



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Development Services

Date: June 27, 2024

File No: A-24-023M

Subject: 11151 First Line Nassagaweya

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; and,
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.

General Description of Application

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

- To permit garage door to have a maximum height of 2.74 metres, whereas the maximum height permitted in the By-law is 2.4 metres.
- To permit a maximum height of 5.6 metres for a detached garage, whereas the maximum permitted height of 4.3 metres.

The subject property is known municipally as 11151 First Line Nassagaweya and is generally located north of the intersection of First Line Nassagaweya and Fifteenth Sideroad. Surrounding uses include agriculture, single-detached dwellings and wooded area.

The subject lands currently contain a single detached dwelling with a detached garage. The applicant is proposing to construct a detached garage to accommodate additional vehicular storage and a car lift.

Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Hamlet on Schedule A - Rural Land Use Plan of the Town of Milton Official Plan and Hamlet Residential on Schedule C.5.1 - Moffat Hamlet Land Use. This designation permits uses such as single detached dwellings, including accessory structures.

The property is also subject to the Greenbelt Natural Heritage System, as identified on Schedule 1 - Town Structure Plan.



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Official Plan Designation (including any applicable Secondary Plan designations)

The objective of the Greenbelt NHS overlay policies seek to protect Key Features - however, the overlay does permit single detached dwellings and accessory structures, provided that the impact on the natural environment will be minimal.

Based on the Hamlet designation and Greenbelt Plan, it is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan, as amended. The proposed development is a permitted use - being an accessory structure - and will have minimal impact on the natural environment.

Zoning

The subject lands are zoned Greenlands A (GA) and Village Residential (RV) Zones in the Town of Milton Rural Zoning By-law 144-2003, as amended. The GA zone does not permit accessory buildings and/or structures. However, accessory structures are permitted in the RV Zone. Section 2.4 v) delineated that where a lot falls into two or more Zones, each portion of the lot shall be used in accordance with the provisions of this By-law for the applicable Zone.

To accommodate the proposal, the following relief is being requested:

Variance One: Increase in Garage door height

Section 4.1.1.2 vi) of the Zoning By-law permits garage doors that do not exceed 2.4 metres in height. The applicant is seeking relief to allow a maximum garage door height of 2.74 to accommodate the proposal, a difference of 0.34 metres.

Variance Two: Increase in Garage Height

Section 4.1.1.2.2 ix) of the Zoning By-law states, a detached garage or carport is permitted on a lot provided it does not exceed a height of 4.3 metres. The intent of this provision is to ensure that a structure will not disturb adjacent lands by way of privacy or sightlines and will remain clearly secondary to the primary residential use. The applicant is seeking relief to allow a maximum height of 5.6 metres to accommodate the proposed garage.

Consultation

Public Consultation



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

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

Development Services Comments

The applicant has requested a minor variance facilitate the creation of a detached garage on the subject lands. The structure is proposed east of the dwelling, adjacent to an existing driveway. The applicant intends to use the garage for personal vehicular storage. The structure will not be used for human habitation.

Variance One: Increase in Garage Door Height

Planning Staff are of the opinion that the requested relief to allow an increase in garage door height will not further obstruct neighbouring views. The property is large enough that the proposed increase in height will be negligible and will not disturb the views of abutting properties.

The purpose of the increase in garage door height is to allow for a sprinter van to be parked inside.

Variance Two: Increase in Garage Height

Planning Staff is of the opinion that the increase in overall height for the proposed garage is minor in nature and will not further impact the sightlines of neighbours. The setbacks to the garage are substantial therefore minimizing the impact of the increased height. Planning Staff are of the opinion that the garage will have not further impact to neighbouring properties.

The proposed increased height of the structure is to allow for the installation of a car lift. Planning Staff have confirmed that the proposed garage and associated car lift will be used solely for personal use.

Further, Planning Staff have confirmed there is no tree removal required to facilitate the proposal and therefore, no impact on the Natural Heritage System is anticipated. It is Staff's opinion that the garage is proposed in a logical location as to not further disturb other parts of the site.



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Consultation

Based on the aforementioned, Planning Staff offer no objection to the approval of this application. The variances being requested are minor in nature, desirable for the development of the subject lands, maintain the intent of the Zoning By-law, and conform to the Official Plan.

Respectfully submitted,
Madison Polidoro
Planner, Development Review

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

Attachments