



The Corporation of the
Town of Milton
Committee of Adjustment and Consent

Thursday, August 31, 2023, 6:00 p.m.
Council Chambers - In Person

The Town of Milton Committee of Adjustment and Consent (COA) meetings are in person. Applicants and interested parties can participate in person at Town Hall, Council Chambers, 150 Mary Street.

	Pages
1. AGENDA ANNOUNCEMENTS / AMENDMENTS	
2. DISCLOSURE OF PECUNIARY INTEREST	
3. REQUESTS FOR DEFERRAL OR WITHDRAWAL OF APPLICATIONS	
3.1 A23-051/M 1339 Chretien Street Application has been deferred to the September 28 hearing.	
4. MINUTES	
4.1 Minutes of Committee of Adjustment Hearing held on July 27, 2023	3
5. ITEMS FOR CONSIDERATION	
5.1 A23-055/M - 5272 & 5280 Eighth Line A minor variance is being requested to facilitate the demolition of the existing single-storey dwelling and construction of a one-storey replacement dwelling in accordance with the permissions afforded to the property to maintain two dwellings per lot.	12
5.2 A23-048/M 171 Wakefield Road Minor variances are being requested to facilitate the construction of a detached garage in the rear yard.	28
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5.4 A23-057/M 871 Whitlock Avenue A minor variance has been requested to permit below grade stairs, accessing an accessory apartment, in the exterior side yard.	37
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	A minor variance is being requested to reduce the number of parking spaces required to accommodate the creation of an additional residential unit.	
5.7	A23-054/M - 460, 470, 480, 490 Gordon Krantz Avenue	50
	Minor variances are being requested to accommodate various reduced parking dimensions affecting spaces within the underground parking structures (for Buildings C and D).	
5.8	A23-058/M - 4401 Fourth Line	55
	A minor variance is being requested to facilitate the demolition of the existing single-storey dwelling and construction of a one-storey replacement dwelling in accordance with the permissions afforded to the property to maintain two dwellings per lot.	

6. NEXT MEETING

7. ADJOURNMENT

Note: Should the livestream of this meeting be interrupted due to technical reasons, a recording of the meeting's proceedings will be posted to the Town website as soon as reasonably possible.



**The Corporation of the
Town of Milton
Committee of Adjustment Minutes**

July 27, 2023, 6:00 p.m.

Members Present: Chair Kluge, Tyler Slaght, Tharushe Jayaveer, Salman Ellahi,

Members Absent: Christopher Trombino,

Staff Present: Natalie Stopar, Rachel Suffern, Serena Graci, Nina Lecic

The Committee of Adjustment for the Corporation of the Town of Milton met in regular session. Electronically via Live Streaming Video.

1. AGENDA ANNOUNCEMENTS / AMENDMENTS

There were no agenda announcements/amendments.

2. DISCLOSURE OF PECUNIARY INTEREST

Member Slaght declared a conflict of interest for application A23-047/M 4006 25 Side Road, the reason being he works at Conservation Halton which was one of the agencies that provided comments for this application.

3. MINUTES

3.1 Minutes of Committee of Adjustment Hearing held on June 29, 2023

BE IT RESOLVED THAT

1. The MINUTES of Milton Committee of Adjustment and Consent Meeting held on Thursday, June 29, 2023 BE APPROVED.

Carried

4. HOUSEKEEPING

Chair Kluge provided an overview of the housekeeping items.

5. **ITEMS FOR CONSIDERATION**

5.1 **A23-046/M - 6670, 6710, 6750 and 6790 Fifth Line**

Jessica Kwan, agent for the applicant provided an overview of the application.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23-046/M) for 6670,6710,6750 & 6790 Fifth Line in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That a building permit application be obtained within two (2) years from the date of this decision.
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.

Carried

5.2 **A23-047/M - 4006 25 Side Road**

The agent of the applicant, Parag Murkute, address: 75-475 Bramalea Road Brampton provided an overview of the application.

Planner Rachel Suffern provided an overview of the application from a planning perspective.

Public Participation

Member of the public Eric Chandler, address: 4095 EnnisClare Drive, expressed his following concerns being, the proposed 8 car garage is a component part of a transition to a new illegal use on the property. Mr.Chandler states there are repeated and consistent semi-truck parking and transitioning occurring. There are hundreds of tons of soil deposited on the grounds and he is unsure whether or not the soil has been tested. There has also been an industrial security fence put up. He presumes that aside from personal uses this proposed garage will also be used as a truck depot, used for gain and not solely for accessory uses. The home industry definition in the By-law also states that no motor vehicle related

activity, including the maintenance of the vehicles is permitted. To designate this properly you would have to go through an OBA and ZBA to properly zone and designate this as an employment area. The committee should be aware that the province enacted a new legislation such that every conservation authority across the province now does not assess natural environment.

Member of the public, Susan Wood, address: 12527 Fourth Line Nassagaweya, the property adjacent to the subject lands, is concerned with the intended use of the proposed building. She claimed to have had a conversation with the applicant's son on July 11, in which she inquired about the proposed 8 car garage, in which she claimed that the son told Ms. Wood that his dad needs a place to work on his trucks, and it is legal, and all permits are in place. She claimed she was not aware of any permits, as there wasn't any posted. She also claimed there is a huge number of trucks and heavy equipment traffic well over the 4,500kg weight limit. She also witnessed the barrage of dump trucks, dumping fill onto the property. She believes that a garage of this size could potentially have an environmental impact, as there is water run off that will be accelerated from the height of the roof and has further force to carry on down the slope, carrying containments or toxins to the swamp.

Member of the public, Cindy Lou, address: 4159 25 Side Road, stated how large in scale she feels this proposed garage is. The proposed garage is 800 square feet, meanwhile the home itself is 1400 square feet stating the garage is unrealistic in comparison to the size of the home, especially for the personal uses such as storing antique cars. She is concerned that by approving the garage, this property will transform into a transport hub/business, creating compliance issues that could have been avoided. Rather the applicant should build a garage that would be more realistic with the size of their home.

Member of the public, Matthew Harrison, address: 4220 EnnisClare Drive, claimed he has witnessed on an average 2-3 times a week the soil fill being dumped onto the property and the barrage of dump trucks, tractor trailers, trucks always on the property.

Member of the public, Astrid LaKats, address: 4070 EnnisClare Drive, believes the variance request to increase the Gross Floor Area from 93 squared metres to 173 metres squared metres, isn't minor in nature as it is an 86% increase, almost doubling the size of what is permitted within the Zoning By-law. She also stated perhaps, the committee should wait until

remediation work on the property is completed prior to approving the garage, as people don't know what the use is going to be.

Member of the public, Doug Watson, address: 4070 EnnisClare Drive, read out loud written comments from his Neighbours.

Questions to Planner Suffern

Member Ellahi inquired about the existing dwelling shown on one of the site plans, and whether or not that is demolished, and if the permit is also closed. Planner Suffern confirmed the dwelling on the corner of fourth line and 25 Side Road was demolished around 2016-2017 through a previous variance approval, and the permit is closed.

Member Jayaveer inquired about the potential for the applicants to come back if they need another variance. Planner Suffern stated that through inspections they were made aware of the works that were completed on the barn. The Town is currently reviewing the exact uses of the barn with the owner(s) of the property. Once the uses are determined, the barn can be properly zoned, and thus if need be, can be brought before the committee for a minor variance prior to building permit issuance. In order to legalize any work that was completed, or further work proposed, a building permit will be required. Member Jayaveer inquired an approximate timeline of when the zoning provisions would be determined. Planner Suffern claimed she is hopeful within the next month.

Chair Kluge inquired whether or not By-law enforcement can enter wherever they need to on the property. Planner Suffern claimed that is correct. Chair Kluge spoke to the comments of the public being, to avoid future compliance issues by not approving the variance for the garage. Chair Kluge hypothetically spoke that if the 8-car garage was approved by the committee, this does not give the owner permission to run a business out of their property. The application presented before the committee is for an 8-car garage of parking, it is not to approve commercial uses. Planner Suffern stated the 8-car garage is only permitted to facilitate uses that are permitted through the zones. If the committee wanted to approve the variance, it is solely for a residential detached garage, and it is not for facilitating any future uses. As noted by one of the members of the public, any use beyond the restrictive GBA zone would likely require a minimum, official plan and zoning by-law amendments. Thus, there would be significant planning approvals required to facilitate any commercial, industrial uses. Chair Kluge then asked if it came down to it, through complaints, etc that there was a trucking company on the property, By-law

enforcement would be required to ensure the owners remediate and bring the garage into conformity with the town's official plan and zoning By-law. Planner Suffern stated this is correct.

Member Jayaeer, further inquired about the barn structure on the property. She asked if the Barn was considered an accessory structure, could further variances then be triggered onto the 8-car detached garage, for example an increase in Gross Floor Area. Planner Suffern stated, the 8-car detached garage is not based on accumulative Gross Floor Area, and it would be based on per detached garage. In the rural areas, accessory structures are considered on a cumulative basis.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23-047/M) for 4006 25 Side Road in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the detached garage shall be generally located and constructed in accordance with the site plan and building elevations, prepared by GM Global Construction Inc., date stamped by Town Zoning on June 26, 2023.
2. The permission from the conservation authority be provided to the Town prior to Building Permit issuance.
3. That updated grading information, to the satisfaction of Development Engineering, be provided prior to Building Permit issuance.
4. That prior to Building Permit issuances, a Letter of Undertaking stating that no commercial or industrial use will take place on the site beyond what is permitted in the subject zones be provided to the Town.
5. That a Building Permit be issued within two (2) years from the date of this decision.
6. 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.

Carried

5.3 A23-044/M - 103 Barton Street

Jeff Jansen, agent for the applicant, address: 70 Main Street, Campbellville provided an overview of the application.

Questions to agent Jeff Jansen

Member Ellahi inquired, what the intended use of the area where the proposed 4 metre setback is. Agent Jansen claims the intended 4 metre setback use is for landscape. Member Ellahi then inquired after the 4 metre setback, would the inside space be used as an in-law suite. Agent Jansen confirmed it would be created into an in-law suite. He also stated there is also a finished basement for one of the kids and their spouse to live in. Member Ellahi brought up that according to the drawings there is a very large cold room space, and the below grade stairs leading to the basement, which can be redesigned to accommodate those additional living spaces. He then asks why is there an elaborate cold storage and below grade stairs, when the owner could get rid of this to avoid the minor variance setback of 4 metres. Agent Jansen claimed he is not disagreeing with member Ellahi's point as you could redesign some of the house. He claimed, it is to give the rear stairs a proper egress out of the property. He believes the secondary driveway at the back can be maintained, thus giving the owner's kid and spouse whom would be living downstairs a walk out onto the backyard. The covered porch is more amenity area for the main floor living. Member Ellahi stated the Town of Milton's By-law with respect to the additional dwelling unit is not confirmed, we don't know what length and width is allowed, thus it is very pre-emptive to say that we are keeping a certain distance.

