came up with site specific provisions, whether that be setbacks, lot coverages, things of that nature. Those provisions did go to town council for approval, which town council made that decision and did provide direction in terms of zoning By-law which has been updated. Thus, any new development moving forward does need to conform with the existing zoning by-law as is and as revised. It is quite a significant difference of what would have been permitted prior to the mature neighbourhood study, something in theory could have been built larger. Ms.Punton stated once this all approved who is to stop somebody else from building something like that next to herself. She feels as if the Town's engineering or planning department needs to go into these small streets and consider the other people living there.

Andrew Boim, address: 119 Robinwood crescent, the direct Neighbours of the aforementioned application. Mr.Boim stated he understands the house falls within the 20% of the mature neighbourhood study set out, thus he believes following the 20% limit would be the correct thing to do figuring all the houses in the neighbourhood are bungalows. As it is a two Storey home, he believes their privacy is already infringed upon, but he understands they are able to build up as long as it is in the permits. However, he stated building that second-floor balcony will cover a lot more viewing space that the property owners will be able to look out and look at all of the Neighbours backyards and potentially into the next street. Because of the height of the house the Neighbour would be able to look

essentially everywhere, as the street is all bungalows and this house is close to 33 feet tall, it is already tripling the height of our houses, so adding a second-floor balcony is absurd in his opinion.

Susan Shulist, address 112 Robinwood Crescent, questioned if the town planner had decided that the upper balcony shouldn't be extended to 15 feet because it was too much, and thus the applicants had to take the balcony back to 10 feet, then why aren't they also considering the bottom balcony to also be brought back to 10 feet and have both in line with another. Instead of extending the roof another 4%, she questions why the applicant doesn't just keep it line with zoning.

Deborah Baynton, address 125 Robinwood Crescent, believes there will be no privacy if the second-floor balcony is built. She doesn't understand why they had to build the second-floor balcony so high, what the purpose of the balcony is, and what do they want to look at as there is no pond, no meadow, etc. There's nothing to look at except for all the Neighbours yards. Ms. Baynton claimed If you stand in her driveway, you can see every window on the applicant's property and you can see where the porches are going to be. She provided an example of how the Neighbours will have no privacy, the example being, last week she was out with her new puppy, and the worker was on the top building up and the worker says to her nice dog, even though she is two properties over. Later on in the afternoon it happened again, where the worker said its hot up here, the puppy must be hot. She told him, maybe he shouldn't be up there building that big house anyways. As far as she is concerned, she already doesn't have any privacy in her house. Half the workers do not have hard hats on, and they block the street. She had a truck go from one end of her yard to the other, blocking her driveway. For the applicant's agent to say the upper balcony is being backed up for privacy is nonsense. Chair Kluge claimed you can call the Town in regard to your complaints about construction. Planner Rachel Suffern stated if there are concerns with construction activity, parking activity, things of that nature you can call the Town's By-law department and one of the officers can go out and investigate. Ms. Baynton stated one of the neighbours did call, as one Sunday morning at 8:15 a.m. the dump trucks showed up. She questioned if they cannot have a single day where they can have quietness. Planner Suffern stated she can't go into detail about that specific By-law as it is outside of her purview, but there are certain times construction is permitted. Ms. Baynton stated the By-law officer stated that they were permitted to be there. But overall, it is disgusting for the neighbours, as

this is an old section of town with an older neighbourhood. A lot of the Neighbours are elderly such as the Punton's that are in attendance this evening. Ms.Baynton also stated she was born and raised in Milton and has lived in two older parts of Milton and knows growth needs to happen, but to put a home this high and this big with a street filled with bungalows is absolutely ridiculous as is wrecking the older neighbourhoods.

