



# The Corporation of the Town of Milton

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Report To: Committee of Adjustment and Consent

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

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Date: June 26, 2025

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File No: A-25-026M

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Subject: 83 Fulton Street

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

1. That the development shall be constructed in accordance with the site plan prepared by Jansen Consulting and stamped by Town Zoning on May 13, 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 016-2014, as amended, has been requested to permit:

- Requesting permission to allow a maximum lot coverage of +32.45 square metres, + 2.45 square metres

The subject property is known municipally as 83 Fulton Street and located on the corner of Fulton and Pine Street. The subject property contains a single-detached dwelling with an attached one-car garage. Surrounding uses are residential and primarily single-detached dwellings.

The applicant is requesting relief from the Town's Zoning By-law to allow for an increase in gross floor area for an accessory structure (covered patio/deck) which will be located in the rear yard of the subject property.



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

The subject property is designated as Central Business District on Schedule B and Low Density Residential Area on Schedule C of the Town of Milton Official Plan. The intent of these policies are to accommodate a range of uses that support and contribute to the continued vibrancy of the downtown core. Section 3.5.3.5 of the Town of Milton Official Plan states that the development of a wide range of complementary uses to contribute to the vitality of the Central Business District and foster a live-work relationship shall be encouraged.

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 One (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 as well as accessory buildings and structures.

Section 6.2 Table 6B(I) of the Town's Zoning By-law states that for lots having a lot area of less than 660 square metres, the maximum lot coverage is 30%. The applicant has requested to allow for a lot coverage of 32.45%, a difference of + 2.45%, to facilitate the proposed development.

### Consultation

#### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on June 10, 2025. As of the writing of this report on June 18, 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.

### Development Services Comments

The applicant has requested a minor variance to facilitate the construction of a covered patio/deck in the rear yard of the subject property. The proposed structure will serve as outdoor covered area for privacy and shade for the homeowners.



### Consultation

The applicant has requested to allow for a lot coverage of 32.45%, a difference of + 2.45%, to facilitate the proposed development. Planning staff do not anticipate that the increase in requested lot coverage will cause a negative impact on the surrounding property owners as the proposed covered patio/deck is an extension of the existing dwelling and meets other zoning provisions such as setbacks and height. Further, there is no tree removal as part of the proposed development which will assist with shielding from neighbouring properties.

Planning staff have reviewed the requested variance and offer no objection to its approval. Planning staff are of the opinion that the requested variance is minor in nature, conforms to the general intent of both the Official Plan and Zoning By-law and is desirable for the development and use of the subject property.

Respectfully submitted,

*Taylor Wellings*

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

For questions, please contact:

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### Attachments

Figure 1 - Site Plan