



## Memorandum to Committee of Adjustment Members

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### Minor Variance Application: A23-073M - 12600 Sixth Line Nassagaweya

#### General Description of Application:

Under Section 45(1) of the *Planning Act*, the following minor variance to Zoning By-law 144/-2003, as amended, has been requested to:

- Allow a front yard setback of 20 metres, whereas the Zoning By-law requires 23.5 metres (a reduction of 3.5 metres).

The subject property is known municipally as 12600 Sixth Line Nassagaweya and is legally described as Part of Lot 24 on Concession 6. Surrounding land uses include agricultural lands, single detached dwellings on existing lots and natural heritage features.

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

The subject property is designated as Agriculture within the Town of Milton Official Plan. This use permits single detached dwellings on existing lots of record.

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 as Rural (A2) and Greenlands A (GA). A single detached dwelling is permitted on an existing lot of record within the A2 Zone. The existing dwelling and addition would be located entirely within the A2 Zone.

Section 10.2 Table 10B of the Zoning By-law requires a front yard setback of 23.5 metres in the A2 Zone where the dwelling is situated. To accommodate the proposed siting of the addition, the applicant is seeking to reduce the front yard setback to 20 metres.

All other zoning provisions are maintained.

#### Consultation

##### *Public Consultation*

Notice for the hearing was provided pursuant to the *Planning Act* on, September 14, 2023. As of the writing of this report on, September 20, 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.

Given the lands are regulated, Conservation Halton has issued a Letter of Permission for the proposal and offers no objection.

**Planning and Development Department Comments:**

The subject lands currently contain a two storey dwelling and a detached garage. To provide the owner with additional living space, the applicant is proposing a one storey addition.

The addition seeks to maintain a consistent setback with the existing dwelling. To do so, the footprint of the addition would be deficient so far as the required front yard setback. Given the dwelling is already existing, it is desirable from an urban design perspective to maintain existing setbacks. Further, the existing setback is still large and does not impact the right-of-way nor the privacy of adjacent landowners. The reduction of 3.5 metres is negligible.

Based on the aforementioned, Planning Staff offer no objection to the approval of this application. The variance is minor in nature, desirable for the development of the subject lands, and maintains the intent of the Zoning By-law and Official Plan.

**Recommendation:**

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

1. That a building permit application be obtained within two (2) years from the date of this decision.
2. 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

**Rachel Suffern**

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September 20, 2023