



# The Corporation of the Town of Milton

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Report To: Committee of Adjustment and Consent

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

Date: April 24, 2025

File No: A-25-012M

Subject: 144 King 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 March 24, 2025.
2. That a Stormwater Management Brief and Detailed Site Grading 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

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 the maximum permitted lot coverage for a lot between 660-830 square metres, to be 33%, a difference of + 8%; and
2. To allow for a setback from the building front wall of 4.42 metres, a difference of - 1.08 metres.

The subject property is known municipally as 144 King Street. The subject property is located west of Hugh Street and the surrounding uses are primarily residential and downtown commercial uses. The subject property currently contains a single-detached dwelling which will be demolished. The applicant is requesting relief from the Town's Zoning By-law to allow for the proposed single-detached dwelling to have special permissions for lot coverage as well as a setback from the building front wall.

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

The subject property is designated as Residential Area in the Town of Milton Official Plan on Schedule B 'Urban Area Land Use Plan'. This designation permits single detached dwellings and accessory structures.

The property is also located within a Mature Neighbourhood Area on Schedule F of the Town of Milton Zoning By-law 016-2014. On October 19th, 2020 Milton Council passed Official Plan Amendment No. 60 and an accompanying Zoning By-law Amendment for the Downtown Character Area in accordance with the Mature Neighbourhoods Character Study. The Official Plan Amendment updated the Town's policies to better manage development in Mature Neighbourhood and Character Areas, and the Zoning By-law Amendment introduced new standards that apply to low-density residential development in the Downtown Character Area.

The Official Plan policies intend for Mature Neighbourhood Areas around the Central Business District to remain relatively stable so far as built form and urban design. The policies specify that in these areas, infill and development must be compatible with and respectful of the existing neighbourhood character.

There are a number of sections of the Official Plan that speak to ensuring that development within the Mature Neighbourhood areas shall be sympathetic to the surrounding area and proposed development shall incorporate scale, massing, building height as well as other characteristics prevalent in the area. Further, Section 5.8.3.2 of the Official Plan does state that minor variance applications for development within the Mature Neighbourhood Areas shall be evaluated based on the following additional criteria: a) that the scale, massing, building height, built form features and coverage are compatible with and respectful of the existing character of the Area; and b) that the impacts on adjacent properties are minimized.

Town staff worked with the applicant and homeowner to reduce the lot coverage request to meet the four tests of a minor variance as well as meet the policies outlined in the Mature Neighbourhoods Character Study. Further, the applicant and homeowner met with Policy Staff to discuss urban design and building attributes to be featured in the proposed dwelling to also assist with the compatibility of the surrounding area.

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

## Zoning

The subject lands are zoned Residential Low Density 1 (RLD1) under the Town of Milton Zoning By-law 016-2014, as amended. The RLD1 zone permits a variety of residential uses, including detached dwellings.

Section 6.2 Table 6A and 6A(I) of the Town's Zoning By-law states that the maximum permitted lot coverage for lots having area between 660-830 square metres is 25%. The applicant has requested permission to allow for lot coverage of 33%, a difference of + 8%, to facilitate the proposed development.



## Zoning

Section 6.3.2 II) B) of the Town's Zoning By-law states that for a garage or carport where the width of the garage face or front of the carport is greater than 3.5 metres, the garage face or front of the carport shall be setback a minimum of 5.5 metres from the building front wall. The applicant has requested permission to allow for a setback from the building wall of 4.42 metres, a difference of - 1.08 metres, to facilitate the proposed development.

## Consultation

### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on April 8, 2025. As of the writing of this report on April 16, 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 confirmed that a Stormwater Management Brief and Site Grading Plan will be required and 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 proposed detached dwelling. The subject property currently contains a single-detached dwelling which will be demolished. As noted above, Town staff did meet with the applicant to discuss the proposed development and expressed concerns regarding lot coverage. The applicant revised the proposal to reduce some additional square footage and met with Policy staff to ensure a building design that was appropriate for the character area.

The applicant has requested permission to allow for lot coverage of 33%, a difference of + 8%, to facilitate the proposed development. Further, the applicant has requested permission to allow for a setback from the building wall of 4.42 metres, a difference of - 1.08 metres, to facilitate the proposed development. The design elements proposed are minor in nature and the proposed dwelling will not negatively impact the surrounding residential area.

Planning staff do not anticipate the increase in lot coverage or setback from the building wall will negatively impact the surrounding property owners and the proposed dwelling meets all remaining zoning provisions including height and setbacks. 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.

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.



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Respectfully submitted,

*Taylor Wellings*

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For questions, please contact:

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Attachments
Figure 1 - Proposed Site Plan