



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

Thursday, January 30, 2025, 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. MINUTES	
3.1 Minutes from Committee of Adjustment December 12, 2024	3
4. HOUSEKEEPING	
5. ITEMS FOR CONSIDERATION	
5.1 A24-057/M 224 Scott Boulevard	5
A Minor Variance is being requested to install an elevator lift within the existing double car garage which would obstruct one of two spaces being provided internally. There is no physical changes proposed to the exterior of the dwelling nor the driveway itself.	
5.2 A24-058/M 321 Halton Avenue	9
A Minor Variance is being requested to demolish the existing single detached dwelling and construct a new single detached dwelling with an attached Additional Residential Unit (ARU). The existing driveway accessing Parkway Drive East is proposed to be decommissioned and relocated to provide access to Halton Avenue.	
5.3 A24-059/M 457 Landsborough Avenue	15
The Applicant is proposing to convert the existing residential basement to an Additional Residential Unit (ARU) with a below-grade access proposed in the rear yard. The Applicant is seeking relief from the Zoning By-law as it relates to the permitted encroachments into the required unobstructed pedestrian access	

5.4 A24-060/M 493 Kearns Drive 21
A Minor Variance is being requested to legalize an existing rear yard shed.

5.5 A24-061/M 10487 Darkwood Road 25
A Minor Variance is being requested to construct a detached garage that will be used for personal storage. To facilitate the proposal, the Applicant is seeking relief from the Zoning By-law to accommodate an increase in gross floor area.

6. NEXT MEETING

Thursday, February 27, 2025 commencing at 6:00 p.m.

7. ADJOURNMENT



The Corporation of the
Town of Milton
Committee of Adjustment Minutes

December 12, 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**

There were no Agenda announcements or amendments

2. **DISCLOSURE OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest

3. **HOUSEKEEPING ITEMS**

4. **MINUTES**

4.1 **Minutes from Committee of Adjustment November 28, 2024**

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

Carried

5. **ITEMS FOR CONSIDERATION**

5.1 **A24-055/M 144 Main Street East**

The Agent of the Applicant provided an overview of the application.

Resident Lene Oest voiced concerns of application to the Committee.

THAT the application for minor variance **BE APPROVED**

Carried

5.2 A24-056/M 828 Hemlock Drive

The Applicant provided an overview of the application

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 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.

Carried

6. NEXT MEETING

7. ADJOURNMENT

With there being no further business, the Chair adjourned the meeting at 6:19 PM

**Scott
Corbett**

Digitally signed by
Scott Corbett
Date: 2025.01.23
16:04:14 -05'00'

Scott Corbett, Secretary Treasurer



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Rachel Suffern, MPA, M.Sc. (PI), MCIP, RPP

Date: January 30, 2025

File No: A24-057M

Subject: 224 Scott Boulevard

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

1. The a Building Permit be issued from two (2) years from the date of decision; and,
2. That the decision be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if a Building Permit is not issued and/or the development does not proceed.

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 a double car garage to have the minimum required dimensions of a single car garage to accommodate the installation of an elevator lift within the existing garage.

The subject property is known municipally as 224 Scott Boulevard and legally known as Lot 113 on 20M-1040. The property is generally located south of Main Street West and east of Bronte Street South. Surrounding land uses include residential and parkland. The site currently contains a two-storey detached dwelling with a double car garage and driveway.

The applicant intends to install an elevator lift within the existing double car garage which would obstruct one of two spaces being provided internally. There is no physical changes proposed to the exterior of the dwelling nor the driveway itself. Therefore, should the development proceed, one parking space would be provided within the garage and two on the driveway, resulting in three parking spaces being provided on the property (rather than the four that currently exists).

Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Residential Area on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan. The lands are further designated as Residential Area on Schedule C-8-D - Sherwood Survey Secondary Plan Land Use Plan.



Official Plan Designation (including any applicable Secondary Plan designations)

Given the proposal maintains the existing built-form and residential use, it is Staff's opinion that the proposal is in conformity with both the Town of Milton Official Plan and Sherwood Survey Secondary Plan.

Zoning

The subject lands are zoned site-specific Residential Medium Density I (RMD1*77) within the Town of Milton Urban Zoning By-law 016-2014, as amended. The applicable zone permits a range of residential dwelling types, along with accessory structures.

To accommodate the proposed elevator lift, the applicant is seeking to amend the required dimensions associated with a double car garage (5.5 metres wide by 5.75 metres long by 2.1 metres high) to that of a single car garage given the elevator lift will render one of the two spaces unusable. The dimensions of a single car garage are 2.9 metres wide by 6.0 metres long by 2.1 metres high (with one stair permitted to encroach on the basis that an unobstructed length of 5.2 metres is maintained).

With the exception of the above-noted relief being requested, the proposal complies with all other provisions within the Zoning By-law 016-2014, as amended.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on January 15, 2025. As of the writing of this report on January 22, 2025, staff have not received any comments from members of the public.

Agency Circulation

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

Development Services Comments

The applicant intends to construct an elevator lift within the existing garage to accommodate an accessible access to the second floor of the detached dwelling. The proposed accessibility feature would be located within the garage - as a result, one of two internal parking spaces would be eliminated.

While the installation of the elevator would eliminate one parking space and alter the technical dimensions of a double car garage, Planning Staff are of the opinion that it is minor in nature and will not impact the principal use of the property. Three parking spaces (one in the garage and two on the driveway) would be provided which satisfies the zone provisions related to a single detached dwelling and provides flexibility to the owner in future if they intend to pursue an accessory use that requires additional parking spaces beyond those required for the principal dwelling (i.e. home occupation or short-term rental). Further, given the property has sufficient parking for the existing use (and potential accessory uses in the future), there is no anticipated



The Corporation of the Town of Milton

File #:
A24-057M
Page 3 of 3

Consultation

impact on adjacent landowners or public right-of-ways in terms of regular overflow parking (i.e. on-street parking).

Given there is no physical changes proposed to the exterior of the dwelling, Planning Staff are satisfied that there is no impact anticipated to the neighborhood character and will not cause disruption to existing built-form.

Based on the aforementioned, Planning Staff is of the opinion that the proposed minor variance does not negatively impact the function of the residential property nor impede the original intent of the zone provisions. Therefore, the minor variance is considered to be minor in nature, desirable for the development of the subject lands, in keeping with the intent of the Zoning By-law and in conformity with the Official Plan and Secondary Plan. Planning Staff offer no objection to the approval of this application, subject to the recommended conditions being fulfilled.

Respectfully submitted,

Rachel Suffern

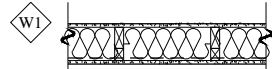
Rachel Suffern, MPA, M.Sc. (PI), MCIP, RPP
Planner, Development Review

For questions, please contact: Rachel.Suffern@Milton.ca Phone: Ext. 2263

Attachments

Figure 1 - Proposed Internal Garage Configuration

WALL ASSEMBLIES



INTERIOR WOOD STUD WALL ASSEMBLY
 -5/8" TYPE 'X' GYPSUM BOARD
 -2"x4" WOOD STUDS @ 16" o/c c/w BATT INSULATION INFILL (R-20)
 -2"x2" WOOD STRAPPING @ 16" o/c
 -6 MIL. POLY VAPOUR BARRIER
 -5/8" TYPE 'X' GYPSUM BOARD

GENERAL NOTES

- ELECTRICAL CONTRACTOR IS RESPONSIBLE FOR ALL ESA PERMITS, TESTING CERTIFICATES AND FINAL CERTIFICATES FROM ESA.
- THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION UNTIL ALL BUILDING AND DEVELOPMENT PERMITS ARE ISSUED.
- ALL CONSTRUCTION IS TO BE COMPLETED IN ACCORDANCE TO PART 9 OF THE 2012 ONTARIO BUILDING CODE INCLUDING THE LATEST AMENDMENTS.
- ALL DIMENSIONS ON THIS DRAWING HAVE BEEN ROUNDED TO THE NEAREST 1/8" FOR CLARITY.
- PARTITIONS WHICH SUPPORT FIXTURES, MILLWORK AND/OR BATHROOM ACCESSORIES ARE TO BE REINFORCED WITH WOOD STUDS, BLOCKING AND/OR PLYWOOD AS REQUIRED TO PROVIDE RIGID SUPPORT AND A FASTENING SURFACE.

GENERAL NOTES

- ALL STUD PARTITIONS ARE TO BE FULL HEIGHT, FRAMED AS NOTED.
- ALL NEW FLOORING IS TO BE INSTALLED AS PER FLOOR MANUFACTURER'S SPECIFICATIONS AND INSTRUCTIONS.
- ALL WALL & CEILING SURFACES THAT ARE TO RECEIVE A NEW PAINT FINISH ARE TO HAVE A MINIMUM ONE COAT PRIMER AND TWO COATS PAINT.
- GENERAL CONTRACTOR TO COMPLETE ALL PREP AND PAINTING OF INTERIOR WALLS INCLUDING BULKHEADS AND ALL DOORS.
- ALL DOORS TO ROOMS WITHOUT RETURN AIR INLETS TO BE UNDERCUT 3/4" MIN.
- ALL LIGHTING AND ELECTRICAL TO COMPLY WITH THE BUILDING CODE DIVISION B, SECTION 9.34.

