



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

Thursday, May 29, 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. HOUSEKEEPING	
4. MINUTES	
4.1 Minutes from Committee of Adjustment April 24, 2025	2
5. ITEMS FOR CONSIDERATION	
5.1 A25-022/M 4151 Ennisclare Drive	7
The applicant is seeking relief from the Town’s Zoning By-law to accommodate a driveway extension and to allow for the driveway to encroach into the interior side yard. These variances are associated with another minor variance application (A25-007M)	
5.2 A25-023/M 103 Martin Street	14
The applicant is requesting relief from the Town’s Zoning By-law to allow for an accessible ramp, stairs and landing to encroach into the Town’s road allowance to improve the subject property and create a barrier free entrance.	
5.3 A25-025/M 392 Clarkson Gate	19
The applicant intends to create an Additional Residential Unit (ARU) within the existing basement – in order to do so, relief is required as it relates to the required unobstructed pedestrian access which provides a path of travel from the front of the property to the proposed ARU’s access.	
6. NEXT MEETING	
Thursday, June 26, 2025 commencing at 6:00 p.m.	
7. ADJOURNMENT	



The Corporation of the
Town of Milton
Committee of Adjustment Minutes

April 24, 2025, 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**

None.

3. **HOUSEKEEPING**

4. **MINUTES**

4.1 **Minutes from Committee of Adjustment March 27, 2025**

THAT the minutes from the February 27, 2025 Committee of Adjustment be **APPROVED**

Carried

5. **ITEMS FOR CONSIDERATION**

5.1 **A25-008/M 1145 Raspberry Terrace**

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

1. That the development shall be constructed in accordance with the site plan prepared by Riveira Landscape Design & Consulting and stamped by Town Zoning on March 6, 2025.
2. That a Building Permit be obtained within two (2) years from the date of the 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 A25-009/M 5195 25 Side Road

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

1. That Site Plan Approval be granted within two (2) years from the date of this decision.

Carried

5.3 A25-010/M 234 Bell Street

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

1. That the development generally proceeds in accordance with the Site Plan prepared by Jansen Consulting and date stamped by Town Zoning on March 05, 2025;
2. That prior to Building Permit issuance, the applicant provides a Stormwater Management Brief, to the satisfaction of Development Engineering Staff;
3. That a Building Permit be obtained within a period of two (2) years from the date of this decision; and,
4. That the proposal be subject to an expiry of two (2) years if the conditions are not fulfilled, the development does not proceed and/or a Building Permit is not obtained.

Carried

5.4 A25-011/M 14193 Fourth Line Nassagaweya

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

1. That the development shall be constructed in accordance with the site plan prepared by Jansen Consulting dated and stamped by Town Zoning on March 13, 2025.
2. That a Grading Plan be provided to Town Engineering Staff for their review and approval, prior to the issuance of a Building Permit.
3. That a Building Permit be obtained within two (2) years from the date of the decision; and
4. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

Carried

5.5 A25-012/M 144 King Street

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

1. That the development shall be constructed in accordance with the site plan prepared by Jansen Consulting and stamped by Town Zoning on March 24, 2025.
2. That a Stormwater Management Brief and Detailed Site Grading Plan be provided to Town Engineering Staff for their review and approval, prior to the issuance of a Building Permit.
3. That a Building Permit be obtained within two (2) years from the date of the 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

5.6 A25-013-020/M Richardson Way

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

1. That the development shall be constructed in accordance with the site plan prepared by Q4A Architects Inc. and stamped by Town Zoning on March 5, 2025.
2. That a Building Permit be obtained within two (2) years from the date of the 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

5.7 A25-021/M 2310 Mohawk Trail

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

1. That the development shall be constructed in accordance with the site plan prepared by Jansen Consulting and dated and stamped by Town Zoning on January 17, 2025.
2. The development shall included downward facing lighting on the exterior of the garage as outlined in the EIA.
3. That a Building Permit be obtained within two (2) years from the date of the 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 to discuss, the Chair adjourned the Hearing at 7:22 PM

Scott Corbett, Secretary Treasurer



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Taylor Wellings, MSc (PI), MCIP, RPP

Date: May 29, 2025

File No: A-25-022M

Subject: 4151 Ennisclare Drive

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

1. That the development shall be constructed in accordance with the site plan prepared by Jansen Consulting and stamped by Town Zoning on March 3, 2025;
2. That the Arborist Report and Tree Planting Plan be complied with by the homeowner during and after construction of the proposed development;
3. That a Building Permit be obtained within two (2) years from the date of the 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:

1. Requesting permission to allow a driveway to have a maximum width of 25.1 metres
2. Requesting permission to allow a residential driveway to encroach into the interior side yard where no detached garage or carport is located in the rear yard, maintaining a 1.20 metre setback from the interior side lot line, + 6.3 metres encroachment

The subject property is known municipally as 4151 Ennisclare Drive. The subject property is east of Fourth Line Nassagaweya and on the north side of Ennisclare Drive and surrounding uses are rural residential and agricultural. The subject property currently contains a single detached dwelling as well as detached garage, patio and swimming pool.

The applicant is seeking relief from the Town's Zoning By-law to accommodate a driveway extension and to allow for the driveway to encroach into the interior side yard. These variances are associated with another minor variance application (A25-007M) and the Town's Zoning



General Description of Application

Department missed them as part of the initial application review. The previous minor variance application was to allow for an addition onto the existing attached garage and relief from the Town's Zoning By-law to allow for the garage to a front yard location, additional height relief for the garage doors as well as a wider driveway to be aligned in the garage addition. Further, the application also requested relief to allow for a height increase for the front gate and cedar hedge. The related application was heard by the Committee of Adjustment on March 27, 2025, and approved with the appeal period ending on April 16, 2025.

It should be noted that this application (A25-022M) is only in regard to the two variances identified above.

Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Agricultural Area in the Town of Milton Official Plan. The Agricultural Area designation permits single-detached dwellings on existing lots as well as accessory buildings and structures. Section 4.9.3.2d) of the Town's Official Plan states that the proponent of any development or site alteration that meets the criteria set out in Section 4.9.3.3 is required to carry out an Environmental Site Assessment (EIA) unless the proponent can demonstrate to the satisfaction of the Town and Region that the proposal is minor in scale and/or nature and does not warrant an EIA. Town staff are of the opinion that the proposed development is minor in scale as it is an expansion of an existing residential driveway and does not further impact an already disturbed area.

As noted previously, staff have had discussions with the agent on file and attended the property to confirm that the proposal is minor in nature and the impacts on the trees near the property of the property is as minimal as possible. It is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan.

The lands are designated as Greenbelt Protected Countryside and Greenbelt Natural Heritage System in the Greenbelt Plan. These policies permit existing uses and single detached dwellings on the lands, provided that they were permitted prior to the date that the Greenbelt Plan came into force. Expansions to existing buildings and structures and accessory structures are also permitted provided that new municipal services are not required and that the use does not expand into a key natural heritage future or key hydrologic feature, except if there is no other alternative. It is Staff's opinion that the proposal is in conformity with the Greenbelt Plan.

As of July 1, 2024, Halton Region has become an upper-tier municipality without planning responsibilities; however, the Halton Region Official Plan remains in-effect and the local municipalities are responsible for administering the plan until such time that it is revoked or amended by the respective municipality.



Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is within the Regional Natural Heritage System as identified in the Regional Official Plan (ROP) and the entire property is mapped as being a Key Feature. Section 118(3) a) of the Regional Official Plan (ROP) states that it is the policy of the Region to require the proponent of any development or site alteration that meets the criteria set out in Section 118(3.10) to carry out an Environmental Impact Assessment (EIA), unless the proponent can demonstrate to the satisfaction of the Region that the proposal is minor in scale and/or nature and does not warrant an EIA. Further, Section 139.3.6 [i] also states that it is the policy of the Region to permit without the requirement of an EIA the expansion of existing agricultural buildings and structures, residential dwellings and accessory uses to both, within Key Features, subject to there being no alternative and the expansion, alteration or establishment is directed away from the Key Features to the maximum extent possible.

As noted through the previous related application (A25-007M) the homeowner has provided Town Staff with an Arborist Report and Tree Planting Plan which detailed the state of the trees being removed and the tree enhancements proposed by the homeowner. In regards to the two the recognizing the driveway widening and parking area in the interior side yard, six trees are required to be removed to accommodate these components of the proposed development. Town staff are satisfied that the Arborist Report and Tree Planting Plan outlines that the tree removal is appropriate and that the homeowner has committed to planting 150 new trees which will be beneficial to enhancing the property. They have also committed to tree protection and fencing during construction to ensure that the trees that will remain will not be impacted. Town staff are satisfied that the Arborist Report and Tree Planting Plan in support of the proposed development ensures that the heavily wooded area in the side or rear yard of the property will not be impacted and that ROP policies are met.

It is also noted that the Region's Tree By-law (121-05) is not applicable when a Planning Act application has been submitted as it is then that applicable ROP policies do apply.

Town staff can also confirm that the property is within the Grand River Conservation Authority jurisdiction but the front and side yards of the property are not within the regulated area.

Zoning

The subject lands are partially zoned Estate Residential Zone (RE), Greenlands A (GA) as well as Greenlands B (GB). A single-detached dwelling as well as accessory uses are permitted on existing lots of record within all three zones as well as existing uses.

Variance One: Residential Driveway Width

Section 5.5.2 iii) e) F) of the Town's Zoning By-law states that a residential driveway leading to 3 (or more) car garage shall not exceed the width of the garage face. The applicant has requested permission to allow for a driveway to have a maximum width of 25.1 metres, to facilitate the proposed development.



Zoning

Variance Two: Residential Driveway in the Interior Side Yard

Section 5.5.2 v) of the Town's Zoning By-law states that no residential driveway shall encroach into the required interior side yard except where the residential driveway leads to a detached garage or carport located in the rear yard. The applicant has requested permission to allow a residential driveway to encroach into the interior side yard where no detached garage or carport is located in the rear yard, maintaining a 1.20 metre setback from the interior lot line, a + 6.3 metre encroachment, to facilitate the proposed development.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on May 9, 2025. As of the writing of this report on May 21, 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.

Development Services Comments

The applicant has requested a minor variance to accommodate a driveway extension and to allow for the proposed driveway to encroach into the interior side yard. These two variances are associated with another minor variance application (A25-007M) that were missed by the Town's Zoning Department as part of the initial application review. The initial application was heard by the Committee of Adjustment on March 27, 2025 and approved.

The initial application provided the applicant with permission for five variances which allow for a two-car garage addition as well as for the front yard setback, driveway width extension and for the garage doors to exceed the maximum height allowance. However, it was identified after the approval that the proposed development also required relief from two other zoning provisions of the Town's Zoning By-law which are captured in Section 5.5.2 which provides the details for access to a parking area or parking space.

The proposed development and entire project have not changed and Planning staff completed their review and formed an opinion based on all proposed components. Planning staff have reviewed the proposed development for its entirety and are of the opinion that all seven requested variances meet the four tests of a minor variance. Planning staff acknowledge that two variances were missed as part of the initial application but the proposed development has not changed and the proposal had originally included both the widened driveway and driveway extension into the interior side yard. It should also be noted that Planning staff worked with the applicant during the pre-submission stage and are of the opinion that the garage addition and related driveway extension and widened area are appropriate and not negatively impactful to the surrounding

Consultation

properties. Further, the cedar row hedge and front driveway gate that are included in the proposal will assist in shielding the garage addition.

Variance One: Residential Driveway Width

The applicant has requested permission to allow for a driveway to have a maximum width of 25.1 metres, to facilitate the proposed development. Planning staff do not have concerns with the proposed driveway and specifically, the requested width as it will be aligned with the garage addition. This Section (5.5.2) of the Town's Zoning By-law regulates driveway width on rural properties and Planning staff are of the opinion that the proposed garage addition is appropriate and would not be considered overdevelopment on the subject site. Further, the proposed development does not require a variance to exceed the maximum lot coverage requirements. Further, as noted above, the driveway extension will be shielded by the cedar hedge that is proposed as part of the overall development and will be located along the front of the property.

Variance Two: Residential Driveway in the Interior Side Yard

The applicant has requested permission to allow a residential driveway to encroach into the interior side yard where no detached garage or carport is located in the rear yard, maintaining a 1.20 metre setback from the interior lot line, a + 6.3 metre encroachment, to facilitate the proposed development. The proposed driveway extension will allow for the homeowner to maneuver personal vehicles as well as a long boat and associated trailer into the garage. Planning staff are of the opinion that the driveway extension into the interior side yard will not negatively impact the adjacent property owner given the heavily wooded environment as well as the distance between the extended parking area and the neighbouring dwelling. As noted above, the parking area extension is specifically to allow for a long fishing boat to be maneuvered and parked inside the garage.

Planning Staff are of the opinion that the requested variances are minor in nature, conform to the general intent of both the Official Plan and Zoning By-law and are desirable for the development and use of the subject property. As such, Planning Staff have reviewed the requested variances and offer no objection to their approval.

Respectfully submitted,

Taylor Wellings

Taylor Wellings, MSc, MCIP, RPP
Planner, Development Review



The Corporation of the Town of Milton

File #:
A-25-022M
Page 6 of 6

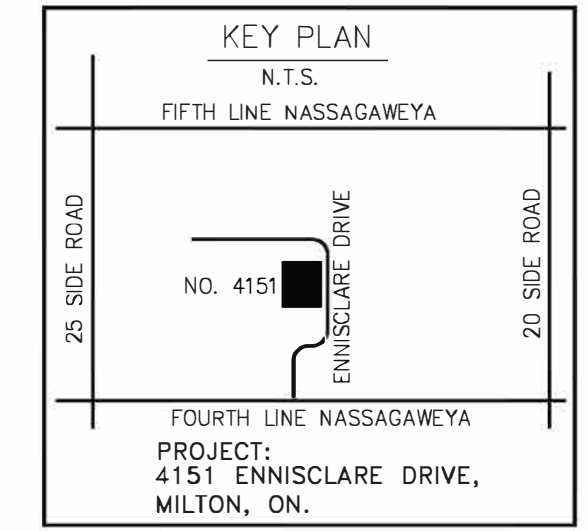
For questions, please contact:

Phone: Ext. 2311

Attachments
Figure 1 - Proposed Site Plan

PARTIAL SITE PLAN OF
 LOT 4
 REGISTERED PLAN No. 20M-248
 TOWN OF MILTON
 REGIONAL MUNICIPALITY OF HALTON

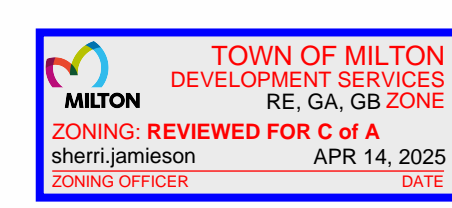
- LEGEND**
- HT DENOTES HYDRO TRANSFORMER
 - MH DENOTES MANHOLE
 - CB DENOTES SINGLE CATCHBASIN
 - HP DENOTES POLE OR TELEPHONE POLE
 - TP DENOTES UTILITY POLE OR TELEPHONE POLE
 - LS DENOTES LIGHT STANDARD
 - SGN DENOTES SIGN
 - TM DENOTES TELEPHONE CABLE MARKER
 - PED DENOTES TELEPHONE PEDESTAL
 - WV DENOTES WATER VALVE MAIN SHUT OFF
 - WB DENOTES WATER BOX / CURB STOP
 - FH DENOTES FIRE HYDRANT
 - GM DENOTES GAS METER
 - OH DENOTES OVERHEAD HYDRO WIRE
 - UH DENOTES UNDERGROUND HYDRO WIRE
 - I DENOTES OVERHEAD TELEPHONE WIRE
 - G DENOTES UNDERGROUND GAS LINE
 - CT DENOTES UNDERGROUND CABLE T.V.
 - B DENOTES BELL UNDERGROUND OR OVERHEAD CABLE T.V. PEDESTAL
 - MALBOX DENOTES MAILBOX
 - SAN INV. DENOTES SANITARY CONNECTION / INVERT
 - STW INV. DENOTES STORM CONNECTION / INVERT
 - WATER DENOTES WATER SERVICE
 - WM DENOTES WATER METER
 - X DENOTES FENCE



GRADING NOTES:
 1. EXISTING DRAINAGE OF ABUTTING LANDS IS NOT TO BE DISTURBED.
 2. BASEMENT OPENINGS TO BE MINIMUM 300MM ABOVE THE CENTERLINE OF ROAD UNLESS OTHERWISE APPROVED BY THE CITY'S ENGINEER.
 3. GROUND ELEVATIONS AT BUILDINGS ABUTTING OVERLAND FLOW ROUTES ARE TO BE 225 ABOVE OVERLAND FLOW ROUTE ELEVATIONS.
 4. SUMP PUMP MUST DISCHARGE DIRECTLY INTO MUNICIPAL STORM SEWER OR TO GRADE.
 5. A MINIMUM OF 150MM (6") FROM THE TOP OF FOUNDATION TO THE FINISHED GRADE OUTSIDE THE BUILDING MUST BE PROVIDED.
 6. THE FINISHED FLOOR ELEVATION, UNDERSIDE OF FOOTING ELEVATION, BASEMENT WINDOW SILL ELEVATION, ETC. ARE TO BE CONFIRMED BY THE CONTRACTOR IN CONSULTATION WITH THE BUILDING DESIGNER, BASED ON THE MIN. TOP OF FOUNDATION ELEVATION PROVIDED.

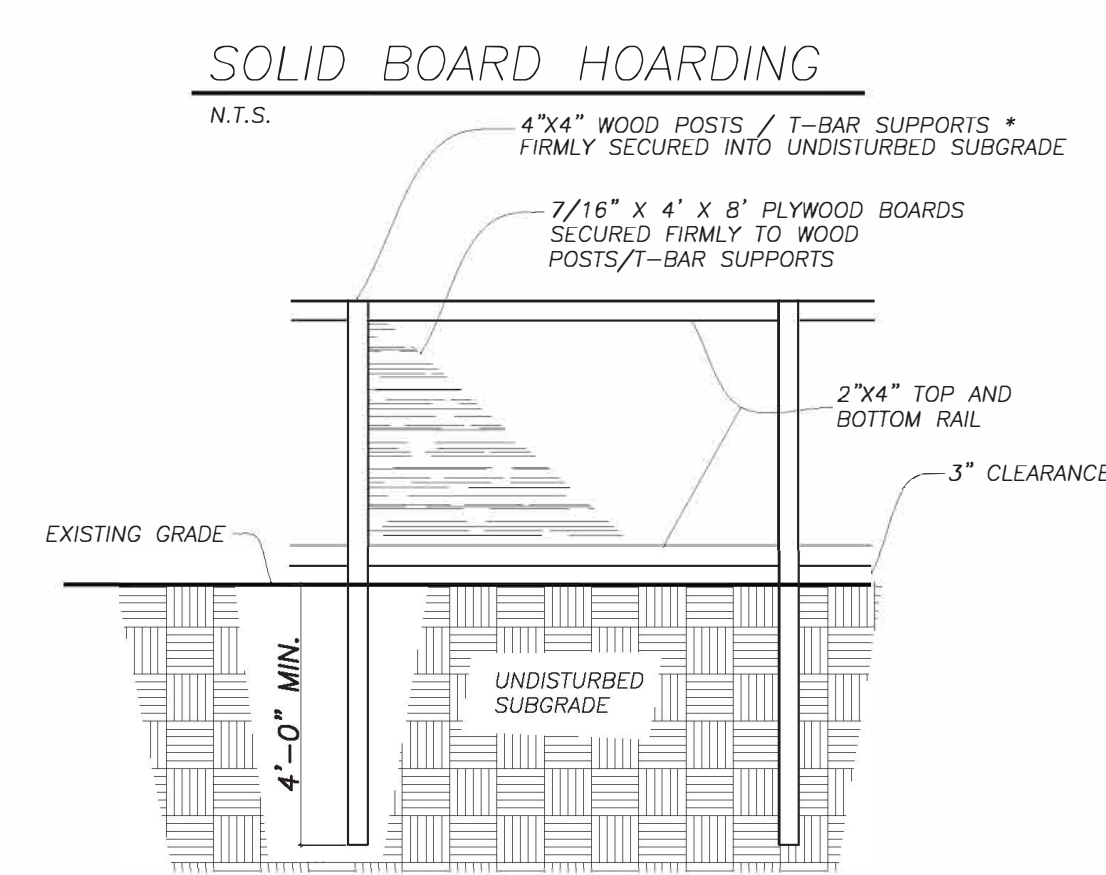
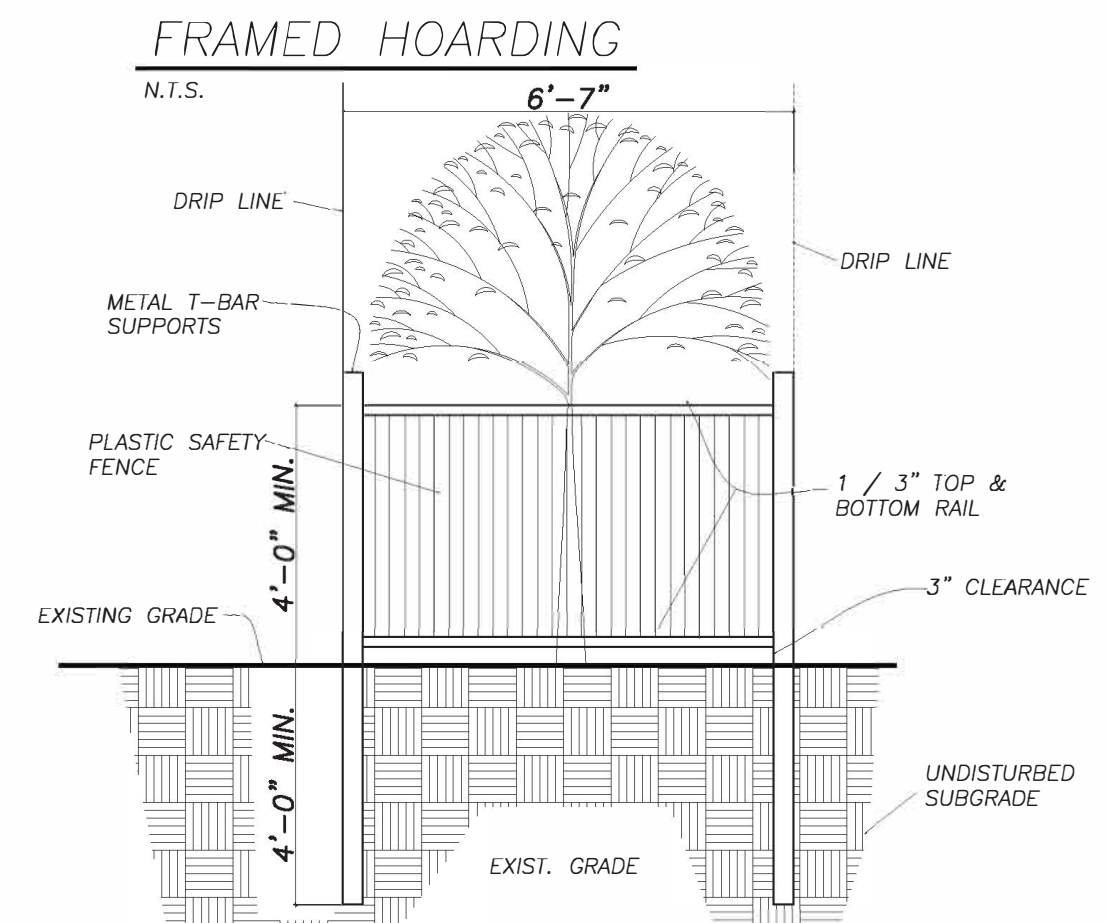
NOTE: ALL LOCATES WILL BE OBTAINED PRIOR TO THE INSTALLATION OF ANY HOARDING WITHIN MUNICIPAL RIGHT OF WAY.

