



# The Corporation of the Town of Milton

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Report To: Committee of Adjustment and Consent

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From: Taylor Wellings, MSc (PI), MCIP, RPP

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Date: April 30, 2026

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File No: A-26-017M

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Subject: 88 Robert Street

**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 Jansen Consulting and stamped by Town Zoning on March 23, 2026.
2. That the Owner obtains a Town of Milton Curb Cut Permit as required by the Town of Milton and to the satisfaction of Milton's Infrastructure Department.
3. That the Owner provides Development Engineering with an Engineered Grading Plan (signed and stamped by a Qualified Professional) as well as a Stormwater Management Brief/Memo outlining the stormwater measures which will be installed on the property.
4. That the Owner obtains a Road Occupancy Permit.
5. That the Owner updates the Site Plan to include a note regarding works within the municipal road allowance.
6. That the Owner updates the Site Plan to include a note about erosion and sediment control measures and ensuring works are controlled and contained to the subject property.
7. That the Owner reinstate the sidewalk bays which will be impacted by the Curb Cut area to the satisfaction of Milton's Infrastructure Department.
8. That a Building Permit be obtained within two (2) years from the date of the decision; and
9. 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:

1. To allow for a maximum permitted lot coverage for lots having lot area of 660-830 square metres to be 34%, an increase of + 9%;
2. To allow the minimum required interior side yard setback to be 1.22 metres, a difference of - 0.58 metres;
3. To allow the setback to be 4.87 metres from the building front wall, a difference of - 0.12 metres; and
4. To allow the maximum building height to be 9.72 metres, a difference of + 0.22 metres.

The subject property is known municipally as 88 Robert Street and located near the corner of Bell Street and Robert Street. The subject property contains a single-detached dwelling with a detached garage. Surrounding uses are residential and primarily single-detached dwellings.

The applicant has requested a minor variance application to seek relief from four sections of the Town's Zoning By-law to facilitate the development of a residential rebuild on the subject property. The existing dwelling and detached garage will be demolished ahead of time.

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

The subject property is designated as Residential Area on Schedule A (Urban Land Use Plan) of the Town of Milton's Official Plan. This designation permits single-detached dwelling and accessory buildings and structures.

It should be noted that the subject property is located within the Mature Neighbourhood Area. Section 8.2.5.1 of the Town's Official Plan states that proposed development in the form of new housing, replacement housing, and additions and alterations within Mature Neighbourhood Areas may be permitted 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 .

Given that the application proposes a single-detached dwelling and maintains the policy direction outlined in the Town's Official Plan, Planning staff are satisfied that the proposal is in conformity with the Town of Milton's Official Plan.



## Zoning

The subject lands are zoned Residential Low Density 1 (RLD1) under the Town of Milton Zoning By-law 016-2014, as amended. The RLD1 zone permits a variety of residential uses, including detached dwellings.

### Variance One: Maximum Permitted Lot Coverage

Section 6.2 Table 6B Footnote (\*1) & Table 6B (I) of the Town's Zoning By-law states that the maximum permitted lot coverage for lots having area of 660-830 square metres is 25%. The applicant is requesting permission to allow for a maximum permitted lot coverage of 34%, a difference of + 9%, to facilitate the proposed development.

### Variance Two Minimum Required Interior Yard Setback

Section 6.2 Table 6B Footnote (\*2) i) B) of the Town's Zoning By-law states that the minimum required interior side yard setback is 1.80 metres. The applicant is requesting permission to allow for an interior side yard setback of 1.22 metres, a difference of -0.58 metres, to facilitate the proposed development.

### Variance Three: Garage Front and Building Wall Requirement

Section 6.3.2 ii) b) of the Town's Zoning By-law states that for garage or carport where the width of the garage face or front of the carport is greater than 3.5m, the garage face or front of the carport shall be setback a minimum of 5.5m from the building front wall. The applicant is proposing the garage face to be setback 4.87 metres from the building front wall, a difference of - 0.12 metres, to facilitate the proposed development.

