



The Committee of Adjustment and Consent for the Corporation of the Town of Milton met in regular session at 6:00 p.m. electronically via Live Streaming Video with Mark Kluge in the Chair.

The Committee of Adjustment is appointed by Town Council to act upon matters respecting upon planning applications in accordance with Sections 44 and 45 of the *Planning Act*.

**I. AGENDA ANNOUNCEMENTS/AMENDMENTS**

None or include

**II. DISCLOSURE OF PECUNIARY INTEREST**

None or include

**III. REQUESTS FOR DEFERRAL OR WITHDRAWAL OF APPLICATIONS**

Deferrals were requested and granted for the following:

1. File:D13 (A22-030/M) 239 Bell Street

A minor variance has been requested to allow a proposed detached dwelling.

**IV. MINUTES**

**COA-020-21 THAT** Minutes of the Committee of Adjustment Meeting held on Thursday, March 31, 2022 be APPROVED.

**V. ITEMS FOR CONSIDERATION**

**Minor Variance Applications:**

**1. File: (A22/004/M) - 3300 15 Side Road**

Requesting relief from the Zoning By-law to allow for the encroachment of below grade stairs into exterior side yard and reduction in width of required parking spaces on a residential driveway. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. Written comments were received prior to the Hearing.

**Owner/Applicant Input:**

The applicant provided a brief overview of the proposed application.

- The agent is request the committee to consider permission to allow a maximum height of 13.56 metres for the new dwelling unit for residential purposes.
- The agent confirmed they are keeping the existing gravel road and use existing driveway.
- Requesting an existing swimming pool be located in the front yard
- Both Conservation and Halton Region have provided comments confirming their approval of the proposal.

**Public Input: (7) people**

- Allan Ramsey
  - Speaking in opposition to the proposal.

- Although there is some ambiguity regarding the Public Notice, Staff have been helpful, It is noted, the site plan and front plan elevation, side and the rear elevations are not included in the circulation.
  - The impact of the impact of the proposal does not meet the four tests. On review of the area this building will be the tallest building in the area, the height is not minor, as it is not compatible with the area and will adversely impact of the area.
  - Based on my evaluation of the proposed development including a review of the relevant planning documents, it is my opinion that the proposal to permit an increase in building height does not maintain the general intent and purpose of the Official Plan and Zoning By-law, is not minor and is not appropriate for the development of the Subject Lands and area.
  - The variance does not represent good planning and should be not approved.
  - In the alternative, the Committee could consider deferring a decision of this application to allow Town Council to consider the wider implications of permitting excessively larger dwellings in the rural area. In particular, consideration should be given to implementing an Interim Control By-law in order to conduct a policy review similar to the recently completed Mature Neighbourhood Study undertaken in Urban Milton.
- Dr. Carolyn Malec
    - Speaking in opposition to the proposal
    - Member of the public is in formal opposition to the variance request.
    - The owners have already removed the hedgerow of mature tree that have separated their 10 acre lot in half and propose to build this monster home much further back on the property at this location. The proposed home will now be towering over my backyard. We will feel completely overshadowed by this proposed 13.56 metres tall home.
    - The height of this building will not maintain the open-space character, topography and landscape of the rural area and will directly affect my enjoyment of my backyard space- specifically my outdoor seating area where we spend many evenings, our outdoor dining area where we enjoy many meals together and the privacy of our hot tub. There is presently no physical barrier between my backyard and the proposed

dwelling and with the request for an extra 2.56 meters in height, they will easily be able to peer into my backyard space which makes me uncomfortable.

