



# The Corporation of the Town of Milton

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Report To: Council

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From: Barbara Koopmans, Commissioner, Development Services

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Date: March 1, 2021

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Report No: DS-016-21

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Subject: Technical Report: Official Plan Amendment and Zoning By-law Amendment by 2689319 Ontario Corporation for lands located at 79 Martin Street (Town Files: LOPA-03/20 and Z-06/20).

Recommendation: **THAT Development Services Report DS-016-21 outlining applications for amendments to the Town of Milton Official Plan and Zoning By-law 016-2014, as amended, to permit limited office uses, in addition to the permitted residential uses, within an existing heritage dwelling, BE APPROVED;**

**AND THAT staff be authorized to bring forward the amendments to the Town of Milton Official Plan and the Zoning By-law for Council adoption;**

**AND FURTHER THAT following confirmation by Halton Region that the Local Official Plan amendment is exempt from Regional approval, the By-law for the Official Plan Amendment and Zoning By-law be brought forward for Council approval;**

**AND THAT WHEREAS the Planning Act limits the ability to apply for a minor variance for a two-year period following approval of this By-law, BE IT RESOLVED that a privately initiated application for minor variance may be made.**

## EXECUTIVE SUMMARY

The applicant has requested amendments to the Town of Milton Official Plan and Zoning By-law 016-2014, as amended, to permit office uses (a law office), in addition to the permitted residential uses within the existing heritage dwelling located at 79 Martin Street. No internal or external alterations to the existing dwelling or the former carriage house are proposed. Development on the site will be limited to the construction of an 8-space curbed asphalt parking area to be located on the south side of the dwelling, the construction of an accessible ramp to be located to the rear of the dwelling, and associated landscaping.

An Official Plan Amendment is required to add the office use with a maximum total gross floor area of 383 square metres (which represents the total gross floor area of the existing 3-storey heritage dwelling) to the "Low Density Residential Sub-Area" designation applicable to the property. A Zoning By-law Amendment is also required to replace the



## EXECUTIVE SUMMARY

existing Residential Low Density (RLD) Zone with a site-specific Residential Low Density (RLD\*282) Zone to permit “office use” and “office building” in addition to the permitted residential uses, subject to site specific provisions that limit the office uses to the total gross floor area of the dwelling, recognize the reduced parking rate applied to the proposal and clarify that the regulations for single detached dwellings within the RLD zone will continue to apply to the property.

### Conclusions and Recommendations

Planning staff is satisfied that the Official Plan Amendment (LOPA 03/20) and Zoning By-law Amendment (Z-06/20) conform to provincial, regional and local planning policy, and achieves acceptable engineering and design standards. As a result, staff recommends approval of the Official Plan and Zoning By-law amendments attached as Appendix 1 and 2 to this report.

## REPORT

### Background

**Owner:** 2689319 Ontario Corporation, 79 Martin Street, Milton, Ontario

**Applicant:** Jansen Consulting, 70 Main Street North, P.O. Box 38, Campbellville, Ontario

#### Location/Description:

The subject property is located on the east side of Martin Street, north of Millside Drive and is approximately 0.136 hectares in size. The lands are legally described as Part of Lot 14, Concession 2, New Survey, Former Geographic Township of Trafalgar, Town of Milton, and municipally known as 79 Martin Street. The location of the property is illustrated in Figure 1 attached to this report.

The subject property is located within the Central Business District Secondary Plan Area and falls within the Urban Growth Centre boundary, the Downtown Character Area boundary, as well as the Downtown Regulatory Flood Plain boundary. The subject property contains a 3-storey, brick single detached dwelling built in 1892 as well as a former carriage house and is listed on the Town’s Heritage List.

The subject property is located within a mature neighbourhood that contains a number of large, historic, single detached dwellings on large lots. Some of the dwellings in this area are still being used for residential purposes, and others have been converted over the years to include office uses along Martin Street. Higher density residential apartment buildings are located to the rear of the property, on both the north and south sides of Millside Drive. The Mill Pond, which is classified as a Provincially Significant Wetland (PSW) is located to the rear of the dwellings on the opposite side of Martin Street.

### Proposal

## Background

The Owner, who currently lives within and operates a home office from the existing heritage dwelling, is proposing to move the offices of the partners in his law firm to the property. The proposed office uses will be limited to 383 square metres, which represents the total gross floor area of the existing 3-storey heritage dwelling. No internal or external alterations to the existing dwelling or the former carriage house are proposed. However, it should be noted that an accessible ramp will be constructed at the rear of the existing dwelling.

As shown on Figure 2 - Conceptual Site Plan and Site Statistics, the site will be accessed by the existing entrance to the property, and an 8-space, curbed asphalt parking area, including one accessible parking space, is proposed to be constructed on the south side of the dwelling. One additional parking space is proposed within the former carriage house for a total of 9 parking spaces on the site. Landscaping on the southeast side of the dwelling will be removed to permit the construction of the parking area, and trees along the property line will be replaced with a privacy hedge. Mature trees in other areas of the site, including along the north and east property boundaries will be preserved. Additional landscaping is also proposed along the Martin Street frontage to enhance the aesthetic of the property, and a bicycle parking area is proposed in front of the building. As part of this application, the applicant will also be required to protect lands for the purposes of potential future road improvements on Martin Street, in accordance with the Town's Official Plan.

In order to facilitate the move, the applicant is seeking an Official Plan amendment to permit the limited office uses in addition to the permitted residential uses within the existing heritage dwelling. Attached to this report as Appendix 1 is the proposed site-specific Official Plan Amendment.

The application further seeks to rezone the subject lands from the current Residential Low Density Zone (RLD) Zone to a site-specific Residential Low Density (RLD\*282) Zone to permit "office use" and "office building" in addition to the permitted residential uses, subject to site specific provisions that limit the office uses to the total gross floor area of the dwelling, recognize the reduced parking rate applied to the proposal and clarify that the regulations for single detached dwellings within the RLD zone will continue to apply to the property.

The following information has been submitted in support of the Official Plan Amendment and Zoning By-law Amendment applications:

- Plan of Survey, prepared by Cunningham McConnell Limited, dated July 4, 2019;
- Floor Plans and Elevations (carriage house), prepared by Jansen Consulting, dated December 16, 2019;
- Site Plan and Site Statistics (including grading and drainage information) , prepared by Jansen Consulting (July 25, 2019), Revision 1: January 20, 2021;

## Background

- Public Engagement Strategy, prepared by Upper Canada Consultants, dated June 8, 2020;
- Planning Justification Report, prepared by Upper Canada Consultants, dated April 8, 2020;
- Draft Official Plan Amendment, prepared by Upper Canada Consultants, dated April 2020;
- Draft Zoning By-law Amendment, prepared by Upper Canada Consultants, undated;
- Arborist Report and Tree Preservation Plan, prepared by Maple Hill Tree Services, dated April 30, 2020;
- Geotechnical Investigation, prepared by Peto MacCallum Ltd., dated October 10, 2019;
- Site Servicing and Stormwater Management Brief, prepared by Strik Baldinelli Moniz Ltd., dated June 12, 2020 and revised January 13, 2021;
- Traffic Brief, prepared by C.F. Crozier & Associates Inc., dated July 2020; and,
- Passenger Car Auto Turn Diagram, prepared by C.F. Crozier & Associates Inc., dated December 5, 2019

## Planning Policy

### Provincial Policy Statement, 2020 (PPS)

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets out the policy foundation for regulating the development and use of land. Key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. The PPS includes policies that encourage Ontario municipalities to build healthy, livable and safe communities through intensification and directing development to already settled and well-serviced areas. Council's decisions, made under the Planning Act, must be consistent with the PPS. While the PPS is to be read in its entirety, the following policies are relevant to this application.

