



## Memorandum to Committee of Adjustment Members

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### Minor Variance Application: A-22-072/M - 422 Gowland Crescent

#### 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 a maximum total gross floor area, of all accessory structures, of 26.84 square metres, whereas 12 square metres is currently permitted.

The subject property is known municipally as 422 Gowland Crescent and is legally described as Lot 34 on Registered Plan 20M-193. Surrounding land uses include low-density residential uses.

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

The subject property is designated as Residential. It is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan, as amended.

#### Zoning:

The subject lands are zoned special Residential Low Density 7 (RLD7\*310) in the Town of Milton Zoning By-law 016-2014, as amended. In this zone, detached dwellings are permitted, along with accessory structures.

Section 4.2.1 Table 4A (2\*) of the Zoning By-law 016-2014, as amended, require that lots with a total area less than 660 square metres are permitted to have a maximum total gross floor area of 12 square metres for accessory structures. The intent of this provision is to ensure accessory structures remain accessory to the primary residential use and don't contribute to overdevelopment of the subject property.

To facilitate the construction a proposed cabana and permit an existing garden shed, the applicant is requesting permission to increase the permitted gross floor area to 26.84 square metres.

#### Consultation

##### *Public Consultation*

Notice for the hearing was provided pursuant to the *Planning Act* on, September 8, 2022. As of the writing of this report on, September 22, 2022, 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 Engineering Staff request that additional information be providing in respect to grading and drainage associated with this structure - however, this information can be provided at the time of Building Permit application.

**Planning and Development Department Comments:**

The applicant has requested a minor variance to accommodate an increase in total gross floor area of accessory structures, specifically associated with a proposed gazebo and existing garden shed. The proposed gazebo is to provide outdoor amenity space while the existing garden shed provides pool and property maintenance storage.

Planning Staff are of the opinion that the requested increase in gross floor area is minimal and does not result in over development of the subject lands. The existing structures maintain all other zoning provisions - including height and setback. Mature tree coverage reduces any visual impact that the additional gross floor area may have on adjacent residential properties, in addition to an existing fence that further reduces the impact. Finally, both structures contribute to enhancing the residential use on-site, including the backyard amenity area and pool.

After reviewing the requested variance, Planning Staff offer no objection to its approval as its minor in nature, is desirable for the development of the subject lands, conforms to the Official Plan and maintains the intent of the Zoning By-law.

**Recommendation:**

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

1. That the accessory structure (gazebo) shall be located and constructed in accordance with the site plan and building elevations, prepared by Black Ink Designs, date stamped by Town Zoning on August 28, 2022.
2. That a building permit application be obtained within two (2) years from the date of this decision.
3. That requested grading information be provided, to the satisfaction of Town Development Engineering staff, prior to building permit issuance.
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.

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September 22, 2022