- The extra height of this building will affect our horizon and ability to watch the sunset. The external lights at such a height of 13.56 metres will directly affect our ability to enjoy the night sky without light pollution and use our telescope. The noise that will result from such a huge home with multiple cars and people will directly impact our enjoyment of our home.
- More significantly, the taller building moved to the proposed new location on the property will affect my internet services. Presently, internet services in rural Nassagewaya are provided by “line-of-sight” transmission with Standard Broadband.
- This proposed taller building will now be DIRECTLY in our line-of-sight to the transmission tower found at the Nassagewaya Presbyterian Church.
- As a physician in Milton, I rely on internet services to work after hours. Due to poor cell phone reception- I also rely on WiFi for my cell phone calls inside my home. This will directly impact my ability to be on call as a hospitalist for the Milton District Hospital and therefore affect health care in our area I moved to rural Milton for the privacy and seclusion it allows me as a very public member of our town. My home has been my refuge for over 20 years- providing me with the privacy and green space I need to do my job well and raise a family. I anticipate the peace and quiet of my backyard space every single day. The thought of this proposed enormous home directly in my backyard fills me with dread. This proposed home and more specifically its imposing height compared to all other dwellings in the neighbourhood, will result in the destruction of the beautiful rural character of Nassagewaya and will lead to enormous change.
- The light pollution, the noise pollution along with the interruption to internet transmission is a concern. Concerns should be taken seriously provided the community that responded.
- Beautiful area will be in destruction

- Meryl Hodnitt

- Speaking in opposition to the proposal
- Our home is not at the back of the lot, however, we maintain similar concerns are previous speaks had attested.

- We did not have the benefit of having the Planning report prior to written submission however, I do find their claim that the 20 metre setback will limit and mitigate the impact of the height on adjacent properties is not valid. Even with the 20 metre setback from the site lot lines, I believe there will be a significant negative impact such as noise and light pollution. It will severely limit any rebuilding option that we have on our lot as far as the back of our lot.
- I found that the information available to us as part of the public hearing notice is misleading with respect to the size of the proposed dwelling. It indicates it meets all zoning provisions except for height, reports the square footage is just under 10,000 square feet in the public notice. This is excluding the parking garage, space above the ground floor, per submitted Mr. Rammsay's Planning Report the total floor area of the two floors will be just under 20, 000 square feet. This leads to an imposing building mass and destroys the open rural character of this entire area behind all of our properties.
- I find the states rationale of the height variance not to be compelling at all. The staff report discounts the community dissatisfaction of the proposal.
- Ketan Trivedi
  - Speaking in opposition to the proposal
  - The member of the public is adjacent to the property and shares the largest boarder with the proposed property
  - There are no tree buffers between the properties;
  - The wetland concerns with the removal of the trees, I would like to raise that concern as well.
  - Among our biggest concern is the lack of privacy resulting from the building of the second proposed 20,000 square feet home for us and the other neighbours. The amount of noise that would result from the increased number of people likely ending up living in the two dwellings, the environmental impact of the two dwellings. Proposed increase in height will not only be a severe eyesore but also cast significant shadow on neighbouring properties rendering it darker and interfering with growing trees and plants.
- Brian MacDonnell
  - Speaking in opposition to the proposal

- The request to permit a pool in front of the proposed building (between the proposed new building and 15 Side Road) appears disingenuous.
  - Requesting why the proposed new building should be between the existing pool and 15 Side Road to protect agricultural uses.
  - Commenting on the height restrictions placed on buildings which exist for a reason, tall buildings will likely interfere with internet access as it will obstruct line of sight transmission.
  - Final comment on the tree removal, tree scape has been negatively impacted, there are two field for pasture and hay fields in the past, the development has chewing up a lot of agricultural land.
- Kriss Knaggs
    - Speaking in opposition to the proposal
    - Submission provided, please follow the rules;
    - The building will be in direct line of the signal as they sit lower
    - Federal government announced that: Internet access should not be impeded, it is now a necessity;
    - The building height, ... fire captain;
    - I am in opposition to the Variance request to allow a taller building than is allowed by the Zoning Bylaw for 3300 15 side road.
    - The proposed building is directly in line with the tower that we receive our satellite signal from. Any building in that area will negatively affect our signal, but the sheer size of this building will completely remove the signal.
    - The building is within 120 metres of a category one wetland, so within the regulated zone as per their builders drawings. If the rules for height are ignored for this building, why have a bylaw?
    - This building is hardly applying for a *minor* variance. With the building being 14.4 metres, it is 3.4 metres over the height restriction for an A2 zone. Not the chimney, but the entire building's roof line. The square footage of this proposed variance is enormous.

