



# 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: July 31, 2025

File No: A-25-038M

Subject: 1496 Buttercup Court

**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 Sarwat S. Ahmed and stamped by Town Zoning on June 16, 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:

- one bay of a double-car garage to have a minimum unobstructed length of 5.0 metres, - 1.0 metres difference in one parking bay

The subject property is known municipally as 1496 Buttercup Court and located north of Britannia Road and west of Savoline Boulevard. The subject property contains a single-detached dwelling with an attached two-car garage. Surrounding uses are residential and primarily single-detached dwellings.

The applicant is proposing to establish an Additional Residential Unit (ARU) in the basement of the existing single-detached dwelling. The ARU will utilize an existing above-grade side entrance in the interior side yard to access to unit and as part establishing this entrance a fire-rated corridor is required in the garage as per the standards of the Ontario Building Code (OBC). Due to the location and encroachment of the fire-rated corridor, the minimum internal dimension requirements for a parking space in one-bay of the garage are not met which has triggered the need for a minor variance.

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

The subject property is designated Residential Area on Schedule B of the Urban Land Use Plan of the Town of Milton Official Plan. The Residential Area designation permits a variety of residential uses, including single detached dwellings and accessory buildings and structures.

Both the Town's Official Plan as well as the Sherwood Survey Secondary Plan provide permissions for Additional Residential Units (ARUs) within the Residential Area designation. Section 2.7.3.17 of the Town's Official Plan provides permissions for Additional Residential Units (ARUs), subject to the following criteria:

- a) An ARU shall not be located on lands identified as hazard lands or as being within the regulatory flood plain, unless where specifically permitted by the Conservation Authority;
- b) An ARU will be compatible with neighbouring properties and the surrounding neighbourhood by taking into consideration scale and built form;
- c) An ARU must be connected to adequate municipal water and sewage services;
- d) An ARU must have no adverse effect on stormwater management systems;
- e) An ARU must have no adverse effect on site drainage as demonstrated through a grading plan;
- f) Safe access to an ARU must be ensured by meeting fire and emergency service requirements;
- g) Severance of an ARU from the lot shall not be permitted; and,
- h) An ARU shall be registered with the Town in accordance with the provisions of the Municipal Act.

Planning staff are satisfied that the proposed development is in conformity with the above-noted criteria. It is Staff's opinion that the proposal is in conformity with the Regional and Town policy.

## **Zoning**

The subject lands are zoned Site Specific Residential Medium Density 1 (RMD1\*220) under the Town of Milton Zoning By-law 016-2014, as amended. The RMD1 zone permits a variety of residential uses, including ARUs.

Section 4.2.2.1 v) of the Town's Zoning By-law requires a minimum internal dimension of a double-car garage or larger with two or more separate doors to be 5.5 metres wide by 6.0 metres long by 2.1 metres in height, of which 5.5 metres wide by 5.3 metres long by

## Zoning

2.1 metres in height shall be unobstructed area with the exception of one stair. The applicant is requesting permission to allow one-bay of a double-car garage to have a minimum unobstructed length of 5.0 metres, a difference of - 1.0 metres in one parking bay, to facilitate the proposed development.

## Consultation

### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on July 14, 2025. As of the writing of this report on July 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 an Additional Residential Unit (ARU) within the existing basement of a single-detached dwelling with a two-car garage on the subject property. is required for this component of the proposal. The ARU will utilize an existing above-grade side entrance in the interior side yard to access to unit and as part establishing this entrance a fire-rated corridor is required in the garage as per the standards of the Ontario Building Code (OBC). Due to the location and encroachment of the fire-rated corridor, the minimum internal dimension requirements for a parking space in one-bay of the garage are not met which has triggered the need for a minor variance.

The Town's Zoning By-law specifics what the minimum internal dimensions must be for a double-car garage with two separate doors which includes a fire rated corridor (an Ontario Building Code requirement). The applicant has provided Planning staff with photographs that demonstrate that a car is able to park and fit in the garage adjacent to the fire rated corridor. Since it has been demonstrated that the one-bay of the garage can operate as intended and a vehicle is able to fit properly, Planning staff do not have concerns with the proposed variance. Further, there is no impact to the surrounding properties or to the front façade of the dwelling to establish the ARU.

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



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## Consultation

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:

Phone: Ext. 2311

## Attachments

Figure 1 - Site Plan