



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Olivia Hayes

Date: April 30, 2026

File No: A26-013M

Subject: 177 Fitzgerald Crescent

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 elevations dated and stamped by Town Zoning on March 20, 2026, and with the site plan dated and stamped by Town Zoning on April 8, 2026.
2. THAT a Building Permit be obtained within two (2) years from the date of the decision.
3. THAT the swale in the rear yard shall be realigned to maintain the existing drainage pattern.
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 an accessory structure to have a gross floor area (GFA) of 14.9 square metres, whereas a maximum GFA of 10 metres is permitted, representing an increase of 4.9 square metres

The Subject Property, known municipally as 177 Fitzgerald Crescent, is located generally north of Woodward Avenue and East of Thompson Road. Currently, the Subject Property is occupied by a two-storey detached dwelling with a double-width driveway and attached garage. The application seeks to permit the construction of a storage shed in the rear yard with a GFA of 14.9 square metres, whereas the Zoning By-law permits accessory structures to have a maximum of 10 square metres of GFA.



Official Plan Designation (including any applicable Secondary Plan designations)

Halton Region Official Plan

Per Map 1 - Regional Structure, the Subject Property is designated Urban Area. The Urban Area designation is 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. The Subject Property also falls within Bristol Survey Secondary Plan and is equally designated Residential Area by Schedule C-6-D - Bristol Survey Secondary Plan Land Use Plan.

Policy 8.2.1.1 states 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.6.5.1.2 further directs that within the Bristol Survey Secondary Plan, permitted uses within the Residential Area designation shall be in accordance with the policies of the parent Official Plan.

Policy C.6.3.2.2 directs that one objective of the Bristol Survey Secondary Plan is to ensure through the establishment of urban design guidelines and other measures a high quality and consistent level of urban design for both public and private areas of the community.

Policy 7.2.1.8 states that new development located within an established district or Mature Neighbourhood Area will be designed as an integral part of the area's existing larger pattern of built form and open spaces, reinforcing and complementing viable existing patterns by complementing the existing range of building mass, height, proportion, enclosed volume and position relative to street and site.

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 (RMD1) by Zoning By-law 016-2014. The RMD1 Zone permits a range of residential uses, including detached, duplex, and townhouse dwellings, as well as accessory structures.

Variance One: Section 4.2.1, Table 4A of the Zoning By-law permits accessory structures within the RMD1 Zone to have a maximum total GFA of 10 square metres. The applicant is requesting a maximum GFA of 14.9 square metres for an accessory structure.

Consultation

Public Consultation



Consultation

Notice for the applicable 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 on the application from members of the public.

Agency Consultation

No objections were filed with respect to the variance application from Town staff or external agencies. Development Engineering advised that the location of the accessory structure would conflict with an existing swale; to resolve this issue, the swale will be re-aligned, as noted on the site plan and in the recommended conditions of approval.

Development Services Comments

The application seeks to construct a storage shed in the rear yard with a GFA of 14.9 square metres, whereas the Zoning By-law permits accessory structures to have a maximum GFA of 10 square metres. Planning staff have no concerns with the application, and do not anticipate adverse impacts on adjacent properties.

The intent of this Zoning By-law provision is to ensure that accessory structures remain clearly secondary and subordinate to the principal dwelling on a property. Despite the proposed minor variance, Planning staff are satisfied that the size of the structure will maintain the general intent of the Zoning By-law by remaining secondary to the existing dwelling.

The additional 4.9 square metres of GFA requested by this application is a minor increase, which Planning staff do not expect to cause negative impacts on adjacent properties. The proposed shed will also respect the minimum setback, maximum height, and yard location requirements of the Zoning By-law.

The application will maintain the general intent and purpose of the Official Plan by facilitating a use which complements the residential use of the Subject Property. Moreover, the proposed accessory structure is compatible with the surrounding built form, and will not deviate from the existing patterns of massing, height, position, or proportion. As the proposed shed will generate no adverse impacts and complement the intended residential use of the Subject Property, it is desirable for the appropriate use and development of the land.

Planning 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 development or use of the land, building, or structure.

Respectfully submitted,

Olivia Hayes



The Corporation of the Town of Milton

File #:
A26-013M
Page 4 of 4

Planner, Development Review

For questions, please contact:

Olivia.Hayes@Milton.ca

Phone: Ext. 2454

Attachments
Figure 1 – Site Plan Figure 2 – Architectural Plans