



Memorandum to Committee of Adjustment Members

Minor Variance Application: A23-039M - 382 Broadway Avenue

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:

- Allow a dwelling face to be a minimum of 44% of the building face, where as the Zoning By-law currently requires 50% (a reduction of 6%).

The subject property is known municipally as 382 Broadway Avenue and is legally described as Lot 52 on Plan 154.

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

The subject property is designated as Residential on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan. The Residential designation permits a range of residential uses, such as single-detached dwellings, semi-detached dwellings and associated accessory structures.

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 Residential Low Density II (RLD2) in the Town of Milton Urban Zoning By-law 016-2014, as amended. In this zone, single detached dwellings, semi detached dwellings and accessory structures are permitted.

The proposal complies with the Zoning By-law, with the exception of the following provision:

Section 6.3.3 i) requires that a dwelling face must be a minimum of 50% of the building face, whereas the applicant is requesting 44%. This provision seeks to ensure that dwellings maintain urban design principles, appropriate proportions and to ensure that the garage is not the dominant feature of the dwelling.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the *Planning Act* on, June 15, 2023. As of the writing of this report on, June 21, 2023 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.

Planning and Development Department Comments:

The applicant has requested a minor variance to facilitate the construction of a two-storey dwelling with an attached two car garage. Currently located on site is a one-storey dwelling which will be demolished prior to construction.

Given the lot size and proposed dwelling footprint, the resultant dwelling face does not maintain the provision requiring that the garage face shall not exceed 50% of the overall dwelling face. In an effort to design the dwelling to be proportional and provide a positive front façade, the applicant is seeking a reduction from 50% to 44%.

Planning staff have reviewed the application and offer no objection. The proposal does not impact adjacent lands nor disrupt existing neighbourhood character or urban design. As such, planning staff are of the opinion that the application is minor in nature, 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 dwelling shall be generally located and constructed in accordance with the site plan and building elevations, prepared by MEM Engineering Inc., date stamped by Town Zoning on May 17, 2023.
2. That a building permit application be obtained within two (2) years from the date of this decision.
3. 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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