



The Corporation of the  
Town of Milton  
Committee of Adjustment and Consent

Thursday, November 28, 2024, 6:00 p.m.  
Council Chambers - In Person

The Town of Milton is resuming the Committee of Adjustment and Consent (COA) meetings in person as of January 26, 2023. Applicants and interested parties can participate in person at Town Hall, Council Chambers, 150 Mary Street.

---

	<b>Pages</b>
<b>1. AGENDA ANNOUNCEMENTS / AMENDMENTS</b>	
<b>2. DISCLOSURE OF PECUNIARY INTEREST</b>	
<b>3. HOUSEKEEPING ITEMS</b>	
<b>4. MINUTES</b>	
4.1 Minutes from Committee of Adjustment October 24, 2024	3
<b>5. ITEMS FOR CONSIDERATION</b>	
5.1 A24-051/M 1316 Britton Crescent	7
A Minor Variance is being requested to facilitate the construction of a rear yard porch/ veranda (patio cover on top of an existing concrete slab).	
5.2 A24-054/M 1261 Rose Way	17
A Minor Variance is being requested to facilitate the construction of an Additional Dwelling Unit in the basement. The applicant is seeking relief to the Zoning By-law to permit an existing porch to encroach into the 1.2 metre unobstructed pedestrian access, resulting in a setback of 0.24 metres.	
5.3 A24-054/M 1416 Sycamore Garden	21
A Minor Variance is being requested to facilitate the construction of an Additional Dwelling Unit in the basement. The applicant is seeking relief to the Zoning By-law to permit a chimney to encroach into the 1.2 metre unobstructed pedestrian access, resulting in a setback of 0.25 metres.	
<b>6. NEXT MEETING</b>	
Thursday, December 12, 2024 commencing at 6:00 p.m.	

**7. ADJOURNMENT**

**Note: Should the livestream of this meeting be interrupted due to technical reasons, a recording of the meeting's proceedings will be posted to the Town website as soon as reasonably possible.**



The Corporation of the  
Town of Milton  
Committee of Adjustment Minutes

October 24, 2024, 6:00 p.m.

The Committee of Adjustment for the Corporation of the Town of Milton met in regular session in person. All members were present.

---

1. **AGENDA ANNOUNCEMENTS / AMENDMENTS**

2. **DISCLOSURE OF PECUNIARY INTEREST**

3. **HOUSEKEEPING ITEMS**

4. **MINUTES**

4.1 **Minutes from Committee of Adjustment September 26, 2024**

**THAT** the Minutes from the September 26, 2024 Committee of Adjustment and Consent Hearing be **APPROVED**

**Carried**

5. **ITEMS FOR CONSIDERATION**

5.1 **A24-042/M - 180-294 Bronte Street South**

The Applicant provided an overview of the requested Minor Variances

**THAT** the application for minor variance **BE APPROVED SUBJECT TO THE FOLLOWING CONDITION:**

1. That the applicant receive Site Plan Approval, including the approval of any required Transportation Demand Management measures, within three (3) years of the approval of this Minor Variance.

**Carried**

**5.2 A24-046/M - 206 Martin Street**

The Applicant provided an overview of the requested Minor Variances

**THAT** the application for minor variance **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the development proceed generally in accordance with the Site Plan and Elevations, prepared by Matthew Design and Drafting Services Inc., date stamped by Town Zoning on September 6, 2024.
2. That prior to Building Permit issuance, a Stormwater Management Brief and Grading Plan be provided, to the satisfaction of Development Engineering.
3. That a Building Permit be issued 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**

**5.3 A24-047/M - 467 Violet Gate**

The Applicant provided an overview of the requested Minor Variances

**THAT** the application for minor variance **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That a Building Permit be obtained within two (2) years from the date of this decision; and,
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**

**5.4 A24-048/M - 1400 Farmstead Drive**

Planner Madison Polidoro provided an overview of the requested Minor Variances as the Owner and/or representative was absent from the Hearing

**THAT** the application for minor variance **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That prior to Occupancy Permit issuance, a Building Permit is obtained to legalize the finished basement.
2. That an Occupancy Permit for a Short-Term Rental unit be obtained within two (2) years from the date of this decision; and,
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 an Occupancy Permit is not secured.

**Carried**

**5.5 A24-049/M - 4193 20 Side Road**

The Applicant provided an overview of the requested Minor Variances

**THAT** the application for minor variance **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; and,
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 A24-050/M - 8490 Parkhill Drive**

The Applicant provided an overview of the requested Minor Variances

**THAT** the application for minor variance **BE APPROVED SUBJECT TO THE FOLLOWING CONDITION:**

1. That the applicant obtain Site Plan Approval within two (2) years from the date of decision.

**Carried**

**6. NEXT MEETING**

Thursday, November 28, 2024 commencing at 6:00 p.m.

**7. ADJOURNMENT**

With there being no further business, the Chair adjourned the meeting at 6:28 PM

---

Scott Corbett, Secretary Treasurer



# The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Madison Polidoro

Date: November 28, 2024

File No: A-24-051M

Subject: 1316 Britton Crescent

**Recommendation:** THAT the application for minor variance **BE APPROVED SUBJECT TO THE FOLLOWING CONDITION:**

1. That the development shall be located and constructed in accordance with the site plan and building elevations, prepared by Donya Abasiliasi. date stamped by Town Zoning on October 18th, 2024.
2. That a building permit application be obtained within two (2) years from the date of this decision; and,
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.

## General Description of Application

Under Section 45(1) of the Planning Act, the following minor variance to Zoning By-law 016-2014, as amended, has been requested to permit:

- Requesting permission to allow the rear yard setback to be 2.07 metres, whereas the Zoning By-law requires a minimum of 3 metres.

The subject property is known municipally as 1316 Britton Crescent and is generally located south east of the intersection of Louis St. Laurent Avenue and Regional Road 25. The subject property contains a single-detached dwelling with an attached garage as well as a small accessory structure.

The applicant is proposing a build a rear yard porch/veranda (patio cover on top of an existing concrete slab) in the rear yard. Due to the size of the cover, a variance is require in order to allow a rear yard setback of 2.07 metres whereas the Zoning By-law requires a minimum of 3 metres.

## Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated Residential Area on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan and is further designated Residential Area within the Boyne Survey Secondary Plan. These designations establish that the primary use of land shall be a mix of low,



### Official Plan Designation (including any applicable Secondary Plan designations)

medium and high density residential development. A variety of medium and high density residential uses are permitted.

It is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan.

### Zoning

The subject lands are zoned Site Specific Residential Medium Density 1 (RMD1\*220) under the Town of Milton Zoning By-law 016-2014, as amended. The RMD1\*220 zone permits a variety of residential uses, including detached and townhouse dwellings.

Section 4.19.5 i), Table 4H of the Zoning By-law requires a rear yard setback of 3 metres. The proposed structure encroaches in to the rear yard setback, leaving a setback of 2.07 metres.

### Consultation

#### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on November 13<sup>th</sup>, 2024. As of the writing of this report on, November 20<sup>th</sup> 2024, staff have not received any comments from members of the public

#### *Agency Consultation*

No objections were filed with respect to the variance application from Town staff or external agencies.

### Development Services Comments

The applicant has requested a minor variance to facilitate the construction of a proposed porch/veranda. The subject property currently contains a singled detached dwelling and an accessory structure.

The application was previously heard by the Committee of Adjustments, and the requested relief to the Zoning By-law was denied. The applicant has since revised the drawing based on feedback from Planning Staff. Planning Staff have reviewed the updated drawings and have no objection to the proposed variance.

The proposed reduction of the rear yard setback is minor in nature and does not lead to over development of the lot. The application will not have impact on the functionality of the lot or impact adjacent lots. The revisions to the drawings have allowed for access throughout the lot as well as ensure there is adequate rear yard amenity space.

Planning Staff have reviewed the request to allow a reduced rear yard setback in order to facilitate the construction of a porch/veranda and offer no objection to the proposed variance approval. Planning Staff are of the opinion that the relief being requested is minor in nature, desirable for the





# The Corporation of the Town of Milton

File #:  
A-24-051M  
Page 3 of 3

## Consultation

development of the subject lands, maintains the intent of the Zoning By-law and conforms to the Official Plan.

Respectfully submitted,

*Madison Polidoro*

Planner, Development Review

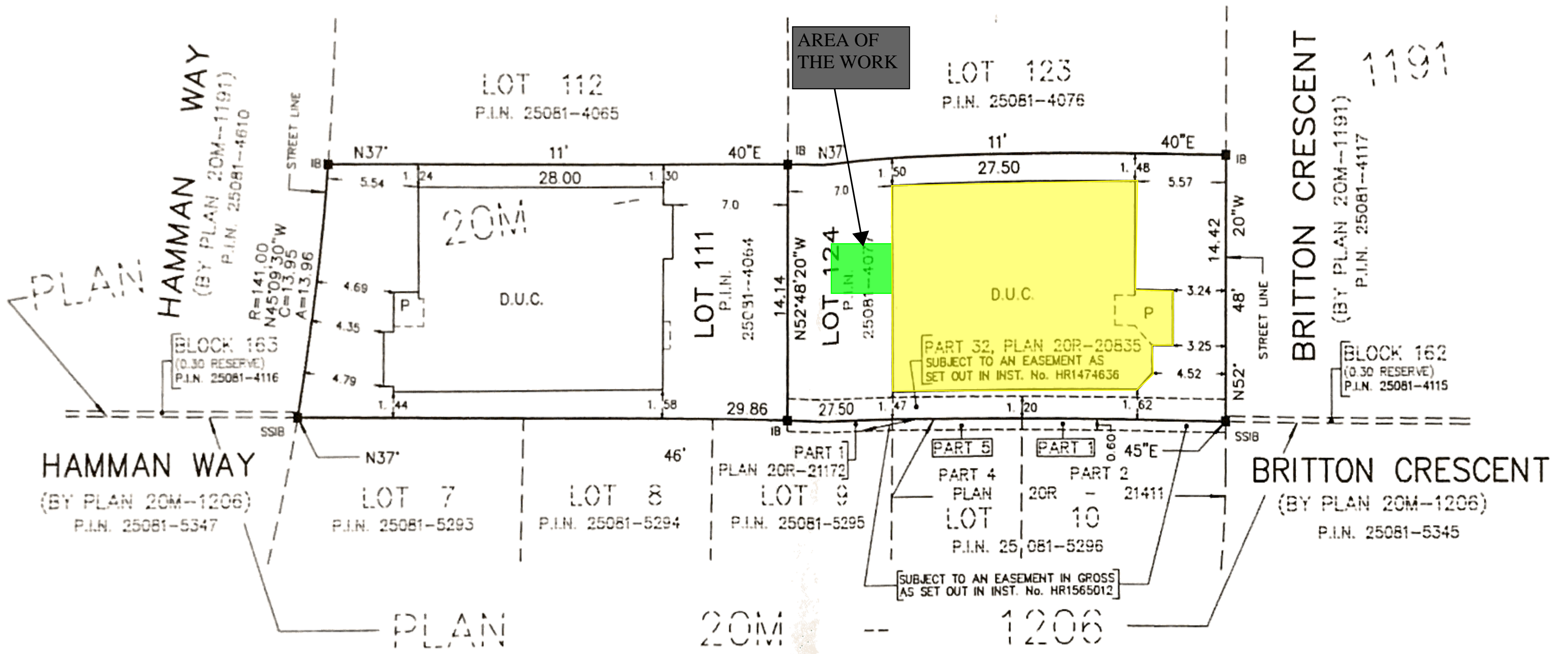
For questions, please contact:

Madison.Polidoro@Milton.ca

Phone: Ext. 2311

## Attachments

Figure 1 - Site Plan (1316 Britton Crescent) dated October 18<sup>th</sup>, 2024.



	<h2>1316 Britton Cres</h2> <h3>Milton, ON</h3>		
	Drawing Title     site plan		
	Drawn by <b>RONNA ABASHI</b>	Scale 1 : 100	



CONSTRUCTION SPECIFICATIONS

<p><b>1</b> STUCCO FINISH WALL</p> <p>ACRYLIC STUCCO (DUROCK OR APPROVED EQUAL) ON 2" THICK STYROFOAM ON EXTERIOR TYPE SHEATHING 2"x4" WOOD STUDS @ 16" O.C. R 22 BATT INSUL. IN CONTINUOUS CONTACT W/ EXTERIOR SHEATHING CONTINUOUS AIR / VAPOUR BARRIER 1/2" INTERIOR DRYWALL FINISH DOUBLE PLATE @ TOP SOLE PLATE @ BOTTOM</p> <p><b>2</b> BRICK (STONE) VENEER WALL:</p> <p>4" FACE BRICK OR STONE, 1" AIR SPACE 1"x7" X22GA MTL TIES AT 16" O/C HORIZ. &amp; 24" O/C VERT. 15lb. BUILDING PAPER 1/2" EXTERIOR GRADE PLYWOOD 2"x4" WD STUDS AT 16" O/C W/ R22 BATT INSULATION &amp; 6 MIL POLY. VAPOUR BARRIER 1/2" INTERIOR DRYWALL FINISH</p> <p><b>3</b> PROVIDE WEEP HOLES AT 24" O/C BOTTOM COURSE ONLY &amp; OVER OPENINGS. PROVIDE BASE FLASHING 6" MIN. UP BEHIND BUILDING PAPER</p> <p><b>4</b> FOUNDATION WALL: (REFER TO O.B.C. 9.15.3. &amp; 9.15.4.)</p> <p>BITUMINOUS DAMPPROOFING ON 10" THICK POURED CONCRETE REINFORCED FDN. WALLS, AS SHOWN. PROVIDE PARING COVER OVER 28"X 8" POURED CONC. FOOTING TO BEAR ON UNDISTURBED SOIL PROVIDE DRAINAGE LAYER - MIN. 3/4" MINERAL FIBRE INSULATION W/ A DENSITY OF NOT LESS THAN 3.6 LB./FT. OR - MIN. 4" OF FREE DRAINING GRANULAR MATERIAL OR - A B.M.E.C. APPROVED DRAINAGE LAYER MATERIAL</p> <p><b>5</b> SILL PLATE</p> <p>2"x6" SILL PLATE FASTENED TO FOUNDATION WALL WITH MIN. 1/2" DIA. ANCHOR BOLTS EMBEDDED MIN. 4" IN CONCRETE @ 7'-10" O/C. MAX. &amp; PROVIDE CAULKING OR GASKET BETWEEN PLATE &amp; FOUNDATION WALL</p> <p><b>6</b> FLOOR INSULATION</p> <p>CONTINUOUS HEADER JOIST WITH R31 BATT INSULATION, EXTEND VAPOUR / AIR BARRIER &amp; SEAL TO JOIST AND SUBFLOOR</p> <p><b>7</b> BASEMENT INSULATION</p> <p>2"x4" STUDS @ 16" O/C C.W. R20ci BATT INSULATION, 6MIL POLY VAPOUR BARRIER, 1/2" DRYWALL.</p>	<p><b>8</b> SLAB ON GROUND</p> <p>3" POURED CONCRETE SLAB WITH 3/4" C/TOPPING (3600 PSI CONC. STRENGTH) 4" CRUSHED STONE BELOW (OBC 9.16.2.1) EXTENDED TO FOOTING AROUND THE PERIMETER OF C/SLAB BOND BREAKING MATERIAL SHALL BE PLACED BETWEEN SLAB AND F/WALL</p> <p><b>9</b> DRAINAGE</p> <p>4" DIA. WEEPING TILE W/ 6" CRUSHED STONE COVER</p> <p><b>10</b> ROOF CONSTRUCTION</p> <p>20 YEAR ASPHALT SHINGLES ON MIN. 5/8" EXTERIOR PLYWOOD SHEATHING ON APPROVED ROOF TRUSSES OR CONVENTIONAL FRAMING (SEE PLANS) USE 'H' CLIPS IF 24" O.C. SPACING</p> <p><b>11</b> OVERHANG CONSTRUCTION</p> <p>PREFINISHED ALUMINUM FASCIA, EAVESTROUGH &amp; RAIN WATER LEADERS TO MATCH EXISTING FINISHES. PROVIDE DRIP EDGE AT FASCIA &amp; VENTED SOFFIT EXTEND DOWNSPOUTS TO GRADE LEVEL</p> <p><b>12</b> ROOF VENTILATION</p> <p>1:150 OF THE INSULATED CEILING AREA UNIFORMLY DISTRIBUTED.</p> <p><b>13</b> EAVES PROTECTION</p> <p>EAVES PROTECTION MEMBRANE TO EXTEND FROM THE EDGE OF THE ROOF, 36" UP THE SLOPE BUT NOT LESS THAN 12" BEYOND THE INTERIOR FACE OF THE EXTERIOR WALL</p> <p><b>14</b> CEILING CONSTRUCTION</p> <p>5/8" INTERIOR DRYWALL FINISH CONTINUOUS AIR / VAPOUR BARRIER W/ MINIMUM R 60 BATT INSULATION</p> <p><b>15</b> WALL INSULATION</p> <p>CARRY MIN. R22 INSULATION TO COVER THE INTERIOR FACE OF THE EXTERIOR WALL</p> <p><b>16</b> FLOOR CONSTRUCTION</p> <p>3/4" T&amp;G PLYWOOD SUBFLOOR FLOOR JOISTS @ 16" O/C. FLOOR JOISTS BRIDGED W/ CONTINUOUS 1"x3" STRAPPING OR 2 ROWS OF 2"x2" CROSS BRIDGING OR SOLID BLOCKING</p> <p><b>17</b> INTERIOR STUD PARTITION</p> <p>1/2" DRYWALL FINISH BOTH SIDES OF 2"x4" OR 2"x6" WOOD STUDS @ 16" O/C 2 TOP PLATES &amp; 1 BOTTOM PLATE PROVIDE SOUND ATTENUATION INSULATION IN BATHROOM WALLS &amp; WHERE INDICATED ON PLAN</p>	<p><b>18</b> MECHANICAL VENTILATION</p> <p>PROVIDE MIN. 1 AIR CHANGE PER HOUR IN ROOMS SPECIFIED TO BE MECHANICALLY VENTED 80 CFM FOR BATH PRIMARY VENTS</p> <p><b>19</b> STAIRS INTERIOR/EXTERIOR</p> <p>MAXIMUM RISE = 7 7/8" MINIMUM RISE = 4 7/8" MINIMUM RUN = 8 1/4" MAXIMUM RUN = 14" MINIMUM TREAD = 9 1/4" MAXIMUM TREAD = 14" MAXIMUM NOSING = 1" MINIMUM WIDTH = 2'-10" MINIMUM HEADROOM = 6'-5"</p> <p><b>20</b> GUARDS</p> <p>INTERIOR LANDINGS = 2'-11" EXTERIOR BALCONY = 3'-6" INTERIOR STAIRS = 2'-11" EXTERIOR STAIRS = 2'-11" MAX. BETWEEN PICKETS = 4" GUARD HEIGHT IF DECK TO GRADE IS: GREATER THAN 5'-11" = 3'-6" 5'-11" OR LESS = 2'-11" NO MEMBER OR ATTACHMENT BETWEEN 4" &amp; 2'-11" HIGH SHALL FACILITATE CLIMBING</p> <p><b>21</b> ATTIC ACCESS</p> <p>PROVIDE ATTIC ACCESS MIN. 20"x 28" W/ INSULATION &amp; WEATHER STRIPPING</p> <p><b>22</b> INSTALL A CARBON MONOXIDE DETECTOR CONFORMING TO CAN/CGA-6.19 OR UL 2034</p> <p><b>23</b> PROVIDE SOLID BEARING ON MASONRY FOR BEAMS AND /OR COLUMNS</p> <p><b>24</b> GARAGE CEILING:</p> <p>3/4" T&amp;G PLYWOOD SUBFLOOR 6 MIL POLY. VAPOUR BARRIER 2"x10" WD JOISTS (SEE PLAN FOR SPACING) W/R31 BATT INSUL. &amp; 5/8" GYPSUM BOARD (SMOKE PROOF JOINTS)</p> <p><b>25</b> GARAGE SLAB:</p> <p>4" CONC. SLAB W/6x6 W.W.M. ON 6" CRUSHED STONE (COMPACTED) CONC. STRENGTH 25MPa AT 28 DAYS W/5-8% AIR ENTRAINMENT</p> <p><b>26</b> GRADE</p> <p>SLOPE GRADE AWAY FROM BUILDING FACE &amp; PROVIDE SEMI-SOLID BLOCK COURSE AT OR BELOW GRADE LEVEL</p>
---	---	--