FRAMING NOTES

- LINTELS ARE SIZED USING SPRUCE, PINE - FUR, No. 1 AND No. 2 GRADE AND SNOW LOAD AS NOTED. LINTELS MUST HAVE A MINIMUM BEARING OF 1 1/2". SM EXTRUDED POLYSTYRENE INSULATION TO BE INSTALLED IN VOID OF WALL FACE ON THE INTERIOR SIDE OF THE BUILDING.
- ALL WOOD STUDS SHALL BE SPRUCE, PINE - FUR, No. 1 AND No. 2 GRADE AND WHERE LOAD BEARING WOOD STUD WALLS SHALL HAVE A DOUBLE TOP PLATE
- ALL NAILING OF FRAMING SHALL CONFORM TO THE MOST CURRENT BUILDING CODE. (TABLE 9.23.3.4.)
- ALL NAILS SHALL CONFORM TO CSA B111. ALL STRUCTURAL BOLTS FOR WOOD CONSTRUCTION SHALL CONFORM TO ASTM A307. ALL LAG SCREWS SHALL CONFORM TO CSA B34. WOOD SCREWS ARE NOT ALLOWED FOR ANY STRUCTURAL CONNECTION UNLESS SPECIFICALLY IDENTIFIED IN THE CODE.
- ALL WOOD LINTELS IN CONTACT WITH CONCRETE FOUNDATION TO BE PRESSURE TREATED.

STRUCTURAL NOTES

ELEVATOR DESIGN LOADS FOR FLOOR SYSTEM AND FOUNDATION
 ALL LOADS SHOWN ARE UNFACTORED U.N.O. LOADS ARE FROM THE MANUFACTURER'S DRAWINGS FOR THE TRIO ALTA HOME LIFT
FLOOR SYSTEM
 LATERAL LOAD ON FLOOR OR CEILING JOISTS = 79N PER GUIDE RAIL. VERTICAL IMPACT LOAD = 15.87kN (TOTAL, SPLIT BETWEEN 2 GUIDE RAILS)
FOUNDATION
 VERTICAL LOAD FROM LIFT ON FOUNDATION = 2.84kN PER RAIL VERTICAL IMPACT LOAD = 15.87kN (TOTAL, SPLIT BETWEEN 2 GUIDE RAILS)

DOOR SCHEDULE

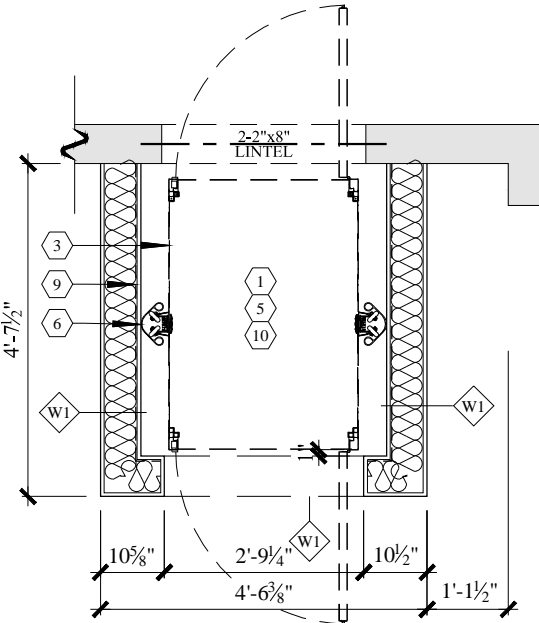
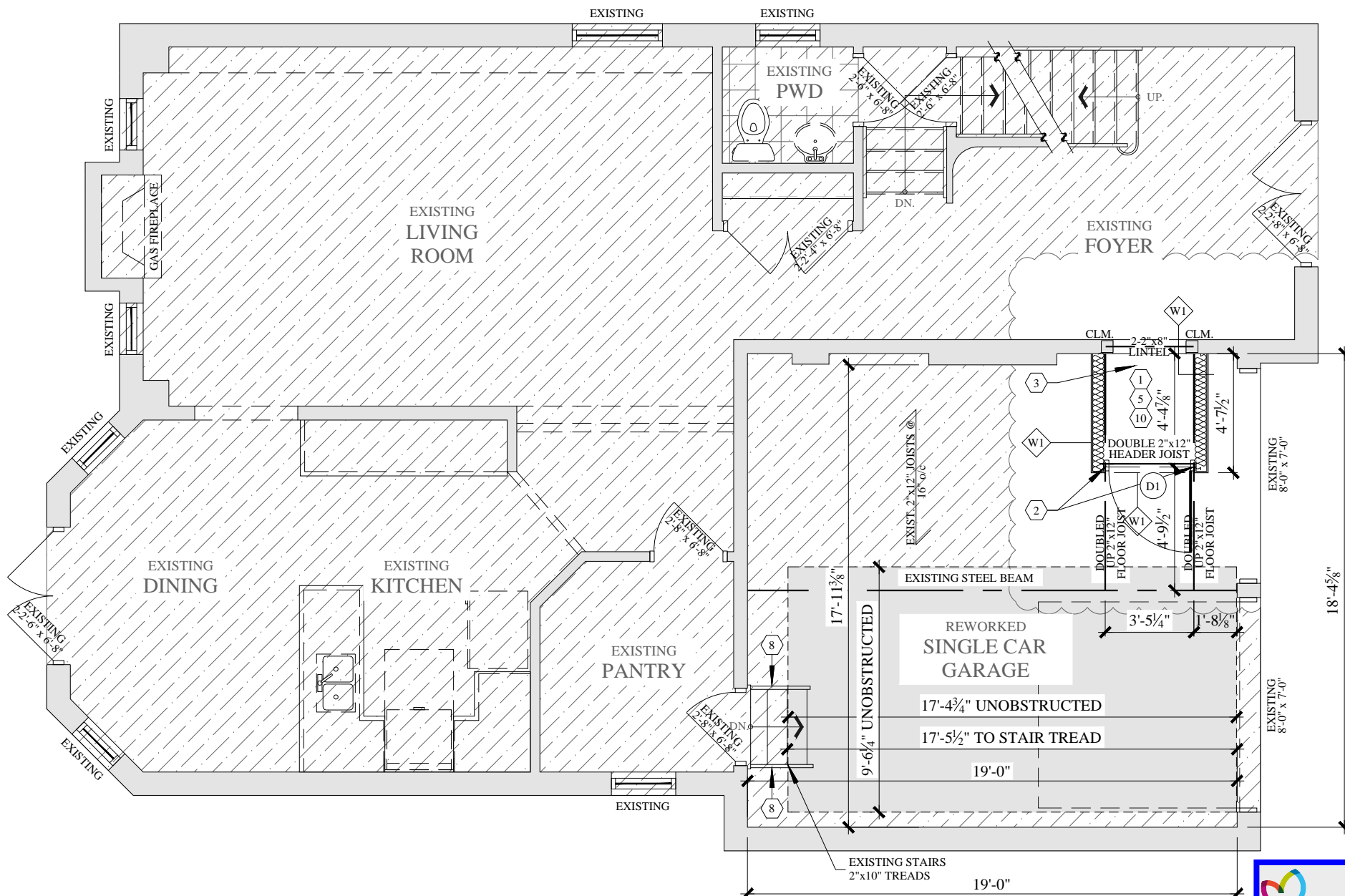
DOOR NO.	SIZE (WxH)	STYLE	GLAZING AREA
D1	2'-10" x 7'-0"	20MIN DOOR C/W WEATHERSTRIPPING, SWEEP, AND OVERHEAD CLOSER	

FLOOR PLAN LEGEND

- EXISTING WALLS/ PARTITIONS TO REMAIN
- EXISTING TO REMAIN
- KEYED NOTE
- DOOR TAG
- WALL TAG
- CL.M. COLUMN. (2)-2"x6" STUD POST

KEYED NOTES

- ENSURE 1 HOUR SMOKE MIN. SMOKE & GAS SEAL BETWEEN HOUSE AND GARAGE AROUND NEW ELEVATOR OPENING.
- FASTEN HEADER JOIST INTO DOUBLED UP JOISTS W/ SIMPSON LUS210 JOIST HANGER OR APPROVED EQUAL.
- STILTZ TRIO ALTA HOMELIFT. SEE STILTZ SPECIFICATIONS FOR DETAILS.
- CONFIRM EXISTING STEEL BEAM SIZE AND REPORT BACK TO DESIGNER/ENGINEER.
- MIN. 4" EXIST. CONCRETE FLOOR BELOW. ADEQUATE TO SUPPORT LOADS FROM THE LIFT. CONTRACTOR TO CONFIRM THICKNESS AND REPORT BACK TO DESIGNER/ENGINEER.
- LIFT GUIDE RAILS ANCHORED TO FOUNDATION AS PER MANUFACTURER INSTRUCTIONS.
- LIFT GUIDE RAILS SHALL BE FASTENED TO THE EXISTING ROOF TRUSS BOTTOM CHORD AS PER MANUFACTURER INSTRUCTIONS. CONFIRM BOTTOM CHORD SIZE AND REPORT BACK TO DESIGNER/ENGINEER.
- REWORK GUARD AND POST ON BOTH SIDES OF STAIRS TO ENSURE PROPER CLEARANCE FOR UNOBSTRUCTED PARKING SPACE AREA.
- SEAL VAPOUR BARRIER IN SEALING OVER EXISTING TO ENSURE CONTINUOUS THERMAL BARRIER.
- INSTALL BASEBOARD HEATER IN ELEVATOR ROOM. MIN. 20Watts/ft². TOTAL: 300Watts.