Section 1.1.1 of the PPS identifies criteria which sustain healthy, liveable and safe communities, including accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space and other uses to meet long-term needs. The subject lands are located within a "settlement area", which are intended to be the focus of growth and development. Section 1.1.3.2 indicates that land use patterns within settlement areas shall be based on densities and a mix of land uses which among other things:

- Efficiently use land and resources;

## Background

- Are appropriate for, and efficiently use, the infrastructure and public services facilities which are planned or available, and avoid the need for the unjustified and/or uneconomical expansion;
- Support active transportation; and,
- Are transit supportive, where transit is planned, exists, or may be developed.

The PPS also outlines that land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment where this can be accommodated.

Section 2.6 of the PPS speaks to cultural heritage and archaeology and indicates that significant built heritage resources and significant cultural heritage landscapes shall be conserved. In addition, the PPS discourages planning authorities to permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The subject lands are located within the Town's Urban Area and are efficiently using the infrastructure and services that are currently available. The existing dwelling on the property is listed on the Town's Heritage List and is therefore considered a significant built heritage resource in accordance with the PPS. The proposed change of use is considered development by definition under the PPS. Since the proposed development does not incorporate any exterior changes to the existing buildings, the heritage resources will be conserved through the development process. The area of the site where physical development is proposed (i.e. the parking lot) has not been identified as a contributing factor to the cultural heritage value of the property.

Section 3.1.5 states that development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:

- a) an institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
- b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or
- c) uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

The subject lands are located within the Regulatory Flood Plain boundary within the Central Business District and therefore potentially impacted by a natural hazard (e.g. flooding). Given that the proposed development does not include a sensitive institutional use, essential emergency service or hazardous substances, development and site



## Background

alteration may be permitted on the subject lands, subject to the approval of Conservation Halton.

Accordingly, it is staff's opinion that the proposal achieves the objectives and is consistent with the relevant Provincial policies.

### A Place to Grow, 2019 (PTG) -Growth Plan for the Greater Golden Horseshoe

A Place to Grow is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment and helps communities achieve a high quality of life. The policies in Section 2.2.1 support the achievement of complete communities and a compact built form by encouraging the efficient use of land, walkable neighbourhoods and mixed land uses within close proximity to transit.

The Growth Plan, 2006 identified 25 urban growth centres. A portion of Milton's Central Business District, which includes the subject lands, has been identified as an Urban Growth Centre. In accordance with Section 2.2.3 of the Growth Plan, Urban Growth Centres are intended to be focal points for accommodating population and employment growth and other uses that support the transit network and investment in public services. The Growth Plan requires that the Milton Urban Growth Centre be planned to achieve a minimum density of 200 residents and jobs combined per hectare.

Section 4.2.7 of the Growth Plan states that cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly within strategic growth areas, which includes the urban growth centre.

It is staff's opinion that the proposal achieves the objectives and is consistent with the Growth Plan for the Greater Golden Horseshoe as the change in use will add the capacity for employment within the Urban Growth Centre, and at the same time conserve the cultural heritage resource on site.

### Regional Official Plan (ROP)

The subject lands are designated as "Urban Area" in the Regional Official Plan (ROP). The Urban Area policies of the ROP are in effect and provide for a range of permitted uses within the Urban Area in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to all other relevant policies of the Regional Plan.

Section 72(10) of the ROP states that it is an objective of the Region to provide for an appropriate range and balance of employment uses, including office uses, to meet long-term needs. In addition, Section 89(3) of the ROP requires that all new development within the Urban Area be on the basis of connection to Halton's municipal water and wastewater system.

Regional staff reviewed the subject applications within the context of Provincial planning documents and the ROP and offered no objection to the proposed amendments.



## Background

### Town of Milton Official Plan

The subject lands are designated “Central Business District” as shown on Schedule B - Urban Area Land Use Plan of the Town of Milton Official Plan. The lands are further designated “Low Density Residential Sub-Area”, and fall within the Downtown Character Area, Downtown Regulatory Flood Plain and the Urban Growth Centre as shown on Schedule C - Central Business District Land Use Plan of the Official Plan.

As outlined in Sections 3.5.1 and 3.5.2 of the Plan, the Central Business District (CBD), composed of the historic downtown and the Urban Growth Centre (UGC), is the focal point of the municipality. The CBD designations permit a variety of commercial, institutional and office uses, and community facilities. The UGC is the primary focus for intensification.

Section 3.5.3.21 (Low Density Residential Sub-Area) permits single detached, semi-detached and duplex dwellings. Any development within this designation shall conform to the Character Area and residential policies of the Plan. While the proposed development will not change the built character of the neighbourhood (as there will be no external changes to the building), an Official Plan Amendment is required to permit the proposed office use on the property.

It should be noted that in 2017, a series of Town-initiated amendments to the Official Plan and Zoning By-law 016-2014, as amended, were approved to implement the Downtown Study completed in late 2016. As a result, the “Residential / Office Conversion Sub- Area” designation that originally applied to the subject lands and permitted the conversion of the existing dwellings to office or institutional uses, in accordance with the Character Area policies, was replaced by the “Low Density Residential Sub-Area” which no longer provided the same opportunities. Staff notes that a number of dwellings in the immediate vicinity of this property were converted from single detached dwellings in accordance with the previous policy framework.

As noted within Section 3.5.3.49 the most substantial portions of Milton’s cultural heritage resources are contained within the CBD and therefore, development within the CBD is be consistent with the cultural heritage resource policies of Section 2.10. As noted in Section 3.5.3.10, the Plan encourages the conservation, preservation and adaptive re-use of built heritage resources for compatible residential intensification and/or other appropriate and compatible uses.

The Regulatory Flood Plain boundary within the CBD delineates those lands which are subject to flooding during a Regional Storm event. Provincial policy requires that the One Zone Flood Plain Concept (an approach whereby the entire flood plain, as defined by the regulatory flood is treated as one unit, and all development is prohibited or restricted) apply to all regulatory flood plains in Ontario. Section 3.14.2.1 of the Plan states that any new development, which includes a change in land use, or minor additions within the Regulatory Flood Plain will require a permit from the Halton Region Conservation Authority pursuant to Ontario Regulation 162/06.

## Background

The proposed Official Plan Amendment is included as Appendix 1 to this report. Staff is of the opinion that the proposed amendment is in conformity with provincial and regional planning policies and maintains the intent of the local official plan.