**STRUCTURAL NOTES**

- The floor LL = 40 psf (1.9 kPa) , Roof LL = 23.3 psf (1.12 kPa) + snow accumulation
- The floor and roof DL = 15.00 psf (0.71 kPa)
- All footings must be carried down to the undisturbed soil capable of sustaining bearing pressure of 2000 PSF minimum (to be confirmed on the site by a Soil Engineer)
- Concrete construction shall adhere to CAN/CSA-A23.1 requirements.
- Concrete for the footings and the slab-on-grade shall have compressive strength of 30MPa at 28 days
- Reinforcing steel to be CSA G 30.18-M1992 deformed bars - Grade 400
- Masonry construction to conform to CSA A371-94.
- Use min. 20MPa block units and Type S mortar.
- Grout solid all the voids in existing masonry and at new reinforced concrete blocks
- All new wood shall be S-P-F No.2 Grade minimum.
- All wood connectors to be by SIMPSON STRONG-TIE Composite Lumber, MICROLAM LVL or 2.0E ES PARALLAM PSL must conform to Suppliers specifications
- All new structural steel to be G40.21-M 300W & 350W for HSS members
- Fabrication and erection steel shall be carried out in accordance with CAN/CSA-S16.1-94.
- Provide solid bearing on existing concrete or masonry for steel beams and columns
- Wherever it becomes necessary to cut or interfere in any manner with existing equipment or services, the work must be co-ordinated with the Owner
- All new work must conform to the Ontario Building Code Requirement.

GENERAL STRUCTURAL NOTES

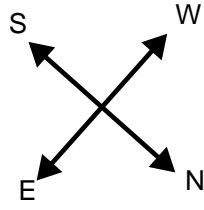
<p>1. ALL CONSTRUCTION TO COMPLY WITH ONTARIO BUILDING CODE 2012 EDITION. DESIGN OF O.B.C. PART 9 MEMBERS IS IN ACCORDANCE WITH THE FOLLOWING LOADING:</p> <p>2ND FLOOR LOADING: LL - 40.0 PSF DL - 15.0- PSF</p> <p>GROUND FLOOR LOADING LL - 40.0 PSF DL - 15.0 PSF</p> <p>MIN. LL DEFLECTION = L/360</p> <p>2. DRAWINGS SHALL NOT BE SCALED.</p> <p>3. FOOTINGS SHALL BE POURED ON UNDISTURBED SOIL. EXTERNAL FOOTINGS SHALL BE ERRECTED 4'-0" MINIMUM BELOW GRADE .</p> <p>DESIGN BEARING CAPACITY - 150 KPa (3000 PSF) EXISTING BEARING CAPACITY - NOT KNOWN.</p> <p>THE CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY THE DESIGN BEARING CAPACITY AND REPORT TO THE ENGINEER OF ANY DISCREPANCIES.</p> <p>4. CONCRETE SHALL BE F'c = 25 MPa. CONSTRUCTION JOINTS SHALL BE LEFT ROUGH.</p> <p>5. ALL CONCRETE CONSTRUCTION, WORKMANSHIP AND MATERIALS NOT NOTED IN PART 9 OF THE O.B.C. SHALL BE IN ACCORDANCE WITH CAN/CSA-A23.1 ALL REINFORCEMENT SHALL BE DEFORMED BARS C.S.A. G30.12 WITH Fy=400 MPa. EXTEND CONTINUOUS BARS INTO INTERSECTING MEMBERS FOR A DISTANCE OF 36 BAR DIAMETERS AND BENT IF REQUIRED. PROVIDE CONCRETE COVER FOR REINFORCEMENT AS REQUIRED BY O.B.C AND IN ACCORDANCE WITH CAN/CSA-A23.1</p> <p>6. ALL STRUCTURAL STEEL SHALL BE C.S.A. G40.21 GRADE 44W. HSS SECTIONS SHALL BE G40.21-50W. FABRICATION, CONNECTION DESIGN AND WELDING SHALL CONFORM TO CAN/CSA-S16.1/94 AND W59-M1989.</p> <p>7. MINIMUM BEARING OF STRUCTURAL MEMBERS ON MASONRY SHALL BE AS FOLLOWS:</p> <p>CONCRETE AND STEEL BEAMS 8" CONCRETE SLABS 4" O.W.S.J. 4" WOOD BEAMS AND JOISTS 4"</p> <p>BEARING PLATES SHALL BEAR ON 3 COURSES OF 100% SOLID MASONRY WHICH SHALL EXTEND A MINIMUM OF 8" FROM EACH SIDE OF THE PLATE.</p> <p>ALL BEAMS SHALL BE ONLY TOP BEARING ON STEEL COLUMNS.</p>	<p>8. MASONRY:</p> <p>MORTAR SHALL BE TYPE "S" OR BETTER WITH A MINIMUM COMPRESSIVE STRENGTH OF 1800 PSI. AT 28 DAYS. (TYP. U/N NOTED ON SECTIONS AND DETAILS)</p> <p>CONCRETE BLOCKS SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OVER NET AREA IN ACCORDANCE WITH TABLE 9.20.2.7. AS PER PART 9 OF O.B.C. (TYP. U/N NOTED ON SECTIONS AND DETAILS)</p> <p>9. REINFORCED MASONRY:</p> <p>MORTAR SHALL BE TYPE "S" OR BETTER WITH A MINIMUM COMPRESSIVE STRENGTH OF 1800 PSI AT 28 DAYS. CONCRETE BLOCKS SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 2950 PSI OVER NET AREA OF BLOCK. FILL CELLS CONTAINING REINFORCEMENT SOLID WITH GROUT. GROUT SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 2000 PSI AT 28 DAYS. LAP REINFORCING BARS 48 BAR DIAMETERS MINIMUM UNLESS OTHERWISE INDICATED ON PLANS .</p> <p>10. ALL DIMENSIONS AND EXISTING CONDITIONS SHALL BE VERIFIED BY THE GENERAL CONTRACTOR AT THE SITE. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO NOTIFY THIS OFFICE OF ANY DISCREPANCIES PRIOR TO COMMENCEMENT OF WORK.</p> <p>11. FABRICATED ITEMS WHICH FABRICATION AND DESIGN IS NOT PRESCRIBED IN PART 9 OF THE O.B.C. SHALL BE PREENGINEERED AND DESIGNED IN ACCORDANCE WITH PART 4 OF THE O.B.C. SHOP DETAILS, DRAWINGS AND DIAGRAMS OF THESE ITEMS SHALL BE SUBMITTED TO THIS OFFICE FOR REVIEW PRIOR TO FABRICATION. THESE DRAWINGS SHALL BE SEALED BY A P. ENG OF ONTARIO RESPONSIBLE FOR THE DESIGN OF THESE ITEMS AND CLEARLY INDICATE THE METHOD OF CONNECTION OF THESE ITEMS TO THE STRUCTURE. THESE ITEMS SHALL INCLUDE STRUCTURAL STEEL, REINFORCING BARLISTS, CONNECTIONS BETWEEN WOOD MEMBERS AS PER HANGER SCHEDULE AND PRECAST ELEMENTS.</p> <p>12. ALL FRAMING LUMBER SHALL BE SPF#2 UNLESS NOTED.</p> <p>13. PLYWOOD SHALL BE 5/8" T&amp;G UNLESS NOTED. PROVIDE EXTERIOR GRADE PLYWOOD WHERE REQUIRED BY O.B.C.</p> <p>14. ALL THE JOISTS AND BEAMS LOCATED AT THE SAME ELEVATION SHALL BE CONNECTED WITH JOIST HANGERS. ALL MEMBER CONNECTIONS SHALL MEET THE MINIMUM REQUIREMENTS AS OUTLINED IN PART 9 OF THE ONTARIO BUILDING CODE, UNLESS STRONGER CONNECTIONS ARE SPECIFIED.</p>	<p>14. ALL WOOD POSTS SHALL BE AS PER WOOD POST SCHEDULE. PROVIDE POST P1 AT ALL WOOD LINTEL BEARINGSS UNLESS NOTED OTHERWISE ON PLANS. ALL WOOD POSTS SHALL BE CONT'S FROM FOOTINGS OR FOUNDATION WALLS TO U/S SUPPORTED BEAMS OR TRUSSES. PROVIDE SOLID BLOCKING AT DISCONTINUITIES SUCH AS FLOOR SPACES. (TYP. AT ALL WOOD POST LOCATIONS)</p> <p>PROVIDE 100 % SOLID BEARING U/S ALL POSTS AT BEARING. POSTS SHALL BEAR ON MINIMUM OF 3 COURSES OF SOLID MASONRY WHICH SHALL EXTEND A MINIMUM OF 8" FROM EACH SIDE OF THE PLATE OR SOLID CONCRETE.</p> <p>15. HANGER SIZES SHALL BE AS PER HANGER SCHEDULE. THE HANGERS NOTED ABOVE ARE FOR INDICATION OF LVL PILES AND CONNECTION SHEAR FORCE CAPACITY ONLY. THE ACTUAL SHAPE OR ANGLE OF CONNECTION BETWEEN MEMBERS SHALL BE SURVEYED AT THE SITE BY THE HANGER DESIGNER.</p> <p>16. ALL MICRO=LAM BEAMS AND "I" TYPE JOISTS SHALL BE BY TRUS JOIST MACMILLAN OR EQUIVALENT. THE INSTALLATION OF THE MICRO=LAM BEAMS AND "I" JOISTS SHALL BE IN ACCORDANCE WITH THE MANUFACTURERS INSTALLATION GUIDELINES AND RECOMMENDATIONS.</p> <p>17. THE LOAD BEARING STUD WALLS SHALL BE 2 X 6 @ 16" O/C SPF. #2 LUMBER, TYPICAL UNLESS NOTED. PROVIDE BRIDGING OR BLOCKING AT THE STUD WALLS TO GIVE 8'-0" MAXIMUM UNBRACED LENGTH.</p> <p>18. THE SPACING AND SIZES OF THE ROOF AND THE FLOOR JOISTS SHALL BE NOTED ON THE PLANS. PROVIDE FULL 2" SOLID BEARING AT THE SUPPORTS.</p> <p>19. THE DESIGN OF THE STRUCTURAL COMPOSITE LUMBER MEMBERS SHALL CONFORM TO THE CSA STANDARD 086.1-94.</p> <p>THE INSTALLATION OF ALL THE STRUCTURAL COMPOSITE LUMBER BEAMS SHALL BE IN ACCORDANCE WITH THE MANUFACTURERS INSTALLATION GUIDE-LINES AND RECOMMENDATIONS</p> <p>20. "I" TYPE JOISTS SHALL BE TJI JOISTS AS NOTED IN THE TRUS JOIST CANADA LTD. DESIGN CATALOGUE OR EQUIVALENT. SEE PLANS FOR THE LOCATION AND THE SPACING OF THE "I" JOISTS. THE INSTALLATION OF ALL "I" TYPE JOISTS SHALL BE IN ACCORDANCE WITH THE MANUFACTURERS INSTALLATION GUIDE-LINES AND RECOMMENDATIONS.</p>	<p>21. THE DESIGN AND ERECTION OF THE WOOD TRUSSES SHALL CONFORM TO THE CANADIAN STANDARD CSA-086.1-94 AND THE ONTARIO BUILDING CODE.</p> <p>22. THE TRUSS FABRICATOR SHALL SUBMIT SHOP DRAWINGS AND ERECTION DIAGRAMS TO THIS OFFICE FOR APPROVAL. THE DRAWINGS SHALL BE STAMPED BY A PROFESSIONAL ENGINEER OF ONTARIO.</p> <p>23. ALL TYPICAL AND NON-TYPICAL TRUSS BEARINGS SHALL BE CLEARLY INDICATED ON THE SHOP DRAWINGS. ALL REACTIONS OF THE TRUSSES AND THE TRUSS GIRDERS TO BE INDICATED ON THE SHOP DRAWINGS. LATERAL FORCES ON EXTERIOR BEARING WALLS ARE NOT ALLOWED.</p> <p>24. THE ERECTION DIAGRAMS SHALL SPECIFY TEMPORARY AND PERMANENT BRACINGS, PROCEDURES AND METHODS REQUIRED BY THE FRAMING CONTRACTOR TO ERECT THE TRUSSES SUCCESSFULLY.</p> <p>25. CP1 SHALL BE 14" @ R.C. PIER TO U/S OF WOOD POSTS OR STEEL COLUMNS IN GARAGE R.W. 6X15M VERTICALS + 10M TIES @ 10' O/C. PROVIDE GALVANIZED COLUMN BASE CB6X6 BY MGA CONNECTORS AT WOOD POST ENSURE THAT U/S OF POST IS 6" ABOVE FLOOR EL.</p> <p>26. ALL DIMENSIONS AND EXISTING CONDITIONS SHALL BE VERIFIED BY THE GENERAL CONTRACTOR AT THE SITE PRIOR TO CONSTRUCTION. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO NOTIFY THE ARCHITECT AND THE ENGINEER OF ANY DISCREPANCIES BETWEEN THE SITE CONDITIONS AND THE ASSUMED DESIGN CONDITIONS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. IN ADDITION THE GENERAL CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE CONSTRUCTION, METHOD OF ERECTION AND INSTALLATION PROCEDURES OF THE STRUCTURAL MEMBERS INCLUDING THE ERECTION OF STEEL BEAMS SUPPORTING EXISTING JOISTS. THE GENERAL CONTRACTOR SHALL SUBMIT SHORING DETAILS AND DRAWINGS STAMPED BY P. ENG. OF ONTARIO FOR REVIEW INDICATING THE SHORING PROCEDURE AND METHODS HE WILL EMPLOY TO SUPPORT EXISTING STRUCTURE. THE GENERAL CONTRACTOR SHALL EXERCISE EXTREME CAUTION AND CARE DURING THE DEMOLITION PROCESS OF THE EXISTING STRUCTURE AND MASONRY WALLS AND BE SOLELY RESPONSIBLE FOR THE SUPPORT OF THE EXISTING STRUCTURE DURING THE DEMOLITION. THE GENERAL CONTRACTOR SHALL CALL THE STRUCTURAL ENGINEER FOR AN INSPECTION PRIOR TO CUTTING EXISTING MEMBERS AND REMOVING EXISTING</p>
---	---	---	--