Member Tyler Slaght asked agent Jansen to speak to the section of the application form, where it states the reason it is not possible for the applicant to comply with the zoning by-law requirements is to allow additional rear yard amenities space, and to also allow for the potential feature installation of an inground pool. Agent Jansen, claimed that is about an oversight from before and there is no pool going in. Rather they are trying to maintain the building through OPA and re-zoning.

Chair Kluge inquired if there is a sidewalk in front of this property. Agent Jansen stated there is no sidewalk. From the back of curb to the property line there is 5.41 metres of town owned right away, then from that property line they want to go back 4 metres and opposed to 6 metres. Agent Jansen stated that is correct. Chair Kluge then asked if he were to stand on the road, as there is no sidewalk, the house would be 9.41 metres set

back, and all of that would be driveway, the owner's driveway and the town's right of way which is also driveway. Agent Jeff stated that is also correct.

Public Participation

Member of the public, Karen Russell, address: 86 Barton Street stated her concern is the houses proximity to the street and to the corner and the fact that Bell Street and Barton Street are both busy streets, and the sightlines may be obstructed by the house's proximity to the street. She also stated her other concern is the amount of parking needed for the vehicles for all the people living in this house. She also stated from a visual aspect all of the houses on the north side of the street are all setback the same distance, and thus this house would look out of place.

Questions to Planner Stopar

Member Slaght inquired if the property was subject to site plan control. Planner Stopar stated the property is no longer subject to site plan control as per the changes made by the province. This property previously obtained site plan approval for the single detached dwelling and the design hasn't changed much since that approval, with the exception of this setback variance. But the overall design of the house is pretty consistent with what was reviewed through the site plan application. Member Slaght then asked if there were any visual concerns or any requests for a day light triangle by engineering staff. Planner Stopar stated she wasn't involved with the site plan application or the site plan application approval. However, when the site plan was under review, it did show the 6 metre front yard setback required by RLD1 zone, and within the Zoning By-law there is daylight triangle requirements at the corner, where obstructions impacting sightlines is not permitted. Member Slaght then inquired if there were issues with the daylight triangle they would have been flagged and potentially apart of this variance request. Planner Suffern stated, engineering and zoning staff would have identified any issues with the day light triangle through the minor variance review. As what's shown those site lines are maintained.

Chair Kluge inquired how out of place would this 4 metre setback be with their next-door neighbour. Planner Stopar stated a policy planner completed a character area study for this neighbourhood, which included Barton Street. An analysis of all the existing houses in the neighbourhood including setbacks was completed. The policy planner concluded; the existing 4 metre setback was not in keeping with the character of the

neighbourhood. And thus the 6 metre setback should be maintained, and the 4 metre setback in which was previously permitted would not be in keeping with the character. Chair Kluge then questioned 92 Barton Street, which does not have a 6 metre setback. Planner Stopar stated the changes to the zoning by-law from 4 metre to 6 metre setback was made in the year of 2020 through the character study. The character study originated from council and public concerns of the size and number of developments happening within these mature neighbourhoods, and that those developments were not consistent or respectful of the character of those neighbourhoods. Thus, the study was initiated to ensure all new developments moving forward would be more consistent with the existing character. Chair Kluge states on an urban service lot, you can have a primary dwelling unit, an accessory unit in the building and a detached accessory unit as of right. Planner Stopar has stated the province has made changes, which allows up to three residential units per lot. The applicant could easily do a single detached dwelling with an accessory apartment, the challenge with our current zoning framework with the dwelling units that are detached is our accessory structure provisions, which is what they would fall under wouldn't really allow you to convert an existing accessory structure to an accessory dwelling unit while meeting all of the building code requirements. Council has initiated an additional dwelling unit study where they are looking at what would the town zoning provisions be for these dwellings. Because, at this point we haven't issued any building permits for those structures.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23 – 044/M) for 103 Barton Street in the Town of Milton **BE DENIED.**

Carried

5.4 A23-045/M - 200 Chisholm Drive

Scott Tyler agent for the applicant, address: 200 Chisholm Drive provided an overview of the application.

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A23 – 045/M) for 200 Chisholm Drive in the Town

of Milton **BE APPROVED SUBJECT TO THE FOLLOWING
CONDITIONS:**

1. That a building permit application be obtained within two (2) years from the date of this decision.
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.

Carried

6. NEXT MEETING

Thursday, August 31, 2023 commencing at 6:00 p.m.

7. ADJOURNMENT

There being no further business to discuss the Chair adjourned the meeting at 7:21 p.m.

Serena Graci, Secretary Treasurer



Memorandum to Committee of Adjustment Members

Minor Variance Application: A23-055M - 5272 Eighth Line

General Description of Application:

Under Section 45(2)(a)(i) of the *Planning Act*, the following expansion of a non-conforming use to Zoning By-law 144-2003, as amended, has been requested in order to facilitate the demolition and reconstruction of a single detached dwelling:

1. To allow two dwellings to be located on one lot.

The subject property is located on the west side of Eighth Line, approximately half way between Lower Base Line East and Britannia Road, and is municipally known as 5272 Eighth Line. The subject property contains a single storey dwelling, two-storey dwelling, garden shed, and storage barn. Surrounding land uses include agricultural operations, Natural Heritage Systems (NHS), and single family dwellings located on existing lots of record.

As noted above, the property presently contains two dwellings, whereas the current policy framework and Zoning By-law 144-2003, as amended, only permits one dwelling per lot. The existing single storey dwelling was constructed in 1958, at which time the in-effect Zoning By-law 61-85 did not permit secondary dwellings. In approximately 1989, an amendment was made to Zoning By-law 61-85 that allowed secondary dwellings to be permitted - it is Planning Staff's understanding that the intent of the amendment was to provide opportunity for farm labourers to live and work on site. Following the amendment, a Building Permit was issued in 1989 for the existing two-storey dwelling, currently located on site.

The in-effect Zoning By-law 144-2003, as amended, does not permit two dwellings on one lot. However, given that two dwellings were legally established on the property prior to the date that the current Zoning By-law took effect, the use is considered to be 'Legal Non-Conforming' under Section 45(2) of the Planning Act. Section 4.15 of Zoning By-law 144-2003, as amended, speaks to Legal Non-Conforming uses and notes the following:

"No land, building or structure shall be used except in conformity with the provisions of this By-law unless such use legally existed prior to the date of passing of this By-law and provided that it continues to be used uninterrupted for such purpose..."

Therefore, the property owner is permitted to have two dwellings on one lot until such time when the use is ceased (i.e. one dwelling is removed with no intention to replace it). In accordance with a legal opinion provided by the Town solicitor, should any alterations, additions or demolition/reconstruction of either dwelling be proposed, an application under Section 45(2) of the *Planning Act* would be required to determine if the

extension or enlargement is appropriate and that Planning Staff may review the proposal's appropriateness through Section 5.8.3.4 of the Town of Milton Official Plan.

The applicant applied for an expansion of this Legal Non-Conforming Use through the Committee of Adjustment earlier in 2023 - at that time, the application was refused. However, since then, the applicant has revised the proposal to improve the design, reduce the footprint, and revise the siting of the dwelling for consideration.

Official Plan Designation (including any applicable Secondary Plan designations):

The subject property is primarily designated as "Agriculture" on Schedule A - Land Use Plan of the Town of Milton Official Plan. It is further designated "Rural Natural Heritage System", primarily towards the rear of the property. It is noted that the rear of the property is also subject to the Greenbelt Plan.

Notwithstanding the above, Planning Staff note that the property was recently identified as 'Employment Area' through the Minister of Municipal Affairs and Housing's decision pertaining to Regional Official Plan Amendment 49 (ROPA 49).

Until such time that the Town undergoes a conformity exercise with respect to ROPA 49, the lands will continue to be designated as Agriculture.

In respect to extension of the Legal Non-Conforming Use, Planning Staff will evaluate the appropriateness of the proposal, in part with Section 45(2) of the Planning Act, against Section 5.8.3.4 of the Town of Milton Official Plan:

"In accordance with the provisions of the Planning Act, Council may amend a by-law passed under Section 34 to permit the extension or enlargement of any land, building or structure prohibited by the Zoning By-law provided the following requirements are met.

- (a) It is not possible to relocate such a use to a place where it will conform to the By-law;
- (b) The proposed extension or enlargement will not unduly aggravate the situation already created by the existence of the use and should, if possible, be designed to alleviate adverse effects of the use such as outside storage;
- (c) The abutting uses will be afforded reasonable protection by the provision of appropriate buffering and setbacks;
- (d) The proposed extension or enlargement should be in appropriate proportion to the size of the non-conforming use;
- (e) Adequate provision will be made for safe access and adequate off-street parking and loading facilities; and
- (f) All services, including private sewage disposal and water supply systems, shall be or can be made adequate.

Section 5.8.3.5: The Town shall not be obligated to grant permission to extend or enlarge a non-conforming use under any circumstances."

Planning Staff have evaluated the proposal in accordance with the aforementioned policy:

- (a) It is not possible to relocate such a use to a place where it will conform to the By-law;

The use cannot be re-located on the property to comply given that the permissions associated with a secondary dwelling are not permitted in the Agriculture designation, Agriculture Zone (A1), nor on a lot without adequate municipal servicing.

- (b) The proposed extension or enlargement will not unduly aggravate the situation already created by the existence of the use and should, if possible, be designed to alleviate adverse effects of the use such as outside storage;**

The existing two dwellings per lot permissions are provided to an existing two-storey dwelling and single-storey dwelling. Through demolition of the existing single-storey dwelling, the applicant has proposed a replacement one-storey dwelling with an attached garage. While the enlargement facilitates an increase in gross floor area, the expansion will not aggravate the situation beyond what currently exists - further, it will not impact any natural features, adjacent landowners or the character of the rural community. As such, Planning Staff are of the opinion that the proposal does conform to this policy.

- (c) The abutting uses will be afforded reasonable protection by the provision of appropriate buffering and setbacks;**

The proposed one-storey dwelling provides adequate setbacks from all lot lines, along with reasonable separation from the existing two-storey dwelling. The proposed dwelling is reasonably sited beyond any buffers associated with any Key Features within the Rural Natural Heritage System.

- (d) The proposed extension or enlargement should be in appropriate proportion to the size of the non-conforming use;**

While Planning Staff recognize that the rural lot is significant in size, the developable area on site - that is the lands not currently in agricultural production and/or not subject to NHS or Conservation Halton regulated area - is limited. The existing bungalow, that is to be demolished, is 155 square metres (1,668 square feet).

Based on the proposed dwelling, the footprint represents a reasonable increase from the existing bungalow. The dwelling is proposed to be one-storey and will have an attached garage, which partially contributes to the increased footprint. Generally, the proposed dwelling is not unreasonable in size and is in proportion to what is existing. As such, Planning Staff are of the opinion that the proposal conforms to this policy.

While Planning Staff also note that the original intent of the amendment to Zoning By-law 61-85 was to enable farm labourers to live on the property in order to support the farming operation, rather than to permit two principle dwellings on a lot, both dwellings will remain under the same ownership on one lot of record - there is no opportunity for land division and the dwellings will remain connected via ownership in perpetuity.

