



Memorandum to Committee of Adjustment Members

Minor Variance Application: A24-004M - 8773 Milborough 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 an aggregate maximum Gross Floor Area of 111.6 square metres for accessory structures, whereas the Zoning By-law currently permits a maximum of 93 square metres (an increase of 18.6 square metres).

The subject property is known municipally as 8773 Milborough Line and is legally described as Part of Lot 5, Concession 1 on 20R-1943 identified as Part 1. The lands are generally located south of Campbellville Road and east of Milborough Line. Surrounding land uses predominantly include agricultural operations and natural heritage systems.

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

The subject property is designated as Agriculture within the Town of Milton Plan. This designation permits a range of uses, including normal farm practices, a single detached dwelling and 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 predominately zoned as Rural (A2) and partially Greenlands A (GA) within the Town of Milton Rural Zoning By-law 144-2003, as amended. The proposed structure is entirely located within the boundary of the A2 Zone. The A2 Zone permits a range of uses such as a single detached dwelling (including accessory structures), agricultural operations, and conservation uses.

Foregoing the provision identified below, the accessory structure being proposed complies with the Zoning By-law 144-2003, as amended.

Section 4.1.2.2 ii) permits an aggregate maximum Gross Floor Area of 93 square metres for accessory structures. To accommodate the proposed structure *and* existing barn, the applicant is requesting relief to permit a maximum Gross Floor Area of 111.6 square metres.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the *Planning Act* on, February 07, 2024. As of the writing of this report on, February 14, 2024, staff have not received any comments from members of the public.

The lands are regulated by Conservation Halton. As such, the applicant has consulted with CH and no issues were raised. A Development Permit has been issued for the proposal and therefore, CH offers no objection to the approval of this application.

Agency Consultation

No objections were filed with respect to the variance application from Town staff or external agencies.

Planning and Development Department Comments:

The subject lands currently contain a single detached dwelling and existing barn with an access on Millborough Line. To provide additional storage for lawn care equipment and vehicles, along with space for the owner's woodworking hobby, the applicant is proposing to construct a second accessory structure on site. The applicant has confirmed that the structure will only be for personal use.

Given the size of the subject lands and location of the proposed structure, Planning Staff have no objections to the proposal. The cumulative impact of the existing barn and proposed structure do not result in over-development of the subject lands, nor impede adjacent properties so far as privacy. The existing mature trees that are along the frontage of Millborough Line will contribute to shielding the structure itself from view.

Based on the foregoing, Planning Staff offer no objection to the approval of this application. The requested relief is minor in a nature, 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 accessory structure shall be generally located and constructed in accordance with the site plan and building elevations date stamped by Town Zoning on January 15, 2024.
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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