NO OPEN BURNING PERMITTED



GENERAL NOTES:
 IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THAT THE LOCAL BENCHMARKS HAVE NOT BEEN ALTERED OR DISTURBED AND THAT THE RELATIVE ELEVATIONS AND DESCRIPTIONS AGREE WITH THE INFORMATION SHOWN ON THIS PLAN.
 IT SHALL BE RESPONSIBILITY OF THE BUILDERS TO HAVE ALL GRADINGS VERIFIED AND CHECKED BEFORE CONSTRUCTION BY AN APPROVED SURVEYOR. THESE GRADINGS AND THE PLACEMENT OF STORM AND SANITARY SERVICES LEFT ON STREET ARE TO MEET THE REQUIREMENT OF THE MUNICIPALITY HAVING JURISDICTION.
 JANSSEN CONSULTING IS TO BE NOTIFIED PROMPTLY PRIOR TO ANY DIGGING OR EXCAVATION COMMENCES IN ORDER THAT THE BUILDING FILES BE REVIEWED BY THE RESPECTIVE AGENCIES. THESE CONDITIONS MAY REQUIRE EXPENSIVE REMEDIAL ACTION THAT WILL BE AT THE CONTRACTOR'S COST OR COST TO JANSSEN CONSULTING FOUNDATIONS SHALL BE DIGGED TO A MINIMUM OF 6" ABOVE THE APPROVED FINISH GRADE LINES AS INDICATED ON THE HOUSE PROTOTYPE.
 GARAGE FOOTINGS ARE TO BE EXTENDED TO ORIGINAL GROUND OR AS APPROVED BY SOILS ENGINEER.

- LOCATES:**
 PRIOR TO DIGGING LOCATES REQUIRED FOR SEWER IF APPLICABLE
 PRIOR TO DIGGING LOCATES REQUIRED FOR WATER IF APPLICABLE
 BEFORE DIGGING, UNDERGROUND SERVICES SHOULD BE LOCATED ON SITE BY THE RESPECTIVE AGENCIES.
 CALL LOCATES FOR ALL UNDERGROUNDS PRIOR TO EXCAVATION
 THE APPLICANT WILL BE REQUIRED TO CONTACT ALL UTILITY COMPANIES TO OBTAIN ALL REQUIRED LOCATES PRIOR TO INSTALLATION OF HOARDING WITHIN MUNICIPAL RIGHT OF WAY