- (e) Adequate provision will be made for safe access and adequate off-street parking and loading facilities; and**

Parking is provided on-site with adequate access from Eighth Line. Planning Staff are of the opinion that the proposal satisfies this requirement.

- (f) **All services, including private sewage disposal and water supply systems, shall be or can be made adequate.**

Existing private servicing systems are located on the lands. Planning Staff are satisfied that private servicing could be maintained through the construction of the proposed second storey dwelling. Should the application be approved, Halton Region would require that a Septic Design Brief and Water Pump Assessment be provided to their satisfaction prior to Building Permit issuance. It is noted that a separate Building Permit would be required for any new septic systems proposed. Planning Staff are of the opinion that the proposal satisfies this requirement.

Based on the aforementioned, Planning Staff are of the opinion that the proposal does conform to Section 5.8.3.4 of the Town of Milton Official Plan meets the threshold of what is considered appropriate as an expansion or enlargement under Section 45(2) of the Planning Act.

Zoning:

The subject property is zoned Agriculture (A1) and partially Greenlands A (GA) under Comprehensive Rural Zoning By-law 144-2003, as amended. The general A1 Zone permits agricultural operations and single detached dwellings, located on existing lots. The general GB Zone also permits single detached dwellings on existing lots subject to the Regional Tree Cutting By-law, where applicable.

Section 4.15 of the Zoning By-law speaks to Legal Non-Conforming Uses and notes that:

“No land, building or structure shall be used except in conformity with the provisions of the By-law unless such use legally existed prior to the date of passing of this By-law and provided that it continues to be used uninterrupted for such purpose, and that such use, when originally established, was not contrary to a By-law passed under Section 34 of the Planning Act, R.S.O 1990, cP. 13 or a predecessor thereof that was in force at that time.”

Based on Building Permit records, Planning Staff are satisfied that the use was existing prior to the date Comprehensive Rural Zoning By-law 144-2003 took effect.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the *Planning Act* on, August 16, 2023. As of the writing of this report on, August 23, 2023, staff have not received any comments from members of the public.

Agency Consultation

Town Building Staff advise that a Demolition Permit would be required to remove the existing one-storey dwelling and Building Permits for the construction of the new dwelling and any private servicing systems.

Halton Region noted no objection to approval of this application provided that the Town of Milton is satisfied that the application is desirable for appropriate development of the site, and will not result in undue adverse impacts on the surrounding property and

neighbourhood, the Region has no objection to approval of this application. However, subject to it's approval, Section 145(5) of the Regional Official Plan requires that any development proposal that has potential to release or discharge contaminants to affect the quality of groundwater be subject to a reviewed by the Region to assess the risk of such uses. As a condition of approval, the Region requests the following: Details of the proposed private servicing, including a septic brief, shall be provided by the applicant to the satisfaction of Halton Region.

Conservation Halton offers no objection to the proposal subject to the applicant obtaining a 'No Objections' letter prior to Building Permit issuance.

Planning and Development Department Comments:

The applicant is seeking an expansion of a Legal Non-Conforming use under Section 45(2) of the Planning Act to facilitate the demolition of the existing single-storey dwelling and construction of a one-storey replacement dwelling in accordance with the permissions afforded to the property to maintain two dwellings per lot. As a result of this proposal, the existing two-storey dwelling will not be altered.

After review of the proposal to determine if the request to expand the Legal Non-Conforming use is reasonable, it is Planning Staff's professional opinion that it is appropriate.

The proposed gross floor area and overall size of the dwelling, while slightly larger than what currently exists, is appropriate when compared to the current dwelling and intent of the original Zoning By-law 061-85. The inclusion of the garage inherently expands the footprint.

The proposed dwelling is located within reasonable proximity to the existing building envelope and will not disturb surrounding natural features, including agricultural lands.

While planning staff recognize ROPA 49 and existing employment policy, the expansion of the current residential use would not perpetuate future land use conflicts beyond what is currently existing and there is no timing or phasing associated with these future permissions.

Based on the aforementioned, Planning Staff are of the opinion that the proposal satisfies the policies set-out in Section 5.8.3.4 of the Town of Milton Official Plan and meets the threshold for what is considered appropriate under Section 45(2) of the *Planning Act*. As such, Planning Staff support the request for an expansion of the Legal Non-Conforming use under Section 45(2) of the *Planning Act* and have recommended that this application be approved, subject to the conditions set-out.

Recommendation:

THAT the application for minor variance BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

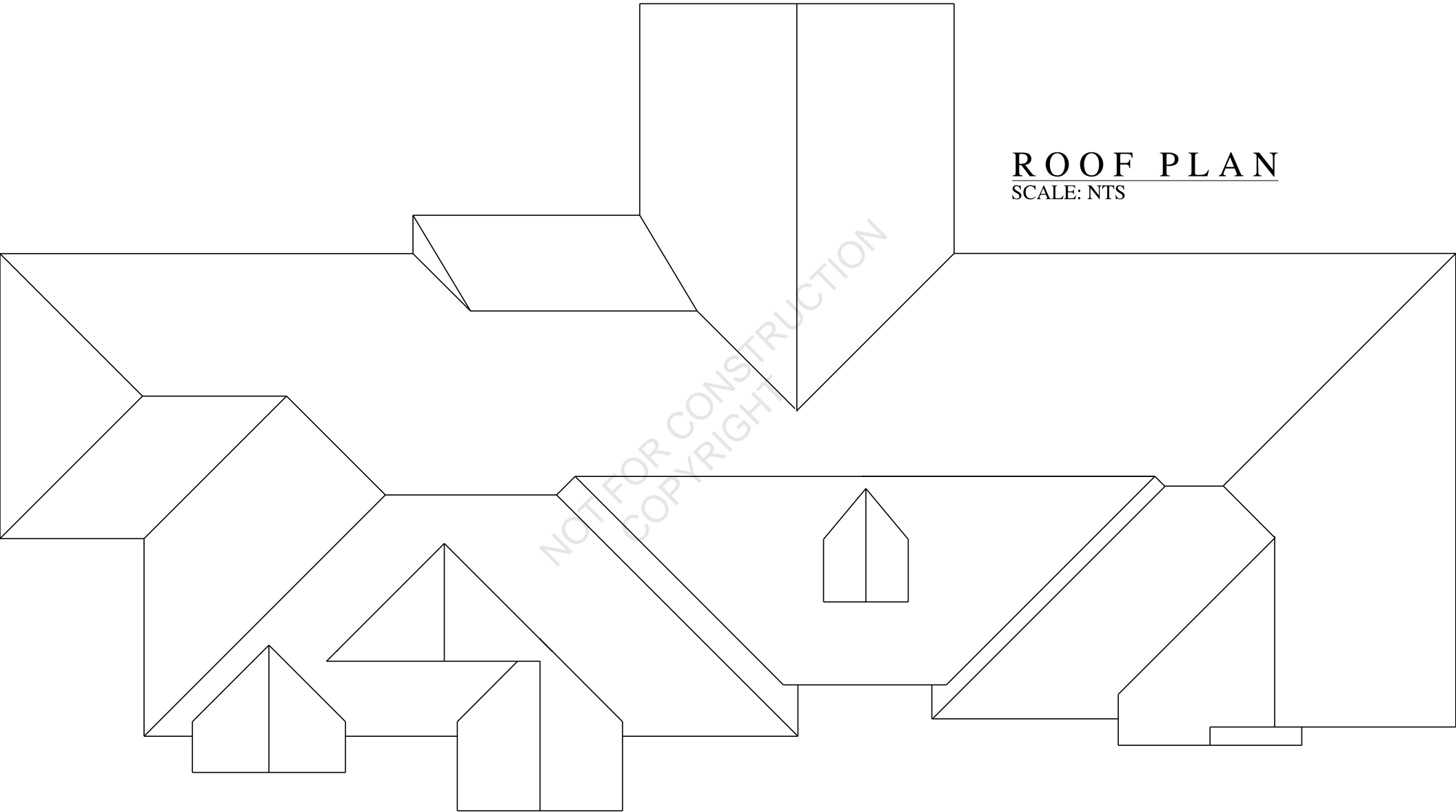
1. That a Building Permit be obtained prior to constructing the proposed one-storey dwelling.
2. That prior to Building Permit issuance that a Septic Design Brief is provided to Halton Region's satisfaction.

3. That prior to Building Permit issuance, a CH “No Objections” letter be obtained from Conservation Halton for the proposed development.
4. That a Demolition Permit be obtained prior to removing the existing bungalow.
5. That prior to Building Permit issuance, a Grading Plan, to the satisfaction of Development Engineering, be provided, specifically including: downspout locations; existing elevations along property lines (which are not to be altered); existing and proposed elevations for the interior property; swale locations, directions and slope; and, proposed elevations at building corners.
6. That the dwelling shall not exceed the proposed footprint, as set-out on the Site Plan date stamped by Zoning Staff on July 20, 2023.
7. That the dwelling be located and constructed in accordance with the Site Plan date stamped by Zoning Staff on July 20, 2023.
8. That the approval be subject of an expiry of two 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.