2 BLOW-UP PLAN
 A2.1 3/16"=1'-0"

1 MAIN FLOOR PLAN
 A2.1 3/16"=1'-0"

TOWN OF MILTON DEVELOPMENT SERVICES
 RMD1*77 ZONE
ZONING: REVIEWED FOR C of A
 sherri.jamieson DEC 9, 2024
 ZONING OFFICER DATE

PROJECT NORTH TRUE NORTH		DRAWING: MAIN FLOOR PLAN	
PROJECT: INTERIOR ALTERATION		DATE (MM.DD.YY): 05.30.24	
224 SCOTT BOULEVARD MILTON ONTARIO		SCALE: 3/16"=1'-0"	
REV. DESCRIPTION DATE [3] REVISION TO PERMIT 2024.11.04 [2] REVISION TO PERMIT 2024.09.10 [1] ISSUED FOR PERMIT 2024.06.02		DRAWING NUMBER: A2.1	
REVISION ISSUED APPROVAL		REVISION NUMBER: R3	



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Rachel Suffern, MPA, M.Sc. (PI), MCIP, RPP

Date: January 30, 2025

File No: A24-058M

Subject: 321 Halton Avenue

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

1. That the development, including the driveway, proceed in accordance with the site plan and elevations, prepared by Technoarch Architects and Designers, dated stamped by Town Zoning on January 17, 2025;
2. That prior to Building Permit issuance, the applicant provide a Stormwater Management Brief and Grading Plan, to the satisfaction of Town Development Engineering Staff;
3. That a Building Permit be obtained within two (2) years from the date of decision; and,
4. And that the decision be subject to an expiry of two years should the development not proceed, if the conditions are not met, or if a Building Permit is not obtained.

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 maximum lot coverage of 21.62%, whereas the Zoning By-law currently permits a maximum of 20% (an increase of 1.62%).
- Allow two attached garages, where as the Zoning By-law only permits one (an increase of on attached garage).
- Permit a minimum exterior side yard setback of 3.84 metres, whereas the Zoning By-law requires a minimum setback of 4.0 metres (a reduction of 0.16 metres).
- Permit a driveway width of 9.81 metres, where as the Zoning By-law permits 8 metres (an increase of 1.98 metres).

The subject property is known municipally as 321 Halton Avenue and legally known as Lot 7 on Plan 488. The lands are generally located south of Main Street and west of Ontario Street South. Surrounding land uses primarily include low-density residential with institutional (i.e. schools) uses located on the east side of Ontario Street South.

General Description of Application

The applicant intends to demolish the existing single detached dwelling and construct a new single detached dwelling with an attached Additional Residential Unit (ARU). The existing driveway accessing Parkway Drive East is proposed to be decommissioned and relocated to provide access to Halton Avenue. The existing shed adjacent to the interior lot line is proposed to be demolished whereas the shed located adjacent to the exterior lot line is to remain.

Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Residential Area on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan.

The Official Plan contemplates Additional Residential Units within the Residential Area designations, subject to the following criteria set-out in Section 2.7.3.17 (introduced through Local Official Plan Amendment LOPA-03/24):

- a) An ARU shall not be located on lands identified as hazard lands or as being within the regulatory flood plain, unless where specifically permitted by the Conservation Authority;
- b) An ARU will be compatible with neighbouring properties and the surrounding neighbourhood by taking into consideration scale and built form;
- c) An ARU must be connected to adequate municipal water and sewage services;
- d) An ARU must have no adverse effect on stormwater management systems;
- e) An ARU must have no adverse effect on site drainage as demonstrated through a grading plan;
- f) Safe access to an ARU must be ensured by meeting fire and emergency service requirements;
- g) Severance of an ARU from the lot shall not be permitted; and,
- h) An ARU shall be registered with the Town in accordance with the provisions of the Municipal Act.

The subject property is not located within lands regulated by Conservation Halton, does not alter the existing neighbourhood development patterns, and the dwelling is connected to full municipal servicing. As a condition of approval, the applicant must provide a Grading Plan and Stormwater Management Brief to demonstrate that there will be no adverse effects on stormwater management systems and the site's grading. Further, the applicant cannot sever the ARU and intends to register the unit within the Town's Additional Residential Unit registry. The proposal provides adequate access for life safety personnel to enter the unit. Therefore, Planning Staff is satisfied that the proposal is in conformity with the above-noted policies.

Based on the aforementioned, 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 Low Density III (RLD3*301) within the Town of Milton Urban Zoning By-law 016-2014, as amended. The RLD3*301 Zone permits a range of low-density residential uses and Additional Dwelling Units (ADU).

The proposed dwelling complies with the Zoning By-law 016-2014, as amended, with the exception of the following provisions:

Variance #1 - Increased Lot Coverage

Section 6.2 Table GB-I(I) of the Zoning By-law permits a maximum lot coverage of 20% for lots with an area greater than 830 square metres. To accommodate the proposed footprint of the dwelling, the applicant is seeking an increased lot coverage of 21.62% (an increase of 1.62%). The intent of this provision is to ensure that a lot is not overdeveloped and can accommodate any stormwater/run-off generated from development.

Variance #2 - Two Attached Garages on One Lot

Section 4.2.2.1 i) of the Zoning By-law permits one attached garage on a lot. To provide a garage for the proposed primary dwelling and ADU, the applicant is requesting to allow two attached garages on a lot.

Variance #3 - Exterior Side Yard Setback

Section 6.2 Table 6B-I of the Zoning By-law requires an exterior side yard setback of 4 metres. To accommodate a pinch point where the dwelling encroaches into the required setback, resulting in an exterior side yard setback of 3.84 metres (a reduction of 0.16 metres). The intent of this provision is to ensure that structures are adequately setback from lot lines and adjacent right-of-ways to maintain adequate sightlines and ensure drainage is accommodated within the lot limits.

Variance #4 - Increased Driveway Width

Section 5.6.2 iv. d) e) of the Zoning By-law permits a maximum driveway width of 8.0 metres for lots that have a frontage greater than 11.5 metres. To accommodate the proposed driveway and width (see Figure 1 - Proposed Site Plan for driveway measurements), the applicant is seeking relief from the above-noted provision to allow for a 9.98 metre driveway width. The intent of this provision is to ensure that the driveway does not result in negative drainage impacts (related to impervious surface), is not the dominant feature of the development and does not minimize landscaped area/open space.

Staff acknowledge that the original request related to the driveway was to allow a 15.01 metre width. The applicant revised the Site Plan to provide additional landscaped area in order to reduce the driveway width and mitigate concerns related to the extent of relief being requested.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on January 15, 2025. As of the writing of this report on January 22, 2025, Staff have not received any comments from members of the public.

Consultation

Agency Consultation

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

The original site plan provided showed the proposed drive located 14 metres from the Halton Avenue and Parkway Drive intersection. Transportation Staff confirmed that the Transportation Association of Canada standards require a minimum of 15 metres. The applicant revised the site plan to accommodate the required 15 metres and as part of the recommendation from Planning Staff, a condition has been proposed that requires the development - including the driveway siting - to be in accordance with the updated site plan attached as Figure 1 to this report.

Development Services Comments

The applicant has requested minor variances to facilitate development of a detached dwelling with an Additional Residential Unit (ARU). The existing dwelling will be demolished to accommodate the proposal and the driveway relocated to provide access to Halton Avenue.

Variance #1 - Lot Coverage

The applicant is proposing an increase in lot coverage of 1.62%. While the proposed dwelling exceeds the maximum lot coverage permission of 20%, the impact of an additional 1.62% is negligible. The applicant has agreed to provide a Stormwater Management Brief and Grading Plan to ensure that there are no negative drainage impacts associated with the additional lot coverage. Further, the additional lot coverage does not result in over-development of the lot as there is significant amenity area in the rear and the setbacks are generally maintained, with the exception of Variance #3. Finally, the added lot coverage does not result in a dwelling that is too large for the subject lands and does not disrupt existing neighbourhood character and development patterns.

