



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

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

Date: January 30, 2025

File No: A24-061M

Subject: 10487 Darkwood Road

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

1. That the detached garage be constructed in accordance with the site plan and elevations, prepared by Frontiers Design and Build, dated stamped by Town Zoning on December 4, 2024;
2. That a Building Permit be obtained within two (2) years from the date of decision; and,
3. That the decision be subject to an expiry of (2) years 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 144-2003, as amended, has been requested to:

- Allow an accessory building to have a maximum gross floor area of 130.20 square metres, whereas the Zoning By-law currently permits a maximum gross floor area of 93 square metres (an increase of 37.20 square metres).

The subject property is known municipally as 10487 Darkwood Road and legally known as Part of Lot 14 on Concession 1. The property is generally located south of No. 15 Side Road on the east side of Darkwood Road. Surrounding land uses included agriculture and natural heritage systems.

The subject property currently contains a single detached dwelling and two accessory structures that are used for the equestrian farming operation on-site. The applicant intends to construct a detached garage that will be used for personal storage. To facilitate the proposal, the applicant is seeking relief from the Zoning By-law to accommodate an increase in gross floor area.



Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Agricultural Area with a Greenbelt Plan overlay on Schedule 1 - Town Structure Plan.

The Agricultural Area designation permits a single detached dwelling on existing lots of records, including accessory structure associated with the principal use, and normal farm practices. This policy direction is consistent with the Greenbelt Plan and the intent of the applicable overlay.

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

Zoning

The subject lands are zoned as Rural (A2) with portions zoned Greenlands A (GA) and Greenlands B (GB) within the Town of Milton Rural Zoning By-law 144-2003, as amended. Staff note that the proposed structure is located entirely within the A2 Zone.

The A2 Zone permits single detached dwellings and accessory structures, in addition to normal farm practices. The applicant is seeking relief from Section 4.1.2.2 ii) of the Rural Zoning By-law 144-2003, as amended, to permit a maximum gross floor area of 130.20 square metres, whereas 93 square metres is currently permitted.

With the above-noted exception, the proposal complies with all other provisions within the Rural Zoning By-law 144-2003, as amended.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on January 15, 2025. As of the writing of this report on January 22, 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.

The subject property is partially regulated by Conservation Halton (CH). The applicant has confirmed with CH that the proposed works are located outside of the regulated areas and therefore, CH has no objection the proposed development.

Development Services Comments

The applicant intends to construct a detached garage that is accessory to the dwelling. The garage will be used for personal storage such as amenity vehicles, property maintenance equipment and pool storage. To facilitate the proposal, the applicant is seeking permission to increase the permitted gross floor area of a detached garage.

The proposed detached garage is within reasonable proximity to the dwelling that it is accessory to and therefore maintains the existing development cluster. Further, the proposal results in no



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Consultation

tree removal or disturbance to adjacent natural features. While various accessory structures exist on the lot in support of the existing agricultural operation, the proposed additional gross floor area associated with the detached garage is minor and has a negligible impact on the overall site. Approval of this application will not result in overdevelopment of the lot given the subject property is 39.06 hectares and existing woodlands surrounding the structure adequately shields it from view, therefore resulting in no impact to adjacent landowners.

Based on the aforementioned, Planning Staff offer no objection to the approval of this application. The variance being requested is considered 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

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For questions, please contact:

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Attachments

Figure 1 - Proposed Site Plan