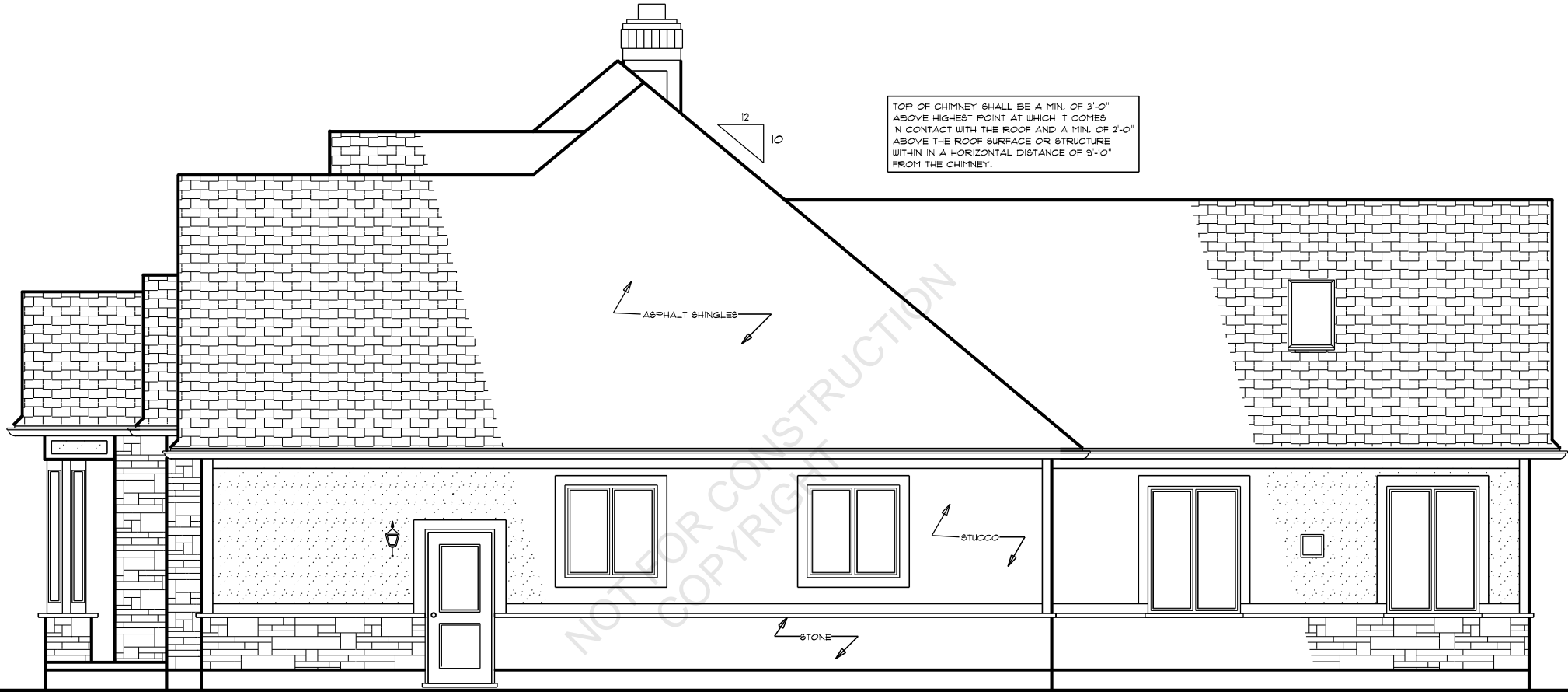
Rachel Suffern

Rachel Suffern, MPA, M.Sc. (PI)
Planner, Development Review

August 23, 2023

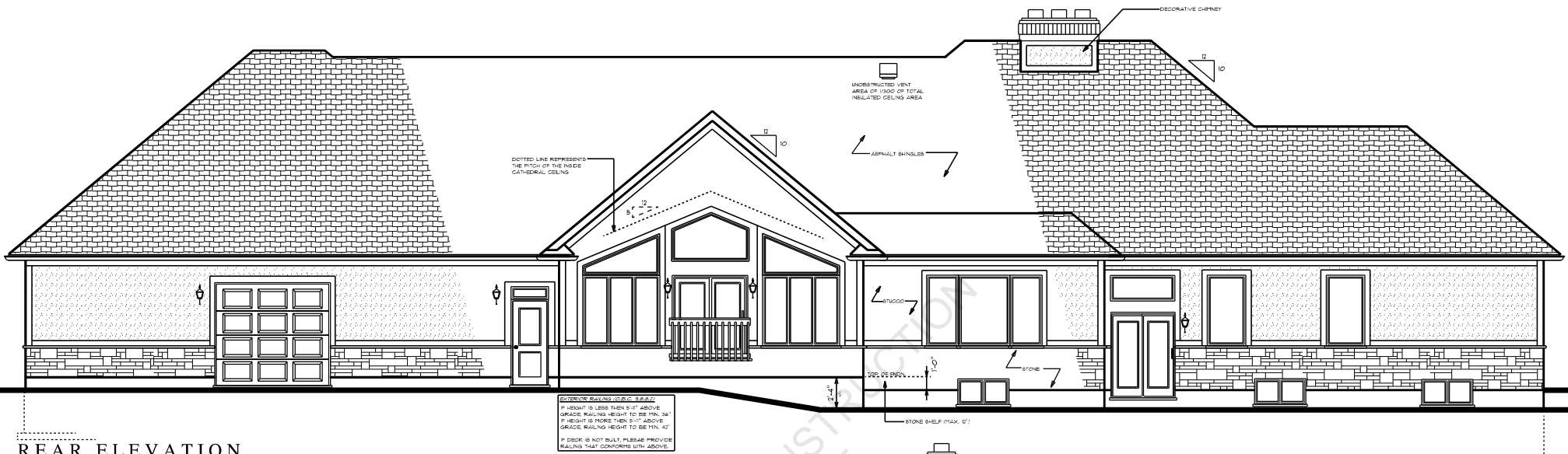


ROOF PLAN
SCALE: NTS

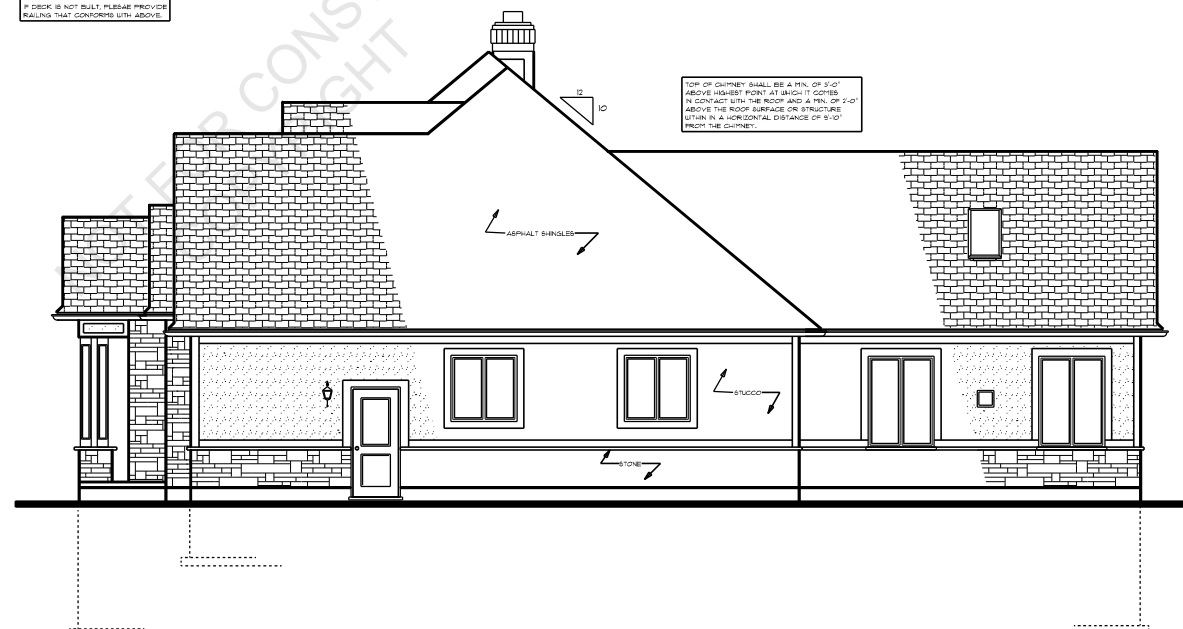


RIGHT ELEVATION


SCALE: 1/4" = 1'0"



REAR ELEVATION
SCALE: 1/4" = 1'0"



RIGHT ELEVATION
SCALE: 1/4" = 1'0"



TOWN OF MILTON
DEVELOPMENT SERVICES
A1, GA ZONE

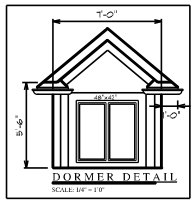
ZONING: REVIEWED FOR C of A
robin.campbell
ZONING OFFICER

JUL 20, 2023
DATE



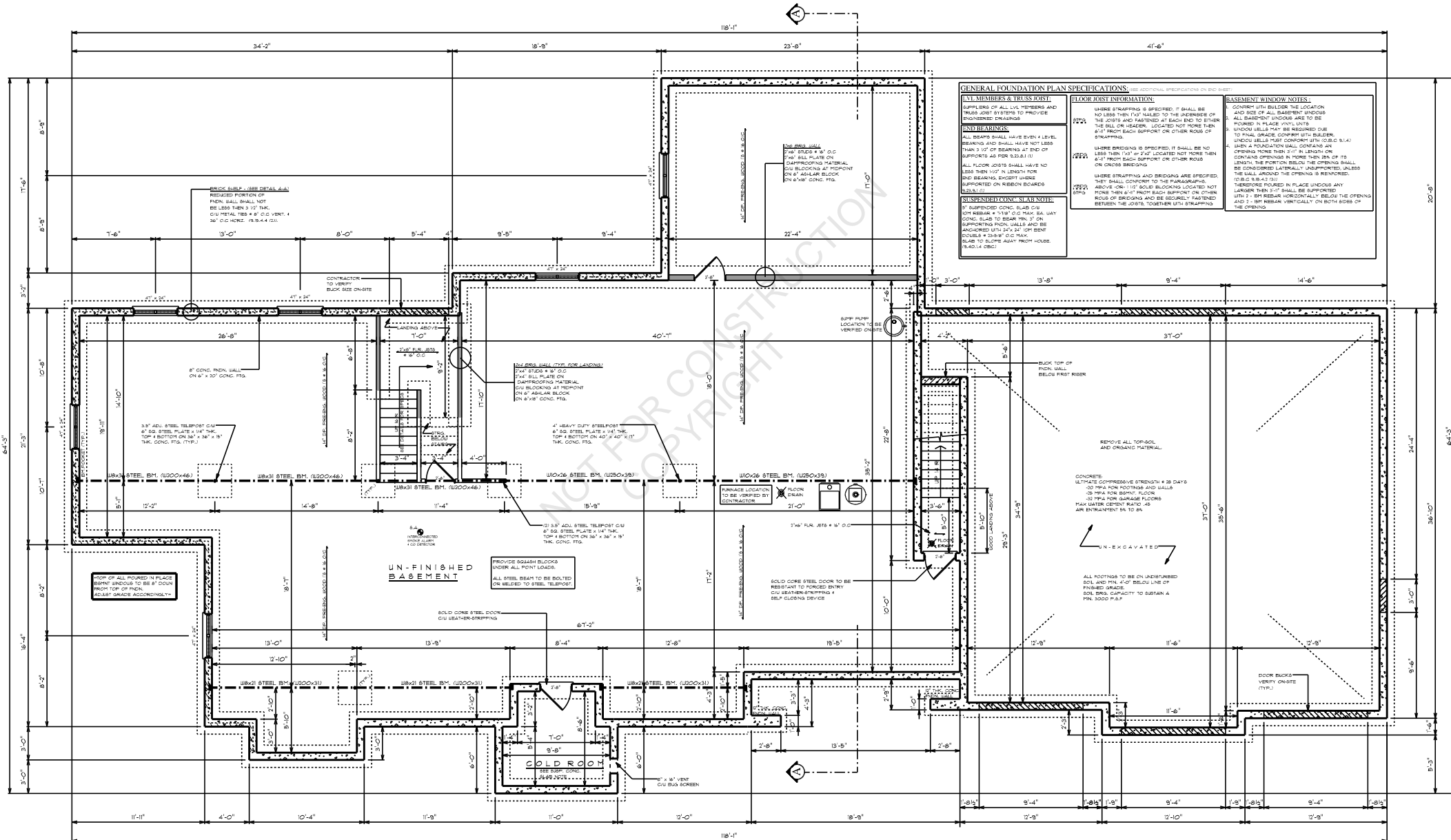
LEFT ELEVATION

SCALE: 1/4" = 1'0"