Kate and John Croke, address: 155 Robinwood Crescent. Mr.Croke stated the sketch received of the applicant's house is about six months too late and for the town to allow this house to go up has taken away the privacy of nine backyards. If someone actually took a tour of Robinwood crescent and had a look of how this house affects the neighbours, this request would have been denied. If received public notice before they started building, this house wouldn't have happened, as they would have fought it as much as they could. The whole purpose of a backyard after work is to come home and relax with your family. The two neighbours on each side of the house have a pool, so now when they go out to swim the neighbour will be able to see them. To allow a 200 square foot raised porch is basically allowing the applicant to build a viewing area of everyone's backyard. When Mr.Croke comes home from work and wants to whine down and wants to sit in his backyard, he doesn't want to be looking at a 64 square foot window and have a 200 square foot patio where someone can come out and watch what he's doing. Robinwood crescent, is all bungalows and thus the town has failed by allowing this house to be built. Ms.Croke stated they understand people are going to come in to take down houses and rebuild and they have a right to do so as they purchased the property. she doesn't know whether or not the Town has plans of the houses in the area, but these houses are not cookie cutter houses as there are longer lots and shorter lots. There are 10 homes who have beautiful backyards with big trees, luckily the homes that being built, especially if they built this patio on the second floor will have that beautiful view also, but we don't have that beautiful view. They will be looking down at all of our yards, and the neighbours will look up and see that. They moved into this area for a reason and with priorities, and it feels as if the priorities of the existing town's people don't matter, and the time they put in paying taxes here and investing in the town doesn't matter. Mr.Croke asked if anyone has come by and looked at the Neighbour and if in their opinion, they think the house fits in. He stated his youngest daughter said to him that she has to keep her blinds closed in her bedroom. Chair Kluge stated, he understands their frustration, however as stated at the beginning they are only there to discuss the 20% of maximum permitted

lot coverage. Chair Kluge claimed the applicant has a right to a building permit and if they meet the confines of the building permit, then they can build and have a second Storey. When the committee gets to the planner the committee will ask those questions, and if it conforms with everything else then their hands are tied. Mr. Croke, then questioned why this wasn't then dealt with before. Chair Kluge stated you are not circulated on a building permit, there only needs to be a sign on the property that they've applied for a building permit, as a building permit is not a public process, and they are not here to discuss the design of the building. Ms.Croke stated, they understand they can't do anything about the permitted 20% of maximum lot coverage permitted, but what they are putting on record is they do not agree with the variance request of the extra 4% of the maximum permitted lot coverage. Mr.Croke stated to please take into consideration the fact himself and most neighbours moved to their street for privacy.

Lisa Robson, address: 149 Robinwood Crescent, stated she would like to reiterate what the member of the public John stated, being they bought their homes in this neighbourhood 12-13 years ago for the reason of privacy, small bungalow homes, and a quaint neighbourhood. Now, all of a sudden, the street has a monstrosity of a home, and the applicant wants to add to the existing plan, making it bigger and more invasive. The privacy they thought they bought their house for is no longer there. She's disappointed they did not get a say sooner than this, as many neighbours would be opposed, as this house should have never be built, for reasons such as, it does not match the neighbourhood even though it conforms, it is still very much so out of place. As a result, all of the neighbours are going to suffer for it.

Questions to Planner Rachel Suffern (speaking on behalf of Planner Natalie Stopar)

Chair Kluge wanted to confirm a building permit was issued, meaning it went through a review and it complies with all Zoning other than this increase in lot coverage from 20% to 24% to accommodate the covered deck. Planner Suffern stated this is correct, the building permit that was approved accounts for everything, but the deck at the rear wasn't covered. Thus, purely by adding the roof that is how lot coverage is considered. Thus, any area that is covered is within the calculation. Chair Kluge the asked if the second-floor balcony is factored in for lot coverage. Planner Suffern stated because the porch is covered the second floor is not factored in for lot coverage.

