



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

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

Date: June 26, 2025

File No: A-25-027M

Subject: 269 Martin 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 Tarasick McMillan Kubicki Ltd. and stamped by Town Zoning on May 16, 2025.
2. The Owner acknowledges that there are outstanding grading defects on the property dating back to December 2023 related to Town Building Permit #23-3737 that need to be dealt with and to the satisfaction of Town Engineering Staff;
3. That a Site Grading Plan will need to be submitted and reviewed by Town Engineering Staff;
4. That the Owner is required to regrade the side yard adjacent to 263 Martin Street to align with existing grades and to the satisfaction of Town Engineering Staff;
5. That the Owner installs the proposed retaining wall and interceptor swale in accordance with the Approved Grading Plan (Permit #23-3737) which will need to be reflected in the submitted Site Grading Plan for Building Permit approval.
6. That a Building Permit be obtained within two (2) years from the date of the decision; and
7. 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:

1. Requesting permission to allow for a total gross floor area of 25.75 square metres, + 9.75 square metres;
2. Requesting permission to allow for a maximum height of 3.58 metres, + 0.58 metres.

The subject property is known municipally as 269 Martin Street which is located north of Caves Court and on the west side of Martin Street. The property currently contains a dwelling which is under construction.

The applicant is seeking relief from the Town's Zoning By-law to allow for an increase in gross floor area as well as the height for the proposed accessory structure 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 Site Specific Residential Low Density (RLD1*281) under the Town of Milton Zoning By-law 016-2014, as amended. The RLD1 zone permits a variety of residential uses as well as accessory buildings and structures.

Variance One: Increase in Gross Floor Area

Section 4.2.1, Table 4A of the Town's Zoning By-law states that the maximum permitted gross floor area for accessory buildings is 16 square metres. The applicant has requested to allow for 25.75 square metres, a difference of + 9.75 square metres, to facilitate the proposed development.



Zoning

Variance Two: Increase in Maximum Height

Section 4.2.1 Table 4A of the Town's Zoning By-law states that the maximum height for an accessory structure is 3 metres in the RLD1 Zone. The applicant has requested permission to allow for a height of 3.58 metres, a difference of + 0.58 metres, 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.

Town Development Engineering Staff reviewed the application and offer no objection, however, will require a Site Grading Plan as part of the Building Permit Process. This has been included above as a condition of development approval.

Development Services Comments

The applicant has requested a minor variance to facilitate the construction of an accessory structure in the rear yard of the subject property. The request has come forward to create an accessory structure that provides the family with additional living covered area outdoors and to be accessibly friendly for the family.

Section 4.2.1 Table 4A of the Town's Zoning By-law sets the requirements for accessory structures and buildings for the RLD1 Zone. The applicant is requesting permission to allow for an increase in the permitted gross floor area for 25.75 square metres as well as increase in height to 3.58 metres for the proposed accessory structure.

Planning staff do not have concerns with the requested variances for the proposed structure as it will meet the required side and rear yard setbacks from the property lines. Further, the rear yard is heavily treed which will assist with shielding the structure from the surrounding properties.

Planning staff have reviewed the requested variances and offer no objection to its approval. Planning staff are of the opinion that the requested variance is minor in nature,



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Consultation

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

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Planner, Development Review

For questions, please contact:

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Attachments

Figure 1 - Site Plan