



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

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

Date: April 24, 2025

File No: A25-010M

Subject: 234 Bell Street

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

1. That the development generally proceeds in accordance with the Site Plan prepared by Jansen Consulting and date stamped by Town Zoning on March 05, 2025;
2. That prior to Building Permit issuance, the applicant provides a Stormwater Management Brief, to the satisfaction of Development Engineering Staff;
3. That a Building Permit be obtained within a period of two (2) years from the date of this decision; and,
4. That the proposal be subject to an expiry of two (2) years if the conditions are not fulfilled, the development does not proceed and/or a Building Permit is not obtained.

General Description of Application

Under Section 45(1) of the Planning Act, the following minor variances to Zoning By-law 016-2014, as amended, have been requested to:

- Allow a maximum lot coverage of 31.34%, where as the Zoning By-law permits a maximum lot coverage of 25% (an increase of 6.34%);
- Allow an interior side yard setback of 1.39 metres, where as the Zoning By-law requires a minimum setback of 1.8 metres (a reduction of 0.41 metres); and,
- Allow a maximum building height of 9.2 metres, where as the Zoning By-law permits a maximum of 9.0 metres (an increase of 0.20 metres).

The subject property is known municipally as 234 Bell Street and legally described as Lot 79 on Plan No. 446. The lands are generally located north of Heslop Road and east of Bronte Street South. Surrounding land uses include low-density residential, parkland and institutional uses (i.e. elementary schools and fairgrounds).

The applicant intends to demolish the existing single-storey dwelling and replace it with a two-storey dwelling with an attached garage. In order to facilitate the proposal, the above-noted relief from the Zoning By-law is required.

Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Urban Area on Map 1 - Regional Structure of the Halton Region Official Plan and further designated as Residential Area on Schedule B - Urban Land Use Plan of the Town of Milton Official Plan.

The Urban Area designation within the Halton Region Official Plan seeks to facilitate orderly development that supports both the creation and sustainability of healthy communities.

Section 3.2.2 of the Town of Milton Official Plan permits a range of housing types within the Residential Area designation.

Section 3.2.1.8 and 3.2.1.9 requires that through appropriate design and built-form, new dwellings constructed within the Mature Neighbourhood Area be compatible and respectful of the existing neighbour where it is located.

Given the application proposes a single-detached dwelling and the proposal maintains the policies of the Mature Neighbourhood Area through appropriate design principles, Staff is satisfied that the proposal is in conformity with the applicable Official Plan direction.

Zoning

The subject lands are zoned Residential Low Density III (RLD 3*300) in the Town of Milton Urban Zoning By-law 016-2014, as amended. The RLD3*300 Zone permits a range of low-density housing types along with provisions to establish appropriate development within the area and existing mature neighbourhoods.

Variance No. 1 - Increased Lot Coverage

Section 6.2 Table 6B-1 permits a maximum lot coverage of 25% for lots having an area between 660 square metres and 830 square metres. The intent of this provision is to ensure a lot is not overdeveloped.

Based on the current proposal, the applicant is seeking maximum lot coverage of 31.24% (inclusive of the proposed covered porch).

Variance No. 2 - Reduced Interior Side Yard Setback

Section 6.2 Table 6B-1 requires a minimum interior side yard setback of 1.8 metres. The intent of this provision is to provide adequate access throughout the lot, an area of run-off from any structures, and an adequate setback to maintain privacy from adjacent landowners.

Based on the proposed siting of the dwelling, the applicant is seeking a minimum side yard setback of 1.39 metres along a portion of the northerly interior side yard setback where a below grade entrance is located.

Variance No. 3 - Increased Height

Section 6.2 Table 6B-1 permits a maximum height of 9 metres. The intent of this provision is to ensure that any new development maintains an appropriate height in context of the surround low-density residential neighbourhood whereby disruption to sightlines and shadow impacts are

Zoning

minimized. To accommodate the proposed pitch, the applicant is seeking an increase height of 9.2 metres.

With the exception of the aforementioned, the proposal maintains all provisions of the Zoning By-law 016-2014, as amended.

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.

