



# The Corporation of the Town of Milton

---

Report To: Committee of Adjustment and Consent

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

Date: February 27, 2025

File No: A-25-001M

Subject: 2310 Mohawk Trail

**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 Jansen Consulting and dated and stamped by Town Zoning on January 1, 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 144-2003, as amended, has been requested:

1. To allow for an additional detached garage (+1 detached garage on a lot);
2. To allow for a garage door height of 3.05 metres (+ 0.65 metres);
3. To allow for a detached garage to be located in the front yard; and
4. To allow a detached garage to have a height of 6.2 metres (+ 1.9 metres).

The subject property is known municipally as 2310 Mohawk Trail. The subject property is west of Second Line and surrounding uses are primarily agricultural and rural residential. The subject lands currently contain a single-detached dwelling as well as a one storey detached garage. The applicant is proposing to construct a second detached garage which will be two storeys. The applicant is requesting relief from the Town's Zoning By-law to allow for the additional detached garage and to seek special permissions for its proposed height as well as location on the subject property.



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

The subject property is designated as Agricultural Area in the Town of Milton Official Plan. The Agricultural Area designation permits single-detached dwellings on existing lots as well as accessory buildings and structures.

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

The lands are designated as Greenbelt Protected Countryside and Greenbelt Natural Heritage System in the Greenbelt Plan. These policies permit existing uses and single detached dwellings on the lands, provided that they were permitted prior to the date that the Greenbelt Plan came into force. Expansions to existing buildings and structures and accessory structures are also permitted provided that new municipal services are not required and that the use does not expand into a key natural heritage future or key hydrologic feature, except if there is no other alternative.

It is Staff's opinion that the proposal is in conformity with the Greenbelt Plan.

### Zoning

The subject lands are zoned Estate Residential Zone (RE). A single-detached dwelling is permitted on an existing lot of record within the RE Zone as well as accessory buildings and structures.

#### Variance One: Additional Garage

Section 4.1.1.2, i) of the Town's Zoning By-law states that a garage or carport is permitted on a lot provided that an attached or detached garage or carport is not already located on the lot. The applicant has requested permission to allow for an additional garage, +1 detached garage on the subject property.

#### Variance Two: Garage Door Increase in Height

Section 4.1.1.2, vi) of the Town's Zoning By-law states that a garage door shall not exceed 2.4 metres in height. The applicant has requested permission to allow for a garage door height of 3.05 metres, + 0.65 metres, to facilitate the proposal.

#### Variance Three: Front Yard Location

Section 4.1.1.2.2, vi) of the Town's Zoning By-law states that a detached garage or carport shall be located in the interior side yard or rear yard of the lot only. The applicant has requested permission to allow for the detached garage to be located in the front yard, to facilitate the proposal.

#### Variance Four: Garage Increase in Height

Section 4.1.1.2.2, ix) of the Town's Zoning By-law states that a detached garage or carport shall not exceed a height of 4.3 metres. The applicant has requested permission to allow a detached garage to have a height of 6.2 metres, + 1.9 metres, to facilitate the proposal.



## Consultation

### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on February 6, 2025. As of the writing of this report on February 19, 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.

Halton Region identified concerns with the proposal as it relates to the proposed garage's proximity to an adjacent Key Feature (Candidate Significant Woodlands). Halton Region conducted a site visit on February 7, 2024, to determine if that lands are part of a woodland, as defined by the Regional Official Plan (ROP). Following the site visit, the Region was of the opinion that the wooded area is a Candidate Significant Woodland. The Region has requested that the development be relocated outside of the 30 metre buffer of the Key Feature. These comments have been provided to Committee members for consideration.

Town Planning Staff have reviewed the Region's comments as well as the submitted Environmental Impact Assessments (EIAs) and acknowledge the site conditions and concerns. However, based on the location of the proposal, existing site conditions, as well as outcome of the first and second EIAs submitted by the applicant, it is Town Planning Staff's opinion that the proposed development does meet the intent of Halton Region's policies and that the impact of the proposed structure, on the adjacent Key Feature is minimal. Further, the entire subject property is considered to be within what Halton Region defines as a 30-metre buffer from a Key Feature and there is no opportunity on the subject lands to relocate the proposal outside of the described buffer.

Town planning staff do feel that the proposed location is appropriate given the location of the existing dwelling and detached garage. Further, it should be noted that the property also contains private servicing which limits the applicant from shifting the proposed detached garage to the rear of the property. Town planning staff are also of the opinion that the mitigation efforts outlined in the EIA will assist in ensuring there is no negative direct or indirect impact to the Key Feature.

Planning Staff are of the opinion that the considerations aforementioned demonstrate that the impact on surrounding Key Features is minimal, and the proposal is the most efficient and logical location on the lands.

## Development Services Comments

The applicant has requested a minor variance to facilitate the creation of a detached garage on the subject lands. The subject property currently contains a single-detached dwelling and one-storey detached garage. The applicant has requested this minor variance application to facilitate the construction of a second detached garage to provide additional storage and living space for the property owners.

### Variance One: Additional Garage



## Consultation

The applicant has requested permission to allow for an additional garage, +1 detached garage on the subject property. The applicant has expressed the need for additional storage and living quarters for their family as well as an area for a hobby workshop. Staff are of the opinion that the additional detached garage will not negatively impact the amenity space on the subject property. The structure will remain clearly accessory to the primary permitted use.

### Variance Two: Garage Door Increase in Height

The applicant has requested permission to allow for a garage door height of 3.05 metres, + 0.65 metres, to facilitate the proposal. The increase in height for the garage door has been requested to allow for the homeowner to park a personal motorhome indoors. Staff are of the opinion that the increase in height for the garage door is minor in nature and have no concerns.

### Variance Three: Front Yard Location

The applicant has requested permission to allow for the detached garage to be located in the front yard, to facilitate the proposal. Staff are of the opinion that the proposed location is appropriate and in keeping with the existing development on the subject property. From a sightline perspective, the subject property is heavily wooded and the proposed location is set back sufficiently from the road and will not pose any concerns for surrounding property owners. Staff have no concerns with the proposed front yard location.

### Variance Four: Garage Increase in Height

The applicant has requested permission to allow for a detached garage to have a height of 6.2 metres, + 1.9 metres, to facilitate the proposal. Staff are of the opinion that the increase in height for the proposed detached garage is negligible given the size of the property as well as the heavily wooded environment. As noted above, the request for the increase in height for the garage and garage door is due to the need to park the homeowner's motorhome indoors. Staff do not have any concerns about the request for the height increase.

Planning Staff are of the opinion that the requested variances are minor in nature, conform to the general intent of both the Official Plan and Zoning By-law and are desirable for the development and use of the subject property. As such, Planning Staff have reviewed the requested variances and offer no objection to their approval as the increased height, additional garage and its location are not expected to negatively affect adjacent properties.

Respectfully submitted,

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

For questions, please contact:

Phone: Ext. 2311



# The Corporation of the Town of Milton

File #:  
A-25-001M  
Page 5 of 5

---

Attachments
-------------

Figure 1 – Proposed Site Plan
-------------------------------