



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

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

Date: April 24, 2025

File No: A-25-011M

Subject: 14193 Fourth Line

**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 dated and stamped by Town Zoning on March 13, 2025.
2. That a 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
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:

- To allow a maximum of gross floor area of 325 square metres, a difference of + 232.6 square metres; and
- To allow for a maximum height of 5.8 metres, + 0.3 metres.

The subject property is known municipally as 14193 Fourth Line. The subject property is north of 30 Side Road and on the west side of Fourth Line Nassagaweya and surrounding uses are agricultural and rural residential. The subject property currently contains a single-detached dwelling as well as a detached garage. The applicant is proposing to demolish the existing dwelling and garage and construct a new single-detached dwelling and associated detached garage in the same location.



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

The subject property is not within the Region's Natural Heritage System or regulated by Grand River Conservation Authority.

Zoning

The subject lands are zoned Rural Zone (A2) under the Comprehensive Zoning By-law 144, 2003, as amended. In this zone, single-detached dwelling and accessory structures are permitted.

Section 4.1.2.2 ii) of the Town's Zoning By-law states that a detached garage and carports shall not exceed a gross floor area of 93 square metres. The applicant is requesting permission to allow for a maximum gross floor area of 325 square metres, a difference of + 232.6 square metres, to facilitate the proposed development.

Section 4.1.2.2 ii) of the Town's Zoning By-law states that a detached garage and carport shall not exceed a maximum height of 5.5 metres. The applicant is requesting permission to allow for a maximum height of 5.8 metres, a difference of + 0.3 metres, to facilitate the proposed development.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act 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 reviewed the application and will require further information to ensure there are no outstanding site grading concerns and this has been included as a condition of development approval.



Consultation

Development Services Comments

The applicant has requested a minor variance to facilitate the construction of a detached garage on the subject property. The subject property currently contains a single-detached dwelling and detached garage. The applicant is proposing to demolish the existing dwelling and rebuild a new single-detached dwelling with an associated detached garage. The proposed detached garage will provide storage for the homeowners ATVs, snowmobile and other hobby cars and additional area to possibly construct a car lift in the garage in the future. The accessory structure is strictly for personal storage and use.

The applicant is requesting permission to allow for a maximum gross floor area of 325 square metres, a difference of + 232.6 square metres, to facilitate the proposed development. Further, the applicant is requesting permission to allow for a maximum height of 5.8 metres, a difference of + 0.3 metres, to facilitate the proposed development.

In consideration of the increase in gross floor area of the proposed detached garage, Planning Staff are of the opinion that although the proposed structure is significantly larger than the maximum gross floor area permitted in the Zoning By-law, the impact of the proposed structure on the overall development and use of the lands, as well as the impact on adjacent properties, is negligible. The Zoning By-law would permit multiple accessory structures with a maximum gross floor area of 93 square metres to be constructed on the subject lands.

In consideration of the increase in height for the proposed detached garage, Planning staff have no concerns given the location and heavily treed environment. Planning staff have reviewed the Arborist Report and have no concerns with the required tree removal to allow for the proposed dwelling and accessory structure to remain in close proximity to the existing in-ground swimming pool on the property which will remain. Further, the applicant has confirmed that they will work with the Arborist that has been retained to confirm appropriate locations for tree plantings once construction has commenced.

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 and gross floor area are not anticipated to negatively affect adjacent properties.

Respectfully submitted,

Taylor Wellings

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Planner, Development Review

For questions, please contact:

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Attachments

Figure 1 – Proposed Site Plan
