



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

Thursday, June 26, 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.

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Pages

**5. ITEMS FOR CONSIDERATION**

**\*5.2 A25-027/M 269 Martin Street**

**4**

The applicant is seeking relief from the Town's Zoning By-law to allow for an increase in gross floor area as well as the height for the proposed accessory structure which will be located in the rear yard of the subject property.

**Recommended Motion:**

**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 Tarasick McMillan Kubicki Ltd. and stamped by Town Zoning on May 16, 2025.
2. The Owner acknowledges that there are outstanding grading defects on the property dating back to December 2023 related to Town Building Permit #23-3737 that needs to be dealt with and to the satisfaction of Town Engineering Staff;
3. That a Site Grading Plan will need to be submitted and reviewed by Town Engineering Staff;
4. That the Owner is required to regrade the side yard adjacent to 263 Martin Street to align with existing grades and to the satisfaction of Town Engineering Staff;
5. That the Owner installs the proposed retaining wall and interceptor swale in accordance with the Approved Grading Plan (Permit #23-3737) which will need to be reflected in the submitted Site Grading Plan for Building Permit approval.
6. That a Building Permit be obtained within two (2) years from the date of the decision; and
7. 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.

**\*5.3 A25-028/M 734 Miltonbrook Crecent**

9

The applicant is proposing to establish an Additional Residential Unit (ARU) in the basement of the existing single-detached dwelling. The ARU will include a below-grade entrance located in the interior side yard and to access the unit.

**Recommended Motion:**

**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 Heritage Solutions and stamped by Town Zoning on May 27, 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.**



# The Corporation of the Town of Milton

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Report To: Committee of Adjustment and Consent

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

Date: June 26, 2025

File No: A-25-027M

Subject: 269 Martin Street

**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 Tarasick McMillan Kubicki Ltd. and stamped by Town Zoning on May 16, 2025.
2. The Owner acknowledges that there are outstanding grading defects on the property dating back to December 2023 related to Town Building Permit #23-3737 that need to be dealt with and to the satisfaction of Town Engineering Staff;
3. That a Site Grading Plan will need to be submitted and reviewed by Town Engineering Staff;
4. That the Owner is required to regrade the side yard adjacent to 263 Martin Street to align with existing grades and to the satisfaction of Town Engineering Staff;
5. That the Owner installs the proposed retaining wall and interceptor swale in accordance with the Approved Grading Plan (Permit #23-3737) which will need to be reflected in the submitted Site Grading Plan for Building Permit approval.
6. That a Building Permit be obtained within two (2) years from the date of the decision; and
7. 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 for a total gross floor area of 25.75 square metres, + 9.75 square metres;
2. Requesting permission to allow for a maximum height of 3.58 metres, + 0.58 metres.

The subject property is known municipally as 269 Martin Street which is located north of Caves Court and on the west side of Martin Street. The property currently contains a dwelling which is under construction.

The applicant is seeking relief from the Town's Zoning By-law to allow for an increase in gross floor area as well as the height for the proposed accessory structure which will be located in the rear yard of the subject property.

## 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 Site Specific Residential Low Density (RLD1\*281) under the Town of Milton Zoning By-law 016-2014, as amended. The RLD1 zone permits a variety of residential uses as well as accessory buildings and structures.

### Variance One: Increase in Gross Floor Area

Section 4.2.1, Table 4A of the Town's Zoning By-law states that the maximum permitted gross floor area for accessory buildings is 16 square metres. The applicant has requested to allow for 25.75 square metres, a difference of + 9.75 square metres, to facilitate the proposed development.

## Zoning

### Variance Two: Increase in Maximum Height

Section 4.2.1 Table 4A of the Town's Zoning By-law states that the maximum height for an accessory structure is 3 metres in the RLD1 Zone. The applicant has requested permission to allow for a height of 3.58 metres, a difference of + 0.58 metres, to facilitate the proposed development.

## Consultation

### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on June 10, 2025. As of the writing of this report on June 18, 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.

Town Development Engineering Staff reviewed the application and offer no objection, however, will require a Site Grading Plan as part of the Building Permit Process. This has been included above as a condition of development approval.

