



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

Thursday, December 12, 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.

---

	Pages
1. AGENDA ANNOUNCEMENTS / AMENDMENTS	
2. DISCLOSURE OF PECUNIARY INTEREST	
3. HOUSEKEEPING ITEMS	
4. MINUTES	
4.1 Minutes from Committee of Adjustment November 28, 2024	2
5. ITEMS FOR CONSIDERATION	
5.1 A24-055/M 144 Main Street East	5
A Minor Variance is being requested to reduce the required side yard setback for an as-built accessory structure	
5.2 A24-056/M 828 Hemlock Drive	8
A Minor Variance is being requested to allow for an increase in the maximum permitted gross floor area to facilitate the construction of accessory structure in the rear yard	
6. NEXT MEETING	
Thursday, January 30, 2025 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

November 28, 2024, 6:00 p.m.

The Committee of Adjustment for the Corporation of the Town of Milton met in regular session in person.

---

1. **AGENDA ANNOUNCEMENTS / AMENDMENTS**

2. **DISCLOSURE OF PECUNIARY INTEREST**

3. **HOUSEKEEPING ITEMS**

4. **MINUTES**

4.1 **Minutes from Committee of Adjustment October 24, 2024**

**THAT** the Minutes from the October 24, 2024 Committee of Adjustment and Consent Hearing be **APPROVED**

**Carried**

5. **ITEMS FOR CONSIDERATION**

5.1 **A24-051/M 1316 Britton Crescent**

The Agent provided an overview of the application.

There were no questions from Committee Members nor from the public.

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

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.

**Carried**

## **5.2 A24-053/M 1261 Rose Way**

Town Planner Madison Polidoro provided an overview of the application.

There were no questions from Committee Members nor from the public.

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

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.

**Carried**

## **5.3 A24-054/M 1416 Sycamore Garden**

The Agent provided an overview of the application.

There were no questions from Committee Members nor from the public.

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

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.

**Carried**

6. **NEXT MEETING**

7. **ADJOURNMENT**

With there being no further business, the Chair adjourned the Hearing at 7:09 PM

---

Scott Corbett, Secretary Treasurer



# The Corporation of the Town of Milton

Report To:	Committee of Adjustment and Consent
From:	Madison Polidoro
Date:	December 12, 2024
File No:	A-24-055M
Subject:	144 Main Street East
Recommendation:	<b>THAT</b> the application for minor variance <b>BE APPROVED</b>

## 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:

- Allow a minimum interior side yard setback of 0.6 metres for an accessory structure, whereas the Zoning By-law requires a minimum of 3 metres.

The subject property is known municipally as 144 Main Street East and is generally located near the intersection of Main Street East and Martin Street. The subject property contains a commercial building with an existing accessory structure.

The accessory structure is existing and currently is operating with the reduced side yard. The Zoning By-law requires that accessory structures have a minimum of a 3 metres side yard setback. The applicant is seeking relief from the Zoning By-law to permit a side yard setback of 0.60 metres.

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

The subject property is designated Central Business District on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan. The Central Business District permits a variety of commercial, institutional and office uses. This intent of these uses are to accommodate a range of uses that support and contribute to the continued vibrancy of the downtown core.

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

## Zoning

The subject lands are zoned Central Business District Core Commercial Zone (CBD-A) under Comprehensive Zoning By-law 016-2014. This zone permits a variety of non-residential uses, including restaurant, which is the current primary use on site.

As per section 4.2.3 i), accessory buildings and structures are permitted in all non-residential Zones subject to the criteria delineated in Table 4B.



## Consultation

### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on November 27<sup>th</sup>, 2024. As of the writing of this report on December 4<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 permit a reduced side yard setback for an existing accessory structure. In order to bring the accessory structure into compliance, all relevant Zoning By-law provisions must be met, including the requirement for a 3 metre side yard setback. The applicant is requesting permission to allow for a reduced side yard setback of 0.60 metres.

The reduction to the side yard setback is minor in nature - the proposed accessory structure is existing and is currently operating with the reduced side yard setback (i.e. allows for adequate access to the principle building and side yard). The structure is not large enough to require a building permit, and requires solely the minor variance approval to achieve compliance with the Comprehensive Zoning By-law 016-2014.

Development engineering was circulated application and provided no objection to the application. The reduced setback does not pose any concern for potential issues regarding stormwater management or drainage.

Based on the aforementioned, Planning Staff has no objection to the proposal. It is Staff's opinion that variance 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





# The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Madison Polidoro

Date: December 12, 2024

File No: A-24-056

Subject: 828 Hemlock Drive

**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 Refined Pools & Landscaping), date stamped by Town Zoning on October 28th, 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 an accessory structure to have a gross floor area of 18.82 square metres, whereas the Zoning By-law permits a maximum of 12 square metres.

The subject property is known municipally as 828 Hemlock Drive and is generally located south west of the intersection of Thompson Road South and Woodward Avenue. The subject property contains a single-detached dwelling with an attached garage. Surrounding land uses are primarily residential, comprised of single detached dwellings.

The applicant is proposing to build an accessory structure in the rear yard. The Zoning By-law requires that accessory buildings have a maximum gross floor area of 12 square metres in the RLD6 Zone. The applicant is seeking relief from the Zoning By-law to permit a maximum gross floor area of 18.82 square metres.

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

The subject property is designated as Residential Area on Schedule B - Urban Area Land Use Plan within the Town of Milton Official Plan. This designation establishes that the primary use of



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

land shall be a mix of low, 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, as amended.

## Zoning

The subject lands are zoned Residential Low Density VII (RLD7) under the Town of Milton Zoning By-law 016-2014, as amended. The RLD7 zone permits a variety of residential uses, including detached and semi-detached dwellings.

Section 4.2.1 Table 4a footnote (\*2) Table 4A (I) of the Zoning By-law permits an accessory structure situated on a lot that is less than 660 square metres, to have a maximum gross floor area of 12 square metres. The intent of this provision is to ensure that the property does not become overdeveloped. The applicant is seeking relief to allow for an accessory structure with a gross floor area of 18.82 square metres.

## Consultation

### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on November 28<sup>th</sup>, 2024. As of the writing of this report on December 4<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 accessory structure is a cabana located in the rear yard of the lot. In order for a Building Permit to be issued to construct the proposed accessory structure, all relevant Zoning By-law provisions must be met, including the maximum size of 12 square metres. The applicant is requesting permission to increase the size of the accessory structure by 6.82 square metres.

The additional gross floor area being requested is minor in nature - the proposed 8.82 square metre increase does not result in overdevelopment of the lot and the accessory structure will remain clearly secondary to the principle dwelling. Despite the presence of the structure, there will still be ample amenity space in the rear yard.

Development Engineering was circulated on the application and has no concerns with the increase in size and has not raised any concerns regarding stormwater management or drainage.

Based on the aforementioned, Planning Staff has no objection to the proposal, subject to the conditions set-out above being fulfilled. Therefore, the variance being requested is minor in nature,



# The Corporation of the Town of Milton

File #:  
A-24-056  
Page 3 of 3

## Consultation

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 (828 Hemlock Drive) dated October 28<sup>th</sup>, 2024.



Refined  
POOLS & LANDSCAPING™

Better pools. Distinctive landscapes.

Site:	828 HEMLOCK DRIVE
Date:	09/02/2024
Revision:	1
Designer:	TFH
Drawn By:	CLL



**TOWN OF MILTON**  
DEVELOPMENT SERVICES  
RLD7 ZONE

**ZONING: REVIEWED FOR C of A**  
marian.gerges  
ZONING OFFICER

**OCT 28, 2024**  
DATE