Member Jayaveer stated the report notes that the property is within the mature neighbourhood, thus she questioned whether or not this minor variance was flagged before the construction had begun or during construction. Planner Suffern stated from her understanding the plans that were approved and issued for permit did not include the covered porch or the balcony. Through construction the owner had decided they would like to include that feature, which then triggers a revised building permit and a revised review with the town which is how the zoning compliance issue was raised. Otherwise, the building complies with the mature neighbourhood study provisions which was approved by town council after a lengthy public consultation. Member Jayaveer followed up with asking because this building requires a minor variance is that why they're at a planning application. Planner Suffern stated, because it requires relief from a zoning By-law it does require approval from the committee. Should the owners revert back to the original proposal they could continue to build. Otherwise, if any proposal complies in full of the zoning By-law, then it would go right ahead to permit, and truthfully it would never come before the planning department. Member Jayaveer then asked if they are urban design components included as a part of the mature neighbourhood study. Planner Suffern claimed at the time of the mature neighbourhood and character study the urban design planner was the lead on this study and went street to street bearing in mind growth happens, and was mindful of that, but also respectful of the existing build form. Inherently the urban design did inform the provision updates and there are reports still online should anyone wish to view those. This was a lengthy consultation process that took about two years, at which time it was then presented to council. The urban design was really the driver of the study and updates to the zoning By-law. Member Jayaveer further inquired if this application came through without a minor variance application, during its drawing stages, and they were trying to evaluate it based on any minor variances, would planning also have looked at the mature neighbourhood study, which means looking at the urban design aspects. Would something like a second Storey balcony, be something they wouldn't have been supportive of if were looking at urban design. Or is that something that is not even mentioned. Planner Suffern responded to Member Jayaveer's question stating, when it comes forward to a minor variance from a planning perspective our biggest concern is obviously privacy, and we want to minimize disruption to neighbours and enhance their privacy. To provide some context Planner Suffern also stated, due to recent provincial changes site plan control is no longer done in this area and there is no

longer a moratorium in place. Predating provincial changes and direction, this application would have gone through other processes that would have really looked at urban design, but the direction from the Ontario government is that planning doesn't review urban design through site plans anymore, and thus it is no longer a mechanism available to them. Otherwise, it would have been something they would have potentially reviewed and/or went through a moratorium process with council. Member Jayaveer stated if this went through the process correctly, she is curious as to what the urban design comments would be at that point, given that it is coming through a planning application and thus planning can still give guidance to the applicant at that point. Planner Suffern stated if it comes forwards and complies with all provisions of the zoning By-law from that perspective it would inherently meet the official plan. If it comes forward for consideration by urban design and policy planning staff, they review things like treatment and massing, which is why the planner on file worked with the applicant to reduce the massing by introducing the variation and projection of the porch. But, at the end of the day Urban design and how an individual chooses to design for their home foregoing the zoning By-law, beauty is in the eye of the beholder. Thus, we can only speak to so many provisions and so many elements of any new development, and we certainly do that through a planning application and those urban design principles are inherently built into the existing zoning provisions. Member Jayaveer confirmed it really then does come down to guidance at that point. Planner Suffern stated that is correct and the planner on file did work with the applicant to do so.

Chair Kluge further noted, at the end of the Planning report, it is noted that urban design reviewed the revised proposal and had no additional concerns.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1) of the *Planning Act* –File (A23-053/M) for 111 Robinwood crescent in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the rear covered balcony shall be located and constructed in accordance with the building elevations, prepared by Jansen Consulting, date stamped by Town Zoning on August 4, 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.

Lost

5.4 A23-057/M 871 Whitlock Avenue

Agent for the applicant Thariwan, address 19-2131 Williams Parkway, Brampton provided an overview of the application.

Questions to the Applicant

Member Ellahi inquired if the agent has explored with the owner the option of a below grade entrance for the backyard instead of a front yard. The agent confirmed they have explored that option, however he's quite adamant of have a below grade entrance as he has small kids and wants the backyard to be completely private.