While Development Engineering offers no objection to the proposal, as a condition of approval, it has been requested that the applicant provide a Stormwater Management Brief, to the satisfaction of Town Staff, prior to Building Permit issuance. The intent of this is to ensure that the development appropriately manages run-off and does not have adverse impacts on adjacent lands.

Development Services Comments

The applicant has requested a minor variance to facilitate the development of a two-storey single detached dwelling with an attached garage. A covered porch is proposed at both the front and rear of the dwelling. The existing bungalow is proposed to be removed.

Variance No. 1 - Increased Lot Coverage

The applicant is seeking to increase the maximum permitted lot coverage for a lot with an area between 660 square metres and 830 square metres to 31.24% (an increase of 6.34%).

The Zoning By-law establishes tiered permissions associated with lot coverage that establishes a maximum percentage based on lot size. The subject property is 780 square metres and therefore is permitted 25% lot coverage as-of-right. Covered porches also contribute to the overall lot coverage calculation. The proposed footprint of the dwelling - excluding the covered porches - is 26.31%. The front and rear covered portions represent an additional 5.03%, ultimately resulting in 31.24% lot coverage.

Staff is satisfied that the dwelling footprint is not a significant departure from the as-of-right permissions and the addition of covered porches not only provides amenity area but also represents a positive design element that contributes the surrounding neighbourhood character. The overall dwelling as proposed is both respectful and compatible with the existing neighbourhood. The impact of the additional 6.34% lot coverage will ultimately have no impact on the property, nor those adjacent, beyond what is otherwise permitted as-of-right. Further, the additional coverage does not result in deficiencies with respect to setbacks and does not result in over-development of the lot.



The Corporation of the Town of Milton

File #:
A25-010M
Page 4 of 5

Consultation

As a condition of approval, Staff is recommending that a Stormwater Management Brief be provided prior to Building Permit issuance to ensure that any additional run-off anticipated as a result of the increased lot coverage will not negatively impact the subject property or those adjacent.

Variance No. 2 - Reduced Interior Side Yard Setback

The applicant is proposing a below-grade entrance along the northern side of the dwelling. As a result of the staircase, the affected interior side yard setback is proposed to be 1.39 metre at that specific pinch point. The balance of the interior side yard would maintain the 1.8 metre requirement.

Staff is satisfied that the relief requested to accommodate the staircase is minor. The majority of the affected side yard maintains the 1.8 metres and while the proposed pinch point reduces the side yard to 1.3 metres. Staff is satisfied that the proposed reduction does not hinder the functionality of the side yard from the perspective of navigating the lot from front to rear. Staff also note that the alternate side yard maintains a 2.47 metre side yard and remains accessible for individuals to access the rear yard, along with maintenance equipment.

Staff is of the opinion that the reduced side yard is minor and will not negatively impact the development nor impact the adjacent landowners. Foregoing the stairs, the footprint of the dwelling maintains the required setbacks and demonstrates that the proposal is not overdevelopment of the lot. Further, the below grade entrance provides an opportunity in the future if the landowner elects to legalize the basement as an Additional Residential Unit.

Variance No. 3 - Increased Height

The applicant is seeking to increase the permitted height from a maximum of 9 metres to 9.2 metres (an increase of 0.20 metres). Given the established grade and drainage patterns to accommodate a rear yard catch basin, the height exceeds the maximum permissions set-out in the Zoning By-law. Staff is of the opinion that the additional 0.20 metres is minor and given the mansard roof style is unlikely to result in any visual impact beyond what would otherwise exist if the proposal complied with the 9 metre maximum provision.

Based on the aforementioned, Planning Staff offer no objection to the approval of this application, subject to the recommended conditions being fulfilled. The variances being requested are minor in nature, desirable for the development of the subject lands, maintain the intent of the Zoning By-law and conform to the Official Plan.

Respectfully submitted,

Rachel Suffern, MPA, M.Sc. (PI), MCIP, RPP
Planner, Development Review

For questions, please contact:

Rachel.Suffern@Milton.ca

Phone: Ext. 2263



The Corporation of the Town of Milton

File #:
A25-010M
Page 5 of 5

Attachments
Figure 1 - Site Plan Figure 2 - Elevations