



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Madison Polidoro

Date: 10/24/2024

File No: A24-48/M

Subject: 1400 Farmstead Drive

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

1. That prior to Occupancy Permit issuance, a Building Permit is obtained to legalize the finished basement.
2. That an Occupancy Permit for a Short-Term Rental unit 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 an Occupancy 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 the width of a parking space on a residential driveway to be 2.5 metres, whereas the Zoning By-law requires 2.75 metres (a reduction of 0.25 metres).

The subject property is known municipally as 1400 Farmstead Drive and is generally located west of the Britannia Road and Regional Road 25 intersection. The subject property contains a semi-detached dwelling with an attached garage. Surrounding land uses are mainly residential and is primarily comprised of semi and single detached dwellings.

The applicant is proposing a Short-Term Rental unit in the basement of the dwelling. In order to do so, one parking space must be provided for the short term rental in addition to two parking spaces for the main dwelling. To accommodate the third parking space, the applicant is seeking relief from the requirement dimensions of a parking stall.

Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Residential Area on Schedule B - Urban Area Land Use Plan within the Town of Milton Official Plan and is further designated as Residential Area within the Boyne Survey Secondary Plan. This designation establishes that the primary use of land shall be a mix of low, medium and high density residential development.



Official Plan Designation (including any applicable Secondary Plan designations)

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 Medium Density 1 (RMD1*207) under the Town of Milton Urban Zoning By-law 016-2014, as amended. The RMD1*207 Zone permits a variety of residential uses, including detached townhouse dwellings.

Within the RMD1 Zone, Short-Term Rentals are permitted, subject to the criteria set-out in Section 4.24 which requires that one parking space be provided for the unit, in addition to the required two spaces for the principle dwelling. Therefore, the applicant is seeking to reduce the width of a parking space on the driveway to accommodate two spaces, in addition to the space located in the garage.

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

Building

According to the applicant's letter of use and the floor plan drawing provided, it shows that the basement is fully finished and the work was carried out by the initial builder, West Country Milton Properties Ltd. However, the Town approved model drawings for this particular model only shows to have a partially finished basement, with the front area where the wet bar & laundry is shown to be located to be left unfinished. There is also a note on the approved model drawing that if this area is to be finished at later date that a new issued building permit will be required to complete any work. There is no record of a Town issued permit to carry out this work.

The applicant will be required to apply for a building permit in order to legalize the work that was performed for the area in question and provide the Town with additional necessary information as needed during the building permit process.

Development Services Comments

In order for a permit to be issued to construct a short-term rental unit, all relevant Zoning By-law provisions must be met, including the provision of one parking space for the additional residential unit, in addition to the two parking spaces required for the primary dwelling unit.

The applicant is requesting permission to reduce the size of a parking space, located on a driveway, by 0.25 metres (resulting in a 2.5 metre width) to provide two legal spaces on the driveway, in addition to one in the garage. The minimum parking space size requirement in the Zoning By-law ensures that adequate space is available for vehicles to park, and be functional for access. The driveway is proposed to remain in its current state, in which the owner has



Consultation

demonstrated the ability to adequately park two vehicles. And, despite being deficient in the minimum width required by the Zoning By-law, the driveway is able to accommodate two vehicles.

Planning Staff have reviewed the request to reduce the size of the parking space and offer no objection to the proposed variance approval. The owner has provided photographs that demonstrate the vehicles can adequately park wholly on the existing driveway and access to the interior of the vehicles can be achieved. Therefore, Planning Staff are 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

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For questions, please contact:

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