**Committee Deliberations:**

Member Summers asked the following:

- Comment: The architect looks at all the constraints that need to be met or worked around to put together a design. Clearly the Applicant here knew that there was a height by-law and yet, on a site that is very large, has no constraints is wide open as far as development concerned. Nevertheless the proponent is coming forward with requests for relief, why? Why is it coming? The concerns of the height have been expressed on many forums, the architect is violated the height by-law which he knew existed.

Chair Kluge asked the following:

- Comment to Member Summers: This is why we are here, an application is not a violation.

Member Chandler asked the following:

- We obviously heard a number of concerns this evening with respect to the proposed variance on height and the impacts on visual, internet and so on. I wonder if the Planner, Taylor Wellings had anything to add from her report in that regard?

Member Slaght asked the following:

- Question to Planner: Can you confirm that the Region of Halton and Conservation Halton both provided their input from an Ecological perspective on the woodlands and any regulated features on the property and we're ultimately satisfied with the location of the dwelling?
- Questions to Planner: Some of the concerns raised tonight were suggested that is the house moved forward, in front of the pool. Based on the mapping provided it appears that that would be put in conflict with the woodland area and closer to the wetlands. Based off the discussions about this file with the Region and Conservation Halton, could it be assumed that would be problematic from their end moving the house to that spot?

Staff noted:

- Response to Member Slaght: I can, originally the applicant did have a different proposal forward which they explain prior that extended the driveway and looked at a different septic system location. Once that was reviewed by Conservation Halton and the Region, they did have concerns. The Agent then revised the proposal moved the septic system and confirmed that they wouldn't change that existing driveway which alleviated both concerns from both agencies. Since then Conservation Halton, I believe has issued a permit or will be issuing a permit. I know there have been comments about trees, that's all been approved by Conservation Halton.
- Response to Member Slaght: That is correct, that area is more significant and has species in it so they needed to be setback further from that area which is why the septic system was moved and why the house is located in the middle of the property.
- Response to Member Chandler: I acknowledge the public's concerns and I did think that I identified them through the report. I understand the increase of height being

requested here but taking a look at the property, the site characteristics and the setbacks I do think it's reasonable and meets the four tests of a minor variance. In terms of the internet, there are a lot of factors that go into utility services and internet it's not something that we can have a house with the increase of two and a half metres will impact the internet services for the surrounding area. It's not something that we typically involve ourselves in when we review applications. This is the rural area, we have tall trees, we have agricultural silos, it's difficult.

**COA-029-21 THAT** under Section 45(1) of the "*Planning Act*" - File A22/004/M to the Milton Committee of Adjustment and Consent requesting permission to allow:

1. A maximum height of 13.56 metres for a residential use WHEREAS Zoning A2 Section 10.2 Table 10B of Comprehensive Zoning By-law 016-2014, as amended states the maximum height of residential use shall be 11 metres

2. An existing swimming pool be located in the front yard WHEREAS Zoning A2 Section 4.1.1.4 i. of Comprehensive Zoning By-law 016-2014, as amended states swimming pool shall be located in an interior side yard or rear yard only

to accommodate an increase in height for the new dwelling unit and the location of an existing swimming pool in the front yard on CON 4 PT LOT 15, municipally known as 3300 15 Side Road in the Town of Milton, Regional Municipality of Halton **BE DENIED**. Please see the Notice of Decision for Conditions and Reasons for Denial.

**2. File: (A22/024/M) - 1549 Cranberry Crescent**

Requesting relief from the Zoning By-law to allow for the construct an accessory building larger and taller than currently permitted. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

**Owner/Applicant Input:**

The applicant provided a brief overview of the proposed application.

- The applicant is proposing to allow two (2) parking spaces a residential driveway, each being a minimum size of 2.69 metres wide by 5.5 metres long (unobstructed)
- The Agency comments have been cleared and cars can fit comfortably in the driveway

**Public Input:**

- None.