### **Zoning By-law 016-2014, as amended**

The subject lands are currently zoned Residential Low Density (RLD) under Zoning By-law 016-2014, as amended, which permits single detached, semi-detached and duplex dwellings, as well as supportive housing, home occupations and home day cares within the permitted dwelling units. Since the RLD Zone does not permit office uses, a Zoning By-law Amendment is required.

As per Section 5 of the Zoning By-law, the parking rate applicable to an office use is 1 parking space per 30 square metres of gross floor area. At the specified rate, the amount of parking required for the subject proposal is 11.5 parking spaces. The applicant has proposed 9 parking spaces. A transportation Impact Assessment which included a parking justification section was submitted in support of the application. Based on the information provided, staff has no objection to the proposed reduction in parking.

To reflect the proposed development on the property, the application seeks to replace the existing Residential Low Density (RLD) Zone with a site-specific Residential Low Density 282 (RLD\*282) Zone and add “office use” and “office building” to the list of permitted uses. In addition, site-specific provisions required to accommodate the additional use, including a reduction in parking, limitations on the size of the office space (i.e. limited to the gross floor area of the existing building) and clarifying that the provisions applicable to the property will continue to be those of the RLD Zone. It should be noted that “office building” is defined as a building in which the principal use is office uses. Staff would like to clarify that adding “office building” to the list of permitted uses indicates that the existing building can be used predominantly for office uses (whether one office use or multiple office uses) subject to the site specific provisions. It has not been added to provide permission to redevelop the property for a new office building.

A copy of the proposed Zoning By-law Amendment is attached as Appendix 2 to this report.

### **Site Plan Control**

Should the applications be approved, the applicant will require site plan approval prior to the issuance of a building permit and commencement of any development. The applicant has submitted a site plan application (SP-32/19) and detailed site plan drawings to the Town to address such matters as access, site design (including parking, pedestrian circulation, accessibility, fire truck access, and garbage disposal), lot grading and drainage, lighting and landscaping. The applicant will be required to enter into a site plan agreement with the Town and provide securities to guarantee the completion of works in accordance with the approved drawings.



## Background

Consistent with Council's recent approval of policies for the Downtown Character Area, the Town will not require the conveyance of the identified future public right-of-way widening of Martin Street as a condition of Site Plan Approval. Rather, the site plan agreement will show the area identified future right-of-way widening and associated additional daylighting, and prohibit any building, structure or obstructive vegetation within the area to be widened. Should the identified future right-of-way widening and/or associated additional daylighting be required, the Town will purchase the land from the property owner at the appropriate time.

## Discussion

### Public Consultation

The applicant personally distributed notices to residences and businesses along Martin Street between Main Street East and the CP Railway Line on August 11, 2020. The purpose of the notice was to provide property owners in the immediate vicinity of the subject property with advance notice of the proposal and an opportunity to ask questions prior to a formal public meeting.

Notice for the Statutory Public Meeting was provided pursuant to the requirements of the Planning Act on August 27, 2020 via a mail out to all property owners within 200 metres of the subject lands and an ad in the Milton Canadian Champion newspaper on August 27, 2020. The public meeting was held on September 21, 2020. No members of the public spoke at the Public Meeting nor provided written comments regarding the proposed development applications.

### Agency Consultation

The proposed Official Plan and Zoning By-law Amendment applications were circulated to internal departments and external agencies on June 24, 2020.

The Town's Development Engineering and Transportation divisions reviewed the proposed development and supporting materials, including the Traffic Impact Study and the Servicing/Stormwater Management reports and offered no objection to the proposed drainage plan, access (same as existing), on-site motor vehicle circulation or the reduction in parking. Staff did note however, that technical matters, including the protection of the lands to provide a 23 metre right-of-way for Martin Street can be addressed through the site plan application.

Policy Planning and Heritage staff, as well as Milton's Historical Society, have continued their interest in the subject property given its historical value (i.e. the dwelling was built by Richard Hamstreet in 1892 and constructed with Milton Pressed Brick, and the Carriage house at the rear of the property was used as a Presbyterian Manse from 1924-1970) and its impressive Italianate and Victorian architectural styles. The significance of the built resources on the property are not only recognized by staff and the historical society, but



## Discussion

also by the Owner. As a result of their mutual appreciation for the property, staff and the Owner have engaged in conversations to discuss the merits of designating the exterior of the dwelling.

Conservation Halton (CH) confirmed that the subject property is located within 120 m of Provincially Significant Wetlands that are part of the Milton Wetland Complex. As a result permission is required from CH prior to undertaking any development within CH's regulated area. CH did note that due to the proposed works being minor in nature, staff is satisfied that the proposal is in accordance with CH Policy.

Halton Region noted that regional waste collection will not service the subject property once it is converted to office use and private collection will be required. In addition, as with all Official Plan Amendment (OPA) applications, regional staff requested that planning staff provide the pertinent information for their review to assist them in determining if the proposed OPA will be exempt from their approval.

All other circulated agencies either offered no comment or no objections to the application or indicated that any comments were of a technical/design nature and more appropriately addressed through the site plan process.

## Conclusion

Planning staff is of the opinion that the proposed introduction of the office uses within the existing dwelling, subject to site-specific provisions, conforms to provincial and regional planning policy, is consistent with the overall direction of the local official plan, and achieves acceptable engineering and design standards. The proposal is consistent with other properties in the immediate area and conserves the valuable heritage resources. On the basis of the foregoing, staff recommend that the Official Plan Amendment and Zoning By-law Amendment, attached as Appendix 1 and 2 respectively, be brought forward for Council adoption.

## Financial Impact

None arising from this report.

Respectfully submitted,

Barbara Koopmans, MPA, MCIP, RPP, CMO  
Commissioner, Development Services

For questions, please contact: Angela Janzen, MCIP, RPP, Planner Phone: Ext. 2310



# The Corporation of the Town of Milton

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## Attachments

Figure 1 - Location Map

Figure 2 - Conceptual Site Plan

Appendix 1 - Official Plan Amendment and Schedule I1

Appendix 2 - Zoning By-law Amendment and Schedule A

CAO Approval  
Andrew M. Siltala  
Chief Administrative Officer

# FIGURE 1 LOCATION MAP



Council Meeting Date:  
March 1, 2021

Scale: 1: 1,700

Files: Z-06/20  
LOPA-03/20

Development Services Department



Subject Property

**PART OF LOT 14  
CONCESSION 2  
GEOGRAPHIC TOWNSHIP OF TRAFALGAR  
TOWN OF MILTON  
REGIONAL MUNICIPALITY OF HALTON**

**METRIC NOTE:**  
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES  
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**INTEGRATION NOTE:**

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS  
(GRPS) A AND B, UTM ZONE 17, NAD 83 (GRS82) 2010.

COORDINATES ARE UTM, ZONE 17, NAD 83 (GRS82) 2010, TO URBAN ACCURACY  
PER SEC. 14 (2) OF O.R.C. 216/10, AND CANNOT IN THEMSELVES BE  
USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

ORP	NORTHING	EASTING
A	4818704.870	590037.598
B	4818601.394	590152.714

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY  
MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99996970.