Variance #2 - Two Attached Garages on a Lot

The applicant is proposing to have two attached garages on the lot. The intention of this is to provide a garage for the occupants of the primary unit and a garage for the occupants of the ARU. While two attached garages exceeds the Zoning By-law permissions, the applicants have proposed a design that incorporates both garages in such a way that does not make them the dominant feature of the dwelling. Further, the applicants have demonstrated that two garages will contribute to the functionality of the site by providing parking areas for the ADU occupants. Finally, the presence of the two garages does not result in over-development of the lot.

Variance #3 - Exterior Side Yard Setback

The applicant is seeking to reduce the exterior side yard setback at the rear of the proposed dwelling where the siting creates a pinch point, resulting in a partial setback of 3.84 metres, rather than the required 4 metres. Given the reduced setback is located at one portion of the dwelling and is 0.16 metres less than what is required within the Zoning By-law, Planning Staff are of the opinion that the impact is negligible and therefore, the variance is minor in nature. The pinch point does not impact drainage patterns, does not obstruct sightlines and does not impact existing neighbourhood development patterns.

Variance #4 - Increase in Driveway Width



Consultation

The applicant is proposing a driveway that provides access to both garages. Based on the technical measurement of 'Driveway Width, Residential' (definition included below) within the Zoning By-law, the driveway exceeds the maximum 8 metres currently permitted:

“Means a residential driveway measured at its widest or narrowest point, whichever is applicable, and perpendicular to the intended direction of travel.”

The curb cut being proposed is 8 metres as the increase in width is located solely at the garage accesses - Development Engineering is satisfied with this as the 8 metre curb cut is in compliance with the Town’s Engineering and Parks Standards Manual. There were no concerns raised related to drainage or the added impervious surface.

From a planning perspective, the driveway will not be the dominate feature of the development and the applicant has incorporated landscape features to minimize the impact of the driveway itself. The overall effect of the added width is minimal given the size of the lot and configuration of the proposed driveway. As such, Planning Staff offer no objection.

Based on the aforementioned, Planning Staff offer no objection to the variances being requested. The variances are minor in nature, desirable for the development of the subject lands, maintain the intent of the Zoning By-law and conform to the Official Plan.

Respectfully submitted,

Rachel Suffern

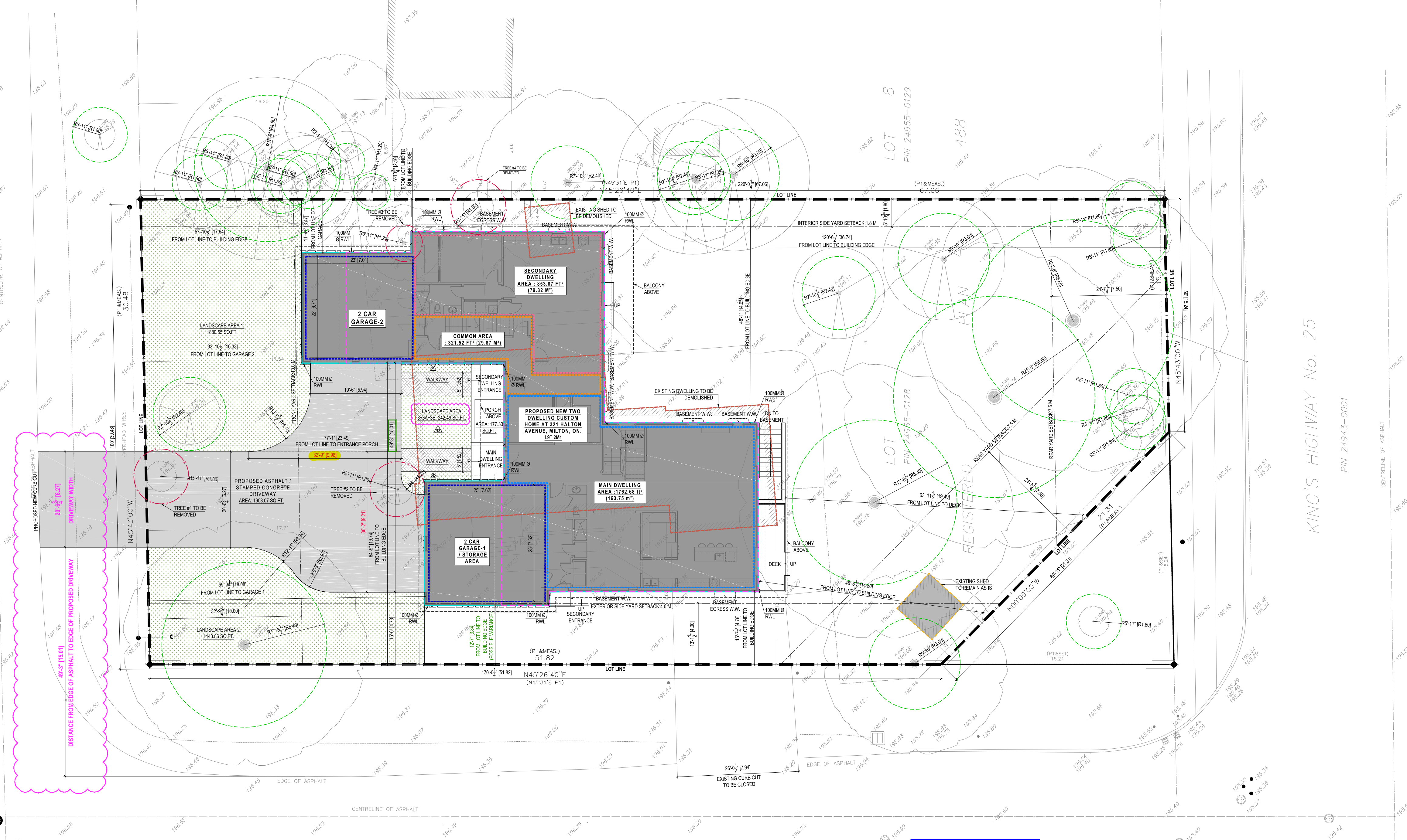
Rachel Suffern, MPA, M.Sc. (PI), MCIP, RPP
Planner, Development Review

For questions, please contact: Rachel.Suffern@Milton.ca Phone: Ext. 2263

Attachments

Figure 1 - Proposed Site Plan

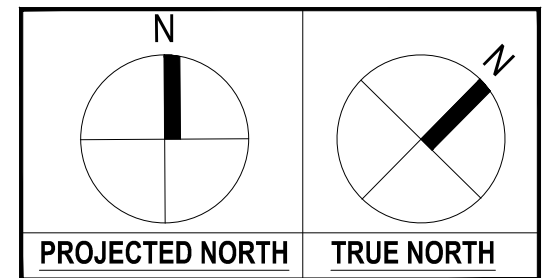
HALTON AVENUE
(BY REGISTERED PLAN 488)
PIN 24955-0155



01 SITE PLAN
1/18

PARKWAY DRIVE
(BY REGISTERED PLAN 488)

TOWN OF MILTON
DEVELOPMENT SERVICES
RDL3/301 ZONE
ZONING: REVIEWED FOR C of A
sherrif.jameson JAN 17, 2025
ZONING OFFICER



LEGEND	
LOT LINE	—
POSSIBLE VARIANCE	GREEN COLOUR
EXISTING STRUCTURE TO BE DEMOLISHED	---
EXISTING STRUCTURE TO REMAIN AS IS	- - -
PROPOSED BUILDING LINE	—
SETBACK LINES	---
SECOND FLOOR LINE	---
MAIN DWELLING	---
COMMON AREA	---
SECONDARY DWELLING	---
GARAGE	---
ROOF LINE ABOVE	---
TREE PROTECTION ZONE	---
TREE TO BE REMOVED	x x x
PROPOSED ASPHALT DRIVEWAY	---
PERMEABLE PAVERS ON THE PATHWAY / WALKWAY	---

STANDARD	PERMISSIBLE AS / ZONING	EXISTING	PROPOSED
SETBACKS:			
FRONT YARD DEPTH	10.0 M		33'-10 1/2" (10.33 M) (LOT LINE TILL GARAGE 2) 77'-1" (23.49 M) (LOT LINE TILL ENTRANCE PORCH) 59'-3 1/2" (18.08 M) (LOT LINE TILL GARAGE 1)
INTERIOR SIDE YARD DEPTH (LEFT)	1.8 M		6'-10 3/4" (2.10 M) (DISTANCE FROM INTERIOR SIDE LOT LINE TILL BUILDING LINE)
EXTERIOR SIDE YARD DEPTH (RIGHT)	4.0 M (BUILDING LINE TO LOT LINE)		12'-7" (3.84 M) (DISTANCE FROM EXTERIOR SIDE LOT LINE TILL BUILDING LINE) (POSSIBLE VARIANCE)
REAR YARD DEPTH	7.5 M (BUILDING LINE TO LOT LINE)		48'-6 1/2" (14.80 M) (REAR LOT LINE TILL BUILDING LINE)
BUILDING HEIGHT	7.5 M		7.37 M
MAX. DRIVEWAY WIDTH	26 FT		22 FT
NUMBER OF GARAGES	1		2 (POSSIBLE VARIANCE)