**Committee Deliberations:** None.

**COA-030-21 THAT** under Section 45(1) of the "*Planning Act*" - File A22/024/M to the Milton Committee of Adjustment and Consent requesting permission to allow two (2) parking spaces a residential driveway, each being a minimum size of 2.69 metres wide by 5.5 metres long (unobstructed) WHEREAS Zoning RMD1\*264 Section 5.6.2 i of Comprehensive Zoning By-law 016-2014, as amended states that a minimum size of a parking space on a residential driveway shall be 2.75 metres wide by 5.5 metres long

(unobstructed) to accommodate requesting to reduce two (2) parking space sizes on a residential driveway on Lot 148, Plan 20M-1228, municipally known as 1549 Cranberry Crescent in the Town of Milton, Regional Municipality of Halton **BE APPROVED**. Please see the Notice of Decision for Conditions and Reasons for Approval.

**3. File: (A22/025/M) - 1820 Reading Court**

Requesting relief from the Zoning By-law to allow for the reduction in length of required parking space and reduction in setback for a proposed landing to accommodate a proposed basement apartment. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

**Owner/Applicant Input:**

The applicant provided a brief overview of the proposed application.

- We have recently obtaining Site Plan approval, the building will be occupied by General Mills.
- The Owner is requesting a detached gatehouse with a maximum gross floor area of 31.3 square metre to be located in the front yard.
- Requests for a detached gatehouse with a maximum height of 3.4 metres to be located in the front yard.
- The tenant occupying the property requires to accommodate as washroom monitoring area and vestibule for security staff. This can not be accommodated in any other are due to site configuration and operational requirements. The guard house will be fully screened by a continuous berm and landscape planting. The guard house will not be visible. We believe the variances meet the general intent of the official plan and zoning bylaws maintained.
- Guardhouses are permitted in a business park and industrial designated areas as well as on land zoned M1.

**Public Input:**

- None.

**Committee Deliberations:**

Member Summers asked the following:

- Question to the Applicant: Any warehouse of this size will need a guardhouse, I'm curious when did you determine there was a need? Is the area of the guardhouse being taken out of the area already approved for the warehouse, yes or no?

The applicant responded the following:

- Response to Member Summers: When we first designed the building and obtained approval for the building, we did show a guardhouse, it was a standard guardhouse. It was based off of what we assumed a tenant would need however, we did not have a



tenant at that time. The building was approved as a speculative industrial building. When we obtained general Mills, they had shown us a concept they had for a larger warehouse. We evaluated that and placed it in the exact area as the original guardhouse, it just so happens that what they're asking for is a little bit larger and higher. Given the location, we don't believe there are adverse impacts on adjacent properties. Per your second question, no, it has not been deducted from the gross floor area of the original industrial building. We will have to pay development charges on this guard house as additional GFA.

**COA-031-22 THAT** under Section 45(1) of the "*Planning Act*" - File A22/025/M to the Milton Committee of Adjustment and Consent requesting permission to allow:

1. A detached gatehouse with a maximum gross floor area of 31.3 square metre to be located in the front yard WHEREAS Zoning M1\*237/M2\*238 Section 4.2.3 iii) of Comprehensive Zoning By-law 016-2014, as amended, permits within a non-residential zone, the maximum gross floor area permitted for a detached gatehouse to be permitted in the front yard is 9.3 square metres
2. A detached gatehouse with a maximum height of 3.4 metres to be located in the front yard WHEREAS Zoning M1\*237/M2\*238 Section 4.2.3 iii) of Comprehensive Zoning By-law 016-2014, as amended, requires within a non-residential zone, the maximum height permitted for a detached gatehouse to be permitted in the front yard is 3 metres.

to accommodate an increase in permitted Gross Floor Area and height of a gatehouse located within a front yard on CON 5 NS PT LOT 12 RP 20R5943 PART 1, municipally known as 1820 Reading Court in the Town of Milton, Regional Municipality of Halton

**BE APPROVED.** Please see the Notice of Decision for Conditions and Reasons for Approval.

**4. File: (A22/026/M) - 1273 Rose Way**

Requesting relief from the Zoning By-law to allow for the reduction the size of two parking spaces on a residential driveway to facilitate the creation of an accessory dwelling unit. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. Written comments were received prior to the Hearing.