## Development Services Comments

The applicant has requested a minor variance to facilitate the construction of an accessory structure in the rear yard of the subject property. The request has come forward to create an accessory structure that provides the family with additional living covered area outdoors and to be accessibly friendly for the family.

Section 4.2.1 Table 4A of the Town's Zoning By-law sets the requirements for accessory structures and buildings for the RLD1 Zone. The applicant is requesting permission to allow for an increase in the permitted gross floor area for 25.75 square metres as well as increase in height to 3.58 metres for the proposed accessory structure.

Planning staff do not have concerns with the requested variances for the proposed structure as it will meet the required side and rear yard setbacks from the property lines. Further, the rear yard is heavily treed which will assist with shielding the structure from the surrounding properties.

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,



# The Corporation of the Town of Milton

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## Consultation

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*

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

For questions, please contact:

Phone: Ext. 2311

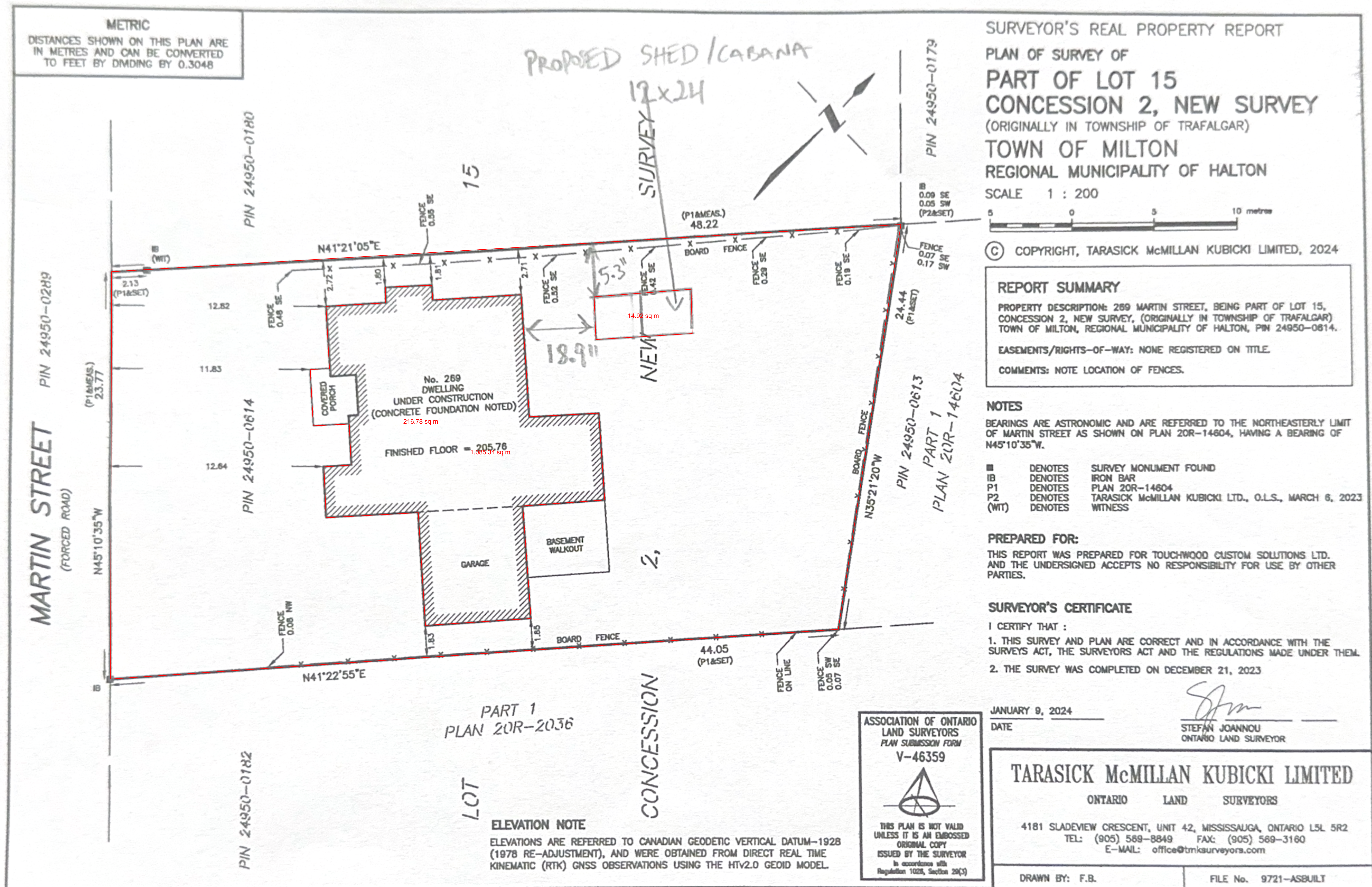
## Attachments

Figure 1 - Site Plan



269 MARTIN STR MILTON ON L9T 2R7

DEC 2024



TABLOID 11"x17"

**TOWN OF MILTON**  
**DEVELOPMENT SERVICES**  
RLD1\*281 ZONE  
**ZONING: REVIEWED FOR C of A**  
yaseen.albarim MAY 16, 2025  
**ZONING OFFICER** **DATE**





# The Corporation of the Town of Milton

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Report To: Committee of Adjustment and Consent

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

Date: A-25-028M

File No: A-25-028M

Subject: 734 Miltonbrook Crescent

**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 Heritage Solutions and stamped by Town Zoning on May 27, 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.

## 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:

- To allow for a below-grade entrance to encroach + 0.80 metres into the interior side yard

The subject property is known municipally as 734 Miltonbrook Crescent and located west of Farmstead Drive. The subject property contains a single-detached dwelling with an attached two-car garage. Surrounding uses are residential and primarily single-detached dwellings.

The applicant is proposing to establish an Additional Residential Unit (ARU) in the basement of the existing single-detached dwelling. The ARU will include a below-grade entrance located in the interior side yard and to access the unit.



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