LOT COVERAGE :
MEANS THE HORIZONTAL AREA AT GRADE OF ALL BUILDINGS AND ROOFED STRUCTURES ON A LOT. FOR THE PURPOSES OF THIS DEFINITION, DECKS, PATIOS, SWIMMING POOLS, AND ALL ACCESSORY BUILDINGS, EXCLUDING DETACHED GARAGES, ARE NOT TO BE INCLUDED WITHIN THE LOT COVERAGE CALCULATION.
Page 14 of 28

PROJECT STATISTICS - RESIDENTIAL				
MUNICIPAL ADDRESS : 321 HALTON AVENUE, MILTON, ON, L9T 2M1				
ZONING : RLD3/301 (LOW DENSITY RESIDENTIAL ZONE III)				
LEGAL DESCRIPTION : LOT 7 REGISTERED PLAN 488				
LOT AREA : 1928.04 m ² (20753.26 ft ²)				
LOT FRONTAGE : 30.48 m (100'-0")				
AVERAGE GRADE (CALC. SHOWN ON SITE PLAN) : -				
	PERMISSIBLE	EXISTING	PROPOSED	TOTAL
GROSS FLOOR AREA				
FIRST FLOOR :				
MAIN DWELLING + COMMON AREA + SECONDARY DWELLING + GARAGE		4486.67 ft ² (416.82 m ²)		4486.67 ft ² (416.82 m ²)
SECOND FLOOR :				
MAIN DWELLING		3814.40 ft ² (354.36 m ²)		3814.40 ft ² (354.36 m ²)
TOTAL GFA :		8301.07 ft² (771.19 m²)		8301.07 ft² (771.19 m²)
LOT COVERAGE				
DWELLING FOOT PRINT (INCL GARAGE):		416.82 m ² (4486.67 ft ²)		416.82 m ² (4486.67 ft ²)
PORCH:		16.47 m ² (177.33 ft ²)		16.47 m ² (177.33 ft ²)
TOTAL PROPOSED LOT COVERAGE:		433.29 m² (4664.00 ft²)		433.29 m² (4664.00 ft²)
PERCENTAGE OF TOTAL LOT COVERAGE :	20 %			21.61% (POSSIBLE VARIANCE)
FRONT YARD LANDSCAPED CALCULATION				
TOTAL FRONT YARD AREA (PROPOSED SOFT LANDSCAPE AREA + HARD SURFACE AREA)		511.24 m ² (5503.12 ft ²)		511.24 m ² (5503.12 ft ²)
HARD SURFACE AREAS (driveway, walkway, porch)		230.28 m ² (2478.70 ft ²)		230.28 m ² (2478.70 ft ²)
PROPOSED SOFT LANDSCAPE AREA 1 + LANDSCAPE AREA 2 + LANDSCAPE AREA 3 :		303.50 m² (3266.9 ft²)		303.50 m² (3266.9 ft²)
PERCENTAGE OF TOTAL SOFT LANDSCAPE :	30 %	59.3%		59.3%

R3	DRIVEWAY COMMENT	2025-01-14
R2	AS PER TAC'S COMMENT	2025-01-08
R1	MINOR VARIANCE APPLICATION	2024-12-11
R0	PRE-SUBMISSION FOR MINOR VARIANCE	2024-11-22
REV	ISSUED FOR	DATE

PROJECT NAME AND ADDRESS :
PROPOSED NEW TWO DWELLING CUSTOM HOME WITH UNFINISHED BASEMENT AT 321 HALTON AVE, MILTON, ON L9T 2M1

LEAD CONSULTANT :
technoarch
architects +
Unit-214 - 2550 Matheson Blvd East,
Mississauga, Ontario, Canada L4W 4Z1
Tel : +1-905-792-0038
Cell : +1-416-729-9454
Email: hbhons@technoarch.ca
www.technoarch.ca



STRUCTURAL CONSULTANT :

MEP CONSULTANT :

DRAWING TITLE :
SITE PLAN

DRAWN BY	S
CHECKED BY	JK
APPROVED BY	HB
SCALE	SIZE
1:150	A1
SHEET NO	STAGE
A1.0	MINOR VARIANCE APPLICATION
PHASE	REV
00	R3
ISSUED DATE	2025-01-16



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Rachel Suffern, MPA, M.Sc (PI), MCIP, RPP

Date: January 30, 2025

File No: A24-059M

Subject: 457 Landsborough Avenue

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

1. That the development and unobstructed pedestrian access shall be constructed and provided in accordance with the site plan prepared by Out of the Box Engineering Inc., dated stamped by Town Zoning on December 5, 2024;
2. That the approved Building Permit drawings for the Additional Residential Unit include a residential sprinkler system within the unit;
3. That a Building Permit be obtained within two (2) years from the date of decision; and,
4. The approval be subject to an expiry of two (2) years from the date of the 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 an existing chimney to encroach 0.23 metres into the required 1.2 metre unobstructed pedestrian access (a resultant access of 0.97 metres), whereas the Zoning By-law otherwise does not permit chimneys to encroach into the required 1.2 metre unobstructed pedestrian access.

The subject property is known municipally as 457 Landsborough Avenue and legally described as Part of Lot 62 on 20M-1088 as in Parts 7 and 8 on 20R-19037. The subject property is generally located north of Derry Road and east of Tremaine Road. Surrounding land uses include low-density residential and parkland. The property currently contains a semi-detached dwelling with a single car driveway.

The applicant is proposing to convert the existing residential basement to an Additional Residential Unit (ARU) with a below-grade access proposed in the rear yard. To access the unit, the applicant

General Description of Application

is proposing the required unobstructed pedestrian access within the interior side yard (leading from the front to the rear of the lot). As a result of an existing chimney in the side yard, the applicant is seeking relief from the Zoning By-law as it relates to the permitted encroachments into the required unobstructed pedestrian access within Section 4.10 of the Zoning By-law 016-2014, as amended.

Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Residential Area on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan. The property is further designated as Residential Area on Schedule C-8-D - Sherwood Survey Secondary Plan Land Use Plan within the Sherwood Survey Secondary Plan.

Both the Official Plan and Secondary Plan contemplate Additional Residential Units within the Residential Area designations, subject to the following criteria set-out in Section 2.7.3.17 (introduced through Local Official Plan Amendment LOPA-03/24):

- a) An ARU shall not be located on lands identified as hazard lands or as being within the regulatory flood plain, unless where specifically permitted by the Conservation Authority;
- b) An ARU will be compatible with neighbouring properties and the surrounding neighbourhood by taking into consideration scale and built form;
- c) An ARU must be connected to adequate municipal water and sewage services;
- d) An ARU must have no adverse effect on stormwater management systems;
- e) An ARU must have no adverse effect on site drainage as demonstrated through a grading plan;
- f) Safe access to an ARU must be ensured by meeting fire and emergency service requirements;
- g) Severance of an ARU from the lot shall not be permitted; and,
- h) An ARU shall be registered with the Town in accordance with the provisions of the Municipal Act.

The subject property is not located within lands regulated by Conservation Halton, does not alter the exterior of the existing dwelling and/or façade given the ARU is located within an existing basement, and the dwelling is connected to full municipal servicing. Development Engineering is satisfied that the proposal will not have an adverse effect on the site's stormwater management system, nor drainage patterns. Further, the applicant cannot sever the ARU and intends to register the unit within the Town's Additional Residential Unit registry. Subject to the recommended conditions set-out by Planning Staff for the provision of a residential sprinkler system within the ARU to support safe access, Planning Staff is satisfied that the proposal is in conformity with the above-noted policies.

Therefore, it is Staff's opinion that the proposal is in conformity with both the Town of Milton Official Plan and Sherwood Survey Secondary Plan.

Zoning

The subject lands are zoned site-specific Residential Medium Density I (RMD1*114) within the Town's Urban Zoning By-law 016-2014, as amended. The RMD1*114 Zone permits an Additional Residential Unit, subject to the provisions set-out in Section 4.10, including:

- vi) An unobstructed pedestrian access [be provided] with a minimum width of 1.2 metre and minimum vertical clearance of 2.1 metres shall be provided and maintained from the street line to the principal entrance of an additional dwelling unit;
- vii) Notwithstanding vi) above, the following encroachments shall be permitted within the minimum 1.2 metre width of the unobstructed pedestrian access:
 - a. Utility metres;
 - b. Window wells with a maximum projection of 0.3 metres;
 - c. Gates with a minimum unobstructed opening of 1.02 metres and,
 - d. Stairs and landings above grade in accordance with Section 4.10 viii) e).

