



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Olivia Hayes

Date: July 31, 2025

File No: A25-039M

Subject: 11733 Fourth Line

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

1. That prior to Building Permit issuance, the Owner enter into a Letter of Undertaking with the Town of Milton acknowledging that only uses permitted in the A2 Zone are legally permitted.
2. That the development shall be constructed generally in accordance with the site plan prepared by Post Structures and dated and stamped by Town Zoning on June 18, 2025.
3. That a Building Permit be obtained within two (2) years from the date of the decision.
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 144-2003, as amended, has been requested to:

- Permit a gross floor area of 144.9 square metres for an accessory structure, whereas only 93 square metres is permitted, representing an increase of 51.9 square metres
- Permit a maximum building height of 6.04 metres, whereas only 5.5 metres is permitted, representing an increase of 0.54 metres

The Subject Property, known municipally as 11733 Fourth Line, is located south of 20 Side Road and east of Fourth Line in Nassagaweya. Currently, the Subject Property is occupied by a one-storey raised bungalow, with a detached garage and a second accessory structure located in the rear yard. The purpose of the application is to facilitate the construction of a new detached garage, replacing the existing garage and maintaining the same height and gross floor area.



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Official Plan Designation (including any applicable Secondary Plan designations)

Greenbelt Plan

The Subject Property falls within the Greenbelt Protected Countryside, and forms part of the Greenbelt Natural Heritage System. The intent of the Greenbelt Natural Heritage System is to conserve Ontario's biodiversity and maintain the Greenbelt's ecological integrity and connectivity. Within the Protected Countryside, all existing uses are permitted.

Halton Region Official Plan

The Subject Property is within the Agricultural Area as well as the Greenbelt Natural Heritage System per Map 1 - Regional Structure. Agricultural Areas are intended to primarily accommodate agricultural operations and supporting uses, while maintaining the open-space character of Halton's non-urbanized areas. The goal of the Greenbelt Natural Heritage System is to increase the certainty that the biological diversity and ecological functions within Halton will be preserved and enhanced for future generations. Subject to other applicable policies, permitted uses in the Agricultural Area include single detached dwellings on existing lots and accessory buildings or structures (100(3); 100(9)).

Town of Milton Official Plan

The Subject Property is designated Agricultural Area and Greenbelt Natural Heritage System per Schedule A - Rural Land Use Plan. Specifically, the Subject Property falls within Agricultural Areas in the NHS, per Schedule M - Key Features Within the Greenbelt and Natural Heritage System. The entirety of the Subject Property is also a Prime Agricultural Area, per Schedule O - Agricultural System and Prime Agricultural Areas.

The Agricultural Area designation permits single detached dwellings on existing lots and accessory buildings or structures, in addition to a range of other predominantly agricultural uses (4.4.2).

Policy 4.10.1.6(e) requires an Environmental Impact Assessment for development or site alteration within 120 metres of a Key Feature within the Greenbelt Natural Heritage System. The Subject Property is located approximately 240 metres from the nearest Key Feature as identified on Schedule M. As such, planning staff have not directed the applicant to prepare an Environmental Impact Assessment.

It is Staff's opinion that the proposal is in conformity with the Halton Region Official Plan and the Town of Milton Official Plan.



Zoning

The Subject Property is zoned Rural Zone (A2) per Zoning By-law 144-2003. A variety of agricultural, environmental, and commercial uses are permitted within the Rural Zone.

Variance One: Section 4.1.2.2(ii) establishes that a detached garage in the Rural Zone may have a maximum gross floor area of 93 square metres. The application requests a maximum of 144.9 square metres, representing a difference of 51.9 square metres.

Variance Two: Section 4.1.2.2(ii) states that a detached garage in the Rural Zone may have a maximum height of 5.5 metres. The application requests a maximum height of 6.04 metres, representing a 0.54 metre increase.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on,. As of the writing of this report on, 2024, 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.

Communication with Applicant

Through email correspondence with the applicant, staff confirmed that no tree removal will be necessary to construct the proposed garage, and that this structure will only be for personal use.

Development Services Comments

Planning staff have no concerns with application, and do not anticipate any adverse impacts on adjacent properties as a result of the proposed variances. It is planning staff's opinion that the proposed variances are both minor in nature, maintain the intent of the Official Plan and Zoning By-law, and are desirable for the appropriate use of the land.

The proposed variances would facilitate the replacement of an existing detached garage, with the same footprint, while respecting all setback and lot coverage provisions in the Zoning By-law. Further, the proposed development would improve upon the existing structure by shifting the detached garage farther west, thereby increasing the setback from the eastern lot line and providing greater separation from the abutting property.

The intent of the above-noted zoning provisions is to prevent oversized accessory structures, and to avoid visual impacts of excess height or massing within the Town's rural areas. Given the substantial area of the Subject Property (approximately 2.04 acres), the proposed detached



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Consultation

garage would remain proportional to the size of the lot, and would not represent overdevelopment. The height increase requested in Variance Two is minor, and any visual impacts can be mitigated by the proposed setbacks and existing vegetation on the Subject Property.

Accessory structures are permitted on the Subject Property by both the Halton Region and Town of Milton Official Plans. While the Subject Property is within the Greenbelt Natural Heritage System, there are no Key Features located on the property or within 120 metres of the proposed development, and staff have confirmed that the proposed development will not require any tree removal.

Respectfully submitted,

Olivia Hayes, B.E.S.
Planner, Development Review

For questions, please contact:

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Attachments

Figure 1 - Site Plan