The subject property is designated Residential Area on Schedule B of the Urban Land Use Plan of the Town of Milton Official Plan. Further, the subject property is designated as Residential Area on the Sherwood Survey Secondary Plan. The Residential Area designation permits a variety of residential uses.

Both the Town's Official Plan as well as the Sherwood Survey Secondary Plan provide permissions for Additional Residential Units (ARUs) within the Residential Area designation. Section 2.7.3.17 of the Town's Official Plan provides permissions for Additional Residential Units (ARUs), subject to the following criteria:

- 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 are satisfied that the proposed development is in conformity with the above-noted criteria. It is Staff's opinion that the proposal is in conformity with the Regional Official Plan, Town of Milton Official Plan and Sherwood Survey Secondary Plan.

## Zoning

The subject lands are zoned Residential Medium Density 1 (RMD1) under the Town of Milton Zoning By-law 016-2014, as amended. The RMD1 zone permits a variety of residential uses, including ARUs.

Section 4.19.5 Table 4H of the Town's Zoning By-law only permits below-grade stairs to encroach into a required rear or exterior side yard. The applicant is requesting permission to allow for below-grade stairs to be located in the interior side yard and to encroach 0.80 metres, to facilitate the proposed development.



## Consultation

### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on June 10, 2025. As of the writing of this report on June 18, 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 facilitate the construction of an Additional Residential Unit (ARU) within the existing basement of a single-detached dwelling with a two-car garage on the subject property. The applicant is requesting permission to allow for below-grade entrance and stairs to be located in the interior side yard and to encroach 0.80 metres, to facilitate the proposed development.

Planning staff note that the proposed encroachment for the below-grade entrance and stairs will only impact a small portion of the interior side yard and the remaining area will be unobstructed. Further, the proposed encroachment does not exceed the current 0.30 metre allowance associated with permitted encroachments set out in Section 4.10 vii) of the Town's Zoning By-law and is consistent with established performance standards and meets requirements and the review of Town Engineering Staff. Therefore, it is Planning Staff's opinion that the encroachment does not render the unobstructed pedestrian access inadequate, and it can function as intended,

Planning staff have reviewed the requested variance 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*