The dwelling has an existing chimney located in the side yard where the unobstructed pedestrian access is proposed and therefore requires relief from provision Section 4.10 vii) given a chimney is not a permitted encroachment.

The intent of the above-noted provisions are to provide an adequate path of travel for life safety personnel (i.e. firefighters and paramedics), free of obstructions, to access the unit, while also providing functional day-to-day access for the tenant.

With the exception of the foregoing, the proposal complies with all other provisions of the Zoning By-law 016-2014, as amended.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on January 15, 2025. As of the writing of this report on January 22, 2025, Planning Staff has 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.

Milton Fire is supportive of the application subject to a residential sprinkler system being installed within the ARU. The intent of this is to mitigate any impact associated with the proposed obstruction being located within the pedestrian access. By providing fire suppression measures such as a sprinkler system, this will allow firefighters additional response time when accessing the unit if the obstruction slightly delays access.



Consultation

Development Services Comments

The applicant has requested a minor variance to facilitate the construction of an Additional Residential Unit (ARU) within the existing basement of a semi-detached dwelling located on the subject lands. The principal entrance to the ARU is proposed within the rear yard with the required unobstructed pedestrian access located in the interior side yard leading from the front to the rear of the lot. An existing chimney would encroach into the required 1.2 metre unobstructed pedestrian access and therefore requires relief under the Zoning By-law 016-2014, as amended.

While the chimney does encroach into the required unobstructed pedestrian access, it does not extend along the full length of the access but rather projects at one specific point. The remainder of the access is in compliance with the Zoning By-law. Further, the obstruction projects 0.23 metres therefore providing a 0.97 metre access at the pinch point created by the chimney.

It is Planning Staff’s opinion that the encroachment does not render the unobstructed pedestrian access inadequate and it can function as intended, subject to a residential sprinkler system being installed within the ARU. While the pedestrian access provides a path of travel to and from the unit, the fire suppression measure will aid in mitigating any delay in accessing the unit that may be caused by the proposed obstruction and does not jeopardize the safety of the unit nor its tenants.

Therefore, based on the aforementioned, Planning Staff are of the opinion that the minor 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. As such, Planning Staff offer no objection to the approval of this application, subject to the recommended conditions being fulfilled.

Respectfully submitted,

Rachel Suffern

Rachel Suffern, MPA, M.Sc. (PI), MCIP, RPP
Planner, Development Review

For questions, please contact: Rachel.Suffern@Milton.ca Phone: Ext. 2263

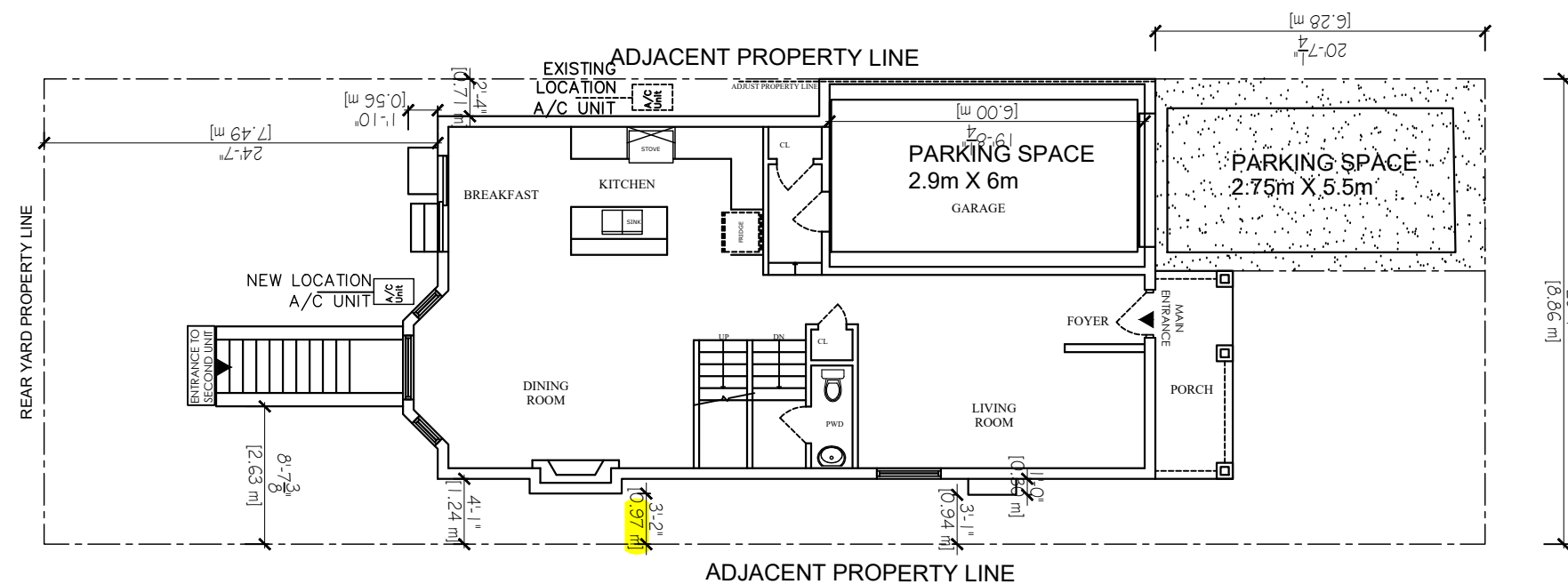
Attachments

Figure 1 - Proposed Site Plan



The Corporation of the Town of Milton

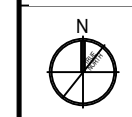
File #:
A24-059M
Page 5 of 5



GENERAL NOTES:
 -ALL EXISTING SITE CONDITIONS & ALL DIMENSIONS ON DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE BY CONTRACTOR. ANY VARIANCES OR DISCREPANCIES MUST BE REPORTED TO THE DESIGNER/ENGINEER PRIOR TO COMMENCEMENT OF THE WORK.
 -ALL THE WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE LATEST VERSION OF ONTARIO BUILDING CODE.
 -ALL FIRE SAFETY SYSTEM TO BE ACTIVE DURING AND AFTER CONSTRUCTION.
 -IF EXISTING CONSTRUCTION IS DAMAGED DURING THE WORK, CONTRACTOR TO MAKE GOOD TO MATCH EXISTING.
 -DO NOT SCALE THE DRAWINGS.
 -THE DESIGN AND CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE DESIGNER AND MAY NOT BE REPRODUCED, REUSED OR ALTERED WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.

No	Date	Revisions
----	------	-----------

16 AUG 2024



ADDRESS:-
 457 LANDBOROUGH AVE
 MILTON, ON L9T7X7
 CANADA

DRAWN BY: MH	DATE:
CHECKED BY: BJ	SCALE: 3/32" = 1'

DRAWING TITLE & NO.:
 SITE PLAN A-1

MILTON TOWN OF MILTON
 DEVELOPMENT SERVICES
 RMD1*114 ZONE
 ZONING: REVIEWED FOR C of A
 marian.gerges ZONING OFFICER
 DEC 5, 2024 DATE

OUT OF THE BOX ENGINEERING INC.
 7 ARCHWAY TRAIL
 BRAMPTON, ON.
 L6P 4E3
 bhaskar@outoftheboxeng.com
 416-835-6620



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Rachel Suffern, MPA, M.Sc. (PI), MCIP, RPP

Date: January 30, 2025

File No: A24-060M

Subject: 493 Kearns Drive

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

1. That a 0.6 metre permeable surface be instated (and hardscaping removed) along the lot lines in the rear yard in accordance with the Site Plan dated January 7, 2025;
2. That enhanced landscaping be provided, to the satisfaction of Planning Staff, along the rear lot line; and,
3. That the decision be subject to an expiry of two (2) years if the conditions are not met and/or the development does not proceed.

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 an accessory structure to have a gross floor area of 12.89 square metres, whereas the Zoning By-law permits a maximum gross floor area of 10 square metres (an increase of 2.89 square metres).

The subject property is known municipally as 493 Kearns Drive and is legally known as Lot 66 on 20M-789. The property is generally located north of Derry Road and west of James Snow Parkway South. Surrounding land uses are predominately residential with parkland and stormwater management facilities in the immediate proximity. The property currently contains an existing two-storey detached dwelling with a single car garage and driveway. An existing garden shed is located in the rear yard, along with hardscaping.

Through this application, the applicant is seeking to legalize the existing garden shed located in the rear yard.

Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Residential Area on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan. The lands are further designated as Residential Area on Schedule C-6-D - Bristol Survey Secondary Plan Land Use Plan.