**EXTERIOR LIGHTING**

SEE FLOOR PLANS AND ELEVATIONS FOR LIGHT  
FIXTURES AND FIXTURE HEIGHTS  
SEE ATTACHED LIGHT SPEC. MODEL 4831-6

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY  
THAT THE LOCAL BENCHMARKS HAVE NOT BEEN AFFECTED  
OR DISTURBED AND THAT THE RELATIVE ELEVATIONS AND  
DESCRIPTIONS AGREE WITH THE INFORMATION SHOWN ON  
THIS PLAN.

**SURVEY LEGEND**

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- DENOTES BENCH MARK
- DENOTES SHARP STANDARD IRON BAR
- DENOTES IRON PIPE
- DENOTES WITNESS
- DENOTES CUNNINGHAM MCCONNELL LIMITED
- (N) NO IDENTIFICATION
- (P) PROPERTY IDENTIFIER NUMBER
- (M) NOT TO SCALE
- B BELOW GROUND LEVEL
- D1 INST. NO. 48168738
- D2 INST. NO. 48168738
- P1 PLAN BY F.G. CUNNINGHAM O.L.S. DATED SEPTEMBER 11, 1986
- P2 PLAN BY F.G. CUNNINGHAM O.L.S. DATED JUNE 13, 1994
- P3 PLAN BY F.G. CUNNINGHAM O.L.S. DATED APRIL 29, 1970
- P4 PLAN BY F.G. CUNNINGHAM O.L.S. DATED AUGUST 22, 1979
- P5 PLAN BY F.G. CUNNINGHAM O.L.S. JOB # 74-147
- P6 PLAN 20R-955
- P7 PLAN 20R-10700
- P8 PLAN BY F.G. CUNNINGHAM O.L.S. DATED MARCH 22, 1996
- C1 CALCULATED FROM P4 & P7

**GENERAL NOTES**

- ALL EXCESS FILL TO BE REMOVED FROM SITE
- DIRT AND DEBRIS TO BE KEPT CLEAN AT ALL TIMES FROM
- ALL LOCATES TO BE DONE UNDER AND ABOVE GROUND PRIOR TO STARTING CONSTRUCTION
- PARKING STALL DELINEATION SHALL BE 100 MM WHITE OR YELLOW PAINTMENT MARKINGS

**TOWN OF MILTON NOTES:**

- PRIOR TO THE COMMENCEMENT OF ANY WORKS ON THE SITE, SNOW FENCE IS INSTALLED ON THE PERMETER OF THE PROPERTY AND AT LOCATIONS AS DETERMINED BY THE MANAGER, DEVELOPMENT ENGINEERING, AND THAT THE SNOW FENCE IS MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- SPLIT CONTROLS ARE TO BE IN PLACE PRIOR TO THE START OF THE WORKS, AND TO BE MAINTAINED FOR THE DURATION OF CONSTRUCTION
- PRIOR TO THE COMMENCEMENT OF ANY WORKS WITHIN THE MUNICIPAL ROAD ALLOWANCE FOR THE PURPOSES OF VEHICULAR ACCESS TO THE PROPERTY, THE CONTRACTOR SHALL OBTAIN A PERMIT FROM THE MANAGER, DEVELOPMENT ENGINEERING, AND THAT THE PERMIT IS MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

SP - 0 - 79 MARTIN STREET

DATE: \_\_\_\_\_ ISSUED FOR APPLICATION

BEFORE DIGGING, UNDERGROUND SERVICES SHOULD BE LOCATED ON SITE BY THE RESPECTIVE AGENCIES.

ITEM	PROPOSAL	ZONING BY-LAW REQUIREMENTS
A	ZONING CATEGORY	R1D - LOT SPECIFIC
B	LOT AREA	1354.20 M <sup>2</sup>
C	TOTAL GRASS FLOOR AREA	382.50 M <sup>2</sup>
D	LOT COVERAGE	23.97 m <sup>2</sup> - 17.72 %
E	LANDSCAPE OPEN SPACE BY SETBACK OF LANDSCAPE-PARK AND HARDSPACES	428.61 M <sup>2</sup> - 31.65 %
F	LANDSCAPE OPEN SPACE	GRASS AREA & GARDEN: 685.62 M <sup>2</sup> - 50.63 % 20% MIN.
G	MAXIMUM BUILDING HEIGHT FROM GRADE	M MID PT. OF ROOF 11 M MID PT. OF ROOF
H	SIDE YARD INTERIOR	7.82 M
I	REAR SETBACK	14.77 M
J	FRONT SETBACK	9.16 M
K	FRONT SETBACK	7.56 M
L		4 M

**SBM NOTES**

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE MINIMUM STANDARDS & SPECIFICATIONS OF THE TOWN OF MILTON & THE CURRENT EDITION OF THE ONTARIO BUILDING CODE
2. SBM LTD. IS NOT RESPONSIBLE FOR THE INFORMATION (EXIST., TOPOGRAPHY, BENCHMARKS, PROPERTY BOUNDARY, ETC.) PROVIDED BY OTHERS
3. SEALED FOR LOT GRADING, SERVICING & STORM WATER MANAGEMENT ONLY REFER TO SITE SERVICING & STORM WATER MANAGEMENT DESIGN BRIEF PREPARED BY SBM, PROVIDED SEPARATELY.
4. SBM PROJECT NUMBER 19-2215