Taylor Wellings, MSc (PI), MCIP, RPP





# The Corporation of the Town of Milton

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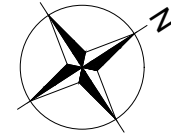
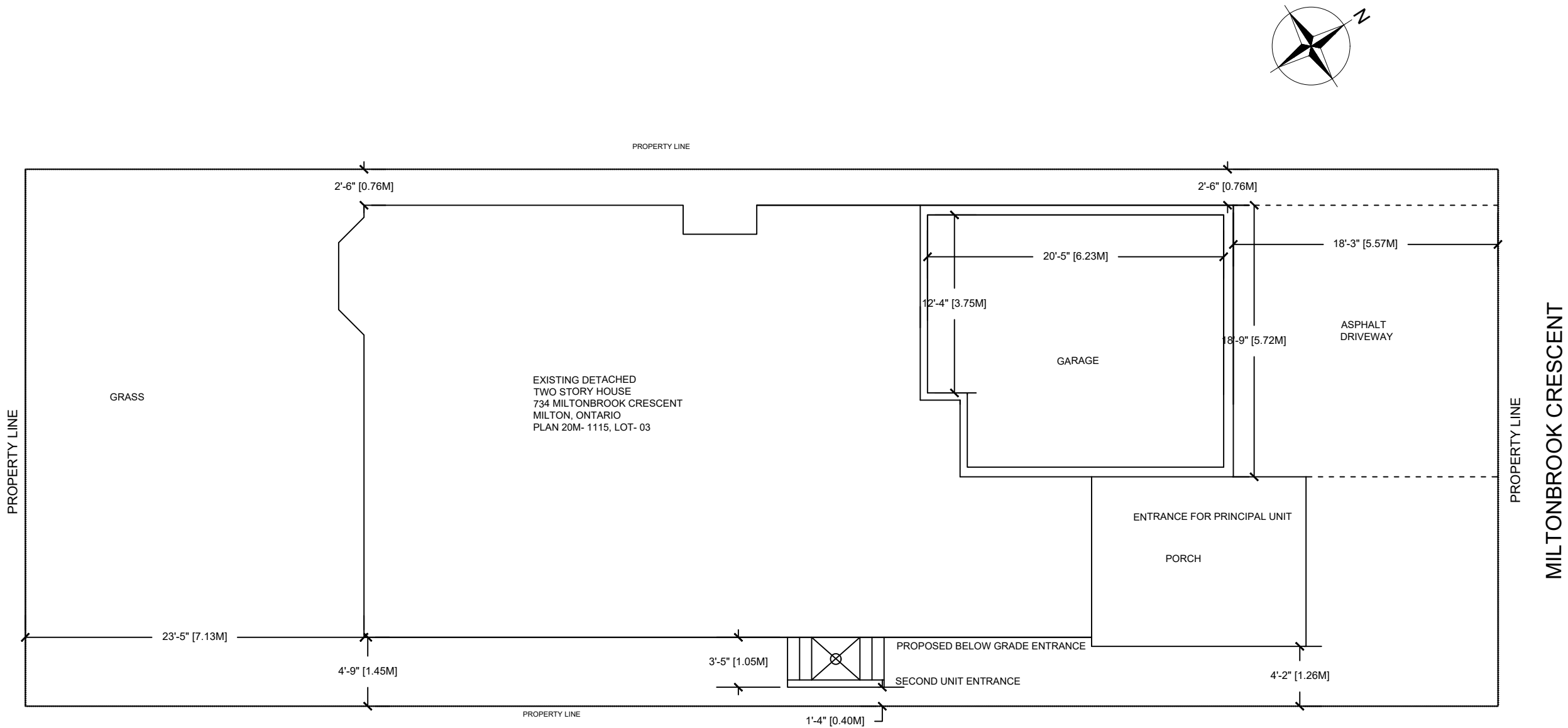
Planner, Development Review

For questions, please contact:

Phone: Ext. 2311

Attachments
Figure 1 - Site Plan





Notes:

*HERITAGE  
SOLUTIONS*

PROJECT ADDRESS:

PROJECT DESCRIPTION:

DRAWING DESCRIPTION:

SCALE:

DATE:

DRAWING NO:

REVISION:



TOWN OF MILTON

DEVELOPMENT SERVICES

RMD1 ZONE

ZONING: REVIEWED FOR C of A

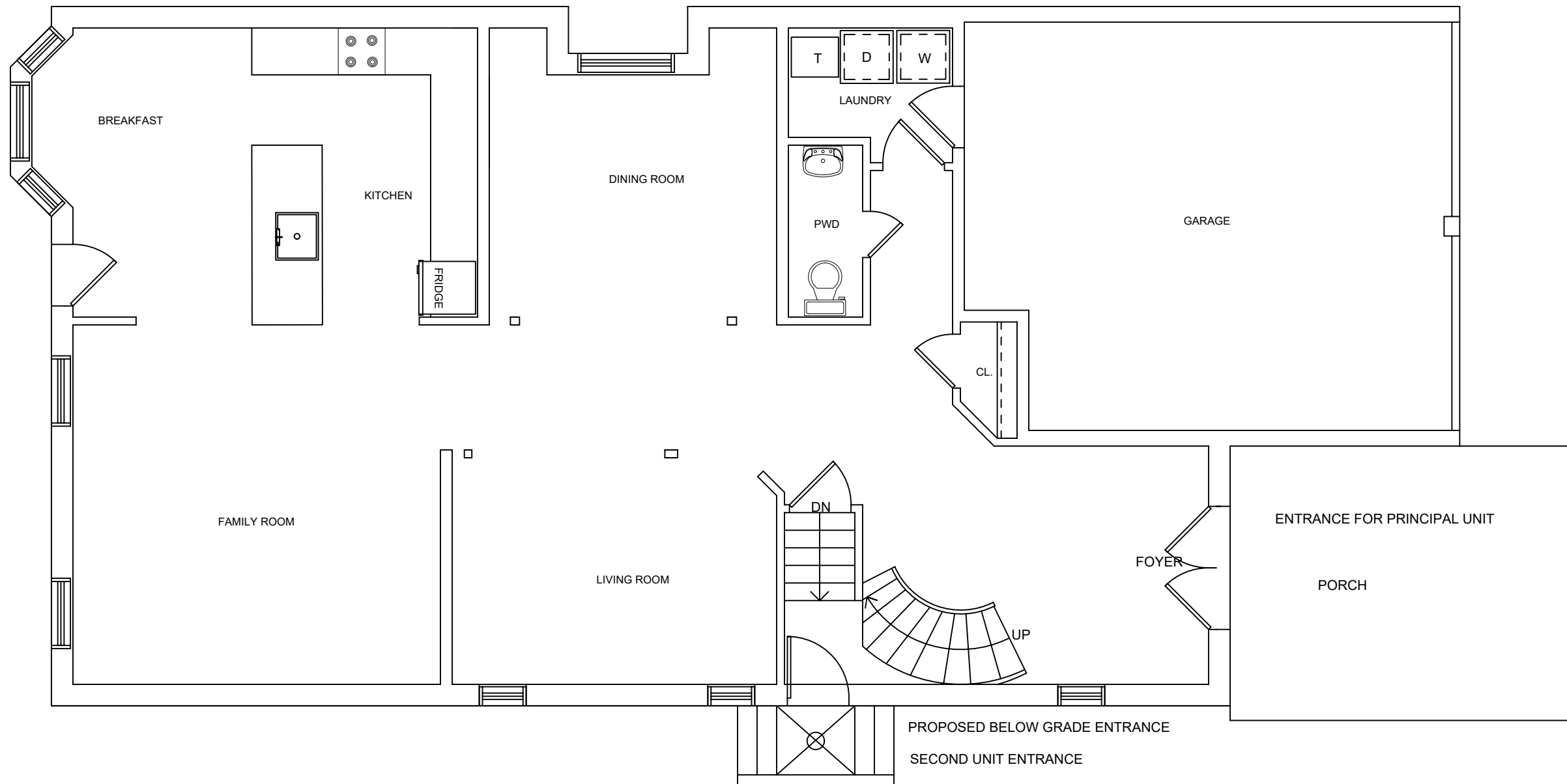
yaseen.albarim

ZONING OFFICER

MAY 27, 2025

DATE





EXISTING MAIN FLOOR PLAN