1316 Britton Cres  
Milton, ON



Drawing Title	GENERAL NOTE		
Drawn by	Scale	Date	
L. ABBASI	1'-0" = 1/8"	October 2024	

EXISTING GROUND FLOOR PLAN



NOTES

1. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
2. DO NOT SCALE DRAWINGS.
3. REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER OR DESIGN ENGINEER AS APPLICABLE.
4. USE ONLY LATEST REVISED DRAWINGS OR THOSE THAT ARE MARKED "ISSUED FOR CONSTRUCTION".
5. THE DRAWINGS ARE NOT FOR CONSTRUCTION DRAWINGS. THE DRAWINGS HAVE BEEN ISSUED FOR PERMIT ONLY.

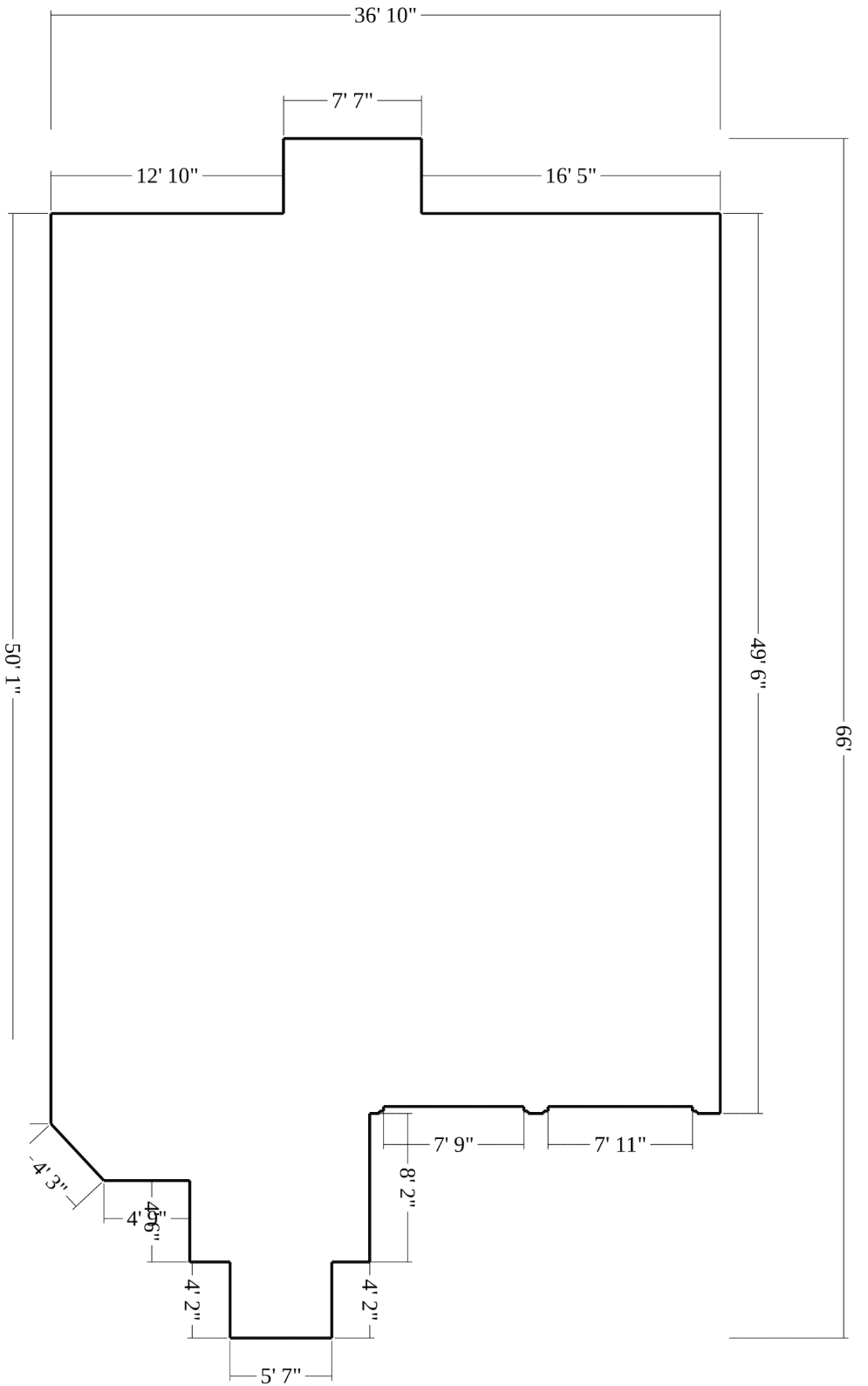
Number of Stories: > 1

Footprint Perimeter: 205' 5"

Footprint Area: 1976 ft<sup>2</sup>



BACK



FRONT



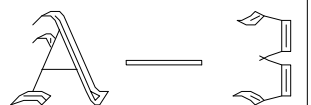
1316 Britton Cres  
Milton, ON

Drawing Title EXISTING GROUND FLOOR PLAN

Drawn by **L. ABBASI-LIASI**

Scale 1'-0" = 1/8"