**Owner/Applicant Input:**

The applicant provided a brief overview of the proposed application.

- The applicant is proposing to allow an increase maximum fence height from one metre to two metres for privacy.
- The applicant is proposing to allow the reduction of the minimum required interior side yard setback, a minimum interior side yard setback of 5.5 metres.
- The purpose is to provide driveway access as the site-specific provisions prohibit driveways on Whitlock Avenue which the dwelling fronts.
- We believe this is minor in nature as it remains consistent with surrounding properties.

**Public Input:**

- None.

**Committee Deliberations:**

Member Summers asked the following:

- Question to Applicant: Is this the house that already constructed? Is this fence then going to go around the corner, as to speak, on the outside of the property?

The applicant responded the following:

- Response to Member Summers: I believe this is the property directly right on the roundabout. The proposed fence is along Whitelock Avenue. However, the site-specific provisions don't allow the driveway to have access to Whitelock, so we have moved the driveway to the exterior side yard by Roseway. The fencing and the driveway would be on two separate yards. It would not be on the corner of both Roseway and Whitelock.

**COA-032-21 THAT** under Section 45(1) of the "*Planning Act*" - File A22/026/M to the Milton Committee of Adjustment and Consent requesting permission to allow:

1. A maximum fence height of 2.0 metre in the front yard WHEREAS Zoning RMD1\*252 Section 4.8.1 iii) of Comprehensive Zoning By-law 016-2014, as amended, permits a maximum fence height of 1.0 metre in the front yard
2. A minimum interior side yard setback of 5.5 metres WHEREAS Zoning RMD1\*252 Section 13.1.1.252 iv.k.ii. of Comprehensive Zoning By-law 016-2014, as amended, permits a minimum interior yard setback of 7.0 metres on a Corner Lot abutting a roundabout

to accommodate a an increase in maximum fence height in front yard and reduce the minimum required interior side yard setback on Lot 6, Plan 20M-1239, municipally known as 1273 Rose Way in the Town of Milton, Regional Municipality of Halton **BE APPROVED.** Please see the Notice of Decision for Conditions and Reasons for Approval.

**5. File: (A22/027/M) - 1291 Rose Way**

Requesting relief from the Zoning By-law to allow for the increase the maximum width of a two-way driveway accessing a parking area. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. Written comments were received prior to the Hearing.

**Owner/Applicant Input:**

The applicant provided a brief overview of the proposed application.

- The applicant is proposing an increase maximum fence height from one metre to two metres for privacy
- The property is consistent with surrounding properties regarding privacy fencing
- It is a corner lot around the roundabout and facing Roseway.

- We believe this is minor in nature as it remains consistent with surrounding properties.

**Public Input:**

- None.

**Committee Deliberations: None.**

**COA-033-22 THAT** under Section 45(1) of the "*Planning Act*" - File A22/027/M to the Milton Committee of Adjustment and Consent requesting permission to allow a maximum fence height of 2.0 metres in the front yard, WHEREAS Zoning RMD1\*252 Section 4.8.1 iii) of Comprehensive Zoning By-law 016-2014, as amended, permits a maximum fence height of 1.0 metre in the front yard on Lot 1, Plan 20M-1239, municipally known as 1291 Rose Way in the Town of Milton, Regional Municipality of Halton BE APPROVED. Please see the Notice of Decision for Conditions and Reasons for Approval.

**6. File: (A22/028/M) - 226 Lyndsay Court**

Requesting relief from the Zoning By-law to allow for the increase the maximum width of a two-way driveway accessing a parking area. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. Written comments were received prior to the Hearing.

**Owner/Applicant Input:**

The applicant provided a brief overview of the proposed application.

- The applicant is proposing to allow total aggregate gross floor area of accessory buildings on a property is an area greater than 830 square metres to 23.6 square metres.
- The applicant is proposing the height of an accessory building of 3.21 metres, a difference of +0.21 metre.

