



# The Corporation of the Town of Milton

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Report To: Committee of Adjustment and Consent

From: Development Services

Date: June 27, 2024

File No: A-24-025M

Subject: 720 Switzer Crescent

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

1. That a Building Permit be issued within two (2) years from the date of this decision;
2. That prior to Building Permit issuance, a detailed grading plan and stormwater management brief will be provided to the satisfaction of Town Development Engineering;
3. That a 0.45 metre permeable border be reinstated along the perimeter of the site; and,
4. 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 maximum gross floor area of an accessory building and or structure to be 15.42 square metres, whereas the Zoning By-law permits a maximum of 10 square metres for properties zoned RMD1.

The subject property is municipally known as 720 Switzer Crescent and is generally located east of the intersection of Derry Road and Regional Road 25. The subject property contains a single-detached dwelling with an attached garage. Surrounding uses are residential and is primarily comprised of single-detached dwellings.

The applicant is proposing to construct an accessory structure in the back yard of the property. The Zoning By-law requires that accessory buildings have a maximum gross floor area of 10 square metres on properties zoned RMD1. The applicant is seeking relief to the by-law to permit a maximum gross floor area of 15.42 square metres.



# The Corporation of the Town of Milton

File #:  
A-24-025M  
Page 2 of 3

## 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 and is further designated as Residential Area within the Bristol Survey Secondary Plan. This designation establishes that the primary use of land shall be a mix of low, medium and high density residential development. A variety of medium and high density residential uses are permitted.

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 Medium Density Residential 1 (RMD1) under the Town of Milton Zoning By-law 016-2014, as amended. The RMD1 zone permits a variety of residential uses, including detached and semi-detached dwellings.

Section 4.2.1 Table 4A of the Zoning By-law permits a maximum Total Gross Floor Area of Accessory Buildings and Structures to be 10 square metres. The intent of this provision is to that the site is not overdeveloped. The applicant is seeking relief to allow for an accessory structure to have a total gross floor area of 15 square metres.

## Consultation

### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on June 12<sup>th</sup>, 2024. As of the writing of this report on June 19<sup>th</sup>, 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 structure is a pavilion that will act as a shaded leisure area for the residents. In order for a permit to be issued to construct the proposed accessory structure, all relevant Zoning By-law provisions must be met, including the maximum size of 10 square metres. The applicant is requesting permission to increase the size of the accessory structure by 5.42 square metres.

Per aerial photos and the site plan submitted, the rear yard of the subject property contains significant hardscaping which poses a challenge from a stormwater



# The Corporation of the Town of Milton

File #:  
A-24-025M  
Page 3 of 3

## Consultation

management and grading perspective, including impacts on existing swales within the side yards. The applicant has confirmed that the structure will be located 0.45 metres from the property line and that the downspouts of the eaves will not point towards the property line. Development Engineering is satisfied with these adjustments to the original submission from a water run-off perspective; however, a 0.45 metre permeable border must be reinstated along the perimeter of the site to address stormwater concerns, along with a grading plan and stormwater management brief being provided prior to Building Permit issuance. Planning Staff is of the opinion that the proposed structure will not negatively impact the neighbouring and will visually enhance the rear yard of the subject site. Planning Staff has no objection to the proposal, subject to the conditions set-out above being fulfilled. Therefore, the variance 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