



Memorandum to Committee of Adjustment Members

Minor Variance Application: A23-037M - 5290 Sixth Line

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 minimum front yard setback of 12.32 metres, where as the Zoning By-law required a minimum of 15.0 metres (a reduction of 2.68 metres).

The subject property is known municipally as 5290 Sixth Line and is legally described as Lot 2 on Concession 7. Surrounding land uses include residential, agriculture and natural heritage features.

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

The subject property is designated as Natural Heritage Systems. The lands are also identified within the Greenbelt Plan. Through this designation, single detached dwellings are permitted 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 Agriculture (A1) within the Town of Milton Rural Zoning By-law, as amended. In this zone, single detached dwellings are permitted.

With the exception of provision 10.2 Table 10B, the proposal complies with the Zoning By-law.

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.

The subject property is regulated by Conservation Halton due to an adjacent tributary of Sixteen Mile Creek and contains a portion of flooding and erosion hazards associated with the watercourse. As such, CH has issued a permit (No. 8542) for the proposed works and offer no objection to the approval of this variance.

Planning and Development Department Comments:

The applicant has requested a minor variance to facilitate a residential addition, located at the front of an existing single detached dwelling. The proposed addition will provide the owner with increased living space.

The applicant has proposed this specific siting in order to reduce any impact on the adjacent natural heritage features to the rear and mitigate risks associated with the floodplain hazards, as identified by Conservation Halton. As such, by siting the addition to the front of the house, a variance is required to reduce the minimum front yard setback.

Planning staff have reviewed the requested relief and offer no objection. The impact of the reduced setback is negligible so far as impacts on the sightlines - both in respect to neighbors and the public right-of-way - and will not impede the functionality and/or future development of Sixth Line.

The variance being request is minor in nature, is desirable for the development of the subject lands, maintains the intent of the Zoning By-law and conforms to the Official Plan.

Recommendation:

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

1. That the residential addition shall be generally located and constructed in accordance with the site plan, prepared by Cunha Design Consultants 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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