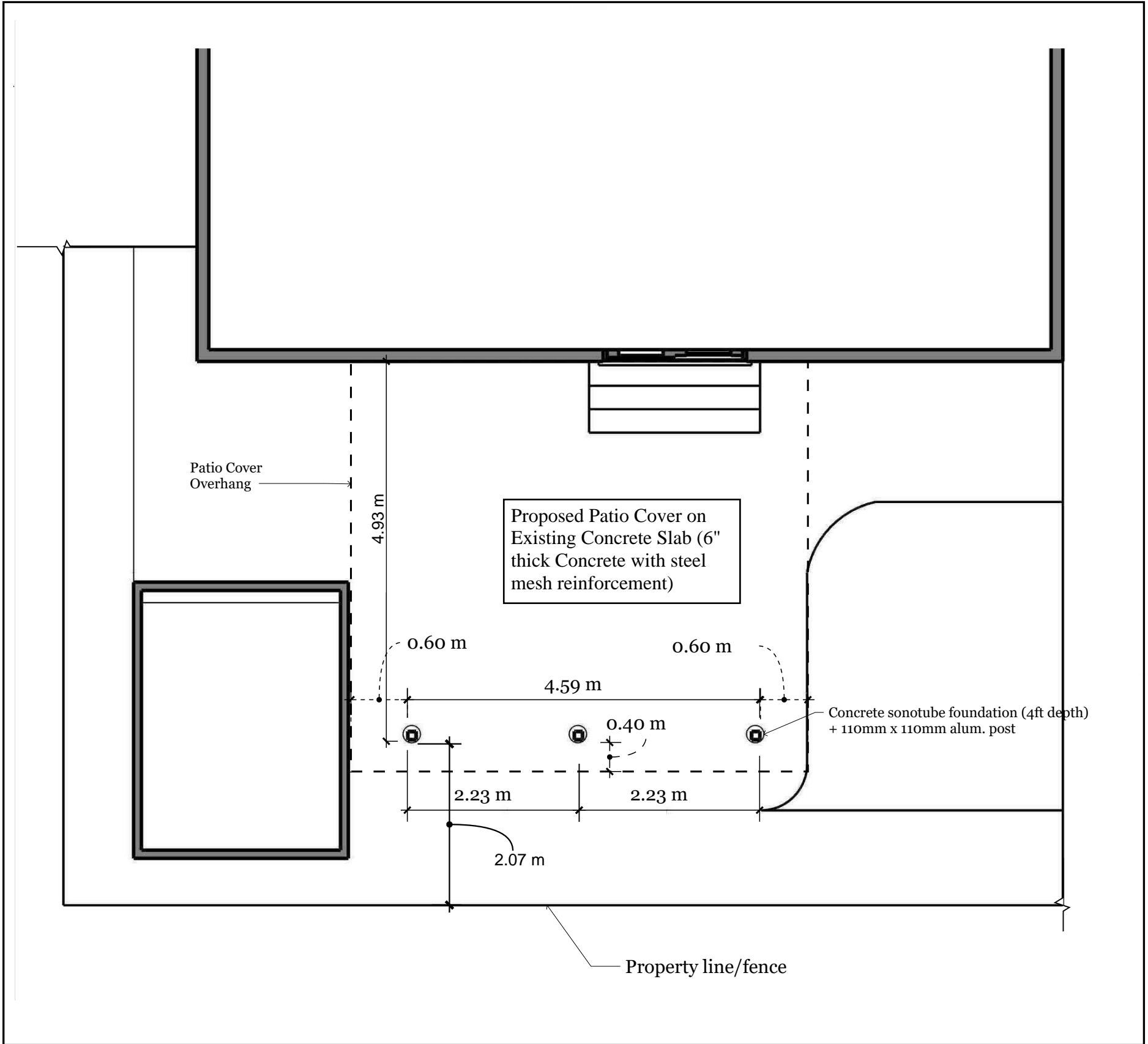
Date October 2024





**PROPOSED PATIO COVER FLOOR PLAN**

- NOTES
1. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
  2. DO NOT SCALE DRAWINGS.
  3. REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER OR DESIGN ENGINEER AS APPLICABLE.
  4. USE ONLY LATEST REVISED DRAWINGS OR THOSE THAT ARE MARKED "ISSUED FOR CONSTRUCTION".
  5. THE DRAWINGS ARE NOT FOR CONSTRUCTION DRAWINGS. THE DRAWINGS HAVE BEEN ISSUED FOR PERMIT ONLY.



EXISTING GROUND FLOOR AREA: 1,976 SQF  
 PROPOSED PATIO COVER AREA: 332.17 SQF

**MILTON** TOWN OF MILTON  
 DEVELOPMENT SERVICES  
 RMD1\*220 ZONE  
 ZONING: REVIEWED FOR C of A  
 yaseen.albarim OCT 18, 2024  
 ZONING OFFICER DATE



**1316 Britton Cres  
 Milton, ON**

Drawing Title		PROPOSED FLOOR PLAN		A-4
Drawn by	Scale	Date		
L. ABBASI	1'-0" = 1/8"	October 2024		

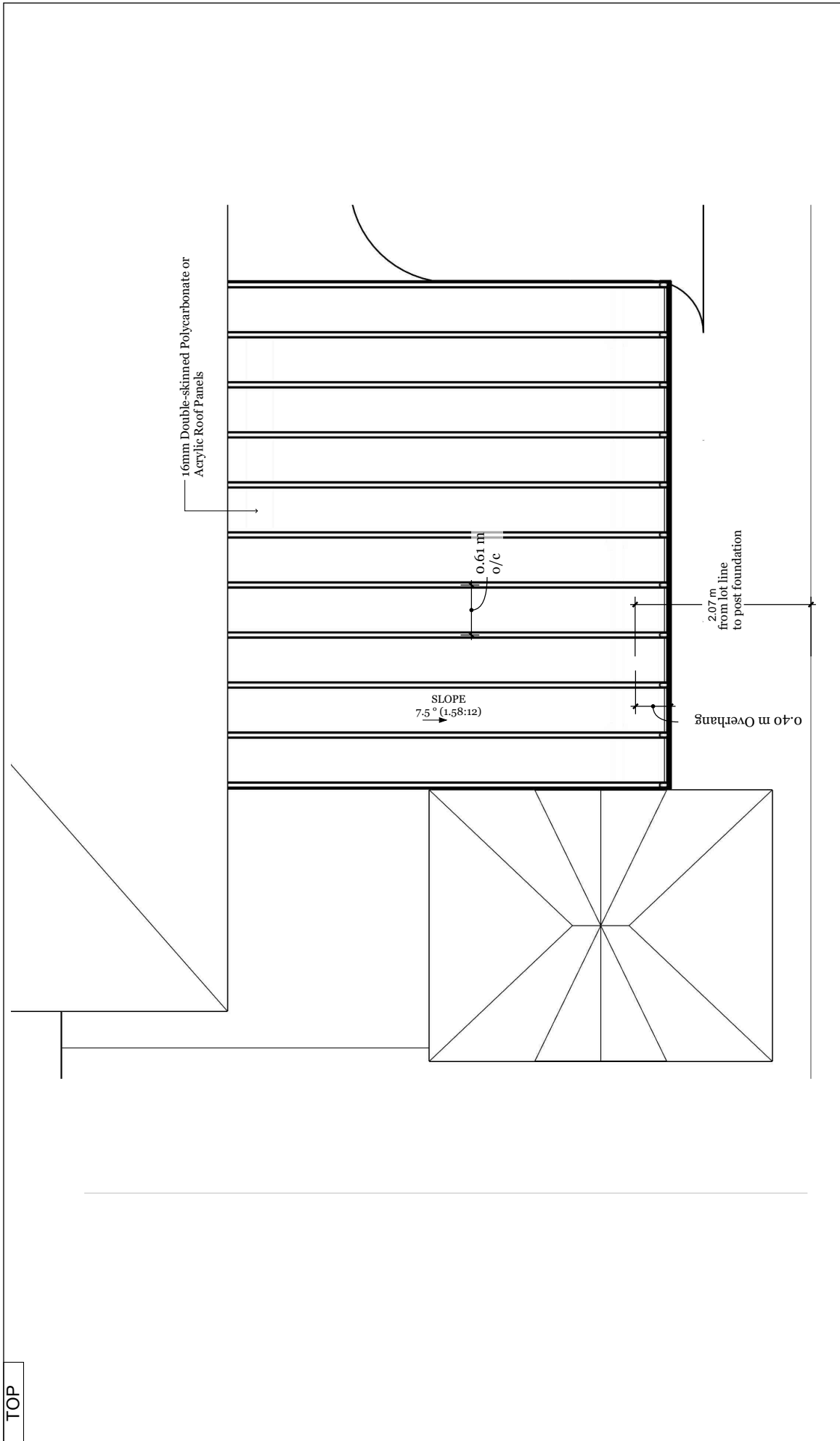
NOTES

1. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
2. DO NOT SCALE DRAWINGS.

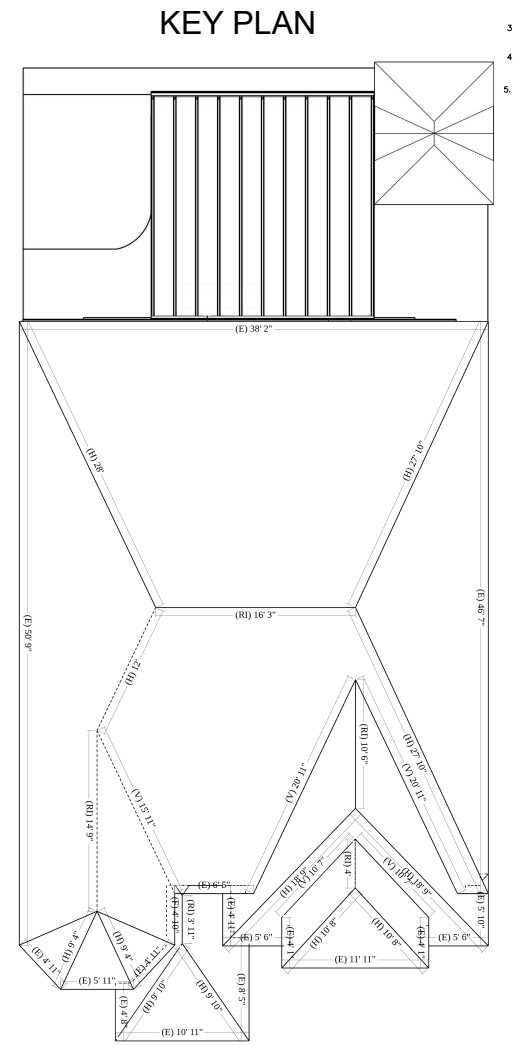
REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER OR DESIGN ENGINEER AS APPLICABLE.