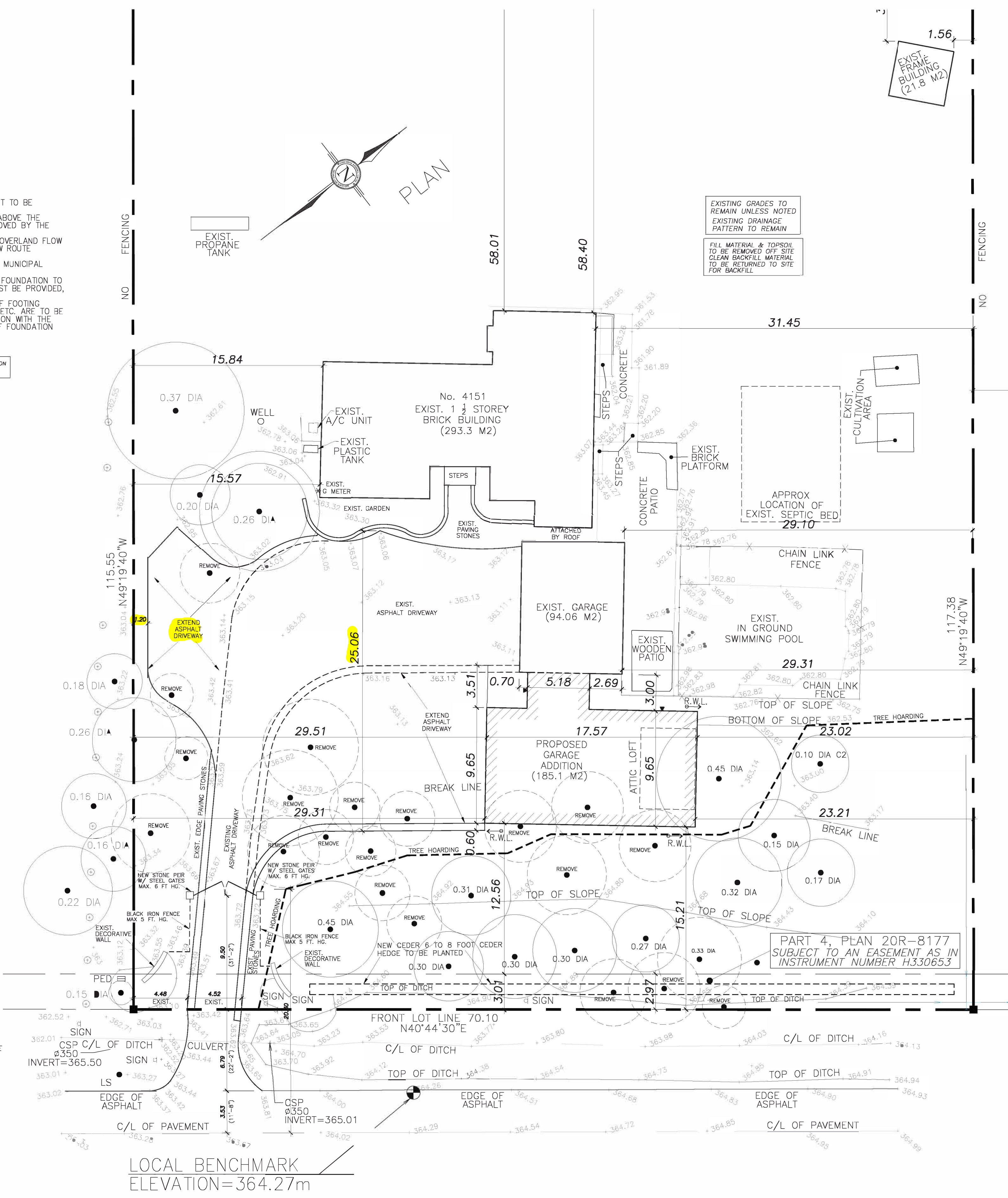


TOWN OF MILTON NOTES:

- PRIOR TO THE COMMENCEMENT OF ANY WORKS ON THE SITE, SNOW FENCE IS INSTALLED ON THE PERIMETER OF THE PROPERTY AND AT LOCATIONS AS DETERMINED BY THE MANAGER, DEVELOPMENT ENGINEERING, AND THAT THE SNOW FENCE SHALL REMAIN IN PLACE UNTIL SUCH TIME AS OTHERWISE DIRECTED BY THE MANAGER, DEVELOPMENT ENGINEERING.
- SILT CONTROLS ARE TO BE IN PLACE PRIOR TO THE START OF SITE WORKS, AND BE MAINTAINED FOR THE DURATION OF CONSTRUCTION.
- PRIOR TO COMMENCEMENT OF ANY WORKS WITHIN THE MUNICIPAL ROAD ALLOWANCE, THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE ENGINEERING SERVICES DEPARTMENT, TOWN OF MILTON, FOR THE PURPOSES OF VEHICULAR ACCESS TO THE PROPERTY, (ENTRANCE PERMIT), AND FOR SERVICING EXCAVATIONS WITHIN THE MUNICIPAL ROAD ALLOWANCE, (ROAD OCCUPANCY PERMIT).
- SILT FENCE IS REQUIRED TO BE INSTALLED AROUND ALL DISTURBED AREAS AS PER OPSD 219.110
- ALL FILL SHALL BE COMPACTED TO 95% STANDARD PROCTOR DENSITY AND COMPACTION TESTING SHALL BE UNDERTAKEN TO THE SATISFACTION OF THE DIRECTOR, DEVELOPMENT ENGINEERING
- ALL DISTURBED AREAS WITHIN THE MUNICIPAL ROAD ALLOWANCE ARE TO BE REINSTATED TO TOWN STANDARDS
- ALL DISTURBED AREAS WITHIN THE MUNICIPAL ROAD ALLOWANCE ARE TO BE REINSTATED TO EXISTING CONDITIONS OR BETTER.

4151 ENNISCLARE DRIVE

ITEM	ZONING BY-LAW REQUIREMENTS	PROPOSED
A ZONING CATEGORY	(RE)	(RE)
B LOT AREA	8000 M2	8164 M2
C LOT COVERAGE	10% (816.4 M2)	7.35% (600.06 M2)
D PERCENTAGE OF LANDSCAPE	50%	78.65% (6,421 M2)
E MAXIMUM BUILDING HEIGHT FROM GRADE	9.5 METERS ESTABLISHED GRADE TO UPPERMOST POINT OF ROOF	8.66 M
F SIDE YARD SETBACKS HOUSE	INTERIOR 7.5 M EXTERIOR N/A	15.57 M & 23.02 M N/A
G FRONT SETBACK	24 M	15.21 M
H REAR SETBACK	15 M	58.01 M



EXISTING GRADES TO REMAIN UNLESS NOTED
 EXISTING DRAINAGE PATTERN TO REMAIN
 FILL MATERIAL & TOPSOIL TO BE REMOVED OFF SITE
 CLEAN BACKFILL MATERIAL TO BE RETURNED TO SITE FOR BACKFILL

PART 4, PLAN 20R-8177
 SUBJECT TO AN EASEMENT AS IN INSTRUMENT NUMBER H330653

LOCAL BENCHMARK
 ELEVATION = 364.27m

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

I, JEFF JANSSEN DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF JANSSEN CONSULTING UNDER DIVISION C, SUBSECTION 3.2.5 AND 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED SET OUT BY THE O.B.C. QUALIFIED DESIGNER BCIN - 30272 FIRM BCIN - 110042 DATE: JAN 02 2025 SIGNATURE:	 70 Main Street N., P.O. Box 38 Campbellville, ON, L0P 1B0 Ph. 905-854-9696 Fax 905-854-9559 Call 905-815-3438 EMAIL: jeffjanssdesign@gmail.com	TYPE : PROJECT : 4151 ENNISCLARE DRIVE LOCATION : MILTON, ON	OWNERS INFORMATION : DOLIAN HAWK 4151 ENNISCLARE DRIVE MILTON, ON	SITE PLAN	SCALE 1:200	DATE JAN 02 2025	PROJECT NO. 2024-034
					DRAWN BY J.J.	CHECKED BY J.J.	FILE NAME 2024-034S



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Taylor Wellings, MSc (PI), MCIP, RPP

Date: May 29, 2025

File No: A-25-023M

Subject: 103 Martin Street

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

1. That the development shall be constructed in accordance with the site plan prepared by John D. Dorris Architects and stamped by Town Zoning on April 16, 2025.
2. That the owner obtain and execute an Encroachment Agreement with the Town of Milton to staffs satisfaction.
3. That a Building Permit be obtained within two (2) years from the date of the 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 dos 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:

1. Requesting permission to allow for an accessible ramp to be located +1.26 metres beyond the front lot line into the right-of-way, + 2.26 metres;
2. Requesting permission to allow for stairs to be located +1.26 metres beyond the front lot line into right-of-way, + 2.26 metres
3. Requesting permission to allow for a landing to be located +1.26 metres beyond the front lot line into the right-of-way, + 2.26 metres

The subject property is known municipally as 103 Martin Street and Graceway Baptist Church operates on the site. The applicant is requesting relief from the Town's Zoning By-law to allow for an accessible ramp, stairs and landing to encroach into the Town's road allowance to improve the subject property and create a barrier free entrance.



Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Central Business District on Schedule B and Low Density Residential Area on Schedule C of the Town of Milton Official Plan. The intent of these policies are to accommodate a range of uses that support and contribute to the continued vibrancy of the downtown core. Section 3.5.3.5 of the Town of Milton Official Plan states that the development of a wide range of complementary uses to contribute to the vitality of the Central Business District and foster a live-work relationship shall be encouraged.

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 Low Density (RLD1) under the Town of Milton Zoning By-law 016-2014, as amended. The RLD1 zone permits a variety of residential uses. The subject property currently contains an institutional use (Graceway Baptist Church) which the Town considers to be legal non-conforming use and have no concerns with the use continuing to operate.

Variance One: Encroachment for Accessible Ramp

Section 4.19.5 Table 4H of the Town's Zoning By-law states that wheelchair or accessible ramp is permitted to encroach into the minimum required setback within 1.0 of any lot line. The applicant has requested to allow an accessible ramp to encroach +1.26 metres beyond the front lot line into the right-of-way, + 2.26 metres, to facilitate the proposed development.

Variance Two: Encroachment for Stairs

Section 4.19.5 Table 4H of the Town's Zoning By-law states that the stairs and landing above-grade accessing a principal building is permitted to be located a minimum of 1.0 metres from the property line measured to the first riser, with no part of the landing any closer than 1.5 metres from the property line. The applicant has requested to allow for stairs to encroach +1.26 metres beyond the front lot line into the right-of-way, + 2.26 metres, to facilitate the proposed development.

Variance Three: Encroachment for Landing

Section 4.19.5 Table 4H of the Town's Zoning By-law states that the stairs and landing above-grade accessing a principal building is permitted to be located a minimum of 1.0 metres from the property line measured to the first riser, with no part of the landing any closer than 1.5 metres from the property line. The applicant has requested to allow a landing to encroach +1.26 metres beyond the front lot line into the right-of-way, a difference of + 2.26 metres, to facilitate the proposed development.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on May 9, 2025. As of the writing of this report on May 21, 2025, staff have not received any comments from members of the public.

Agency Consultation



Consultation

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

Town Engineering staff have reviewed the application from an infrastructure and right-of-way perspective and offer no objection and have no concerns with the application proceeding, subject to the applicant entering into an Encroachment Agreement with the Town. This has been included as a condition of development approval and the applicant is aware of this requirement and associated fees.

Town Infrastructure staff have also confirmed that there are no concerns with the proposed development and there will be no issues as there remains enough space for equipment to ensure that the sidewalk remains free and clear (i.e. snow removal).

Development Services Comments

The applicant is requesting relief from the Town's Zoning By-law to allow for an accessible ramp, stairs and landing to encroach into the Town's road allowance to improve the subject property and create a barrier free entrance.

Section 4.19.5, Table 4H of the Town's Zoning By-law sets the requirements for a wheelchair or accessible ramp as well as where stairs and a landing can be located from a property line. The applicant is requesting permission to allow for an encroachment of 1.26 metres beyond the front lot line into the Town's right-of-way to alter the existing entrance into a barrier free entrance. As noted above, Town staff have no concerns from an infrastructure and right-of-way perspective and an Encroachment Agreement will be required and has been included as a condition of development approval.

Planning staff are of the opinion that the proposed changes to the existing entrance to allow for a ramp, stairs, and landing to create a barrier free entrance will not negatively impact the surrounding properties and the design elements are minor in nature. Further, planning staff note that the existing sidewalk will not be impacted and remain free and clear. Infrastructure staff also reviewed the application and confirmed there is no concern, and enough space remains near the entrance and sidewalk to allow for Town equipment to be used to keep the sidewalks free and clear. It should also be noted that there are no concerns with the hydro-pole being in close proximity and no changes are required.

Planning staff have reviewed the requested variances and offer no objection to its approval. Planning staff are of the opinion that the requested variance is minor in nature, conforms to the general intent of both the Official Plan and Zoning By-law and is desirable for the development and use of the subject property.

Respectfully submitted,

Taylor Wellings



The Corporation of the Town of Milton

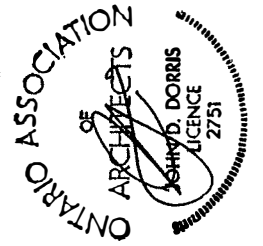
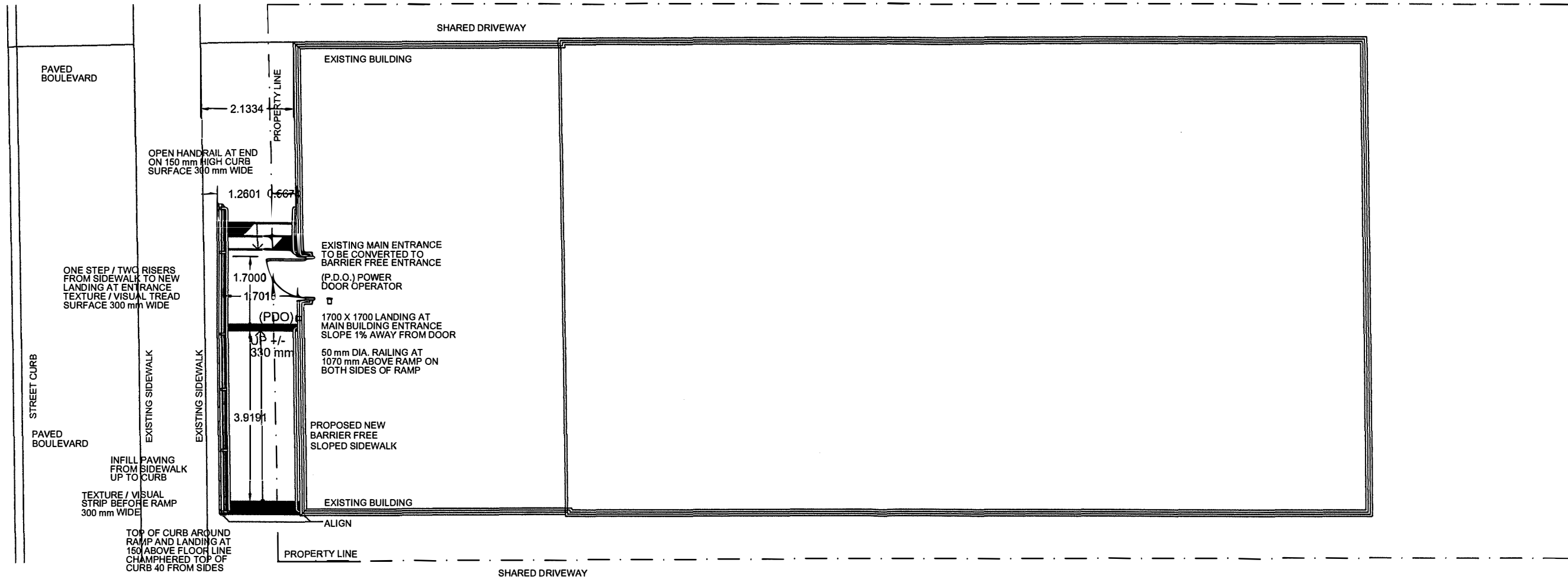
File #:
A-25-023M
Page 4 of 4