**Public Input:**

- None.

**Committee Deliberations:**

**COA-034-21 THAT** under Section 45(1) of the "*Planning Act*" - File A22/28/M to the Milton Committee of Adjustment and Consent requesting permission to allow:

1. Height of an accessory building of 3.21 metres, WHEREAS Zoning RLD4 Section 4.2.1 Table 4A of Comprehensive Zoning By-law 016-2014, as amended, permits maximum permitted height of an accessory building is 3.0 metres and
2. Total aggregate gross floor area of accessory buildings on a property is an area greater than 830 square metres to 23.6 square metres WHEREAS Zoning RLD4 Section 4.2.1 Table 4A of Comprehensive Zoning By-law 016-2014, as amended, permits maximum permitted total aggregate gross floor area of accessory buildings on a property is an area greater than 830 square metres is 16 square metres

to accommodate to increase the accessory building permitted gross floor area and height on PLAN M230 LOT 97, municipally known as 226 Lyndsay Court in the Town of Milton, Regional Municipality of Halton **BE APPROVED**. Please see the Notice of Decision for Conditions and Reasons for Approval.

**7. File: (A22/029/M) - 1428 Sycamore Garden**

Requesting relief from the Zoning By-law to allow for the reduce rear yard setback. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

**Owner/Applicant Input:**

The applicant provided a brief overview of the proposed application.

- The applicant is proposing to allow a decrease in required width of two required parking spaces on a residential driveway. The applicant is requesting a minimum a width of 2.7 metres each of the two required parking spaces on a residential driveway.
- The purpose of the application is for the purposes of a secondary dwelling unit.

**Public Input:**

- None.

**Committee Deliberations:**

Member Summers asked the following:

- Question to the Applicant: There is a distinct swail between the two houses where the entrance to the basement apartment will be, what are you going to do to maintain the drainage for that swail? I'm thinking you will probably put a concrete pad. There are a number of downspouts and concrete runways to divert the water to the middle of that swail. Ultimately it will come to the driveway.

The applicant responded the following:

- Response to Member Summers: The way the positioning the water is exiting to the street because of the swail to drain the water from the door to the street. We will put a concrete pathway drainage.

Staff Noted:

- Answering Member Summers: They don't, and recently engineering staff did confirm for us they only require 0.45 metres in the interior side yard to confirm no impacts to drainage and swails. There is no concern here from engineering.

**COA-035-22 THAT** under Section 45(1) of the "*Planning Act*" - File A22/029/M to the Milton Committee of Adjustment and Consent requesting permission to allow a minimum required width of 2.7 metres each for two required parking spaces on a residential driveway WHEREAS Zoning RMD1\*264 Section 5.6.2 i) of Comprehensive Zoning By-law 016-2014, as amended, permits the minimum size of a required parking space on a Residential Driveway is 2.75 metres wide by 5.5 metres in length, on Lot

40, Plan 20M-1219, municipally known as 1428 Sycamore Garden in the Town of Milton, Regional Municipality of Halton **BE APPROVED**. Please see the Notice of Decision for Conditions and Reasons for Approval.

**8. File: (A22/031/M) - 364 Cedric Terrace**

Requesting relief from the Zoning By-law to allow for the requesting reconstruction of accessory building. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

**Owner/Applicant Input:**

The applicant provided a brief overview of the proposed application.

- The applicant is proposing to allow a reduction of the parking sizes on a residential driveway. The two parking spaces on a residential driveway each having a minimum size of 2.49 metres wide by 5.5 metres long (unobstructed).
- One parking is in the garage and two on the driveway.

**Public Input:**

- None.

**Committee Deliberations:**

None.