USE ONLY LATEST REVISED DRAWINGS OR THOSE THAT ARE MARKED "ISSUED FOR CONSTRUCTION".

THE DRAWINGS ARE NOT FOR CONSTRUCTION DRAWINGS. THE DRAWINGS HAVE BEEN ISSUED FOR PERMIT ONLY.



ENLARGE PLAN



KEY PLAN



# 1316 Britton Cres Milton, ON

Drawing Title

**PROPOSED ROOF PLAN**

Drawn by

**L. ABBASHI**

Scale

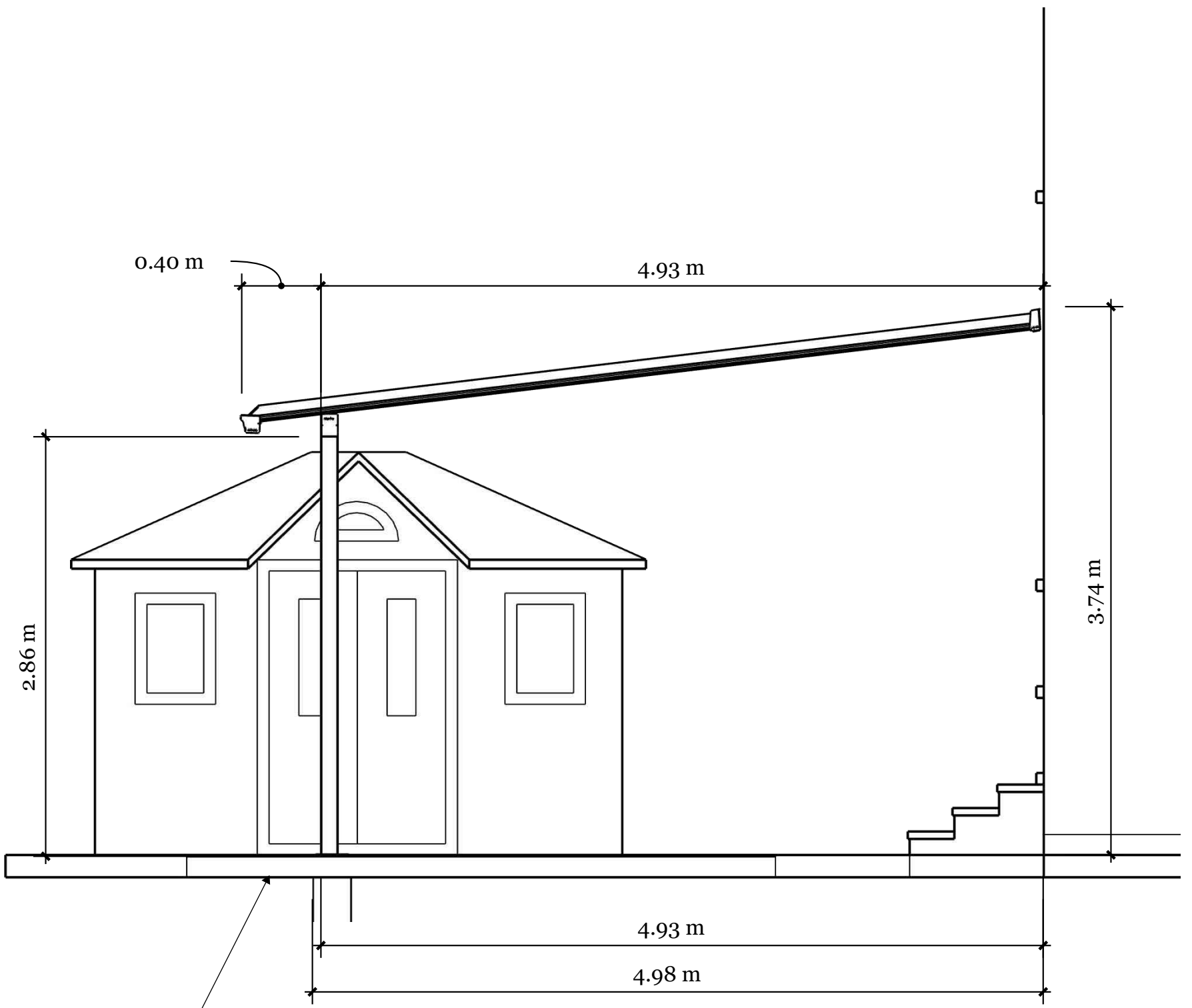
1'-0" = 1/8"

Date

October 2024

**A-5**

**PROPOSED PATIO COVER ELEVATIONS**



Existing Concrete Slab (6" thick concrete with steel mesh reinforcement)



**1316 Britton Cres  
Milton, ON**

Drawing Title **PROPOSED COVER PATIO ELEVATIONS**

Drawn by **L. ABBASI-LIASI**

Scale **1'-0" = 1/8"**

Date **October 2024**

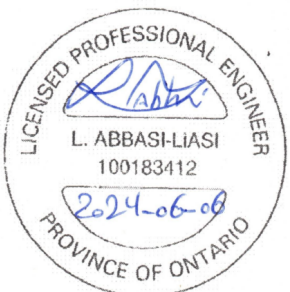
**A-6**



**Table 1.2 (Cont'd)**  
**Design Data for Selected Locations in Ontario**

Location	Design Temperature				Degree Days Below 18°C	15 Min Rainfall, mm	One Day Rainfall, 1/50, mm	Annual Rainfall, mm	Annual Total Precipitation, mm	Driving Rain Wind Pressures, Pa, 1/5	Snow Load, kPa, 1/50		Hourly Wind Pressures, kPa		Seismic Data				
	January		July 2.5%								1/10	1/50	S <sub>a</sub> (0.2)	S <sub>a</sub> (0.5)	S <sub>a</sub> (1.0)	S <sub>a</sub> (2.0)	PGA		
	2.5%, °C	1%, °C	Dry, °C	Wet, °C														S <sub>s</sub>	S <sub>t</sub>
Kapuskasing	-34	-36	29	21	6250	20	86	550	825	100	2.8	0.3	0.24	0.31	0.110	0.068	0.042	0.014	0.045
Kemptville	-25	-27	30	23	4540	25	92	750	925	160	2.3	0.4	0.32	0.41	0.560	0.280	0.130	0.042	0.280
Kenora	-33	-35	28	22	5630	25	113	515	630	120	2.3	0.3	0.24	0.31	0.095	0.057	0.026	0.008	0.036
Killaloe	-28	-31	30	22	4960	23	86	680	825	120	2.7	0.4	0.27	0.35	0.440	0.230	0.110	0.036	0.210
Kincardine	-17	-19	28	22	3890	25	92	800	950	180	2.6	0.4	0.43	0.55	0.110	0.075	0.049	0.016	0.036
Kingston	-22	-24	28	23	4000	23	108	780	950	180	2.1	0.4	0.36	0.47	0.290	0.180	0.099	0.031	0.120
Kinmount	-26	-28	29	23	4600	25	108	750	950	120	2.7	0.4	0.27	0.35	0.200	0.140	0.077	0.026	0.062
Kirkland Lake	-33	-36	29	22	6000	23	92	600	875	100	2.9	0.3	0.30	0.39	0.220	0.120	0.069	0.022	0.100
Kitchener	-19	-21	29	23	4200	28	119	780	925	140	2.0	0.4	0.29	0.37	0.160	0.095	0.058	0.018	0.054
Lakefield	-24	-26	30	23	4330	25	92	720	850	140	2.2	0.4	0.29	0.38	0.200	0.140	0.079	0.026	0.062
Lansdowne House	-38	-40	28	21	7150	23	92	500	680	140	2.9	0.2	0.25	0.32	0.095	0.057	0.026	0.008	0.036
Leamington	-15	-17	31	24	3400	28	113	800	875	180	0.8	0.4	0.36	0.47	0.170	0.092	0.047	0.015	0.091
Lindsay	-24	-26	30	23	4320	25	103	720	850	140	2.3	0.4	0.29	0.38	0.180	0.120	0.074	0.024	0.053
Lion's Head	-19	-21	27	22	4300	25	103	700	950	180	2.7	0.4	0.37	0.48	0.110	0.082	0.053	0.018	0.036
Listowel	-19	-21	29	23	4300	28	119	800	1000	160	2.6	0.4	0.36	0.47	0.130	0.085	0.054	0.018	0.043
London	-18	-20	30	24	3900	28	103	825	975	180	1.9	0.4	0.36	0.47	0.150	0.093	0.055	0.017	0.076
Lucan	-17	-19	30	23	3900	25	113	810	1000	180	2.3	0.4	0.39	0.50	0.130	0.083	0.052	0.017	0.046
Maitland	-23	-25	29	23	4080	25	103	770	975	180	2.2	0.4	0.34	0.44	0.370	0.220	0.120	0.036	0.150
Markdale	-20	-22	29	22	4500	28	103	820	1050	160	3.4	0.4	0.32	0.41	0.120	0.088	0.056	0.019	0.040
Markham	-21	-23	31	24	4000	25	86	720	825	140	1.3	0.4	0.34	0.44	0.180	0.110	0.067	0.022	0.061
Martin	-35	-37	29	22	5900	25	103	560	750	120	2.6	0.3	0.23	0.30	0.095	0.057	0.026	0.008	0.036
Matheson	-33	-36	29	21	6080	20	86	580	825	100	2.8	0.3	0.30	0.39	0.200	0.110	0.063	0.020	0.098
Mattawa	-29	-31	30	22	5050	23	86	700	875	100	2.1	0.4	0.25	0.32	0.460	0.230	0.100	0.035	0.240
Midland	-24	-26	29	23	4200	25	97	740	1060	160	2.7	0.4	0.30	0.39	0.150	0.110	0.064	0.022	0.042
Milton	-18	-20	30	23	3920	25	125	750	850	160	1.3	0.4	0.33	0.43	0.260	0.140	0.063	0.020	0.140
Column 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20

**1316 Britton Cres**  
**Milton, ON**



Drawing Title

**GENERAL INFORMATION**

Drawn by

**L. ABBASI**

Scale

1'-0" = 1/8"

Date

October 2024

**A-7**





# The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Madison Polidoro

Date: November 28, 2024

File No: A-24-053M

Subject: 1261 Rose Way

**Recommendation:** THAT the application for minor variance **BE APPROVED SUBJECT TO THE FOLLOWING CONDITION:**

1. That the development shall be located and constructed in accordance with the site plan and building elevations, prepared by Farrukh Shahbaz, date stamped by Town Zoning on October 16th, 2024;
2. That a Residential Sprinkler System be included in the plans submitted for Building Permit;
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.

