



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

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

Date: March 27, 2025

File No: A-25-006M

Subject: 104 Barton Street

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 stamped by Town Zoning on February 7, 2025.
2. That a Stormwater Management Brief and Detailed Site Grading & Servicing Plan be provided to Town Engineering Staff for their review and approval, prior to the issuance of a Building Permit.
3. That a Building Permit be obtained within two (2) years from the date of the 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:

1. To allow for an existing accessory building on the property on a temporary basis;
2. To allow for the exterior side yard setback to be 2.18 metres (- 1.82 metres);
3. To allow for a lot coverage of 34.65% (+ 9.65%);
4. To allow for the dwelling face to be 42.1% of the building face (- 7.9%); and
5. To allow for a garage face to be setback 2.69 metres from the building front wall (- 2.81 metres).

The subject property is known municipally as 104 Barton Street. The subject property is located on the corner of Barton Street and Bell Street and the surrounding uses are residential. The subject property currently contains a single-detached dwelling as well as an accessory structure. The applicant is proposing to construct a new single-detached dwelling and retain the existing accessory structure. The applicant is requesting relief from the Town's Zoning By-law to allow for



General Description of Application

the proposed single-detached dwelling to seek special permissions for lot coverage, dwelling and the garage face as well as the minimum exterior side yard setback.

Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Residential Area in the Town of Milton Official Plan. This designation permits single detached dwellings and associated accessory structures. Secondary Residential Units are also 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 (RLD1*279). A single-detached dwelling is permitted as well as accessory buildings and structures.

Variance One: Accessory Building to Remain

Section 4.2.1 of the Town's Zoning By-law states that Accessory Buildings are not permitted as a principal use. The applicant has requested permission to allow for an existing accessory building on the property to remain on a temporary basis between the demolition of the existing detached dwelling and construction of new detached dwelling.

Variance Two: Minimum Exterior Side Yard Setback

Section 6.2, Table 6B of the Town's Zoning By-law states that the minimum exterior side yard setback is 4.0 metres. The applicant has requested permission to allow for the exterior side yard setback to be 2.18 metres, a difference of - 1.82 metres, to facilitate the proposed development.

Variance Three: Minimum Lot Coverage

Section 6.2, Table 6B of the Town's Zoning By-law states that for lots with an area between 660-830 square metres, the maximum permitted lot coverage is 25%. The applicant has requested permission to allow for lot coverage of 34.65%, a difference of + 9.65%, to facilitate the proposed development.

Variance Four: Minimum Dwelling Face

Section 6.3.2 ii) of the Town's Zoning By-law states that a dwelling face must be a minimum of 50% of the building face. The applicant has requested permission to allow for the dwelling face to be 42.1% of the building face, a difference of - 7.9%, to facilitate the proposed development.

Variance Five: Garage Face Setback

Section 6.3.2 ii) b) of the Town's Zoning By-law states that a garage face is greater than 3.5 metres it shall be setback 5.5 metres from the building front wall. The applicant has requested permission to allow for a garage face to be setback 2.69 metres, a difference of - 2.81 metres from the building wall, to facilitate the proposed development.



Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on March 12, 2025. As of the writing of this report on March 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.

Town engineering staff have reviewed the application and will require a Stormwater Management Brief that provides additional information from a stormwater management perspective as well as a Site Grading & Site Servicing Plan. Both requirements have been included as a condition of development approval.

Development Services Comments

The applicant has requested a minor variance to facilitate the construction of a single-detached dwelling on the subject property. The subject property currently contains a single-detached dwelling and accessory structure (shed). The applicant has requested this minor variance application to facilitate the construction of a new single-detached dwelling and for the existing accessory structure (shed) to remain on the subject property. Further, the proposed single-detached dwelling will have a number of barrier free design elements which has prompted the need for the proposed variance request.

Variance One: Accessory Building to Remain

The applicant has requested permission to allow for an existing accessory building (shed) on the property to remain on a temporary basis between the demolition of the existing detached dwelling and construction of new detached dwelling. Planning staff are of the opinion that the request for the existing accessory building (shed) to remain on the property is minor in nature and does not impact the surrounding property owners. The existing accessory building (shed) meets the provisions of the Town's Zoning By-law and Planning staff have no concerns with it remaining while the proposed single-detached dwelling is constructed.

Variance Two: Minimum Exterior Side Yard Setback

The applicant has requested permission to allow for the exterior side yard setback to be 2.18 metres, a difference of - 1.82 metres, to facilitate the proposed development. Planning staff have no concerns regarding the minor variance request as the proposed dwelling will remain setback sufficiently from the property line as well as the concrete walkway. Planning staff also note that no concerns were noted from a transportation or engineering perspective.

Variance Three: Minimum Lot Coverage

The applicant has requested permission to allow for a lot coverage of 34.65%, a difference of + 9.65%, to facilitate the proposed development. Planning staff are of the opinion that the proposed increase required in lot coverage required to facilitate the design of the detached dwelling is appropriate and have no concerns.



Consultation

Planning staff had conversations with the agent on file who provided information on the house requiring design specifications from an accessibility perspective for the homeowners. The agent on file did provide a breakdown for the lot coverage request which detailed design elements for the dwelling such as a garage bump out to allow for wheelchair accessibility as well as a wheelchair lift needed in the mudroom. Planning staff have no concerns regarding the proposed lot coverage increase and as noted above, Engineering staff will require further information to ensure there are no outstanding stormwater or site grading concerns and these have been included as a condition of development approval.

Variance Four & Five: Minimum Dwelling Face & Garage Face Setback

The applicant has requested permission to allow for the dwelling face to be 42.1% of the building face, a difference of - 7.9%, as well as requested permission to allow for a garage face to be setback 2.69 metres, a difference of - 2.81 metres from the building wall, to facilitate the proposed development. Both requests have come forward as part of the homeowners design to create a barrier free bungalow style home. The design elements proposed are minor in nature and the proposed dwelling will not negatively impact the surrounding residential area. Planning staff have no concerns with the request variances.

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.

Respectfully submitted,

Taylor Wellings

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

For questions, please contact:

Phone: Ext. 2311

Attachments

Figure 1 - Proposed Site Plan



The Corporation of the Town of Milton

File #:
A-25-006M
Page 5 of 5