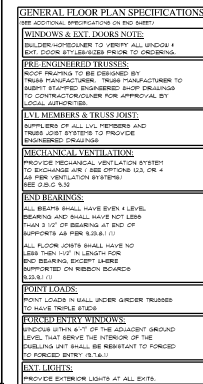
FRONT ELEVATION

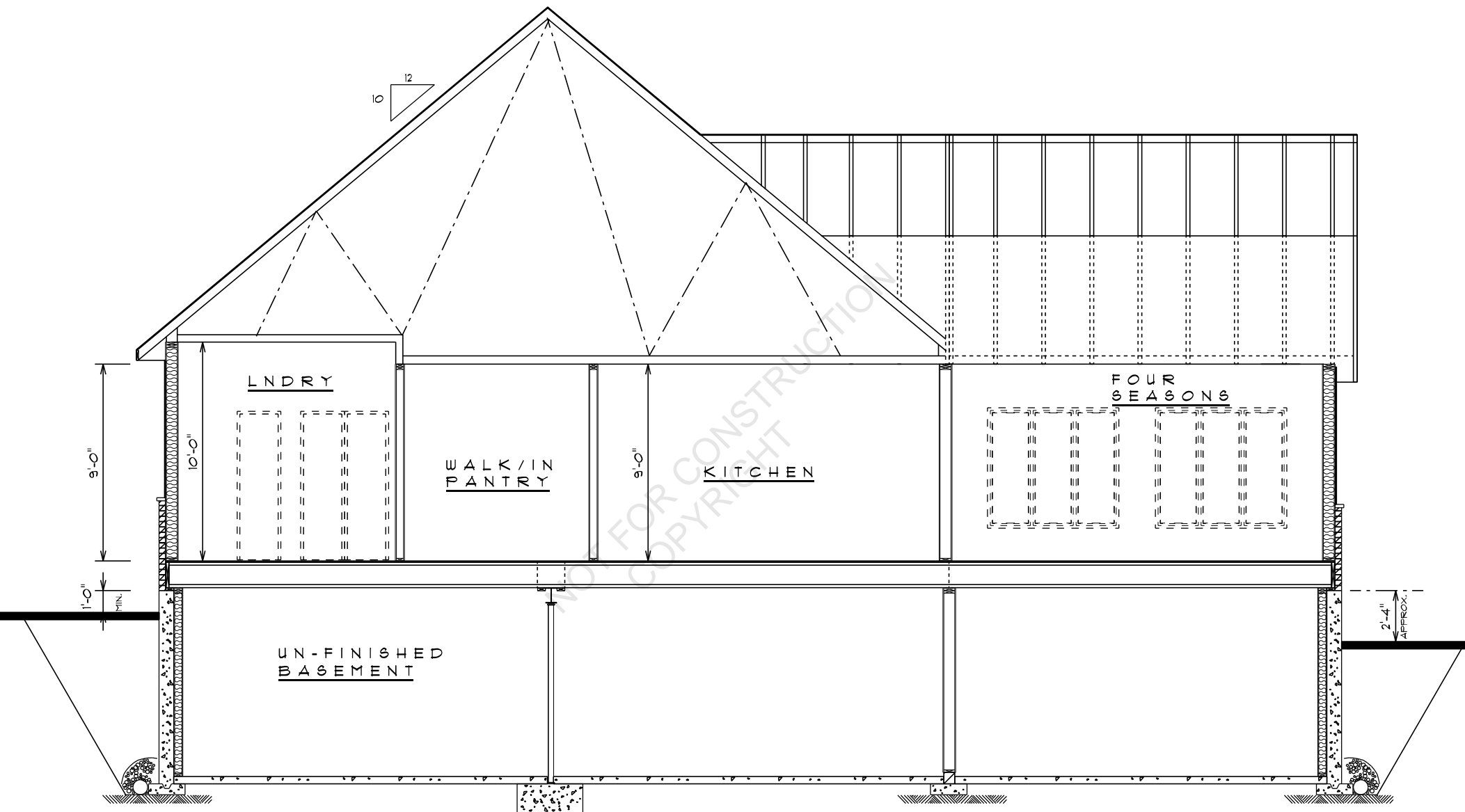
SCALE: 1/4" = 1'-0"



FOUNDATION PLAN

SCALE: 1/4" = 1'-0"





PLEASE REFER TO "TYPICAL SECTION"
FOR MORE DETAILED SPECIFICATIONS

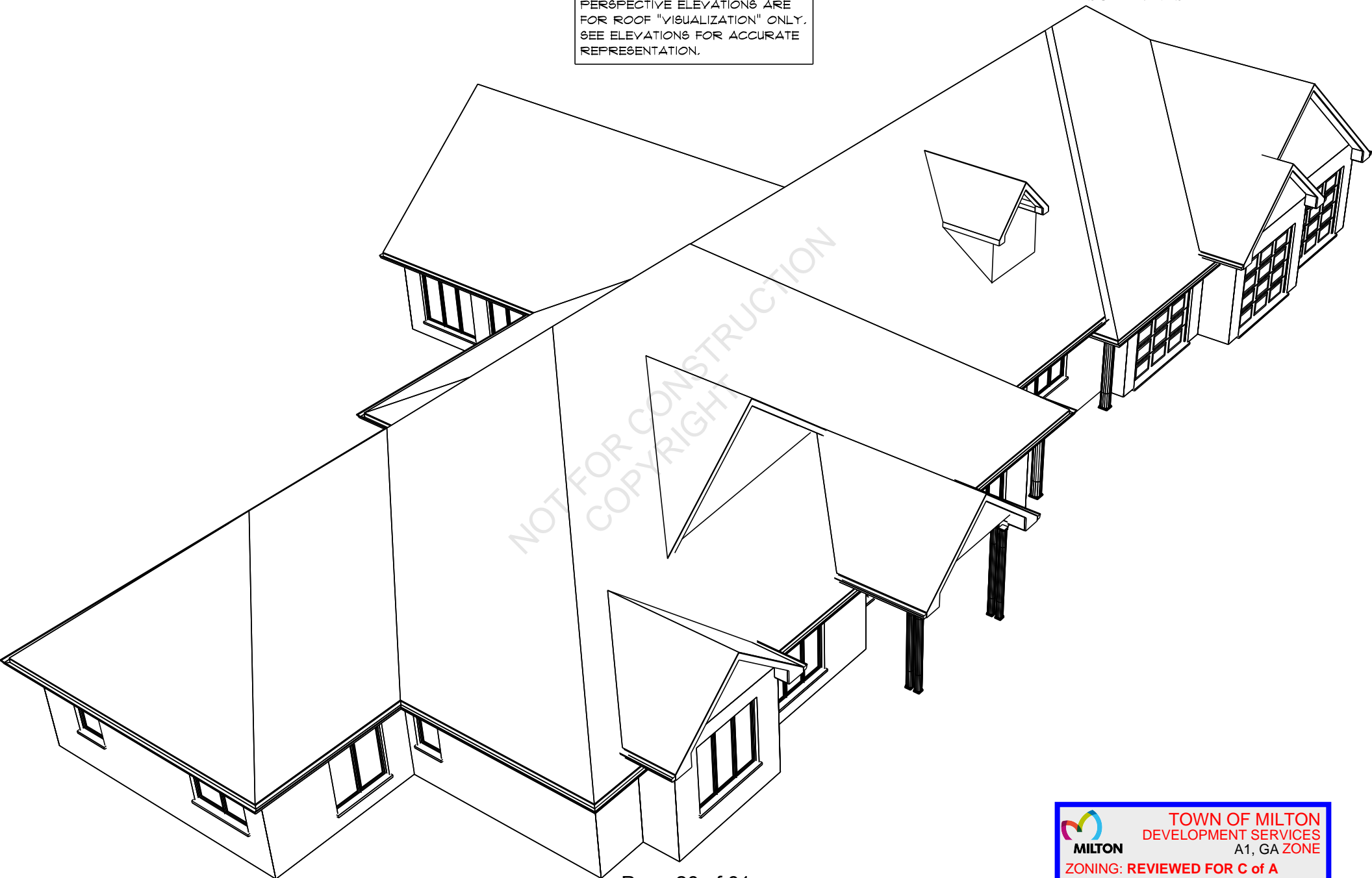
CROSS SECTION A-A

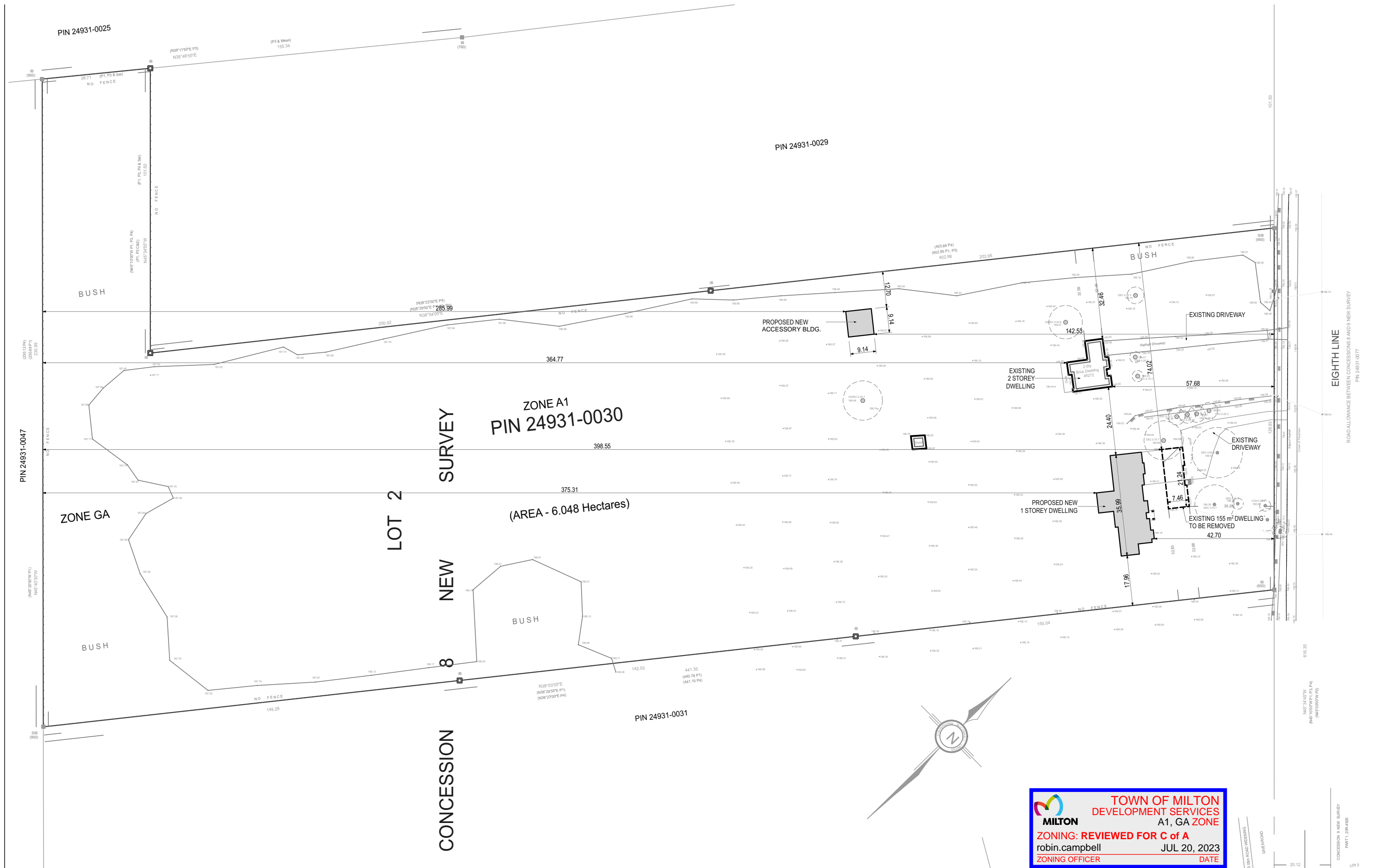
SCALE: 3/8" = 1'0"

PERSPECTIVE ELEVATION

SCALE: NTS

PERSPECTIVE ELEVATIONS ARE
FOR ROOF "VISUALIZATION" ONLY.
SEE ELEVATIONS FOR ACCURATE
REPRESENTATION.