## General Description of Application

Under Section 45(1) of the Planning Act, the following minor variance to Zoning By-law 016-2014, as amended, has been requested to permit:

- Allow an existing porch to encroach 0.24 metres into a required 1.2 metre unobstructed pedestrian access, whereas the Zoning By-law does not permit porches to encroach in the 1.2 metre unobstructed pedestrian access.

The subject property is known municipally as 1261 Rose Way and is generally located southeast of the intersection of Louis St. Laurent Avenue and Regional Road 25. Surrounding uses are in primarily residential and are mainly comprised of single detached dwellings.

The subject lands currently contain a two-storey single detached dwelling with an attached garage. The applicant is proposing to construct an Additional Dwelling Unit in the basement. The applicant is seeking relief to the by-law to permit an existing porch to encroach into the 1.2 metre unobstructed pedestrian access.

## Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated Residential Area on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan and is further designated Residential Area within the Boyne Survey



### Official Plan Designation (including any applicable Secondary Plan designations)

Secondary Plan. These designations establish that the primary use of land shall be a mix of low, medium and high-density residential development. A variety of medium and high-density residential uses are permitted. Additional Residential Units are permitted as-of-right in the residential area, subject to the criteria as set out in Section 2.7.3.17 and 2.7.3.18.

It is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan.

### Zoning

The subject lands are zoned Residential Medium Density (RMD1\*315) under the Town of Milton Zoning By-law 016-2014, as amended. The RMD1\*315 zone permits a variety of residential uses, including detached and townhouse dwellings.

Section 4.10 vi) of the Zoning By-law requires an unobstructed pedestrian access with a minimum width of 1.2 metre. The applicant is seeking relief to allow an existing porch to encroach within the access by 0.24 metres, resulting in a setback of 0.96 metres.

### Consultation

#### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on November 13<sup>th</sup>, 2024. As of the writing of this report on, November 20<sup>th</sup> 2024, staff have not received any comments from members of the public.

#### *Agency Consultation*

No objections were filed with respect to the variance application from Town staff or external agencies.

### Development Services Comments

In order for a permit to be issued to construct an Additional Residential Unit, all relevant Zoning By-law provisions must be met, including the provision of the 1.2 metre unobstructed pedestrian access. The home has an existing porch currently obstructing the 1.2 metre access and results in a setback of 0.96 metres where the porch is located.

The intention of the 1.2 metre unobstructed pedestrian access is to allow for a free and clear path of travel for both the residents' use, along with fire and life safety personnel. The Zoning By-law permits certain encroachments (i.e. window wells) up to 0.30 metres within the required unobstructed pedestrian access; however, porches are not included in the list of permitted encroachments.

Planning Staff is of the opinion that permitting the porch to encroach 1.2 metres into the required unobstructed access will not hinder the intended function of the pedestrian access nor pose a hazard to users. Further, the Town of Milton Fire department was circulated on the application and did not have any concerns regarding the application, subject to the applicant installing residential sprinklers within the unit.



**Consultation**

Planning Staff have reviewed the request to allow a porch to encroach 0.24 metres into the side yard setback and offer no objection to the proposed variance approval. Planning Staff are of the opinion that the relief being requested is minor in nature, desirable for the development of the subject lands, maintains the intent of the Zoning By-law and conforms to the Official Plan.

Respectfully submitted,

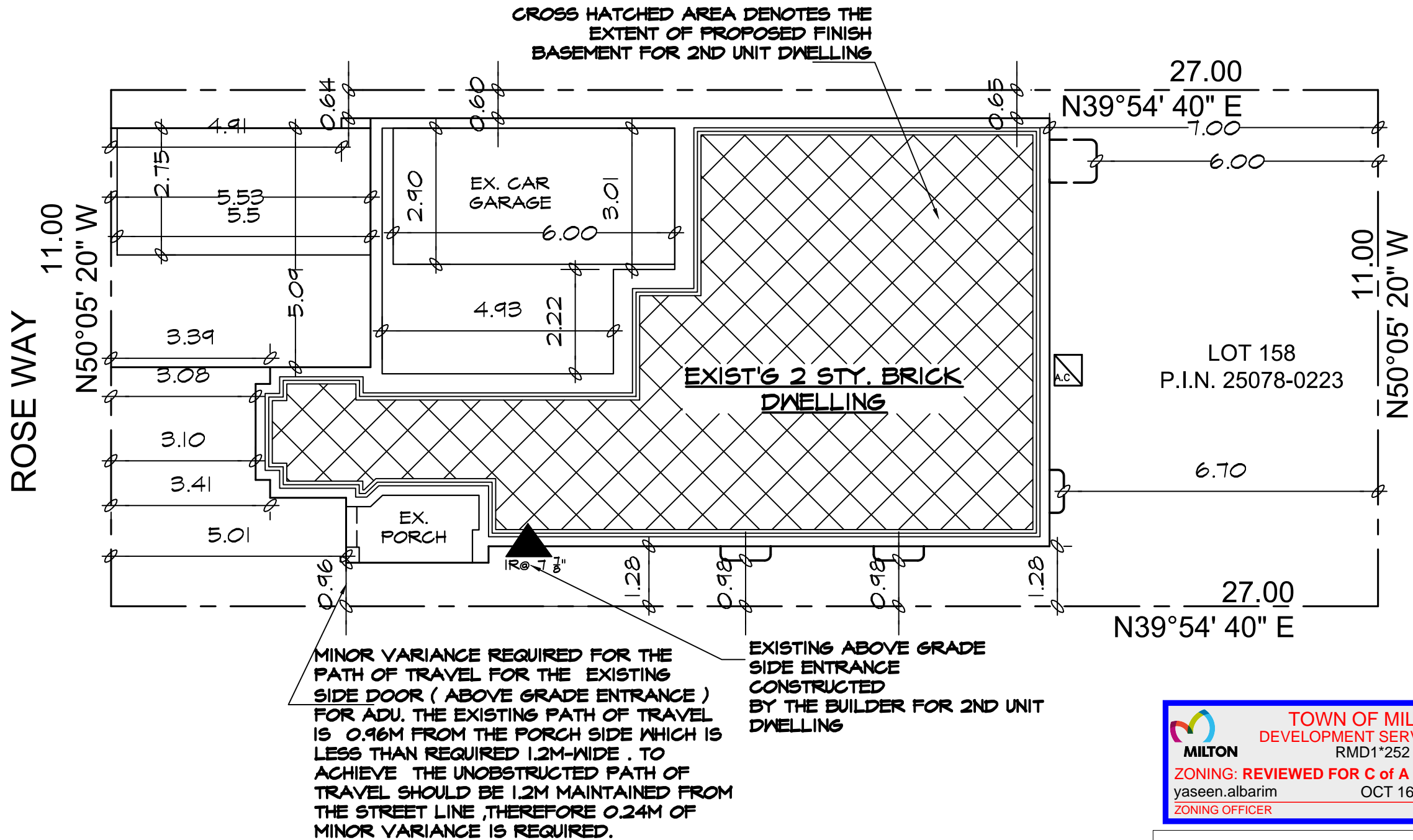
*Madison Polidoro*

Planner, Development Review

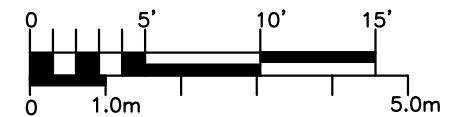
For questions, please contact:            Madison.Polidoro@Milton.ca            Phone: Ext. 2311

**Attachments**

Figure 1 - Site Plan (1261 Rose Way) dated October 16<sup>th</sup>, 2024.



**TOWN OF MILTON**  
 DEVELOPMENT SERVICES  
 RMD1\*252 ZONE  
**ZONING: REVIEWED FOR C of A**  
 yaseen.albarim OCT 16, 2024  
 ZONING OFFICER DATE



Sheet title: <b>SITE PLAN</b>	Checked By: AM	Date: 14.04.2024	Dwg. no. <b>A1.0</b>
Revisions	Drawn By: SN	Scale: AS NOTED	REV. NO.:
1			
2			
3			
4			

**Project**  
 MINOR VARIANCE OF PATH OF TRAVEL FOR EXISTING SIDE DOOR FOR 2ND UNIT DWELLING AT 1261 ROSE WAY MILTON ON L9E IMI.  
**Owners**  
 FARRUKH SHAHBAZ

**FARRUKH SHAHBAZ**

SITE DATA		M/S/M	EXISTING	PROPOSED
PLAN NO:	20M-1209		BUILDING AREA (G.F) (INCL.GARAGE+FRONT PORCH)	TOTAL BASEMENT FINISH AREA 81.61 SQ.M. (EXCLUDING FURNACE)
LOT NO:	158		LOT COVERAGE =47.24 %	PRINCIPAL UNIT AREA 224.29 SQM
LOT AREA	297.00 SQ.M.		FLOOR AREA GROUND FLOOR =105.37 SQ.M. [1,133.82 SQ.FT.]	2ND UNIT AREA 81.61 SQM
			FLOOR AREA 2ND FLOOR =118.92 SQ.M. [1,279.59 SQ.FT.]	2ND UNIT IS LESS THAN 85 SQ.M.
			GROSS FLOOR AREA =224.29 SQ.M. [2,413.41 SQ.FT.]	EX. LOT COVERAGE & GROSS FLOOR AREA UNCHANGED
			(GRD+2ND FL EXCL. GARAGE & PORCH)	
			BASEMENT AREA (UNFINISHED) =93.71 SQ.M. [1,008.36 SQ.FT.]	