Official Plan Designation (including any applicable Secondary Plan designations)

Both designations permit residential uses, including accessory structures. Therefore, it is Staff's opinion that the proposal is in conformity with both the Town of Milton Official Plan and Bristol Survey Secondary Plan.

Zoning

The subject lands are zoned site-specific Residential Medium Density I (RMDI*35) within the Town of Milton Urban Zoning By-law 016-2014, as amended. The RMD1*35 Zone permits a range of medium-density residential uses, along with accessory structures associated with the principal residential use.

The applicant is seeking relief to accommodate an existing 12.89 square metre accessory structure whereas Section 4.2.1 Table 4A of the Zoning By-law 016-2014, as amended, permits a maximum gross floor area of 10 square metres. The intent of this provision is to ensure that the accessory structure does not result in over-development of the lot and remains accessory to the principal structure.

With the exception of the above-noted provision, the garden shed maintains all other provisions within the Zoning By-law 016-2014, as amended.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on January 15, 2025. As of the writing of this report on January 22, 2025, staff have not received any comments from members of the public.

Planning Staff received a concern from an adjacent property owner regarding visual impact of the structure. Staff acknowledge that should the applicant want to comply with the gross floor area provisions currently within the Zoning By-law, the visual impact of the structure is unlikely to change from what currently exists (given the structure already complies with height and setback provisions). However, in an effort to minimize visual impact, the applicant has agreed to include enhanced landscaping along the rear lot line - Planning Staff have included this as a condition of approval.

Agency Consultation

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

In an effort to mitigate any negative stormwater management and run-off concerns associated with the additional gross floor area, along with the existing hardscaping, the applicant has agreed to remove a 0.6 metre strip of hardscaping adjacent to the lot limits in the rear yard and reinstate it with permeable material (i.e. river stone, grass or granular materials). A condition of approval has been recommended to ensure that the works are completed in accordance with the proposed site plan that is attached as Figure 1 to this report.



Consultation

Development Services Comments

The applicant has requested a minor variance to legalize an existing garden shed in the rear yard. Given recent changes to the Ontario Building Code (OBC), a Building Permit is not required for accessory structures with a gross floor area of less than 15 square metres. The landowner was unaware that in absence of the requirement of a Building Permit that there were zoning restrictions related to the size.

The garden shed is located in the rear yard and with the exception of the proposed gross floor area, maintains all other zoning provisions, including height and setbacks. It is Planning Staff's opinion that the additional 2.89 square metres being requested is minor and negligible beyond any impact that the structure would have if it otherwise was constructed as-of-right.

Therefore, based on the aforementioned, Planning Staff offer no objection to the approval of this application as the relief being requested is minor in nature, desirable for the development of the subject lands, is in keeping with the Zoning By-law and conforms to the Official Plan.

Respectfully submitted,

Rachel Suffern

Rachel Suffern, MPA, M.Sc. (PI), MCIP, RPP
Planner, Development Review

For questions, please contact:

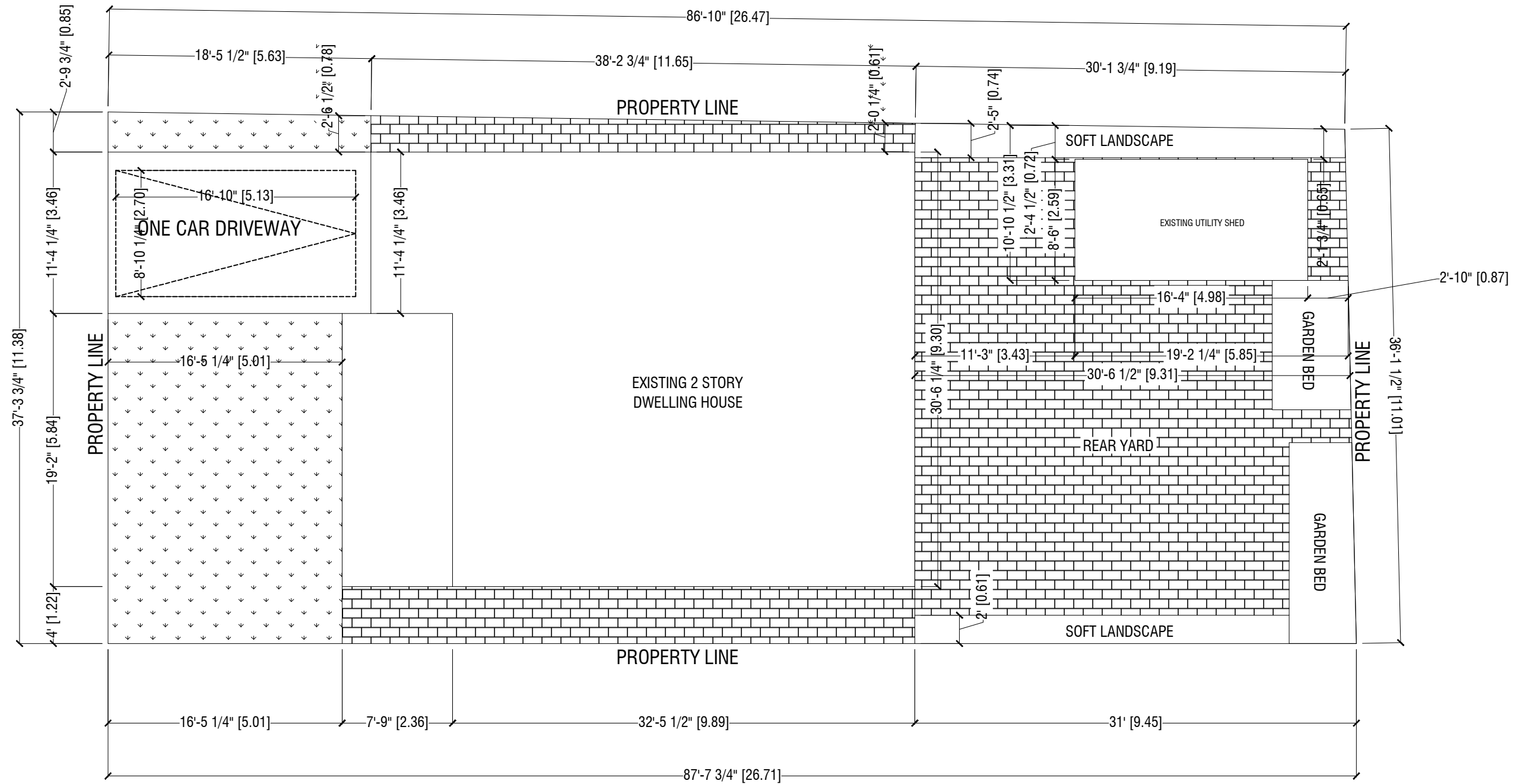
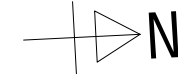
Rachel.Suffern@Milton.ca

Phone: Ext. 2263

Attachments

Figure 1 - Proposed Site Plan

Dated January 7, 2025



SITE PLAN
 NOTES:
 ALL WINDOWS EXISTING UNLESS OTHERWISE SPECIFIED
 FOR DETAILED SPECIFICATIONS AND LEGENDS SEE DWG. N-1

GENERAL NOTES:

- ALL EXISTING SITE CONDITIONS AND ALL DIMENSIONS ON DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE BY CONTRACTOR. ANY VARIANCES OR DISCREPANCIES MUST BE REPORTED TO THE DESIGNER/ENGINEER PRIOR TO COMMENCEMENT OF THE WORK.
- ALL THE WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE LATEST VERSION OF ONTARIO BUILDING CODE AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
- ALL FIRE SAFETY SYSTEM TO BE ACTIVE DURING AND AFTER CONSTRUCTION.
- IF EXISTING CONSTRUCTION IS DAMAGED DURING THE WORK, CONTRACTOR TO MAKE GOOD TO MATCH EXISTING.
- DO NOT SCALE THE DRAWING.
- THE DESIGN AND CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE DESIGNER/ENGINEER AND MAY NOT BE REPRODUCED, REUSED OR ALTERED WITHOUT WRITTEN PERMISSION OF THE DESIGNER/ENGINEER.

01	ISSUED FOR PERMIT.	AUG 2024
No.	DESCRIPTION	DATE

PROJECT:
**493 Kearns Dr.,
 Milton, ON.**

TITLE:
SITE PLAN

CONSULTANT:

DRAWN BY: S.W.	CHECKED BY: R.
DATE: AUG 2024	DRAWING NO:
SCALE: 1/8"=1'-0"	A-1



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Rachel Suffern, MPA, M.Sc. (PI), MCIP, RPP

Date: January 30, 2025

File No: A24-061M

Subject: 10487 Darkwood Road

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

1. That the detached garage be constructed in accordance with the site plan and elevations, prepared by Frontiers Design and Build, dated stamped by Town Zoning on December 4, 2024;
2. That a Building Permit be obtained within two (2) years from the date of decision; and,
3. That the decision be subject to an expiry of (2) years 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 144-2003, as amended, has been requested to:

- Allow an accessory building to have a maximum gross floor area of 130.20 square metres, whereas the Zoning By-law currently permits a maximum gross floor area of 93 square metres (an increase of 37.20 square metres).