**ENGINEER'S CERTIFICATE:**

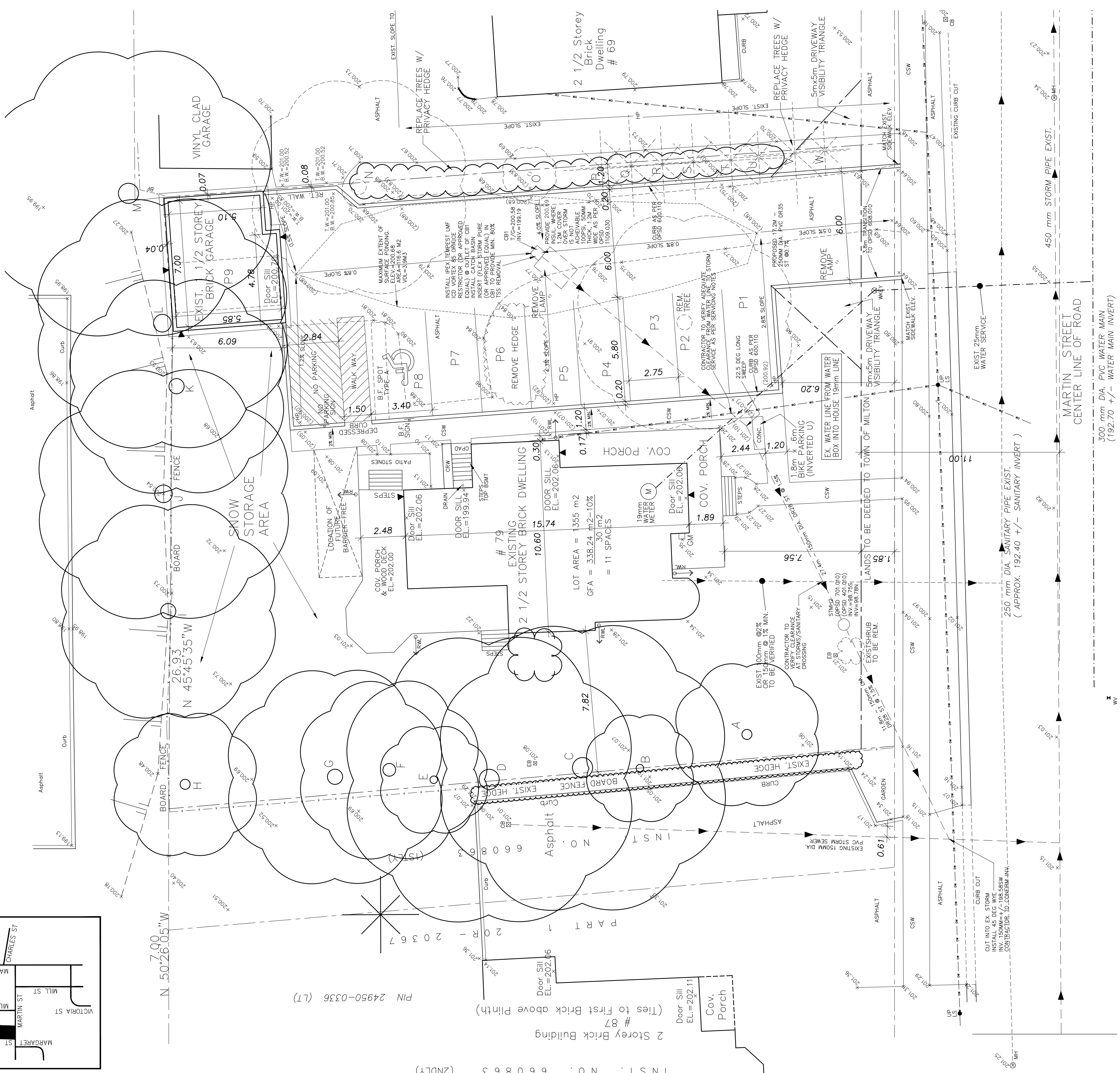
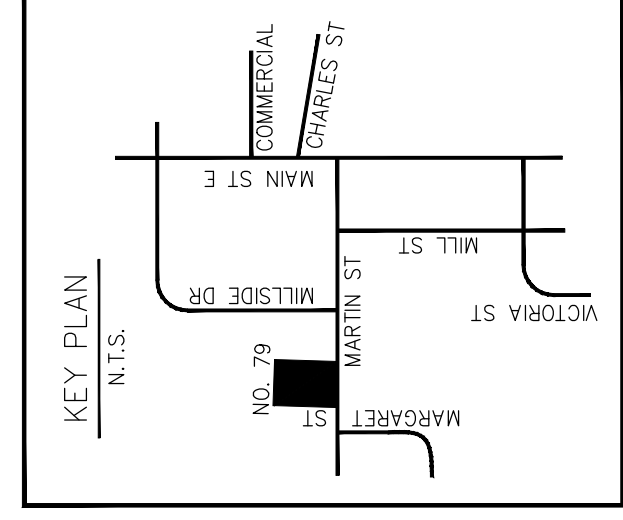
I HEREBY CERTIFY THAT THE PROPOSED GRADING AND APPURTENANT DRAINAGE WORKS COMPLY WITH SOUND ENGINEERING DESIGN AND THAT THE PROPOSED GRADING IS COMPATIBLE WITH EXISTING DRAINAGE PATTERNS ON & AROUND THESE LANDS & THE ADJOINING LANDS OR APPLICABLE TOWN BY-LAWS

**SBM GRADING NOTES**

1. EXISTING DRAINAGE OF ABUTTING LANDS IS NOT TO BE DISTURBED
2. RETAINING WALLS, 100mm OR GREATER, & GUARD RAILS ON TOP (IF REQUIRED) ARE TO BE DESIGNED BY AND CONSTRUCTED TO THE SPECIFICATIONS OF A REGISTERED PROFESSIONAL ENGINEER IN ACCORDANCE WITH THE ONTARIO BUILDING CODE.