**1 SITE PLAN**  
 A1.0 SCALE= 1:100



# The Corporation of the Town of Milton

---

Report To: Committee of Adjustment and Consent

---

From: Madison Polidoro

---

Date: November 28, 2024

---

File No: A-24-054M

---

Subject: 1416 Sycamore Garden

**Recommendation:** THAT the application for minor variance **BE APPROVED SUBJECT TO THE FOLLOWING CONDITION:**

1. That the development shall be located and constructed in accordance with the site plan and building elevations, prepared by Shivang Tarika. date stamped by Town Zoning on November 5<sup>th</sup>, 2024.
2. That a Residential Sprinkler System be included in the plans submitted for Building Permit;
3. That a Building Permit be issued 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.

## General Description of Application

Under Section 45(1) of the Planning Act, the following minor variance to Zoning By-law 016-2014, as amended, has been requested to permit:

- Allow an existing chimney to encroach 0.25 metres into a required 1.2 metre unobstructed pedestrian access, whereas the Zoning By-law does not permit chimneys to encroach in the 1.2 metre unobstructed pedestrian access.

The subject property is known municipally as 1416 Sycamore Garden and is generally located north west of the intersection of Thompson Road South and Britannia Road. Surrounding uses are in primarily residential and are mainly comprised of single detached dwellings.

The subject lands currently contain a two-storey single detached dwelling with an attached garage. The applicant is proposing to construct an Additional Residential Unit in the basement. The applicant is seeking relief to the by-law to permit a chimney to encroach into the unobstructed pedestrian access resulting in a setback of 0.95 metres.

## Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated Residential Area on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan and is further designated Residential Area within the Boyne Survey Secondary Plan. These designations establish that the primary use of land shall be a mix of low, medium and high-density residential development. A variety of medium and high-density residential uses are permitted. Additional Residential Units are permitted as-of-right in the residential area, subject to the criteria as set out in Section 2.7.3.17 and 2.7.3.18.

It is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan

## Zoning

The subject lands are zoned Residential Medium Density (RMD1\*264) under the Town of Milton Zoning By-law 016-2014, as amended. The RMD1\*264 zone permits a variety of residential uses, including detached and townhouse dwellings.

Section 4.10 vi) of the Zoning By-law requires an unobstructed pedestrian access with a minimum width of 1.2 metres. The applicant is seeking relief to allow an existing chimney to encroach within the access by 0.25 metres, resulting in a setback of 0.95 metres.

## Consultation

### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on November 13<sup>th</sup>, 2024. As of the writing of this report on, November 20<sup>th</sup> 2024, staff have not received any comments from members of the public.

### *Agency Consultation*

No objections were filed with respect to the variance application from Town staff or external agencies.

## Development Services Comments

In order for a permit to be issued to construct an Additional Residential Unit, all relevant Zoning By-law provisions must be met, including the provision of the 1.2 metre unobstructed pedestrian access. The home has an existing chimney currently obstructing the 1.2 metre access and results in a setback of 0.95 metres where the chimney is located.

The intention of the 1.2 metre unobstructed pedestrian access is to allow for a free and clear path of travel for both the residents' use, along with fire and life safety personnel. The Zoning By-law permits certain encroachments (i.e. window wells) up to 0.30 metres within the required unobstructed pedestrian access; however, chimneys are not included in the list of permitted encroachments.

Planning Staff is of the opinion that permitting the chimney to encroach 1.2 metres into the required unobstructed access will not hinder the intended function of the pedestrian access nor pose a



### Consultation

hazard to users. Further, the Town of Milton Fire department was circulated on the application and did not have any concerns regarding the application, subject to the applicant installing residential sprinklers within the unit.

Planning Staff have reviewed the request to allow a chimney to encroach 0.25 metres into the side yard setback and offer no objection to the proposed variance approval. Planning Staff are of the opinion that the relief being requested is minor in nature, desirable for the development of the subject lands, maintains the intent of the Zoning By-law and conforms to the Official Plan.

Respectfully submitted,

*Madison Polidoro*

Planner, Development Review

For questions, please contact:

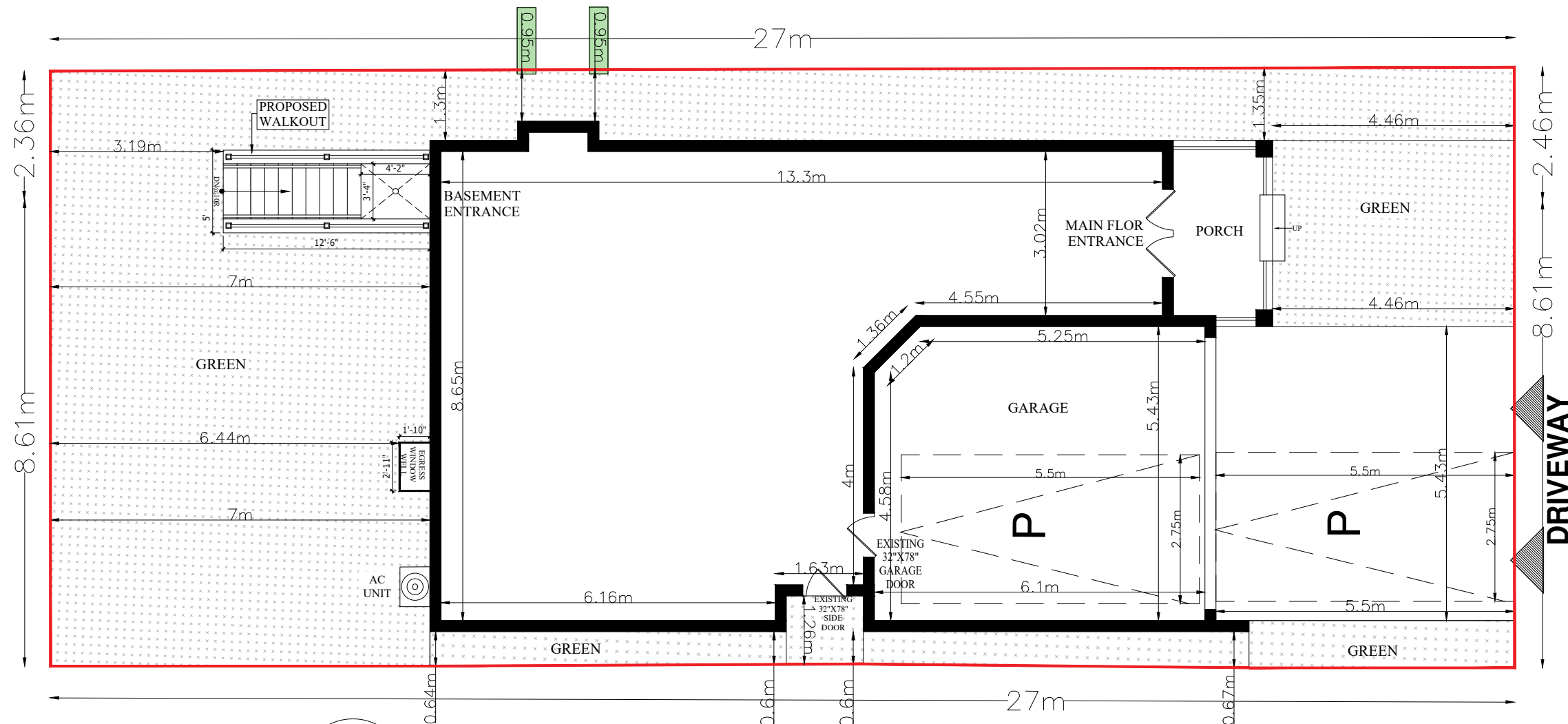
Madison.Polidoro@Milton.ca

Phone: Ext. 2311

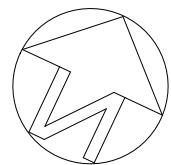
### Attachments

Figure 1 - Site Plan (1416 Sycamore Garden) dated November 5<sup>th</sup>, 2024





**SITE PLAN**  
SCALE 1/8"=1'-0"



**1416 SYCAMORE GARDEN**

**TOWN OF MILTON**  
DEVELOPMENT SERVICES  
RMD1\*264 ZONE  
ZONING: REVIEWED FOR C of A  
yaseen.albarim NOV 5, 2024  
ZONING OFFICER DATE

**GENERAL NOTES**

DO NOT SCALE DRAWINGS  
PROPERTY RIGHTS RETAINED BY:  
BG CONSTRUCTION DESIGN  
ANY REPRODUCTION IN WHOLE OR IN PART  
UNDER THE RULES AND BY-LAWS OF THE  
CORPORATION IS STRICTLY FORBIDDEN.  
ANY REPRODUCTIONS MUST BE  
AUTHORIZED BY  
ALL DRAWINGS ARE IN METRIC SCALE

**SCOPE OF WORK**

**PROPOSAL TO CONSTRUCT  
SECONDARY UNIT**

THE UNDERSIGNED HAS REVIEWED AND  
TAKES RESPONSIBILITY FOR THIS DESIGN,  
AND HAS THE QUALIFICATIONS AND  
MEETS THE REQUIREMENTS SET OUT  
IN THE ONTARIO BUILDING CODE  
TO BE A DESIGNER.

**QUALIFICATION INFORMATION**  
REQUIRED UNLESS DESIGN IS EXEMPT  
UNDER DIV. C-3.2.5.1 OF THE BUILDING CODE

**SHIVANG TARIKA** 106440  
NAME SIGNATURE BCIN

*SHIVANG TARIKA*

NO	REVISION / ISSUE	DATE

**SITE PLAN**

CITY : MILTON

1416 SYCAMORE GARDEN

EXISTING DWELLING

PROJECT	SHEET
JUL 2024	<b>A1</b>
SCALE 1/8"=1'-0"	