### Variance Four: Maximum Building Height

Section 6.2 Table 6B of the Town's Zoning By-law states that the maximum permitted building height is 9.5 metres measured from the established grade to the upper most point of the roof. The applicant is requesting permission to allow for the building height to be 9.72 metres, a difference of + 0.22 metres, to facilitate the proposed development.

## Consultation

### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on April 20, 2026. As of the writing of this report on April 22, 2026, staff received one (1) comment from the public.

The comment was related to the public notification period required for minor variance applications ahead of the Committee of Adjustment meeting as well as expressing concern for the lot coverage increase request. Planning staff provided a response that statutory requirements have been met in regard to the public notification period. Further, staff provided more detail information on the lot coverage request and breakdown.

### *Agency Consultation*



## Consultation

No objections were filed with respect to the variance application from Town staff or external agencies.

The proposed development includes relocating the driveway location which will require a Curb Cut and reinstating the sidewalk bays. Town of Milton's Infrastructure Department provided comment and requested a condition of development approval be included for the file to ensure this is completed to the Town's satisfaction.

Development Engineering requires additional information and studies to be provided at the time of Building Permit review and approval. Conditions of development approval have been included to ensure that the following are provided:

- Complete, engineered grading plan prepared, signed, and sealed by a licensed Professional Engineer (or Professional Land Surveyor where applicable)
- Stormwater Management Brief/Memo outlining what SWM measures will be installed to mitigate the impact of the added impervious surface, how they will function, and why they are appropriate for the site. The memo should be reviewed and stamped by a Professional Engineer. Please include any details of the SWM measure.
- The Site Plan must be updated with the following note: "Prior to commencement of any works within municipal road allowance, the Owner is responsible for obtaining all necessary permits from the Engineering Services Department, Town of Milton, for the purposes of vehicular access to the property, (Entrance Permit)."
- The Owner is responsible for obtaining the Road Occupancy Permit.
- Site Plan must be updated with the following note: "The Contractor is fully responsible to ensure that all erosion and sedimentation resulting from the proposed works is controlled and contained within the work site."

## Development Services Comments

The applicant has requested a minor variance application to seek relief from four sections of the Town's Zoning By-law to facilitate the development of a residential rebuild on the subject property. The existing dwelling and detached garage will be demolished ahead of time.

### Variance One: Maximum Permitted Lot Coverage

The applicant is requesting permission to allow for a maximum permitted lot coverage of 34%, a difference of + 9%, to facilitate the proposed development. As part of the proposed rebuild design, a covered porch has been included which contributes 5.35% of the lot coverage request. The remaining 3.65% increase in lot coverage will be for the proposed dwelling. Planning staff are of the opinion that the proposed increase in lot coverage is not considered overdevelopment on the subject property, and the proposed dwelling is of an appropriate size for the area.

### Variance Two & Three: Minimum Required Interior Yard Setback & Garage Front and Building Wall Requirement

The applicant is requesting permission to allow for an interior side yard setback of 1.22 metres, a difference of -0.58 metres, to facilitate the proposed development. Further, the applicant is also



## Consultation

proposing the garage face to be setback 4.87 metres from the building front wall, a difference of - 0.12 metres, to facilitate the proposed development. These variance requests are due to changes made that were required for the driveway location to meet the Town's Infrastructure By-law requirements. Planning staff do not have any concerns about the proposed variance as it relates to the design of the dwelling.

### Variance Four: Maximum Building Height

The applicant is requesting permission to allow for the building height to be 9.72 metres, a difference of + 0.22 metres, to facilitate the proposed development. The request for this variance is related to grading changes proposed by the applicant to raise the left side of the property to create a high point required for drainage. Planning staff have no concerns with this variance request given the drainage requirements that need to be addressed to ensure the surrounding properties are not negatively impacted.

Planning staff have reviewed the requested variances and offer no objection to their approval. Planning staff are of the opinion that the requested variance is minor in nature, conforms 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

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Planner, Development Review

For questions, please contact:

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## Attachments

Figure 1 - Site Plan



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