Taylor Wellings, MSc (PI), MCIP, RPP
Planner, Development Review

For questions, please contact:

Phone: Ext. 2311

Attachments
Figure 1 – Proposed Site Plan



ADAMS
JOHN D. DORRIS, ARCHITECT
 159 Wakefield Rd, Milton, Ontario L9T 2L7 (905) 878-5190

NEW BARRIER FREE WALKWAY FOR:
GRACEWAY BAPTIST CHURCH
 103 MARTIN STREET
 MILTON, ONTARIO

OVERALL SITE PLAN

MAR 23/24	SCHEME 3
1/64"=1'-0"	A1
2411	

MILTON TOWN OF MILTON DEVELOPMENT SERVICES
 ZONING: REVIEWED FOR C of RLL
 marian.gerges
 ZONING OFFICER
 APR



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

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

Date: May 29, 2025

File No: A25-025M

Subject: 392 Clarkson Gate

Recommendation: That the application for minor variance be approved subject to the following conditions:

1. That the unobstructed pedestrian access be provided in accordance with the Site Plan prepared by Knishk Chawkla and date stamped by Town Zoning on April 11, 2025;
2. That prior to Building Permit issuance, the applicant incorporates a sprinkler system, designed by a qualified professional in fire protection systems and in accordance with NFPA 13D standards, within the building permit package for the proposed Additional Residential Unit;
3. That the decision be subject to an expiry of two years should the development not proceed, conditions not be met 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:

- Allow an existing porch to encroach 0.25 metres into a required 1.2 metre unobstructed pedestrian access for an Additional Residential Unit, whereas the Zoning By-law does not permit a porch to encroach into the required pedestrian access.

The subject property is known municipally as 392 Clarkson Gate and legally described as Lot 60 on 20M-1167. Located generally north of Britannia Road and west of Regional Road 25, the subject property currently contains a single detached dwelling with an attached single car garage.

The applicant intends to create an Additional Residential Unit (ARU) within the existing basement - in order to do so, relief is required as it relates to the required unobstructed pedestrian access which provides a path of travel from the front of the property to the proposed ARU's access.

Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Urban Area on Map 1 - Regional Structure of the Halton Region Official Plan and further designated as Residential Area on Schedule B - Urban Land Use

Official Plan Designation (including any applicable Secondary Plan designations)

Plan and Schedule C.10.C - Boyne Survey Secondary Plan Land Use Plan of the Town of Milton Official Plan and Boyne Survey Secondary Plan.

The Urban Area designation within the Halton Region Official Plan seeks to facilitate orderly development that supports both the creation and sustainability of healthy communities.

The Residential Area policies both within the Official Plan and Secondary Plan allow Additional Residential Units subject to criteria set out in Section 2.7.3.17 which requires:

- 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.

Planning Staff is satisfied that the proposal is in conformity with the above-noted criteria. The lands are regulated by Conservation Halton, the ARU will have no impact on neighbourhood character given there is no change proposed to the exterior of the dwelling, the property is connected to municipal servicing, there are no physical changes proposed to existing stormwater management systems and grading on the site, severance is not proposed nor possible and finally, the applicant intends to register the unit with the Town.

Subject to the applicant fulfilling the proposed condition relating to residential sprinklers, Town Planning Staff is satisfied that the proposed unobstructed pedestrian access is adequate despite the porch encroaching.

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

Zoning

The subject lands are zoned site-specific Residential Medium Density I (RMD1*207) within the Town of Milton Urban Zoning By-law 016-2014, as amended. The RMD1*207 Zone permits a range of residential uses including single detached dwellings and Additional Dwelling Units.

Section 4.10 establishes criteria associated with ADUs, including subsection:

Zoning

v) An unobstructed pedestrian access with a minimum width of 1.2 metres 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.

The applicant is seeking to allow a porch to encroach 0.25 metres into the unobstructed pedestrian access. Section 4.10 (vii) allows certain encroachments, however, a porch or other architectural features are not explicitly included.

The intent of the above-noted provisions is 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 above-noted relief, the proposal maintains all other provisions of the Urban Zoning By-law 016-2014, as amended.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on May 9, 2025. As of the writing of this report on May 21, 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.

Development Services Comments

The applicant is seeking relief from Section 4.10 (v) of the Zoning By-law to allow an existing porch to encroach 0.25 metres into the required unobstructed pedestrian path of travel associated with a proposed Additional Residential Unit. The applicant initially considered removing the porch however, there is cold storage located below - accessed via the basement - which restricts their ability to alter the porch (and existing foundation).

From a planning perspective, the proposed encroachment will not infringe on a future tenant's ability to access the unit whether that be individuals entering/exiting and/or bringing items into the unit. Further, the porch only encroaches into a portion of the path of travel and therefore, a complete unobstructed 1.2 metres is provided for the majority of the path. Finally, the encroachment of 0.25 metres does not exceed the current 0.30 metre allowance associated with the permitted encroachments set out in Section 4.10 vii) the Zoning By-law and therefore, is consistent with established performance standards.

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 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. Further, the obstruction will not hinder first responders' ability to navigate the property with their equipment needed in emergency scenarios.



Consultation

Therefore, 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 therefore, does not jeopardize the overall safety of the unit nor its tenants.

Based on the aforementioned, Planning Staff offers no objection to the approval of this application, subject to the recommended conditions, and is satisfied that the variance 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.

