



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Madison Polidoro

Date: 10/24/2024

File No: A24-046/M

Subject: 206 Martin Street

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

1. That the development proceed generally in accordance with the Site Plan and Elevations, prepared by Matthew Design and Drafting Services Inc., date stamped by Town Zoning on September 6, 2024.
2. That prior to Building Permit issuance, a Stormwater Management Brief and Grading Plan be provided, to the satisfaction of Development Engineering.
3. That a Building Permit be issued within two (2) years from the date of this decision; and,
4. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a Building Permit is not secured.

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 lot coverage of 30.4% whereas the Zoning By-law permits a maximum lot coverage of 20% for lots with an area greater than 830 square metres.
- Permit a minimum interior side yard setback of 1.46 metres where there is an attached garage or carport, whereas the Zoning By-law requires a minimum of 1.8 metres in an interior side yard where there is an attached garage or carport.
- Allow a setback of 3.64 metres from the building front wall to the garage face, whereas the Zoning By-law requires a minimum setback of 5.5 metres.

The subject property is known municipally as 206 Martin Street and is generally located north of the intersection of Martin Street and Main Street East. Surrounding uses are primarily residential and mainly comprised of single-detached dwellings. Martin Street Public School and Holy Rosary Elementary School are also located within walking distance to the site.



General Description of Application

The subject lands currently contain a single-storey single detached dwelling. The applicant is proposing to construct a single-storey home with an attached garage and a covered porch in the front yard.

Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Residential Area on Schedule B - Urban Area Land Use within the Town of Milton Official Plan. The lands are further designated as residential under the Milton 401 Industrial Business Park Secondary Plan. These designations establishes that the primary use of land shall be a mix of low, medium and high density residential development.

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 I Zone (RLD1*281) under the Town of Milton Zoning By-law 016-2014, as amended. The RLD1*281 zone permits a variety of residential uses, including detached and semi-detached dwellings.

Section 6.2 Table 6B-1 (l) of the Zoning By-law permits a maximum lot coverage of 20% for lots with an area greater than 830 square metres. The lot coverage calculation includes the area of the single detached dwelling, attached garage and covered porch. The applicant is requesting an increased maximum lot coverage of 30.4% (an increase of 10.4%) to accommodate the proposed works.

Section 6.2 Table 6B footnote *2 i) b. of the Zoning By-law requires a minimum interior setback of 1.8 metres where there is an attached garage or carport. The applicant is seeking to reduce the interior setback to 1.46 metres (a difference of 0.34 metres).

Section 6.3.2 b) of the Zoning By-law requires that minimum the garage face must be setback 5.5 metres from the front building wall. The applicant is seeking to reduce the setback from the front building wall to the garage face to 3.64 metres.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on October 9th, 2024. As of the writing of this report on October 17th, 2024, staff have not received any comments from members of the public.

Agency Consultation

Development Engineering

Consultation

- 1) The Owner agrees to provide a Detailed Grading Plan at the time Building Permit application for construction of the new residence complete with the following items;
 - a) Sump pump and downspout locations;
 - b) Existing elevations along the property lines (which are not to be altered);
 - c) Existing and proposed elevations for the interior property;
 - d) Proposed elevations at building corners;
 - e) Swale locations, direction and slopes;
- 2) Stormwater Management Brief/Memo outlining what SWM measures will be installed to mitigate the impact of the added impervious surface, how they will function, and why they are appropriate for the site. The memo should be reviewed and stamped by a Professional Engineer. Please include any details of the SWM measure.

Urban Design

- The side yard reduction from the minimum requirement of 1.8m to 1.46m on one side of the dwelling would not create a negative impact as long as the proposed dwelling is one-storey in height.
- The one storey dwelling will contribute to the diversity of built forms in a neighbourhood in which most new builds are two storey in height.
- The proposed roof design, porch, front yard setback and enhanced quality of façade materials will also contribute to enhance the attributes of the dwellings and the character of the neighbourhood.
- The lot is only 3m² over 830m². The proposed lot coverage increase could be supported to facilitate the introduction of neighbourhood-friendly one-storey structures.

Building

- A demolition permit is required to demolish existing house.
- Building permit is required to construct new dwelling unit.
- Building permit will be required to construct any accessory structure(s).
- Construction/demolition shall not start until a building permit is obtained.
- Any comments regarding the proposed construction will be addressed during the plans review process once a building permit application is received.

Additional items to provide with all design drawings for permit submission includes, but not limited to:

- New mechanical (HVAC) design including heat loss/gain calculations.
- Spatial separation calculations and exposure protection to verify minimum construction requirements of exposed building faces.
- Soils report for bearing capacity value may be required.
- All drawings to be prepared by qualified designer/Architect/P-Eng. with appropriate identifying stamp affixed.
- Permit drawings to be submitted in digital format (PDF) left unprotected for mark-ups.



Consultation

Development Services Comments

In order for a permit to be issued to construct the proposed dwelling, all relevant Zoning By-law provisions must be met, including a maximum lot coverage of 20%, a minimum carport setback of 5.5 metres and an interior side yard setback of 1.8 metres. The applicant is requesting relief from the above-noted provisions by seeking an increased lot coverage of 30.4%, a reduced carport setback to 3.64 metres and a reduced interior side yard setback of 1.46.

Planning Staff is of the opinion that the increase in lot coverage is minor in nature. It is important to note that the size of the lot is 833 square metres and had the lot been under 830 square metres, the as-of-right lot coverage would be 25%. Planning Staff has given consideration to the size of the lot and are of the opinion that the increase of 10.4% will not result in over development, nor adversely affect neighbouring lots. It is important to note that the 10.4% does include the proposed covered porch which is a positive urban design attribute. Further, the proposed dwelling does not protrude beyond the existing footprints of adjacent dwellings and fits well within the existing built form along Martin Street.

Planning Staff is of the opinion that the reduction in the carport setback as well as the reduced interior side yard setback are minor in nature and will not impact the façade of the proposed dwelling nor the façade of the neighbourhood. Urban Design Staff have reviewed the proposal and are satisfied that it maintains the intent of the Zoning By-law and will contribute to the diversity of built form in the neighbourhood.

Development Engineering had an opportunity to review the application and had no objections to the application. However, Development Engineering will require a Stormwater Management Brief and Grading Plan in order to assure that the proposed dwelling will not create drainage impacts on the subject property or those adjacent.

Planning Staff have reviewed the request to allow an increase in lot coverage and reduction of both the carport setback and interior side yard setback and offer no objection to the proposed variance approval. Planning Staff is of the opinion that the relief being requested is minor in nature, desirable for the development of the subject lands, maintains the intent of the Zoning By-law and conforms to the Official Plan.

Respectfully submitted,

Madison Polidoro

Madison Polidoro
Planner, Development Review

For questions, please contact:

Madison.Polidoro@Milton.ca

Phone: Ext. 2311