**SBM SERVICING NOTES**

1. ALL STORM AND/OR SANITARY SEWER INSTALLATION SHALL BE IN ACCORDANCE WITH THE CURRENT TOWN OF MILTON'S STANDARDS AND SPECIFICATIONS AND THE LATEST EDITION OF THE ONTARIO BUILDING CODE.
2. ALL ORGANIC, UNSTABLE OR UNSUITABLE MATERIALS BENEATH THE ROAD ALLOWANCE, SERVICES, UTILITIES OR FOUNDATIONS MUST BE REMOVED AND THESE AREAS BACKFILLED WITH APPROVED FILL MATERIAL TO THE FINISH GRADE. ALL EXISTING UTILITY SERVICES SHALL BE PROTECTED AND SHALL BE IN LIFTS NOT EXCEEDING 300mm (LOOSE) THAT ARE COMPACTED TO 95% SPDM (100% FOR PAVED SURFACES). THE FILL MATERIAL SHOULD COMPRISE OF CLEAN, COMPACTIBLE FILL WITHIN 3% OF THE OPTIMUM MOISTURE CONTENT.
3. ALL BENCH MARKS WHEN PIPE LAYING IS IN PROGRESS, ALL REQUIREMENTS FOR REMOVAL AND REPAIRING SHALL BE THE M.E.C.P.'S RESPONSIBILITY TO TAKE WATER, IF REQUIRED, SHALL BE THE RESPONSIBILITY OF THE OWNER'S CONTRACTOR.
4. CONNECTIONS FROM FOUNDATIONS, WEeping TILE, SUMP PUMP, AND ROOF DRAINS ARE NOT PERMITTED TO ENTER THE SANITARY SEWER SYSTEM AND SHALL BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE.
5. ALL PROPOSED STORM SEWER PIPE SHALL BE: PVC SMOOTH WALL (CSA B182.2) (100# TO 600#) (100# FOR PAVED AREAS), 6 THE MINIMUM DEPTH OF A STORM SEWER SHALL BE 1.22M FROM THE FINISHED GROUND ELEVATION TO THE CROWN OF THE PIPE AS PER OPSD 3090.101 FOUNDATION, FROST PROTECTION DEPTHS FOR SOUTH-EASTERN ONTARIO, WHERE MINIMUM DEPTHS CANNOT BE DETERMINED, SHALL BE 1.00M MINIMUM.
7. ALL STORM SEWERS, SERVICES, AND CATCHBASIN LEADS SHALL HAVE APPROVED RUBBER GASKET JOINTS & BE INSTALLED USING A LASER LEVEL.
8. OWNER'S CONTRACTOR TO PROVIDE SHOP DRAWINGS FOR ALL PRECAST CONCRETE STRUCTURES 9. ALL CATCHBASINS TO HAVE 0.6m SUMP AS PER OPSD 705.010 AND CATCHBASIN MANHOLES 400.000 LARGER TO HAVE 0.3m SUMP AS PER OPSD 701.010. FRAME AND GRATE SHALL BE OPSD 10.3.0m LENGTHS OF 150mm DIAMETER PERFORATED FILTER WRAPPED PVC PIPE ARE TO BE INSTALLED AS SUBRAISINS CONNECTED TO TWO SIDES OF EACH CATCHBASIN AND CATCHBASIN ELEVATION WITHIN PAVED AREAS. THE SUBRAISINS ARE TO BE LOCATED JUST BELOW SUBGRADE ELEVATION.
11. MANHOLES TO BE CONSTRUCTED OF PRE-CAST CONCRETE. ALL MANHOLES TO BE INSTALLED IN ACCORDANCE WITH THE ONTARIO PROVINCIAL STANDARDS (OPS) DIVISION 700 DETAILS AND CONCISE INSTRUCTIONS OPSD 4010.0.
12. CONCRETE MANHOLES SHALL BE 300mm MINIMUM HEIGHT.
13. RING SPACING IN MANHOLES TO BE 300mm MIN. AND A MAX. OF 450mm DISTANCE BETWEEN THE RINGS AND THE FIRST RING.
14. ALL SUBSTITUTIONS IN MANHOLES TO BE 300mm MIN. AND A MAX. OF 450mm DISTANCE BETWEEN THE RINGS AND THE FIRST RING.
15. ALL SUBSTITUTIONS IN MANHOLES TO BE 300mm MIN. AND A MAX. OF 450mm DISTANCE BETWEEN THE RINGS AND THE FIRST RING.
16. SEWER BEDDING SHALL CONFORM TO OPSD 802.010
17. ALL SEWER LINES SHALL BE 150mm MINIMUM VERTICAL SEPARATION FROM THE UNDERSIDE OF THE WATER SERVICE TO THE CROWN OF THE SEWER AS OUTLINED IN THE LATEST EDITION OF THE M.O.E. "DESIGN GUIDELINES FOR DRINKING-WATER SYSTEMS" AND INSULATE WATER SERVICE AS PER CLAUSE 7.3.5.7. FREEZE PROTECTION OF THE LATEST EDITION OF THE ONTARIO BUILDING CODE, WHERE REQUIRED.
18. ALL SEWER LINES TO BE BUREAU OF STANDARDS (B.S.) 588.100 (150mm DIA.)
19. ALL SEWER LINES TO BE BUREAU OF STANDARDS (B.S.) 588.100 (150mm DIA.)
20. ALL SEWER LINES TO BE BUREAU OF STANDARDS (B.S.) 588.100 (150mm DIA.)



**FIGURE 2 DS-016-21**

**70 Main Street N, P.O. Box 38  
Cambridge, ON, L0P 1B0  
Tel: 905-854-9656  
Fax: 905-854-9656  
Cell: 905-815-3438  
Email: jeff@jansens.com**

**Jansens Consulting**  
REGISTERED CONSULTANT IN PROFESSIONAL ENGINEERING

**OWNERS INFORMATION**  
PROJECT: 79 MARTIN ST  
LOCATION: MILTON

**TYPE** M-019  
**DATE** JULY 29/19

**DATE** JULY 29/19  
**SCALE** 1:500  
**ISSUED BY** J.S.M.  
**DESIGNED BY** J.S.M.  
**CHECKED BY** J.S.M.  
**DATE** JULY 29/19

**REVISIONS**

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	JULY 29/19
2	ISSUED FOR PERMITS	JULY 29/19
3	ISSUED FOR PERMITS	JULY 29/19

**FILE NAME** 2019-019  
**DRAWING NO.** SP-32/19

**THE CORPORATION OF THE TOWN OF MILTON**

**BY-LAW NO. XXX-2021**

BEING A BY-LAW OF THE TOWN OF MILTON TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTIONS 17 AND 21 OF THE *PLANNING ACT*, AS AMENDED IN RESPECT OF THE LANDS LEGALLY DESCRIBED AS PART LOT 14, CONCESSION 2 FORMER GEOGRAPHIC SURVEY OF TRAFALGAR AND MUNICIPALLY IDENTIFIED AS 79 MARTIN STREET, TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON (FILE: LOPA-03/20)

The Council of the Corporation of the Town of Milton, in accordance with the provisions of Sections 17 and 21 of the *Planning Act* R. S. O. 1990, c. P.13, as amended, hereby enacts as follows:

1. Amendment No. 63 to the Official Plan of the Town of Milton, to amend Policy 4.11.3 and Schedule I1 of the Town of Milton Official Plan to permit limited office uses in addition to the permitted residential uses with an existing heritage dwelling, at lands located at 79 Martin Street, and legally described as Part of Lot 14, Concession 2 NS (Trafalgar), Town of Milton, consisting of the attached maps and explanatory text, is hereby adopted.
2. Pursuant to Subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this Official Plan Amendment comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsections 17 (24) and (25). Where one or more appeals have been filed under Subsection 17 (24) or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Local Planning Appeal Tribunal.
3. In the event that the Regional Municipality of Halton, being the Approval Authority, has declared this Official Plan Amendment to not be exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number No. 63 to the Official Plan of the Town of Milton.

**PASSED IN OPEN COUNCIL ON .....2021.**

\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Meaghen Reid Town Clerk

**AMENDMENT NUMBER 63**

**TO THE OFFICIAL PLAN OF THE TOWN OF MILTON**

**PART 1 THE PREAMBLE, does not constitute part of this Amendment**

**PART 2 THE AMENDMENT, consisting of the following text constitutes  
Amendment No. 63 to the Official Plan of the Town of Milton**

## **PART 1: THE PREAMBLE**

### **THE TITLE**

This amendment, being an amendment to the Official Plan of the Town of Milton shall be known as:

Amendment No. 63  
To the Official Plan of the Town of Milton

79 Martin Street  
(Part of Lot 14, Concession 2, Former Geographic Township of Trafalgar)  
(Town of Milton)  
(File: LOPA 03/20)

### **PURPOSE OF THE AMENDMENT**

The purpose of this amendment is to add a Specific Policy Area to the lands at 79 Martin Street to permit limited office uses in addition to the permitted residential uses, in an existing heritage dwelling on a residential lot that is currently underutilized.

### **LOCATION OF THE AMENDMENT**

The subject property is located on the east side of Martin Street, north of Millside Drive and is approximately 0.136 hectares in size. The lands are legally described as Part of Lot 14, Concession 2, New Survey, Former Geographic Township of Trafalgar, Town of Milton, and municipally known as 79 Martin Street. The subject property is located within the Town's Central Business District, the Downtown Character Area, and is within the Urban Growth Centre.