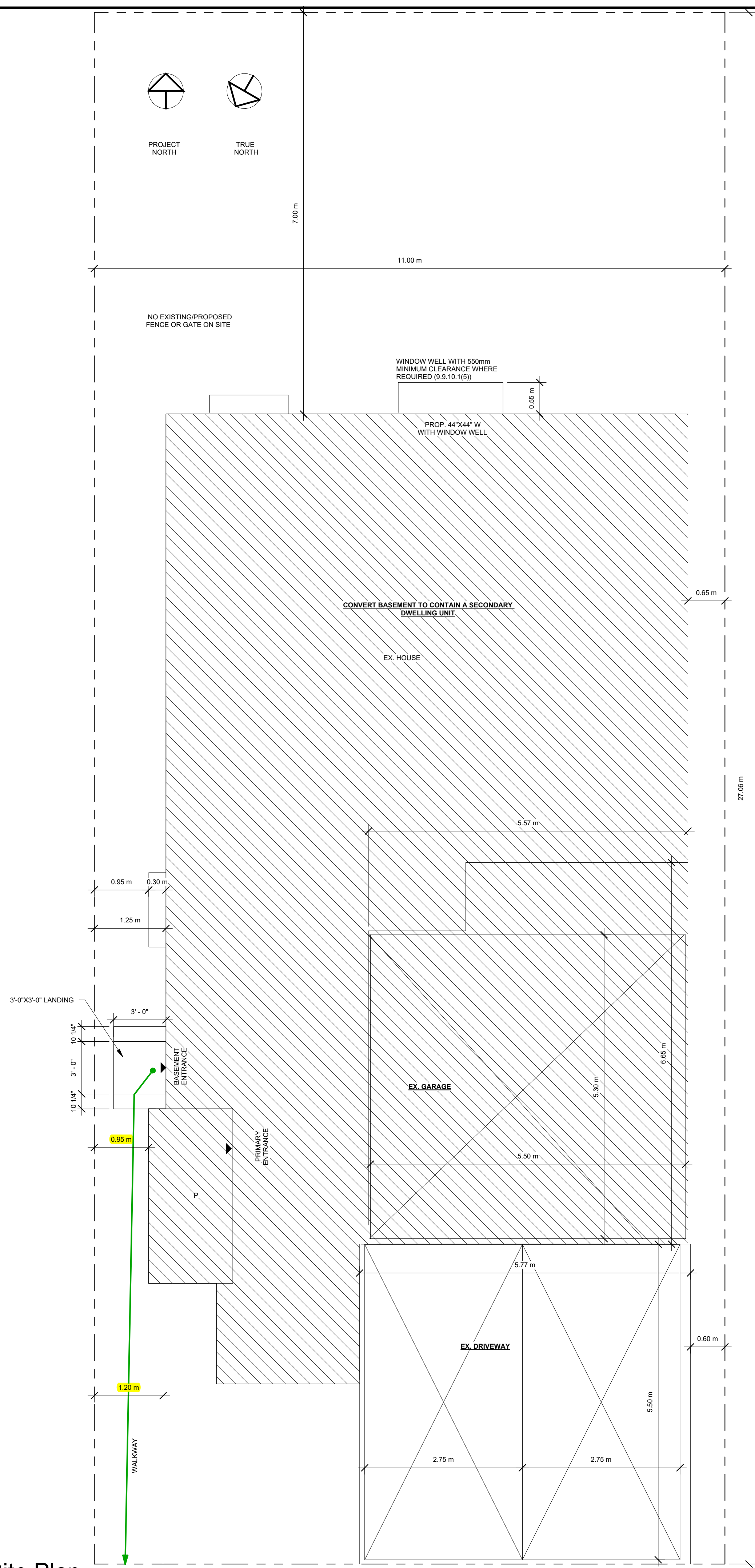
Respectfully submitted,

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 - Site Plan

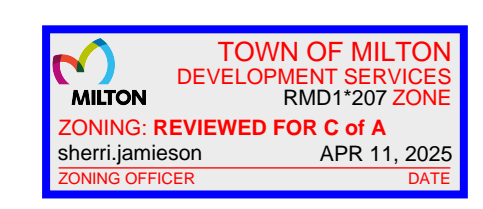


GENERAL NOTES

1. UNDER NO CIRCUMSTANCES ARE THESE DRAWINGS TO BE SCALED.
2. ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE LATEST VERSION OF THE ONTARIO BUILDING CODE (OBC) INCLUDING ALL THE LATEST STANDARDS REFERENCED WITHIN.
3. CONTRACTOR TO CHECK AND VERIFY ALL STRUCTURAL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER. FAILURE TO DO SO WILL CAUSE FORFEIT TO ANY CLAIM.
4. PROVIDE ADEQUATE TEMPORARY SHORING AS REQUIRED DURING DEMOLITION OF STRUCTURAL WALLS AND COMPONENTS. ANY AND ALL RESULTING DAMAGE SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
5. PROVIDE LINTELS OVER ALL OPENINGS, INCLUDING THOSE FROM MECHANICAL AND ELECTRICAL.
6. CARBON MONOXIDE DETECTORS ARE REQUIRED ADJACENT TO EACH SLEEPING AREA, AS PER O.B.C. 9.33.4.
7. SMOKE ALARMS SHALL BE LOCATED AS PER O.B.C. 9.10.19.2. SMOKE ALARMS SHALL BE WIRED SO THAT WHEN THE ALARM SOUNDS, ALL ALARMS SOUND AS PER O.B.C. 9.10.19.4.

LUMBER NOTES

1. ALL SAWN LUMBER TO BE S.P.F. No. 2 GRADE or BETTER AND CONFORM TO CSA-D141.
2. ALL ENGINEERED BUILT UP BEAMS ARE TO BE LVL'S (GRADE 2.0x10 + PSI). REPLACEMENT WITH A HIGHER GRADE IS NOT ALWAYS A SUITABLE EQUIVALENT. CONTACT ENGINEER FOR EQUIVALENT.
3. ALL LUMBER EXPOSED TO THE EXTERIOR IS TO BE PRESSURE TREATED U.O.N.
4. FASTEN TOP FLANGE OF ALL STEEL BEAMS INTO WOOD FLOORS/SUPPORTED MEMBERS WITH STRAPPING OR BOLTED PLATE CONNECTION.
5. ROOF SHEATHING TO BE 12 mm (1/2") PLYWOOD (MINIMUM) T&G, NAILED W/ 100 NAILS AT 6" C/C ALONG EDGES.
6. FLOOR SHEATHING TO BE 19 mm (3/4") ORIENTED STRAND BOARD (OSB) (MINIMUM) T&G, GLUED AND SCREWED.
7. WALL SHEATHING TO BE 11 mm (7/16") ORIENTED STRAND BOARD (OSB) (MINIMUM), NAILED W/ 100 NAILS AT 6" C/C ALONG EDGES.
8. PROVIDE SOLID BLOCKING BETWEEN JOISTS BELOW ALL BEARING WALLS WHICH ARE PERPENDICULAR TO THE JOISTS.
9. PROVIDE APPROVED BLOCKING OR BRIDGING AT 2000 mm (7'-0") O/C MAX. FOR FLOOR JOISTS.
10. TYPICAL BEARING WALL IS 2"x6" @ 16" O/C MIN. U.O.N.
11. ALL LUMBER BEAMS ARE TO BE SUPPORTED ON LUMBER POSTS (U.N.O) WITH EQUAL NUMBER OF LAMINATIONS.
12. ALL BUILT-UP POSTS ARE TO BE CONSTRUCTED CONTINUOUSLY TO THE FOUNDATION WITH SOLID TRANSFER BLOCKING AT EACH FLOOR.
13. WOOD IS NOT TO BEAR DIRECTLY ON CONCRETE/MASONRY, PROVIDE PRESSURE TREATED, POLY, OR SILL GASKET BETWEEN CONCRETE/MASONRY AND WOOD SILL PLATE.
14. ALL JOISTS SHOULD HAVE A MINIMUM OF 40 mm (1 1/2") OF BEARING U.O.N. BY MANUFACTURER.
15. ALL LUMBER BEAMS SHOULD HAVE A MINIMUM OF 75 mm (3") BEARING.



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

REGISTRATION AND QUALIFICATION INFORMATION

FIRM BCIN:
INDIVIDUAL BCIN: 503720
NAME: KNISHK CHAWLA
SIGNATURE: *Knishk Chawla*
DATE: 2025-04-10

PROJECT:
BASEMENT RENOVATION TO CONVERT IT INTO ADU

392 CLARKSON GATE
MILTON

CLIENT:
VIKRAM SINGH

PROJECT NOTES

DESIGN: K.C.	SCALE: AS SHOWN
DRAWN: K.C.	JOB No: 55
CHECKED: K.C.	
SHEET: 1 of 3	DWG. No: A0
DATE: 02/10/25	

1 Site Plan
1/4" = 1'-0"