Member Trombino inquired if there was any intent to erect a privacy fence along the rear and side property lines. Agent claimed they are covering the entrance itself with landscaping, but nothing apart from that. Member Trombino then asked where on the lot line would the standard fencing end, the agent stated where on the site plan it says 8.9 on the corner.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1) of the *Planning Act* –File (A23-057/M) for 871 Whitlock Avenue in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the below grade stairs shall be generally located and constructed in accordance with the site plan, prepared by Noble Prime Solutions Ltc, date stamped by Town Zoning on August 2, 2023;
2. That landscaping be provided along the below grade entrance to screen the entrance from the street;

3. That a building permit application be obtained within two (2) years from the date of this decision; and
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

5.5 A23-049/M - 985 Logan Drive

The applicant Lepax Siti, address: 985 Logan Drive, provided an overview of the application.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1) of the *Planning Act* –File (A23-049/M) for 985 Logan Drive 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.

Carried

5.6 A23-059/M - 137 Hatt Court

The owner of the application, Muzaffar Ahmed, address: 137 Hatt Court provided an overview of the application.

Public Participation

Christian Orozco, address: 133 Hatt Court, the next-door Neighbour. Claimed he does not follow the idea of the law changing from one side to another, and it isn't his business, and he wasn't aware of the changes of that happened recently. But there is a purpose of a house with a single garage, and that is for a single-family unit. That was the argument when he asked for a permit to finish his basement, he was told that he was not allowed to have a rental property, including a kitchen, and that because

that area is designed and planned for a single-family unit. He claims he is so tight with money, that it is absolutely outrageous just to know this was even possible, just because another person would have explained it differently than me. He claimed it shouldn't be like that, and if he goes to the Town and says he's planning this for the property, then what is the purpose of a planning department, if not to control what it is going to be built in a specific area. He states if he can do whatever, wherever he wants, as long as he has the money then there's no planning department to be required for that. He claims he was denied, and his neighbour is allowed to, thus he questions what's next as he was thrown under the bus, because that's the law, which he understood. He questions what happened after, as everything changed and it's allowed. Someone else from the planning department decided to allow it, when he realizes that his neighbour has the potential of having two to three apartments. He questions if he made a mistake moving to that area, as the main purpose was to get this family in a single-family unit and he is looking for an apartment to rent out, he would get a walk out basement, which you can find everywhere. He claimed he wants to understand how the process works for the Town. Chair Kluges provided clarity to the member of the public by letting him know, the Province of Ontario has now said all urban serviced lots that are either a single detached dwelling, a semidetached dwelling or a town home dwelling is allowed to have an accessory apartment within the building and a detached unit in their backyard as another dwelling unit. Thus, municipalities all across Ontario are trying to catch up to those changes from provincial policy direction, but we can't prohibit accessory apartments in single detached homes. Planner Suffern stepped in claiming, prior to recent legislation changes as Mark noted, last November the province introduced a law that allows any urban lot services to have up to three units as of use right. However, the municipality does have discretion to create a zoning By-law that speaks to these types of units, not to prohibit but to regulate, such as parking and Gross Floor Area. Prior to the legislation, the Town's official Plan and Zoning By-law already spoke to secondary dwelling units within a principal dwelling (basement apartment). The Town permitted those as of right, as long as the owner could demonstrate it was adequately serviced, they could provide a parking space, etc. When you applied for your permit, for a finished basement we wouldn't have allowed for cooking facilities. However, should you have wanted to apply for an additional dwelling unit, legally that is a permitted use, but you would have to meet the Zoning By-law. And so, the owner who has applied doesn't currently meet the Zoning

By-law, which is what he has come forward to do through the committee, it the committee were to approve it. Mr. Orozco then asked if it that means he came at the wrong time for his permit. Planner Suffern claimed she doesn't know the exact details of his application; however, you could change your plans and update, but again he would also run into a similar issue being you cannot provide parking, and thus would have to go through the committee of adjustment. Typically Planning staff have not been supportive of a parking reduction. Mr. Orozco then stated this law has been in action since 2016, so did he just so happen to speak with town staff that doesn't have that vision in mind, and what's the difference now. Planner Suffern stated Town staff would have reviewed what he proposed and thus, she can't speak to that specifically and she is not with the building group.