**COA-036-21 THAT** under Section 45(1) of the "*Planning Act*" - File A22/031/M to the Milton Committee of Adjustment and Consent requesting permission to allow two parking spaces on a residential driveway each having a minimum size of 2.49 metres wide by 5.5 metres long (unobstructed), WHEREAS Zoning RMD1 Section 5.6.2 i) of Comprehensive Zoning By-law 016-2014, as amended, permits the minimum parking space size on a residential drive shall be 2.75 metres wide by 5.5 metres long (unobstructed) to accommodate to reduce the parking space sizes on a residential driveway on Lot 51, Plan 20M-1127, municipally known as 364 Cedric Terrace in the Town of Milton, Regional Municipality of Halton **BE APPROVED**. Please see the Notice of Decision for Conditions and Reasons for Approval.

**9. File: (A22/032/M) - 7095 Fifth Line**

Requesting relief from the Zoning By-law to allow for the requesting reconstruction of accessory building. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

**Owner/Applicant Input:**

The applicant provided a brief overview of the proposed application.

- The applicant is proposing to allow a minor variance to permit an accessory building (guardhouse) in the exterior side yard of a Non-Residential Zone, and permit an increase in height for the guardhouse.
- The applicant is proposing an accessory building (Guardhouse) in a Non-Residential Zone to be located in the Exterior Side yard.

**Public Input:**

- None.

**Committee Deliberations:**

- None.

**COA-037-21 THAT** under Section 45(1) of the “*Planning Act*” - File A22/032/M to the Milton Committee of Adjustment and Consent requesting permission to allow an accessory building (Guardhouse) in a Non-Residential Zone to be located in the Exterior Side yard, WHEREAS Zoning M1\*296\*H53 Section 4.2.3 i) Table 4B of Comprehensive Zoning By-law 016-2014, as amended, permits accessory buildings in a Non-Residential Zone shall be permitted, provided they are located in an Interior Side Yard or Rear Yard, on TRAFALGAR CON 6 NS PT LOT 11 RP 20R20788 PART 1, municipally known as 7095 Fifth Line in the Town of Milton, Regional Municipality of Halton **BE APPROVED**. Please see the Notice of Decision for Conditions and Reasons for Approval.

**10. File: (A22/033/M) - 10413 Guelph Line**

Requesting relief from the Zoning By-law to allow for the requesting reconstruction of accessory building. Notice of a Public Hearing was provided in accordance with the Planning Act requirements. No written comments were received prior to the Hearing.

**Owner/Applicant Input:**

The applicant provided a brief overview of the proposed application.

- The applicant is proposing an increase of gross floor area for an accessory building to 259 square metres. Looking to add the north side of the building, this is a flat terrace addition.
- There was an existing structure, cut in the hill, removing the old retaining wall of the structure. The maple trees are well away from the building and the property is well maintained and manicured by the resident.
- We believe this is minor in nature and the space will be used as a private studio.

**Public Input:**

- None.

**Committee Deliberations:**

Member Summers asked the following:

- Asking the Planner: How should we view this? It is a studio space with a desk. Should we be looking at this as an enlargement of the building or really is it a storage facility?

Staff noted:

- Response to Member Summers: Accessory structure setback from the existing dwelling. This is not becoming a secondary dwelling unit, it's only an accessory



structure things like the cottage industry uses are being proposed and are permitted uses as of right.

**COA-038-21 THAT** under Section 45(1) of the "*Planning Act*" - File A22/033/M to the Milton Committee of Adjustment and Consent requesting permission to allow 259 square metres for gross floor area for an accessory building, WHEREAS Zoning A2 &GA Section 4.1.2.2 ii) of Comprehensive Zoning By-law 144-2003, as amended, permits the maximum gross floor area permitted for an accessory building is 93 square metres, on CON 4 PT LOT 13, municipally known as 10413 Guelph Line in the Town of Milton, Regional Municipality of Halton **BE APPROVED**. Please see the Notice of Decision for Conditions and Reasons for Approval.

**VI. NEW BUSINESS**

Request for submitted first quarter mileage and stipend information form Committee members.

**VII. NEXT MEETING**

Date: Thursday, May 28, 2022  
Time: 6:00 p.m.  
Location: Live Stream

**VIII. ADJOURNMENT**

There being no further business the Chair adjourned the meeting at 8:50 p.m.

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Mark Kluge

Chair

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Catherine Susidko

Secretary-Treasurer