



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Development Services

Date: September 26, 2024

File No: A-24-039M

Subject: 74 Miles Street

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

1. That a Stormwater Management Brief and Grading Plan be provided, to the satisfaction of Development Engineering, prior to Building Permit issuance.
2. That a Building Permit 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.

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 permit a lot coverage of 32.7% for a lot coverage inclusive of covered porches, for a lot with an area between 660 square metres and 830 square metres, whereas the maximum permitted lot coverage on such is 25%.
- To permit a garage face setback of 5 metres, whereas the minimum required setback for a garage face width greater than 3.5 metres is 5.5 metres from the building front wall.

The subject property is known municipally as 74 Miles Street and is generally located east of the intersection of Bronte Street South and Main Street West. Surrounding uses are primarily residential and mainly comprised of single-detached dwellings.

The subject lands currently contain a single-storey single detached dwelling with an attached garage. The applicant is proposing to construct a two-storey home with an attached garage, with covered porches in both the front and rear yards. There is also a sunken patio proposed 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 Area Land Use Plan within the Town of Milton Official Plan. This designation establishes that the primary use of



Official Plan Designation (including any applicable Secondary Plan designations)

land shall be a mix of low, medium and high density residential development. A variety of medium and high density residential uses are permitted.

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*279) under the Town of Milton Zoning By-law 016-2014, as amended. The RLD1*279 zone permits a variety of residential uses, including detached and semi-detached dwellings.

Section 6.2 Table 6B-1 (I) of the Zoning By-law permits a maximum lot coverage of 25% for lots with an area between 660 square metres and 830 square metres. The lot coverage calculation includes the area of the single detached dwelling, attached garage and the two covered porches. The applicant is requesting an increased maximum lot coverage of 32.7% (an increase of 7.7%) to accommodate the proposed works.

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 reduced the setback from the front building wall to the garage face to 5 metres.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on September 10th, 2024. As of the writing of this report on September 18th, 2024, staff received a letter from a neighbouring property owner. The comments were in respect to concerns of flooding that could be caused by the proposed works.

Planning Staff are cognizant of potential flooding impacts when Minor Variance Applications contemplating lot coverage increases are proposed, particularly in the mature neighbourhood. All minor variance applications are circulated to Town Engineering Staff. Development Engineering Staff have requested a Stormwater Management Brief and Grading Plan, which will be required at the time of permit, to their satisfaction. These plans are a condition of Planning Staff support for this application. These plans will assure that run off is completely contained to the subject site and there are no negative impacts to adjacent properties due to the proposed works.

Agency Consultation

Urban Design

The applicant has made a series of revisions to the footprint plans that have resulted in:

- an increase of the garage setback;
- a reduction of the proposed lot coverage; and

Consultation

- the removal of the second floor balcony and reduction of the covered porched area.

These changes contribute to maintaining and enhancing the streetscape character and eliminated any potential impact of a rear balcony on the adjacent properties.

Development Engineering

Please be further advised that Development Engineering has no objection to the approval of this application; however, the Owner must acknowledge and agree that at time of Building Permit,

Development Engineering will require the following information:

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;
- f) Driveway slope;
- g) Retaining wall details;
- h) Location of the sediment control fence;

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.

3) A curb cut entrance is required before construction begins.

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 25% and a minimum garage face setback of 5.5 metres. The applicant is requesting relief from the above-noted provisions by seeking an increased lot coverage of 32.7% and a reduced garage face setback of 5 metres.

Planning Staff is of the opinion that the increase in lot coverage is minor in nature and will not pose a significant impact to neighbouring properties. Further, the additional lot coverage does not result in over development. Development Engineering did not have any objections to the application, however they have requested a Stormwater Management Brief for the increased lot coverage to ensure that the proposed dwelling will not create drainage concerns on the subject property or those adjacent

Respectfully submitted,



The Corporation of the Town of Milton

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Planning Staff is of the opinion that the reduction in the garage face setback is minor in nature and will not impact the façade of the proposed dwelling nor the facade of the neighbourhood. Urban Design Staff have reviewed the proposal and are satisfied that it maintains the intent of the Zoning By-law. Further, the proposal maintains and enhances the streetscape character.

Planning Staff have reviewed the request to allow an increase in lot coverage and reduction of garage face 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
Planner, Development Review

For questions, please contact: Madison.Polidoro@Milton.ca Phone: Ext. 2311

Attachments

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