



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Olivia Hayes

Date: April 30, 2026

File No: A26-012M

Subject: 352 Bergamot Avenue

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

1. THAT the development shall be constructed generally in accordance with the site plan prepared by Noble Prime Solutions Ltd. and dated and stamped by Town Zoning on March 26, 2026.
2. THAT a Building Permit be obtained within two (2) years from the date of the decision.
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:

- To allow one bay of a double car garage to have a minimum unobstructed length of 5.06m, whereas the Zoning By-law requires a double car garage to have a minimum unobstructed length of 6 metres, representing a decrease of 0.94 metres

The Subject Property, known municipally as 352 Bergamot Avenue, is located generally east of Tremaine Road and north of Britannia Road. Currently, the Subject Property is occupied by a 2-storey detached dwelling with an attached double-width garage. The applicant is seeking to construct an Additional Residential Unit (ARU) in the basement of the existing dwelling, with the primary entrance from an existing side door leading through the garage. The passageway for this primary entrance must satisfy Ontario Building Code requirements to have a fire-rated corridor. As the separated corridor will encroach into the garage, the applicant is seeking a variance to permit a reduced minimum length for one bay of the garage.

Official Plan Designation (including any applicable Secondary Plan designations)

Halton Region Official Plan



Official Plan Designation (including any applicable Secondary Plan designations)

Per Map 1 - Regional Structure, the Subject Property is designated Urban Area. Lands within the Urban Area designation are intended to accommodate the majority of the Region's residential and employment growth.

Town of Milton Official Plan

The Subject Property is designated Residential Area by Schedule A - Urban Area Land Use Plan. Additionally, the Subject Property is within the Boyne Survey Secondary Plan, and is designated Residential Area by Schedule C.10.C.

Policy 8.2.1.1 establishes that within the Residential Area designation, the predominant use of land is intended to be a mix of low, medium, and high-density residential development. Policy C.10.5.1.1 of the Boyne Survey Secondary Plan provides similar direction for permitted uses within the Residential Area designation.

Policy 3.1.1.11 states that it is the policy of the Town to increase the supply of ground-related and rental housing, allow flexibility for multi-generational living, and increase opportunities for affordable housing by permitting additional residential units (ARUs) in accordance with the policies of this Plan.

Policy 7.1.4.1 permits ARUs either within a detached, semi-detached or townhouse dwelling, or within an ancillary building or structure on the same lot, subject to conformity with certain policies including:

- 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;
- i. An ARU will be compatible with neighbouring properties and the surrounding neighbourhood or rural area by taking into consideration scale and built form;
- k. An ARU must have no adverse effect on stormwater management systems;
- l. An ARU must have no adverse effect on site drainage as demonstrated through a grading plan;
- m. Safe access to an ARU must be ensured by meeting fire and emergency service requirements;

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 Medium Density Residential 1, Exception 220 (RMD1*220) by Zoning By-law 016-2014. The RMD1 Zone permits a variety of low-rise residential uses, ranging from detached to quattroplex dwellings, and allows ARUs within detached dwellings. Zoning Exception 220 does not establish provisions relevant to the minor variance application.

Variance One: Section 4.2.2.1(v) states that the minimum internal dimensions of a double car garage shall be 5.5 metres wide by 6 metres long by 2.1 metres high, of which 5.5 metres wide by 5.3 metres long by 2.1 metres high shall be unobstructed area with the exception of one stair. The applicant is requesting to reduce the minimum unobstructed length of one garage bay to 5.06 metres, representing a decrease of 0.94 metres.

Consultation

Public Consultation

Notice for the hearing was provided in accordance with the Planning Act. As of the writing of this report on April 13, 2026, 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 application seeks to permit the reduction in the minimum unobstructed length of one garage bay, in order to accommodate the encroachment of a fire-rated corridor leading to a basement ARU. Planning staff have no concerns with the application, and do not anticipate adverse impacts on adjacent properties.

The intent of the Zoning By-law's minimum garage dimensions is to ensure garages have sufficient unobstructed space to accommodate vehicle parking. Although the proposed minor variance would reduce the unobstructed length of one garage bay, the Subject Property would still have capacity for three vehicular parking spaces (with one in the garage and two in the driveway). A minimum of two vehicular parking spaces are required for a detached dwelling with one ARU. As sufficient parking will remain available on the Subject Property, the proposed variance maintains the intent of the Zoning By-law.

Local, Regional, and Provincial planning policies encourage the introduction of ARUs, particularly within Milton's urban area. The application is desirable and maintains the intent of the Official Plan by facilitating the creation of an ARU which conforms to all criteria of policy 7.1.4.1. Specifically, policy 7.1.4.1(m) states that safe access to an ARU must be ensured by meeting fire and emergency service requirements. The proposed variance will allow for a fire-rated corridor



Consultation

leading to the ARU, which is necessary to ensure fire safety for both the primary and secondary dwelling units.

Lastly, the proposed variance is minor in nature as it will be fully internal to the dwelling, with no impact on surrounding properties or on the functionality of the Subject Property. Planning staff are of the opinion that the application is minor, maintains the intent of the Zoning By-law and Official Plan, and is desirable for the appropriate use of the land, building, or structure.

Respectfully submitted,

Olivia Hayes

Planner, Development Review

For questions, please contact:

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Attachments

Figure 1 – Site Plan