



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Olivia Hayes

Date: July 31, 2025

File No: A25-033M

Subject: 126 Ashbrook Court

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

1. THAT prior to Building Permit issuance, the applicable Conservation Authority provide approval for the proposed development.
2. THAT the development shall be constructed generally in accordance with the site plan prepared by Jansen Consulting and dated and stamped by Town Zoning on June 16, 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 016-2014, as amended, has been requested to:

- Permit a reduced front yard setback of 4.85 metres, whereas a minimum 7 metres is required, representing a 2.15 metre difference.
- Permit a reduced interior side yard setback of 3.10 metres, whereas a minimum 3.5 metres is required, representing a 0.4 metre difference.

The Subject Property, known municipally as 126 Ashbrook Court, is located west of Ontario Street South and south of Main Street East. At present, the Subject Property is occupied by a one-storey detached dwelling and a detached garage. The application seeks to reduce the minimum front yard and interior side yard setbacks to allow construction of a residential addition and covered porch at the front of the existing dwelling.

Official Plan Designation (including any applicable Secondary Plan designations)

Halton Region Official Plan

Official Plan Designation (including any applicable Secondary Plan designations)

The Subject Property is designated Urban Area and Regional Natural Heritage System by Map 1- Regional Structure. The Natural Heritage System within the Subject Property is identified as Key Features per Map 1G - Key Features within the Greenbelt and Regional Natural Heritage Systems.

The Urban Area consists of lands with existing or planned urban services, and is intended to accommodate the Region's residential and employment growth. Meanwhile, the goal of the Natural Heritage System (including both Greenbelt and Regional portions) is to increase the certainty that the biological diversity and ecological functions within Halton will be preserved and enhanced for future generations.

Town of Milton Official Plan

The Subject Property is designated Residential Area and Natural Heritage System by Schedule B - Urban Area Land Use Plan. Further, the Subject Property falls within the Mature Neighbourhood Area as identified in the Zoning By-law.

Lands designated Residential Area are intended to be predominantly used for a mix of low, medium and high density residential development.

Within Mature Neighbourhood Areas, policy 3.2.1.8 permits additions, provided they are compatible and respectful of the character of the neighbourhood by incorporating scale, massing, building height, and other characteristics that are prevalent in the Mature Neighbourhood Area. Policy 3.2.1.9 directs that proposed development should be generally consistent with the setbacks, orientation and building separation distances within the Mature Neighbourhood Area.

With respect to Natural Heritage Systems, policy 4.9.2.1 establishes permitted uses, which include single detached dwellings on existing lots and accessory buildings or structures. Policy 4.9.3.2(d) requires the proponent of any development or site alteration meeting the criteria of Section 4.9.3.3 to carry out an Environmental Impact Assessment (EIA), unless the proponent can demonstrate to the satisfaction of the Town and Region that the proposal is minor in scale and/or nature and does not warrant an EIA. It is Planning Staff's opinion that the application is minor in nature, as it represents a small addition to an existing dwelling and would not change the Subject Property's current use or intensity. Moreover, the proposed addition would project away from the Natural Heritage System Lands, and would be set back approximately 30 metres from the established boundary of the Natural Heritage System. As such, Planning staff have not requested an EIA to support the application.

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

Zoning

The Subject Property is zoned Residential Low Density III (RLD3) and Natural Heritage System (NHS) per Zoning By-law 016-2014. A range of low-density residential uses are permitted within the RLD3 Zone, including detached, duplex, and semi-detached dwellings, along with home occupations and home day cares. Within the NHS Zone, permitted uses are limited to existing uses, conservation use, forestry use, and home occupations.

Variance One: Table 6B-1 of the Zoning By-law requires a minimum 7 metre front yard setback. The applicant has requested to reduce this to a minimum 4.85 metre front yard setback, representing a 2.15 metre decrease.

Variance Two: Table 6B-1(*6)(ii)(a) states that the interior side yard setback closest to the driveway shall be a minimum of 3.5m. The applicant is requesting to reduce this setback to a minimum of 3.1 metres, representing a decrease of 0.4 metres.

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 21, 2025, staff have not received any comments from members of the public.

Agency Consultation

Milton Hydro noted that the proposed addition is located below the overhead secondary wire which currently supplies power to the dwelling. A minimum vertical clearance of 4.5 metres and a minimum horizontal clearance of 2.0 metres from the overhead secondary conductor are required. The applicant has been advised of this requirement and has confirmed their willingness to work with Milton Hydro to comply with the applicable service standards.

Development Services Comments

Planning staff have no concerns with the application, and do not anticipate adverse impacts on adjacent properties as a result of the requested minor variances. Staff are of the opinion that the application is minor in nature, maintains the intent of the Zoning By-law and Official Plan, and is desirable for the appropriate use of the land. The application respects the general character of the surrounding neighbourhood by maintaining compatible massing, scale, height and orientation, demonstrating its consistency with applicable Official Plan policies.



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Consultation

With respect to Variance One, the intent of this zoning provision is to ensure development respects existing front yard setback patterns along blocks, and to allow adequate yard space for plantings and soft landscaping. The Subject Property is located on a cul-de-sac, with the adjacent properties fronting onto a circuitous and angled road. As such, there is not a consistent front yard setback pattern that would be disrupted by the proposed minor variance. Further, the proposed addition respects maximum lot coverage provisions, and maintains sufficient front yard space to support soft landscaping.

With respect to Variance Two, the intent of this zoning provision is to ensure adequate separation between dwellings to maintain privacy and allow for circulation. The proposal respects these objectives and maintains adequate separation from the abutting property to the west. Notably, the proposed 3.1 metre setback will replicate an existing condition, as the existing dwelling is set back 3.1 metres from the interior lot line. Staff are satisfied that the proposed reduction to the interior side yard setback would not compromise functionality of the driveway or circulation on the Subject Property.

Furthermore, it is desirable for the applicant to locate the proposed addition at the front of the property rather than in the rear yard, as much of the rear yard is within the regulated floodplain and is affected by a stable top of bank hazard. As noted previously, a portion of the rear yard is also within the Regional Natural Heritage System. In light of these environmental constraints, planning staff are supportive of a residential addition projecting into the front yard rather than into the rear.

Respectfully submitted,

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

For questions, please contact: Olivia.Hayes@Milton.ca Phone: Ext. 2454

Attachments

Figure 1 - Site Plan



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