



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Development Services

Date: September 26, 2024

File No: A24-043M

Subject: 327 Maplewood Crescent

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

1. That a Stormwater Management Brief and Grading Plan be provided, to the satisfaction of Development Engineering, prior to Building Permit issuance.
2. That a Building Permit be obtained within two (2) years from the date of this decision; and,
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 a maximum lot coverage of 33.2% on a lot with an area less than 660 square metres, whereas the Zoning By-law allows for a maximum of 30%.
- To allow a minimum front yard setback of 6.1 metres, whereas the Zoning By-Law requires a minimum front yard setback of 7.5 metres.
- To allow a minimum interior side yard of 1.2 metres on one side and 1.45 metres on the other side for a dwelling unit with an attached carport where the lot frontage is less than 15 metres, whereas the Zoning By-law requires a minimum of 1.2 metres on one side and 1.8 metres on the other side.
- To allow a minimum setback of 1.37 metres from the dwelling face to the attached carport, whereas the Zoning By-law requires a minimum of 1.5 metres.

The subject property is known municipally as 327 Maplewood Crescent and is generally located west of the intersection of Ontario Street South and Derry Road. Surrounding uses are primarily residential and mainly comprised of single detached dwellings.

The subject lands currently contain a single-storey detached dwelling with an attached garage. The applicant is proposing an addition to the existing structure to accommodate two Additional Dwelling Units (ADU). Planning Staff note that recent Provincial direction and updates to the Zoning By-law permit ADUs on urban lots that are accommodated by municipal servicing.



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. 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.

Zoning

The subject lands are zoned Site Specific Residential Low Density III (RLD3*300) under the Town of Milton Zoning By-law 016-2014, as amended. The RLD3*300 zone permits a variety of residential uses, including detached and semi-detached dwellings.

Variance 1

Section 6.2, Table 6B-1(l) of the Zoning By-law permits a maximum lot coverage of 30% for lots with an area under 660 square metres. The lot coverage calculation includes the existing dwelling, the proposed attached carport, proposed additions and proposed covered porches. The applicant is requesting an increase in the maximum lot coverage 33.2% to accommodate the proposed works.

Variance 2

Section 13.1.1.300 of the Zoning By-law requires a minimum front yard setback of 7.5 metres. The intent of this by-law is to maintain the existing streetwall along Maplewood crescent. The applicant is requesting relief to this provision in order to permit a front yard setback of 6.1 metres.

Variance 3

Section 6.2, Table 6B-1 *6 (i) a of the Zoning By-law requires a minimum interior side yard setback of 1.2 metres on one side and 1.8 metres on the other side. The applicant is request relief in order to permit interior side yard setbacks of 1.2 metres on one side and 1.45 metres on the other.

Variance 4

Section 6.3.3 ii) b) of the Zoning By-law requires the garage face of an attached carport be setback a minimum of 1.5 metres from the building front wall. The applicant is requesting relief to allow a minimum setback of 1.37 metres from the dwelling front wall to the attached carport.

Foregoing the provision-noted above, the proposal complies with all other provisions in the Zoning By-law, as amended.

Consultation

Public Consultation



Consultation

Notice for the hearing was provided pursuant to the Planning Act on September 10, 2024. As of the writing of this report on September 18, 2024, staff have not received any comments from members of the public.

Agency Consultation

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, 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) Sump pump and 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;
- e) Swale locations, direction and slopes;
- f) Driveway slope;

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.

Development Services Comments

The applicant has requested a minor variance to permit additions onto the existing dwelling in order to facilitate the creation of two ADUs. Planning Staff note that all provisions relating to the ADUs have been met (i.e. unobstructed access, maximum gross floor area, etc) - this application addresses deficiencies relating to the proposed built-form and siting of the additions, rather than the ADUs themselves.

Variance 1 - Lot Coverage

Planning Staff are of the opinion that the increase in lot coverage is minor in nature and will not lead to overdevelopment of the lands. It is Staff's opinion that the property will not be impacted by the increase in lot coverage, nor lands adjacent. Development Engineering Staff has requested a Stormwater Management Brief and Detailed Grading Plan. These plans will assure that all runoff and drainage is contained to the lot and will not negatively impact the subject site or neighbouring parcels.

Variance 2 - Front Yard Setback



Consultation

Planning Staff are of the opinion that the proposed setback is suitable for the site considering the configuration and size of the property. The minor reduction in the front yard setback applies to the proposed foyer entrance and will not affect the current streetwall that has been established along Maplewood Crescent. Planning Staff are of the opinion that the proposed reduction in front yard setback will not negatively impact the front streetscape or neighbouring properties.

Variance 3 - Side Yard Setback

Planning Staff are of the opinion that the reduced setback will be adequate for accessibility purposes, including access for fire and life safety personnel, if required. The location of the additions are logical and the proposal will have not have significant impact on neighbouring properties.

Variance 4 - Carport Setback

Planning Staff is of the opinion that the reduction in the setback to the carport is minor in nature and will not impact the façade of the proposed dwelling nor the façade of the neighbourhood. The reduction in the setback is negligible and should not have a significant visual impact.

Planning Staff have a reviewed the request to allow the proposed development at 327 Maplewood Crescent and offer no objection to the proposed variance approval. Planning Staff are of the opinion that the relief being requested is minor in nature, desirable for the development of the subject lands, maintains the intent of Zoning By-law and conforms to the Official Plan.

Respectfully Submitted,
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For questions, please contact:

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