Camilo Orozco: address: 133 Hatt Court stated he has been involved with the some of the subdivisions that have been built in the South of Milton, and he knows the town is very strict on is the grading in the back. As of now, what is built in their neighbours backyard is a concrete pad that covers 60-70% of the backyard. As of now there hasn't been any issues with the manhole in the corner, but with the concrete pad the water does not have the opportunity to percolate and infiltrate into the ground. Now, with Winter coming soon any erosion that happens will come to their side, either under the fence or towards the gutter. Thus, what is the Town imposing regarding that, and what was the philosophy applied to approve that concrete padding. Chair Kluge interjected claiming this committee had nothing to do with the concrete pad, and stated before they are there to discuss the parking. The concrete pad and any issues with drainage you would have to contact development engineering. Camilo stated in regard to parking, if the parking is going to be on the street their street is one of the last ones that get cleared for snow, with that being said they've had to remove the snow themselves manually to get to work. With a car there, it will be right Infront of their house, which would prevent any clearing from both from the neighbours house and their house. It's an issue if they plan on selling their house. The whole street doesn't have parked cars for a purpose, thus if there is one car parked on the street is everyone else then allowed. The fact that the neighbour is allowed now, does that make it default for everyone else to park on the street. Planner Suffern clarified stated Milton has a very strict approach to on street parking, we don't permit overnight in any capacity. Should the application be approved that is not permitting or legalizing a vehicle to be parked in the right of way. In fact, if it was approved and the tenant was parking on the street, then they

would be ticketed or potentially towed if it was a reoccurring issue. If this application was approved, the owner would either need to own one vehicle any find a tenant with only one vehicle or the tenant would need to have no vehicle.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1) of the *Planning Act* –File (A23-059/M) for 137 Hatt Court in the Town of Milton **BE DENIED.**

Carried

5.7 A23-054/M - 460, 470, 480, 490 Gordon Krantz Avenue

Connor Rudak, agent for the applicant, address: 206-277 Lakeshore Road East, provided an overview of the application.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1) of the *Planning Act* –File (A23-054/M) for 460,470,480 and 490 Gordon Krantz Avenue in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the applicant provide updated drawings to the Building Department reflecting the revised parking dimensions; and
2. That the approval be subject to an expiry of two (2) years.

Carried

5.8 A23-058/M - 4401 Fourth Line

Agent for the applicant, John Sibenik, Address: 24 Ovida Avenue, Toronto, provided an overview of the application.

Questions to the Agent

Member Ellahi inquired if the driveway on the structure is also included in the minor variance application. Agent Sibenik claimed this was captured by the building department when they reviewed the application, and it is located at the north end of the large accessory structure. Being close to the lot line is the reason why the additional 3 metre side back is needed.

Member Ellahi stated he cannot see it on the plans as a driveway. Planner Suffern interjected that it could have been called a parking area as well, and it would be where the large accessory structure is on the site plan, it would be the little access, particularly the portion right on the interior side of the structure, or exterior towards the lot line. Member Ellahi then asked wouldn't it be necessary to state in the report, that this is the driveway and it's for this purpose and the setback is stated but not the width of the driveway. Planner Suffern stated in terms of the width of the driveway, it would comply from a zoning perspective which is why it wasn't mentioned. Other than the interior setback mentioned in the report, everything else complies from an engineering entrance perspective everything is satisfied and there are not concerns from the town.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1) of the *Planning Act* –File (A23-058/M) for 4401 Fourth Line in the Town of Milton
BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. That the owner sign a Letter of Undertaking agreeing that the only uses permitted through the A1 Zone shall take place within the accessory structures and on the property.
2. That a Building Permit be obtained for both accessory structures.
3. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met and/or Building Permits are not secured.

Carried

6. NEXT MEETING

Thursday, September 28, 2023, commencing at 6:00 p.m.

7. ADJOURNMENT

There being no further business to discuss the Chair adjourned the meeting at 7:36 p.m.

Serena Graci, Secretary Treasurer