



NOTICE OF DECISION

File Number:	A20/025/M
Date of Hearing:	MAY 26, 2022
Applicant:	JANSEN CONSULTING
Municipal Address:	10514 FIRST LINE NASSAGAWEYA

MINOR VARIANCE APPLICATION under Section 45(1) of the “Planning Act” - File (A20/025/M) to the Milton Committee of Adjustment and Consent requesting permission to allow two (2) residential buildings on a lot for a temporary period, **WHEREAS** Zoning A2, GA Section 4.2 i) of Comprehensive Zoning By-law 144-2003, as amended, requires a maximum of one residential building on a lot to accommodate the construction of new dwelling while retaining the existing dwelling for the duration of the new dwelling’s construction on CON 1 PT LOT 14 RP 20R5965 PART 2, municipally known as 10514 First Line Nassagaweya in the Town of Milton, Regional Municipality of Halton

THE REQUEST IS HEREBY:

☒ **APPROVED** ☐ **DENIED** ☐ **DEFERRED**

REASONS: See attached ‘Schedule 1’

RECORDED VOTE AS FOLLOWS:

In favour of the Motion:

Opposed to the Motion:

Mark Kluge

M. Kluge

M. Kluge

Eric Chandler

E. Chandler

E. Chandler

Jeff Robinson

J. Robinson

J. Robinson

Tyler Slaght

T. Slaght

T. Slaght

Michael Summers

M. Summers

M. Summers

You are notified that under Subsection 45(12) of the *Planning Act, R.S.O. 1990*, as amended, the applicant, the Minister or any other person or public body who has an interest in the matter may not later than **June 15, 2022** appeal to the Ontario Land Tribunal (OLT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision. The Notice of Appeal must be accompanied with the prescribed fee made payable to the “Minister of Finance” and be sent to:

Secretary-Treasurer, Milton Committee of Adjustment and Consent
The Corporation of the Town of Milton - Development Services Department
150 Mary Street, Milton, Ontario, L9T 6Z5

If no appeals are received the decision of the Committee is final and binding.

Dated this May 27, 2022.

I, Catherine Susidko, Secretary-Treasurer of the Milton Committee of Adjustment and Consent, certify that this is a certified copy of the majority decision of Committee of Adjustment.

Secretary-Treasurer, Committee of Adjustment and Consent



NOTICE OF DECISION

SCHEDULE 1

File Number:	A20/025/M
Date of Hearing:	MAY 26, 2022
Applicant:	JANSEN CONSULTING
Municipal Address:	10514 FIRST LINE NASSAGAWEYA

PUBLIC CONSULTATION:

Notice of Hearing was provided as required by the Planning Act on May 11, 2022. All written submissions received, if any, and any oral submissions made at the Hearing related to the application were considered in the decision. **THEREFORE, it is the decision of the Committee of Adjustment THAT Minor Variance Application (A20/025/M) BE:**

APPROVED with Condition(s):

1. That the new single detached dwelling shall be located and constructed in accordance with the site plan and building elevations, prepared by Jansen Consulting, date stamped by Town Zoning on April 6, 2022.
2. That a Building Permit be applied for and received prior to construction of the new single detached dwelling and a demolition permit be received for the existing detached dwelling prior to demolition.
3. That prior to Building Permit issuance for the new single-detached dwelling, the applicant must provide a Letter of Undertaking to the Town of Milton agreeing to:
 - a. Provide a performance guarantee in the amount of \$10,000.00 to ensure the demolition of the existing single detached dwelling upon completion of the new dwelling.
 - b. Obtain a Demolition Permit for the demolition of the existing dwelling prior to occupancy being granted for the new single detached dwelling.
 - c. Complete all works associated with the demolition of the existing detached dwelling within 90 days of occupancy being granted for the new single detached dwelling.
4. That the approval be subject to an expiry of two (2) years from the date of decision in which time occupancy for the new single detached dwelling must be received.

NOTES:

1. Regional development charges and educational development charges are applicable in accordance with the appropriate agency's policies and by-laws. Town development charges and other charges are applicable on any future development in accordance with Town policies and by-laws and other applicable legislation. All development charge inquiries should be directed to DevelopmentFinance@milton.ca

2. Municipal property taxes must be current prior to approval. Inquiries with respect to property taxation should be directed to 905-864-4142 or taxes@milton.ca.

3. Trustee clearance is not applicable.

4. The subject lands are located within an area of Archaeological Potential. However, it is acknowledged that the lands have been previously disturbed with development. While an Archaeological Assessment is not required, the proponent is cautioned that during development activities, should archaeological materials be found on the property, the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries should be notified immediately. In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and all soil disturbance must stop to allow the authorities to investigate and the Registrar of Cemeteries to be consulted.

REASONS:

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

1. The general intent and purpose of the Official Plan is maintained
2. The general intent and purpose of the Zoning By-law is maintained.
3. The variance(s) is considered desirable for the appropriate development of the land.
4. In the opinion of the Committee, the variance(s) is minor.

CONSIDERATION FROM THE PLANNING REPORT:

Due to the temporary nature of the secondary residential building on-site and the conditions recommended, Planning Staff offer no objection to the approval of this minor variance. Planning Staff are of the opinion that the requested variance is minor in nature, conforms to the general intent of the Official Plan and Zoning By-law and is desirable for the development and use of the subject property.

I, Catherine Susidko, Secretary-Treasurer of the Milton Committee of Adjustment and Consent, certify that this is a certified copy of the majority decision of Committee of Adjustment.

Secretary-Treasurer, Committee of Adjustment and Consent