TOWN OF MILTON
DEVELOPMENT SERVICES
A1, GA ZONE
ZONING: REVIEWED FOR C of A
robin.campbell JUL 20, 2023
ZONING OFFICER DATE



Memorandum to Committee of Adjustment Members

Minor Variance Application: A-23/048/M 171 Wakefield Road

General Description of Application:

Under Section 45(1) of the *Planning Act*, the following minor variances to Zoning By-law 016-2014, as amended, has been requested to permit:

1. A maximum garage door height of 3.05 metres, whereas a garage door height of 2.43 metres is permitted; and
2. A maximum building height of 4.88 metres for a detached garage, whereas a maximum height of 4.3 metres is permitted.

The subject property is known municipally as 171 Wakefield Road and is legally described as Lot 25 on Registered Plan 565. The applicant is proposing to construct a detached garage in the rear yard. The increases to the height of the detached garage and garage door is proposed to accommodate the parking of a truck with an ATV on the truck bed.

Official Plan Designation (including any applicable Secondary Plan designations):

The subject property is designated as Residential Area in the Town of Milton Official Plan on Schedule B 'Urban Area Land Use Plan'. This designation permits single detached dwellings and accessory structures.

The property is also located within a Mature Neighbourhood Area on Schedule F of the Town of Milton Zoning By-law 016-2014. On October 19th, 2020 Milton Council passed Official Plan Amendment No. 60 and an accompanying Zoning By-law Amendment for the Downtown Character Area in accordance with the Mature Neighbourhoods Character Study. The Official Plan Amendment updated the Town's policies to better manage development in Mature Neighbourhood and Character Areas, and the Zoning By-law Amendment introduced new standards that apply to low-density residential development in the Downtown Character Area.

The Official Plan policies intend for Mature Neighbourhood Areas around the Central Business District to remain relatively stable. The policies specify that in these areas, development must be compatible with and respectful of the existing neighbourhood character.

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 Residential Low Density 3 (RLD3) in Comprehensive Zoning By-law 016-2014 as amended. This zone permits single detached dwellings and detached garages on the lot.

Variance 1: Garage Door Height

Section 4.2.2.1 iv) permits a maximum garage door height of 2.43 metres. The applicant has proposed a garage door height of 3.05 metres (an increase of 0.62 metres).

Variance 2: Detached Garage Height

Section 4.2.2.2 i) d) permits a maximum building height of 4.3 metres for a detached garage. The applicant is proposing a building height of 4.88 metres (an increase of 0.58 metres).

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the *Planning Act* on August 16, 2023. As of the writing of this report on August 23, 2023, staff have not received any comments from members of the public.

Agency Consultation

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

Development Engineering staff noted that the following comments will need to be addressed at the building permit stage:

1. As per Engineering standards manual the maximum driveway slope allowance is six percent.
2. Please provide downspout locations for proposed garage.
3. Existing elevations along property line are not to be altered. Add note to site plan
4. Insufficient grading information has been provided; we require grading (+-) meter tag each proposed corner showing grade change.

Development Review Comments:

The applicant has requested a minor variance to facilitate the construction of a detached garage in the rear yard. Variances are required to permit an increase to the maximum heights of the garage and garage door, to accommodate the parking of a truck with an ATV on the truck bed.

The intent of the maximum building height provisions is to ensure that the detached garage remains secondary to the primary use and does not adversely impact adjacent lands. The increased height of the garage by 0.58 metres is minor, and the structure will be clearly secondary to the primary single detached dwelling. Additionally the proposed increase to the garage door height by 0.62 metres is required to accommodate the type of personal vehicles to be stored within the structure.

Planning staff additionally note that the applicant has reduced the height of the detached garage and garage door in response to preliminary planning comments on the application. Staff are satisfied with the changes made and do not have any further design concerns.

Based on the foregoing, staff is of the opinion that the requested variances are minor in nature, conform to the general intent of both the Official Plan and Zoning By-law and are desirable for the development and use of the land.

Recommendation:

THAT the application for minor variance BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. That a building permit application be obtained within two (2) years from the date of this decision.
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.

Natalie Stopar

Natalie Stopar, MCIP RPP
Planner, Development Review

August 23, 2023



Memorandum to Committee of Adjustment Members

Minor Variance Application: A-23/053/M 111 Robinwood Crescent

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 permit:

- A maximum lot coverage of 24%, whereas a maximum lot coverage of 20% is permitted for a lot with a lot area greater than 830 square metres.

The subject property is known municipally as 111 Robinwood Crescent and is legally described as Lot 228 on Registered Plan 568. The property is located on the north side of Robinwood Crescent, in a low density residential neighbourhood.

The applicant is proposing to construct a new two storey single detached dwelling on the lands. The subject minor variance has been requested to permit the addition of a 2 storey rear covered balcony to the dwelling.

Official Plan Designation (including any applicable Secondary Plan designations):

The subject property is designated as Residential Area in the Town of Milton Official Plan on Schedule B 'Urban Area Land Use Plan'. This designation permits single detached dwellings and accessory structures.

The property is also located within a Mature Neighbourhood Area on Schedule F of the Town of Milton Zoning By-law 016-2014. On October 19th, 2020 Milton Council passed Official Plan Amendment No. 60 and an accompanying Zoning By-law Amendment for the Downtown Character Area in accordance with the Mature Neighbourhoods Character Study. The Official Plan Amendment updated the Town's policies to better manage development in Mature Neighbourhood and Character Areas, and the Zoning By-law Amendment introduced new standards that apply to low-density residential development in the Downtown Character Area.

The Official Plan policies intend for Mature Neighbourhood Areas around the Central Business District to remain relatively stable. The policies specify that in these areas, infill and development must be compatible with and respectful of the existing neighbourhood character.

It is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan, as amended.

Zoning:

Zoning By-law 016-2014, as amended. In this zone, single-detached dwellings and accessory structures are permitted

Section 6.2, Table 6B(I) states that a maximum lot coverage of 20% is permitted for a lot with a lot area greater than 830 square metres. The applicant is proposing an increase to the lot coverage to 24% (an increase of 4%). The lot coverage increase includes the area of the roofed balcony addition.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the *Planning Act* on August 16, 2023. As of the writing of this report on August 23, 2023, staff have not received any comments from members of the public.

Agency Consultation

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

Development Review Comments:

The applicant has requested an increase in the maximum permitted lot coverage to 24% whereas a lot coverage of 20% is permitted. The increase is requested to facilitate the addition of a 2 storey covered balcony to the rear of the dwelling.

Planning staff have reviewed the requested variance and do not object to its approval. The proposed increase in lot coverage is minor and will not significantly change the massing of the home. Staff note that the applicant made revisions to the design of the covered balcony in response to urban design's staff's preliminary comments. The size of the 2nd storey balcony was reduced to minimize the impact of the addition on the privacy of the adjacent neighbours and to provide additional massing variation to the dwelling. Urban design staff reviewed the revised proposal and had no additional concerns.

Planning staff are of the opinion that the requested variance is minor in nature, conforms to the general intent of both the Official Plan and Zoning By-law and is desirable for the development and use of the subject property.

Recommendation:

THAT the application for minor variance BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

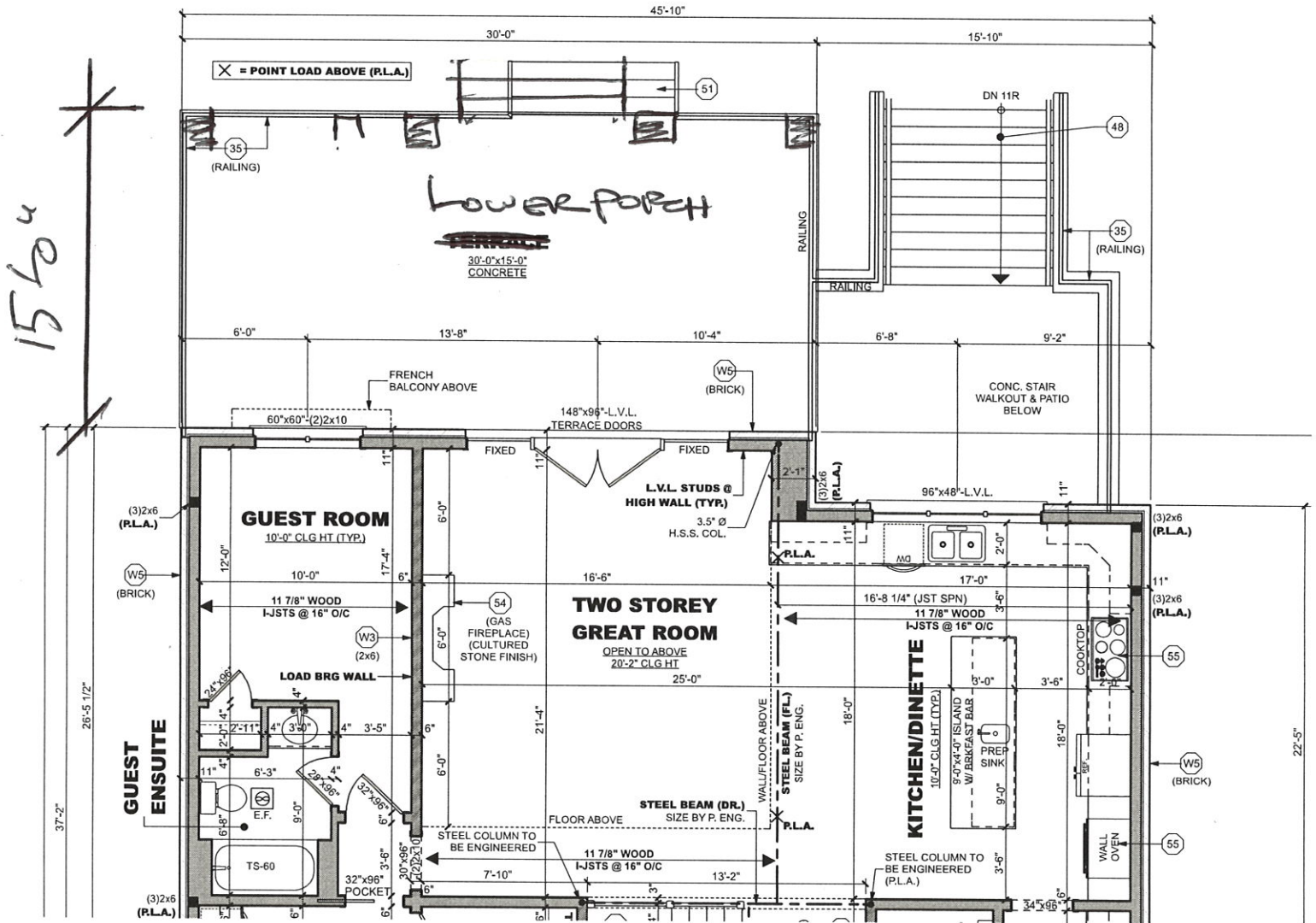
1. That the rear covered balcony shall be located and constructed in accordance with the building elevations, prepared by Jansen Consulting, date stamped by Town Zoning on August 4, 2023.
2. That a building permit application be obtained within two (2) years from the date of this decision.
3. That the 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.