### **BASIS OF THE AMENDMENT**

Provincial policy sets out a foundation for regulating the development and use of land that will sustain healthy, liveable and safe communities, including accommodating an appropriate range and mix of residential (including second units), employment, institutional, recreation, park and open space, and other uses to meet long term needs. The focus of growth and development, including residential and employment intensification shall be directed to settlement areas where infrastructure and public amenities are available. Residential intensification includes infill development, the development of vacant or underutilized lots within previously developed areas, and the conversion and expansion of existing residential buildings to create new residential units and/or employment uses. The type and scale of development, which should be more compact, and transition of built form to adjacent areas must also be considered.



A portion of Milton's Central Business District, which includes the subject lands, has been identified as an Urban Growth Centre. In accordance with the Growth Plan, Urban Growth Centres are intended to be focal areas for commercial and employment uses and other uses that support the transit network and investment in public service facilities. The Growth Plan requires that the Milton Urban Growth Centre be planned to achieve a minimum density of 200 residents and jobs combined per hectare.

In addition to the above, the Region's Official Plan also supports directing commercial uses and employment growth to Urban Growth Centres to support investments in the transit network and public service facilities.

Official Plan Amendment No. 31 brought the Town's Official Plan into conformity with Provincial and Regional growth and intensification policies, including those for the Urban Growth Centre and is deemed to be consistent with the Regional Official Plan.

The proposed amendment to permit office uses within the existing heritage building is consistent with current provincial policy and is in keeping with the general intent and objectives of the Regional Plan as it is supported by available infrastructure, public transit, provides increased employment density within the Urban Growth Centre and will preserve the significant cultural heritage resource on site. No exterior modifications to the building are proposed and development on site will be limited to the construction of a small parking area and associated landscaping. The limited development of the property will be sensitive to the adjacent residential neighbourhood uses, and by limiting the amount of office space, this will ensure the site can be intensified in an appropriate manner while continuing to be complementary to the existing character of the adjacent residential area.

## **PART 2: THE AMENDMENT**

All of this document, entitled Part 2: THE AMENDMENT consisting of the following text constitutes Amendment No. 63 to the Town of Milton Official Plan.

### **DETAILS OF THE AMENDMENT**

The Town of Milton Official Plan is hereby amended by Official Plan Amendment No. 63, pursuant to Sections 17 and 21 of the Planning Act, as amended, as follows:

#### 1.0 Map Change

- 1.1 Amending Schedule I1 – “Urban Area Specific Policy Areas” by adding Specific Policy Area No. 38 to the lands at 79 Martin Street (Part of Lot 14, Concession 2, New Survey, Former Geographic Township of Trafalgar) as shown on Schedule ‘I1’ attached hereto.

#### 2.0 Text Change

- 2.1 Adding the following text to Section 4.11.3 “Specific Policy Areas”:

“4.11.3.38 In addition to the uses permitted in the Low Density Residential Sub-Area, the lands identified as Specific Policy Area No. 38 on Schedule I1 of this Plan, being 79 Martin Street, may also be used for a building containing office uses, up to a total maximum gross floor area of 383 square metres.”

# TOWN OF MILTON OFFICIAL PLAN

## Schedule I1

URBAN AREA

SPECIFIC POLICY AREAS

(Refer to sections 4.11 & 3.8.3.2)

Files: LOPA 03/20 & Z 06/20

--- TOWN OF MILTON BOUNDARY

--- URBAN EXPANSION AREA BOUNDARY

--- EXISTING URBAN AREA BOUNDARY

--- RAILWAY

■ SPECIFIC POLICY AREA

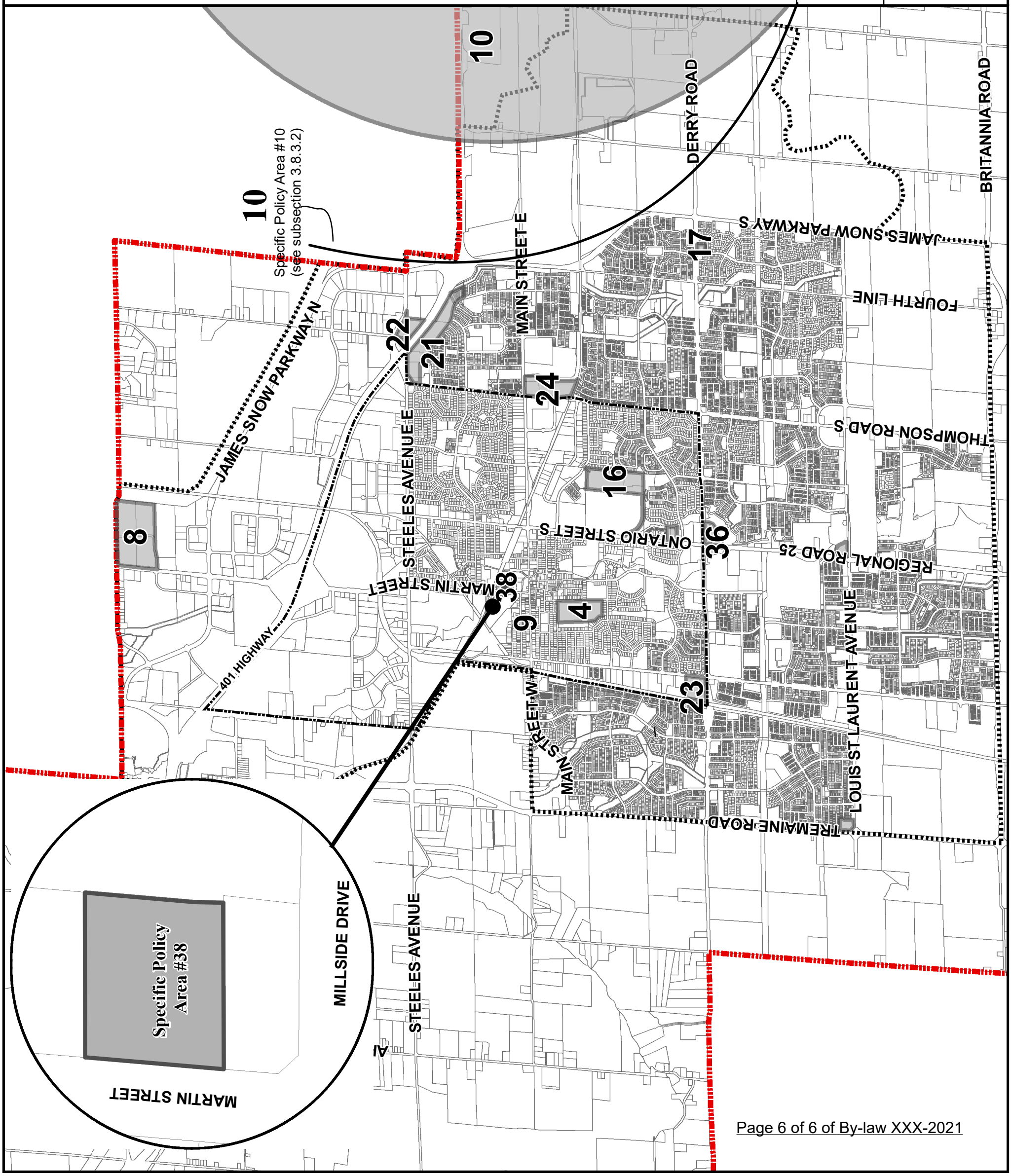
XX SPECIFIC POLICY NUMBER



This Schedule Forms Part Of The  
Official Plan And Should Be Read  
Together With The Text.

