



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Development Services

Date: June 27, 2024

File No: A-24-020M

Subject: 874 Childs Drive

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

1. That a building permit application be obtained within two (2) years from the date of this decision;
2. Prior to Building Permit issuance, a detailed Grading Plan and Stormwater Management brief must be provided to the satisfaction of Town Development Engineering;
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.

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 the lot coverage on a property to be 34.94%, whereas the Zoning By-law permits a maximum of 30% lot coverage on lots where the lot area is less than 660 square metres.

The subject property is municipally known as 874 Childs Drive and is generally located south of the intersection of Thompson Road North and Main Street East. The subject property contains a single-detached dwelling with an attached garage and legalized additional dwelling unit. Surrounding uses are residential and is primarily comprised of single-detached dwellings.

The applicant is proposing to construct a heated extension on the second floor of the dwelling. The Zoning By-law requires that a maximum of 30% lot coverage should be permitted on lots with a lot area lower than 660 square metres. The applicant is seeking relief to the by-law to permit a maximum lot coverage of 34.94%.



Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Residential Area on Schedule B - Urban Area Land Use Plan within the Town of Milton Official Plan. This designation establishes that the primary use of land shall be a mix of low, medium and high density residential development.

It is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan. The proposed additional dwelling unit is located within an existing single detached dwelling on full municipal services. The subject lands are located in close proximity to municipal transit and no significant changes to the external character of the building or property are being proposed.

Zoning

The subject lands are zoned Site Specific Residential Low Density 4 (RLD4*307) under the Town of Milton Zoning By-law 016-2014, as amended. The RLD4*307 zone permits a variety of residential uses, including detached and semi-detached dwellings.

Section 6.2, Table 6B-1(I) of the Zoning By-law permits a maximum lot coverage of 30% for lots with an area that is less than 660 square metres. The lot coverage calculation includes the area of the single detached dwelling and attached garage. The applicant is requesting an increase in the maximum lot coverage to 34.94% (and increase of 4.94%) to accommodate the heated extension to the second floor of the dwelling.

The proposed addition to the second floor complies with all other performance standards in the Zoning By-law.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on June 12th, 2024. As of the writing of this report on June 19th, 2024, staff have not received any comments from members of the public.

Agency Comments

Development Engineering

Please be further advised that Development Engineering has no objection to the approval of this application; however, the Owner must acknowledge and agree that at time of Building Permit,

Consultation

Development Engineering will require the following information:

1) The Owner agrees to provide a Detailed Grading Plan at the time Building Permit application for construction of the new residence complete with the following items;

- a) Downspout locations;
- b) Existing elevations along the property lines (which are not to be altered);
- c) Existing and proposed elevations for the interior property;
- d) Proposed elevations at building corners;

2. Stormwater Management Brief/Memo outlining what SWM measures will be installed to mitigate the impact of the added impervious surface, how they will function, and why they are appropriate for the site. The memo should be reviewed and stamped by a Professional Engineer. Please include any details of the SWM measure.

No further objections were filed with respect to the variance application from Town Staff or external agencies

Development Services Comments

To facilitate the construction of a heated extension on the second floor of the dwelling, the applicant has requested a variance to the lot coverage provisions of the Zoning By-law. The proposed addition is 33.73 square metres which results in a lot coverage of 34.94% (an increase of 4.94%). The intent of the lot coverage regulation is to ensure that there is sufficient permeable area on the lot and to prevent overdevelopment of a lot.

The addition is proposed to be on the second floor and will only protrude 1.47 metres further into the rear yard than the existing sunroom on the subject site and will not encroach into the side yard. The addition is minor in nature and will not negatively impact the adjacent neighbourhood, it will not negatively impact the existing rear yard amenity space, and it will not have a large visual impact on the neighbourhood.

Development Engineering reviewed the application and does not have any concerns but have requested that both a detailed Grading Plan and Stormwater Management Brief be submitted prior to Building Permit Issuance. The Grading Plan must include downspout locations, existing elevations along the property lines, existing and proposed elevations for the interior property and proposed elevations at building corners.

Planning Staff have reviewed the request to allow an increase in lot coverage and offer no objection to the proposed variance approval. Planning Staff is of the opinion that the



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

Respectfully submitted,
Madison Polidoro
Planner, Development Review

For questions, please contact: Madison.Polidoro@Milton.ca Phone: Ext. 2311

Attachments