The subject property is known municipally as 10487 Darkwood Road and legally known as Part of Lot 14 on Concession 1. The property is generally located south of No. 15 Side Road on the east side of Darkwood Road. Surrounding land uses included agriculture and natural heritage systems.

The subject property currently contains a single detached dwelling and two accessory structures that are used for the equestrian farming operation on-site. The applicant intends to construct a detached garage that will be used for personal storage. To facilitate the proposal, the applicant is seeking relief from the Zoning By-law to accommodate an increase in gross floor area.



Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Agricultural Area with a Greenbelt Plan overlay on Schedule 1 - Town Structure Plan.

The Agricultural Area designation permits a single detached dwelling on existing lots of records, including accessory structure associated with the principal use, and normal farm practices. This policy direction is consistent with the Greenbelt Plan and the intent of the applicable overlay.

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

Zoning

The subject lands are zoned as Rural (A2) with portions zoned Greenlands A (GA) and Greenlands B (GB) within the Town of Milton Rural Zoning By-law 144-2003, as amended. Staff note that the proposed structure is located entirely within the A2 Zone.

The A2 Zone permits single detached dwellings and accessory structures, in addition to normal farm practices. The applicant is seeking relief from Section 4.1.2.2 ii) of the Rural Zoning By-law 144-2003, as amended, to permit a maximum gross floor area of 130.20 square metres, whereas 93 square metres is currently permitted.

With the above-noted exception, the proposal complies with all other provisions within the Rural Zoning By-law 144-2003, as amended.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on January 15, 2025. As of the writing of this report on January 22, 2025, 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.

The subject property is partially regulated by Conservation Halton (CH). The applicant has confirmed with CH that the proposed works are located outside of the regulated areas and therefore, CH has no objection the proposed development.

Development Services Comments

The applicant intends to construct a detached garage that is accessory to the dwelling. The garage will be used for personal storage such as amenity vehicles, property maintenance equipment and pool storage. To facilitate the proposal, the applicant is seeking permission to increase the permitted gross floor area of a detached garage.

The proposed detached garage is within reasonable proximity to the dwelling that it is accessory to and therefore maintains the existing development cluster. Further, the proposal results in no



Consultation

tree removal or disturbance to adjacent natural features. While various accessory structures exist on the lot in support of the existing agricultural operation, the proposed additional gross floor area associated with the detached garage is minor and has a negligible impact on the overall site. Approval of this application will not result in overdevelopment of the lot given the subject property is 39.06 hectares and existing woodlands surrounding the structure adequately shields it from view, therefore resulting in no impact to adjacent landowners.

Based on the aforementioned, Planning Staff offer no objection to the approval of this application. The variance being requested is considered 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,

Rachel Suffern

Rachel Suffern, MPA, M.Sc. (PI), MCIP, RPP
Planner, Development Review

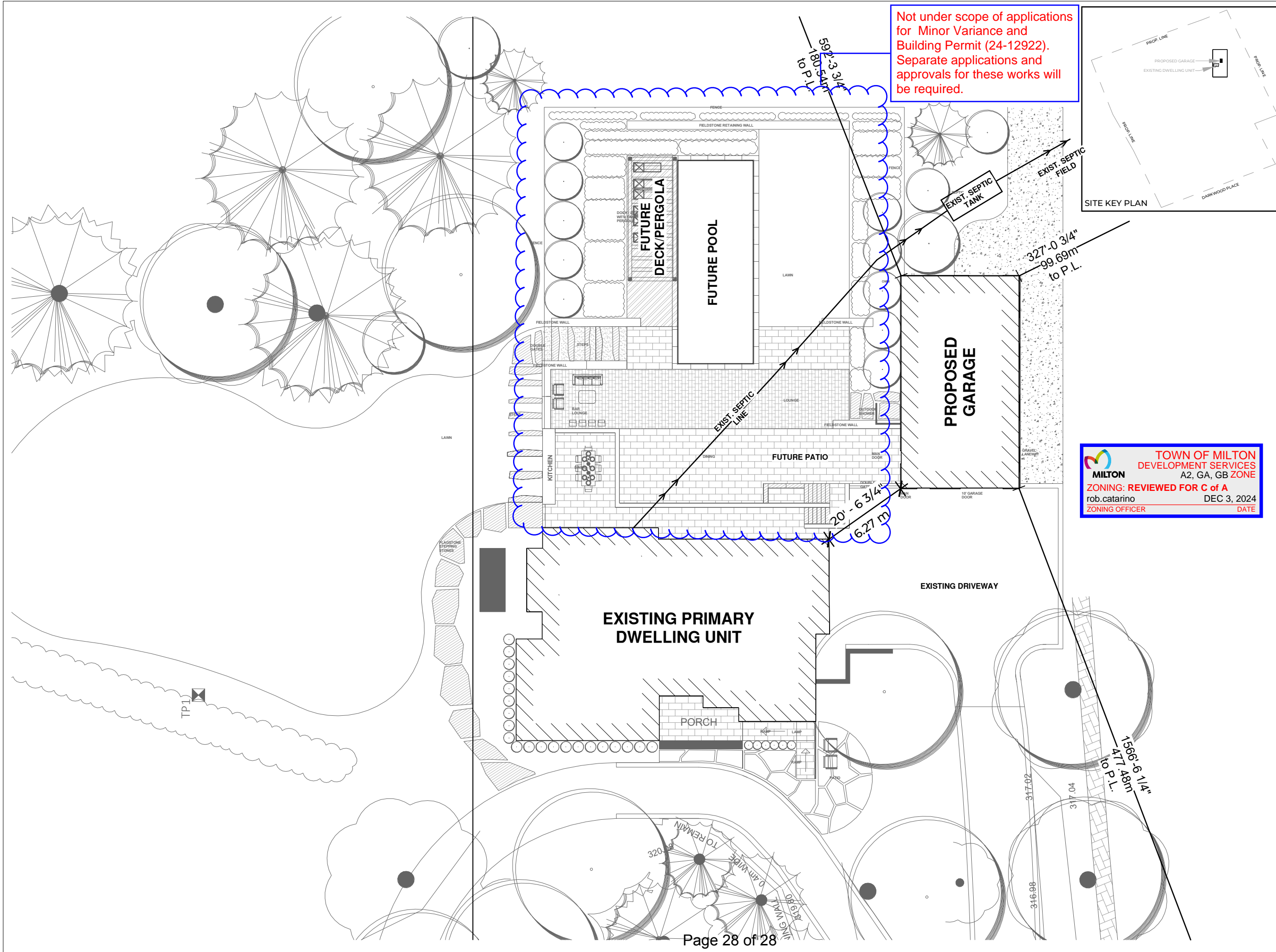
For questions, please contact:

Rachel.Suffern@Milton.ca

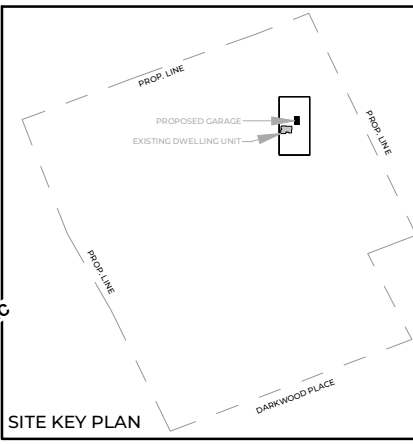
Phone: Ext. 2263

Attachments

Figure 1 - Proposed Site Plan



Not under scope of applications for Minor Variance and Building Permit (24-12922). Separate applications and approvals for these works will be required.



TOWN OF MILTON
DEVELOPMENT SERVICES
A2, GA, GB ZONE
ZONING: REVIEWED FOR C of A
rob.catarino DEC 3, 2024
ZONING OFFICER DATE

FRONTIERS
DESIGN + BUILD

FRONTIERS DESIGN BUILD INC.
30 WINER ROAD, PUSLINC, ONTARIO, N1H 6H9
1-877-589-1068, info@frontiersdesignbuild.com

NOTES AND LEGENDS

Ministry of Municipal Affairs and Housing

Qualification Information
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. Qualifications are requirements unless exempt by O.B.C. Div. C 1.2., 3.2.4., & 3.2.5.

Name *Michael Norrie* BCIN
Michael Norrie 119364

DATE DRAWN & REVISIONS				
REVISION	DATE	DRWN	CHCK	ISSUANCE

PROJECT
Ederman Garage
Shawn & Ashley Ederman
10487 Darkwood Rd,
Milton, ON
LOP

DRAWING TITLE
Proposed Site Plan

DATE	REVISION
2024.10.30	B

SCALE	PAGE NO.
As indicated	S001