Copyright 2021: Town of Milton, Teranet Inc.

Consolidated August 2008, Edited February, 2021



**THE CORPORATION OF THE TOWN OF MILTON**  
**BY-LAW XXX-2021**

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT, AS AMENDED, IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 14, CONCESSION 2, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR AND MUNICIPALLY IDENTIFIED AS 79 MARTIN STREET, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (2689319 ONTARIO CORPORATION) - FILE: Z-06/20

**WHEREAS** the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended;

**AND WHEREAS** the lands affected by this By-law will comply with the Town of Milton Official Plan upon Official Plan Amendment No. 63 taking full effect;

**NOW THEREFORE** the Council of the Corporation of the Town of Milton hereby enacts as follows:

- 1.0 **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Residential Low Density (RLD) Zone Symbol to a site-specific Residential Low Density 282 (RLD\*282) Zone Symbol on the land shown on Schedule A attached hereto.
- 2.0 Section 13.1 of Comprehensive By-law 016-2014, as amended, is hereby further amended by adding Subsection 13.1.1.282 as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Residential Low Density 282 (RLD\*282), the following standards and provisions shall apply:

- i) Additional Permitted Uses
  - a) *Office building*
  - b) *Office uses*
- ii) Zone Standards
  - a) The regulations found in Section 6.2, Table 6B for a *detached dwelling* shall apply to an *office building*.
- iii) Special Site Provisions
  - a) The total *gross floor area* for all *office uses*, shall not exceed 383 square metres.
  - b) A minimum of 1 parking space per 47 square metres of gross floor area of the office use/building shall be provided on site.

3.0 **THAT** pursuant to Section 34(21) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, this by-law comes into effect the day after the last day for filing a notice of appeal, following enactment of Official Plan Amendment 63 and, if no appeal is filed pursuant to Subsection 34(19) of the *Planning Act*, as amended. Where one or more appeals have been filed under Subsection 34(19) of the said Act, as amended, this Zoning By-law Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Local Planning Appeal Tribunal.

**PASSED IN OPEN COUNCIL ON.....2021.**

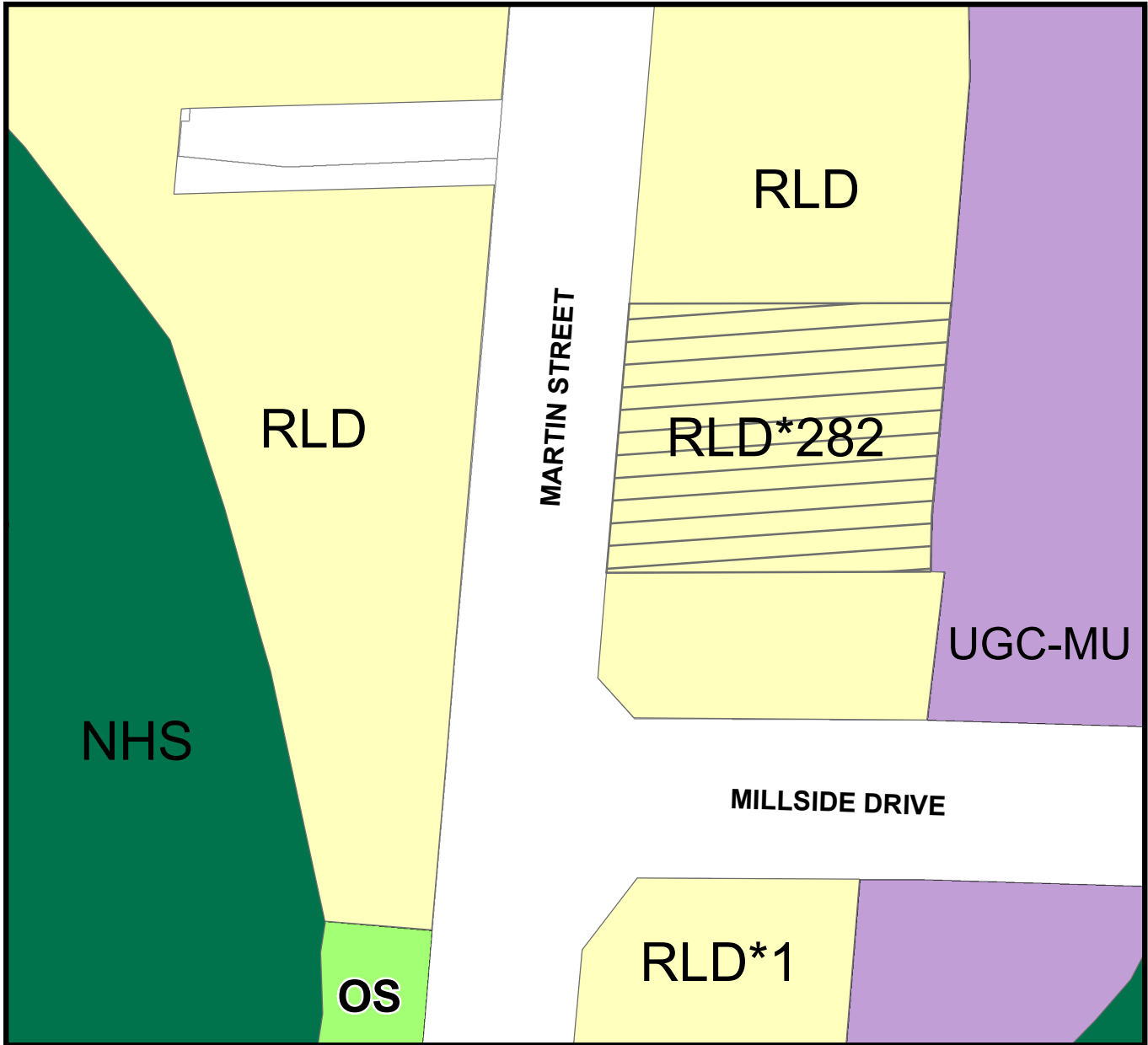
\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Meaghen Reid Town Clerk

SCHEDULE A  
 TO BY-LAW No. -2021

TOWN OF MILTON  
 PART LOT 14 CONCESSION 2 TRAFALGAR NEW SURVEY  
 TOWN OF MILTON

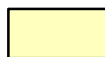
Town of Milton



THIS IS SCHEDULE A  
 TO BY-LAW NO. \_\_\_\_\_ PASSED  
 THIS \_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
 MAYOR - Gordon A. Krantz

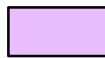
\_\_\_\_\_  
 CLERK- Meaghan Reid



RLD1 - Medium Density Residential 1 Zone



RLD1\*282 - Residential Low Density Site Specific



UGC-MU - Urban Growth Centre Mixed-Use Zone



NHS - Natural Heritage System



OS - Open Space Zone



Z-06/20  
 LOPA 03/20