Natalie Stopar

Natalie Stopar, MCIP, RPP
Planner, Development Review

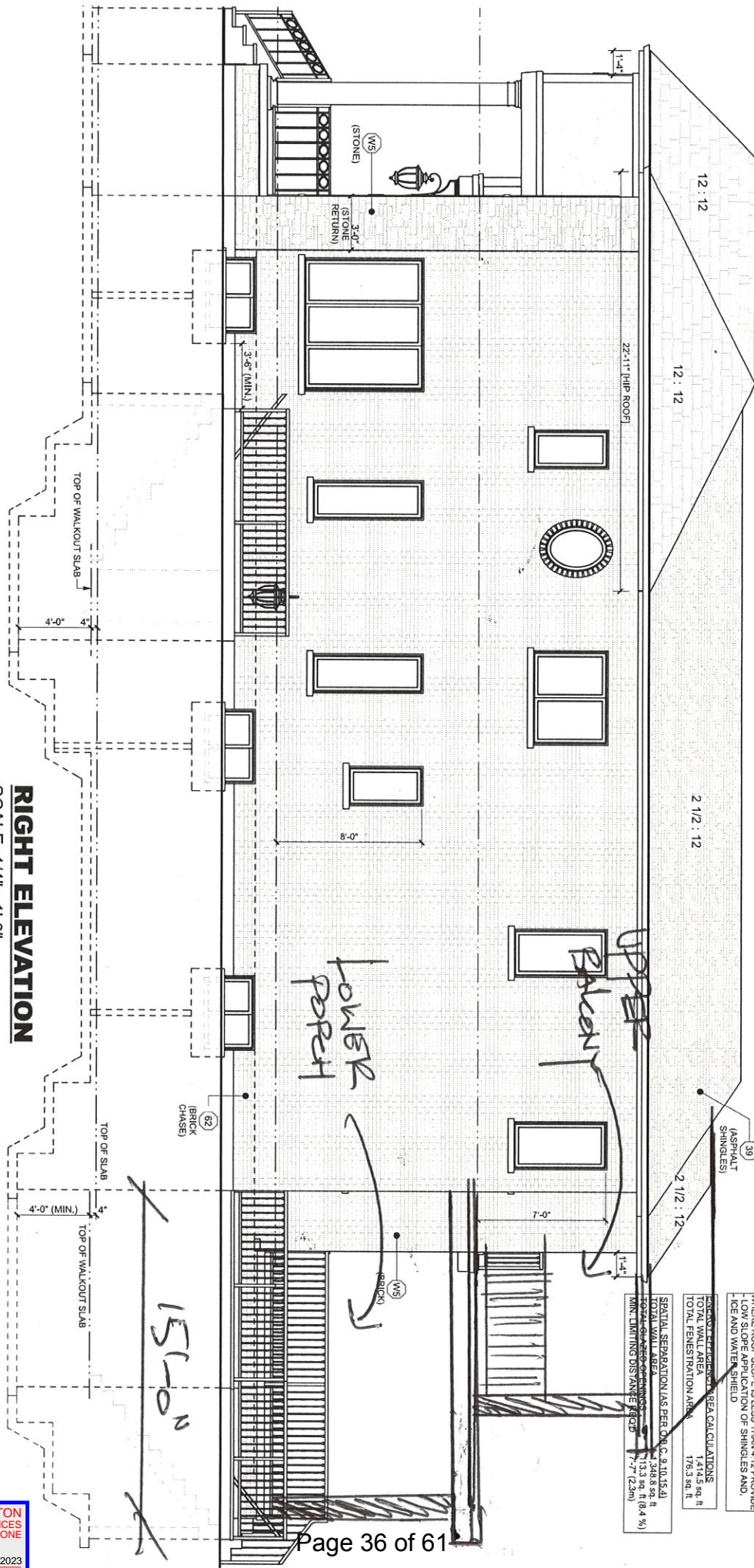
August 23, 2023

LOWER REAR
PORCH COVERED
BY BALCONY & ROOF
15'-0" (4.57 m)



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"





Memorandum to Committee of Adjustment Members

Minor Variance Application: A-23/057/M 871 Whitlock Avenue

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 permit:

- A minimum exterior side yard setback of 1.65 metres, whereas a minimum exterior side yard setback of 2.0 metres is required.

The subject property is known municipally as 871 Whitlock Avenue and is legally described as Lot 156 on Registered Plan 20M-1227. The property is located at the corner of Whitlock Avenue and Hazel Way in a low density residential neighbourhood. The lot contains a single detached dwelling with an attached 2 car garage.

The applicant is proposing to construct a basement apartment, where the entrance to the accessory apartment is located in the exterior side yard. The minor variance is required to permit the below grade stairs in the exterior side yard.

Official Plan Designation (including any applicable Secondary Plan designations):

The subject property is designated as Residential Area in the Town of Milton Official Plan. This designation permits single detached dwellings and associated accessory structures. Secondary Residential Units are also 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 as Residential Medium Density One (RMD1) with site specific provisions. Single detached dwellings and accessory dwelling units are permitted.

Section 6.2 Table 6C of the Zoning By-law requires a minimum exterior side yard setback of 2.0 metres. The applicant has requested to minimum exterior side yard setback of 1.65 metres (a reduction of 0.35 metres) to permit the stairs in the exterior side yard.

There are no Zoning By-law provisions which prohibit below grade stairs in the exterior side yard.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the *Planning Act* on, August 16, 2023. As of the writing of this report on, August 23, 2023, staff have not received any comments from members of the public.

Agency Consultation

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

Development Review Comments:

The applicant has requested a minor variance to permit below grade stairs, accessing an accessory apartment, in the exterior side yard. Planning Staff are of the opinion that the encroachment into the exterior side yard is minor and will not impact adjacent properties or the functionality of the single detached dwelling and accessory apartment.

To improve the design of the stairs in the exterior side yard, the applicant has agreed to provide landscaping to screen the below grade entrance from view of the street. The landscaping, in addition to the remaining setback of 1.65 metres from the street line, will help to minimize the visual impact of the stairs on the streetscape.

Based on the foregoing, staff is of the opinion that the requested variance is minor in nature, conforms to the general intent of both the Official Plan and Zoning By-law and is desirable for the development and use of the land.

Recommendation:

THAT the application for minor variance BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. That the below grade stairs shall be generally located and constructed in accordance with the site plan, prepared by Noble Prime Solutions Ltd, date stamped by Town Zoning on August 2, 2023;
2. That landscaping be provided along the below grade entrance to screen the entrance from the street;
3. That a building permit application be obtained within two (2) years from the date of this decision; 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.

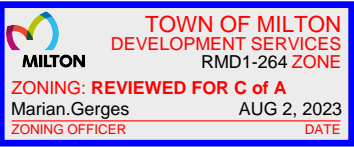
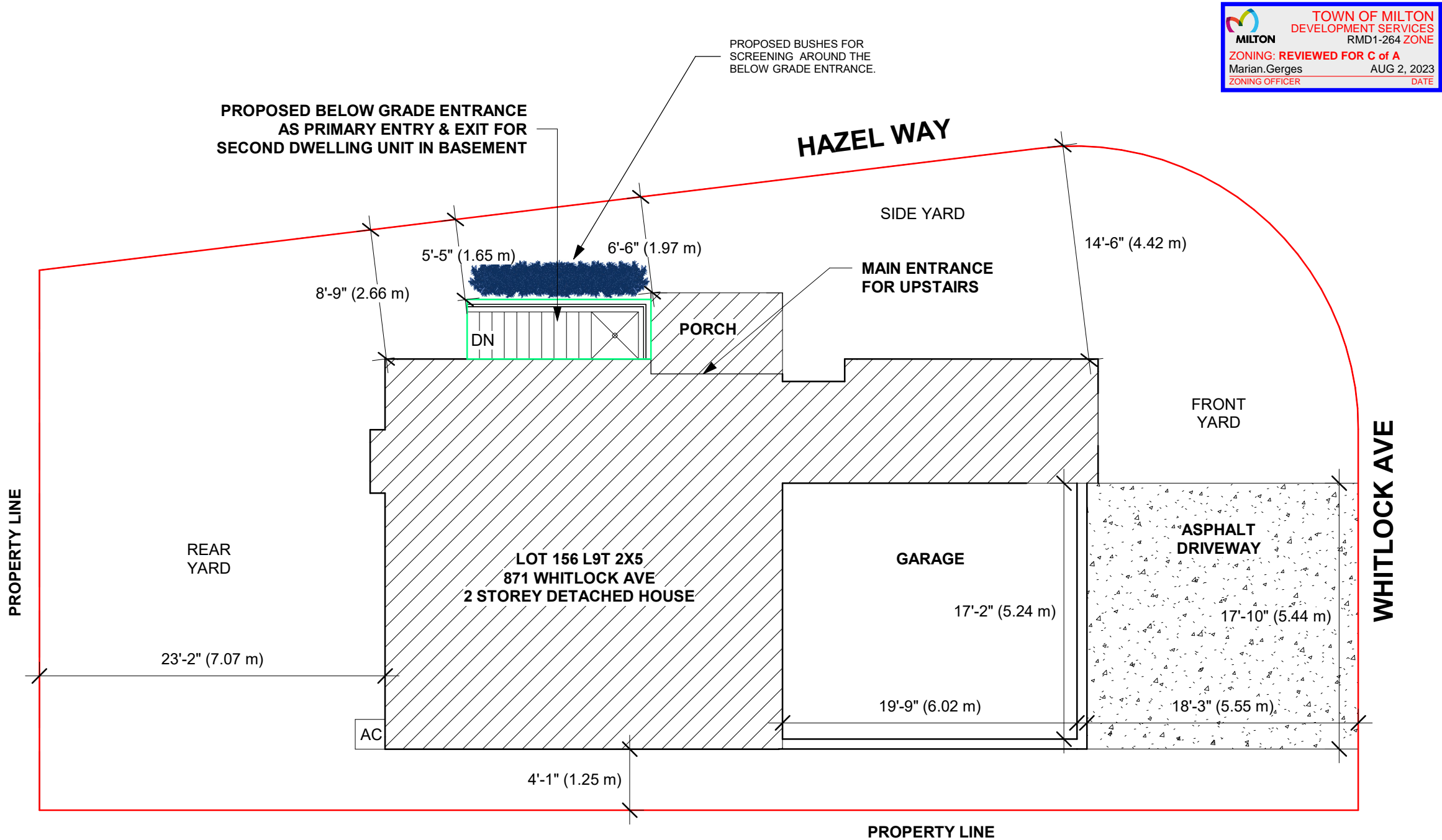
Natalie Stopar

Natalie Stopar, MCIP, RPP
Planner, Development Review

August 23, 2023

MINOR VARIANCE

-TO PERMIT A BELOW GRADE ENTRANCE TO ENCROACH INTO REQUIRED EXTERIOR YARD WITH SETBACK OF 1.63M, WHEREAS ZONING BY LAW REQUIRES MINIMUM REQUIRED EXTERIOR SIDE YARD SETBACK OF 2.0M.



THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY THE DESIGNER/ENGINEER OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

SITE PLAN

The undersigned has reviewed and taken responsibility for this design and has qualifications and meet the requirements set out in the Ontario Building Code to be a designer

QUALIFICATION INFORMATION
(Required unless design is exempted under 3.2.5 Division C of OBC)

DESIGNER	BCIN
Tanvir Rai	103482

[Signature]

FIRM	BCIN
Noble Prime Solutions Ltd	118716

APR 13/23

01	ISSUED FOR PERMIT	APR 13/23
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ADDRESS:
871 WHITLOCK AVE,
MILTON, ON

DRAWN BY:	HS	CHECKED BY:	TR
PROJECT NUMBER:	23R-27577		

NOBLE PRIME SOLUTIONS LTD.
2131 WILLIAMS PARKWAY
UNIT 19,
BRAMPTON, ON.
info@nobleltd.ca
(437) 888 1800
(647) 207 5470

DATE:	APR 13/23	DWG No:	A-1
SCALE:	1/8" = 1'-0"		



Memorandum to Committee of Adjustment Members

Minor Variance Application: A23-049M - 985 Logan Drive

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 minimum width of a parking space, on a residential driveway, to be 2.65 metres, whereas the Zoning By-law requires 2.75 metres (a reduction of 0.10 metres).

The subject property is known municipally as 985 Logan Drive and is legally described as Lot 175 on 20M-129. The lands are generally located west of Thompson Road and north of Britannia Road. Surrounding land uses include residential, in the form of single detached dwellings, and Town-owned stormwater management facilities.

A single detached dwelling is located on the property. The applicant intends to construct a secondary dwelling unit in the form of a basement apartment. To facilitate the approval of a secondary dwelling unit, the applicant is requesting to reduce the width of parking space, located on the residential driveway.

Official Plan Designation (including any applicable Secondary Plan designations):

The subject property is designated 'Residential Area' on both Schedule B - Urban Land Use Plan within the Town of Milton Official Plan and Schedule C.10.C Boyne Survey Secondary Plan Land Use Plan. The 'Residential Area' designation allows secondary dwelling units, subject to policies within Section 3.2.3.9 of the Town of Milton Official Plan:

- a) The use shall be located in an existing single-detached, semi-detached, row house, and in accessory structures where adequate municipal piped water and wastewater services are available and connected;*
- b) The site is accessible to public transit;*
- c) There will be no significant changes to the external character of the building or property;*
- d) All of the requirements of the Zoning By-law, including the provision of adequate parking, of the Ontario Building Code, of the Property Standards By-law and other relevant municipal and provincial regulations can be satisfied; and,*
- e) The existing dwelling is not within the Regulatory Flood Plan.*

Given that the unit is proposed within a single-detached dwelling with full municipal servicing, is accessible to public transit, results in no external changes to the dwelling, maintains all Zoning By-law provisions (with the exception of the relief being requested through this application), and is not proposed within Flood Plain, 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 as Residential Medium Density 1 (RMD1*264) within the Town of Milton Urban Zoning By-law 016-2014, as amended.

Section 4.10 of the Zoning By-law sets-out the following provisions for secondary/accessory dwelling units:

- i) Only 1 accessory dwelling unit shall be permitted per lot and shall be located within the main dwelling unit;*
- ii) A minimum of 1 parking space per accessory dwelling unit is provided in addition to the required parking for the main dwelling unit;*
- iii) The dwelling must be on full municipal water and waste water services; and,*
- iv) The accessory dwelling unit shall not exceed a maximum size of 85 square metres.*

To achieve compliance with Section 4.10 (ii), the applicant is seeking the following relief from the Zoning By-law:

Section 5.6.2 i) of the Zoning By-law states that: *"The minimum size of a required parking space on a Residential Driveway shall be 2.75 metres wide by 5.5 metres in length."* Based on the existing driveway's width, the applicant is seeking to reduce the required parking space width by 0.10 metres, resulting in a 2.65 metre width for each space.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the *Planning Act* on, August 16, 2023. As of the writing of this report on, August 23, 2023, staff have not received any comments from members of the public.

Agency Consultation

No objections were filed with respect to the variance application from Town staff or external agencies. The applicant is advised that no physical construction can begin until such time that the Minor Variance Application is approved and Building Permit issued.

Planning and Development Department Comments:

The applicant has requested a minor variance to facilitate the creation of a secondary dwelling unit in the form of a basement apartment. An interior side yard entrance is proposed, for which no relief is required.

Given the existing width of the driveway, the applicant cannot accommodate two legal parking spaces - so far as the definition of a parking space on a residential driveway which requires an unobstructed area of 2.75 metres in width and 5.5 metres in length.

To achieve compliance with the Secondary/Additional Dwelling Unit provisions in the Zoning By-law, specifically the need for an additional parking space, the applicant intends to reduce the technical width of each parking space in the driveway. This will result in no physical impact or widening of the driveway.

The applicant has provided photographs that demonstrate a vehicle can adequately parking in the garage, along with two vehicles in the driveway. No vehicles overhang onto the municipal right-of-way, nor onto the lawn area or adjacent lots. All vehicles remain

accessible and can enter/exit the site freely. Planning staff are satisfied that two cars can park in the driveway, and one in the garage, despite the reduction in parking space width.

Planning staff are of the opinion that the relief is minor in nature, desirable for the development of the subject lands, conforms to the Official Plan and maintains the intent of the Zoning By-law. As such, planning staff offer no objection to the approval of this application.

Recommendation:

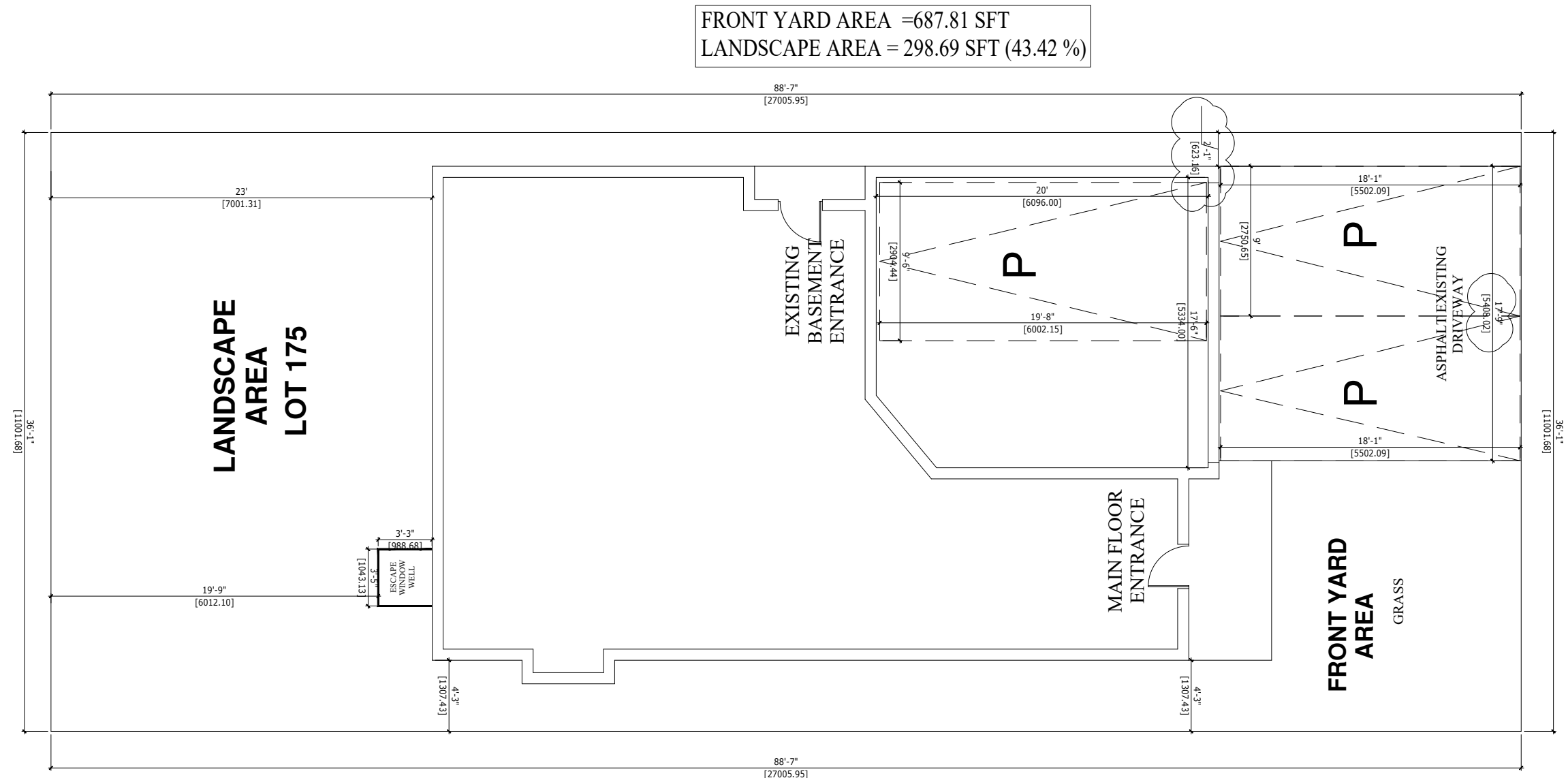
THAT the application for minor variance BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. That a building permit application be obtained within two (2) years from the date of this decision.
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.

Rachel Suffern

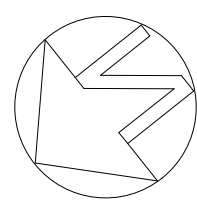
Rachel Suffern, MPA, M.Sc.
Planner, Development Review

August 23, 2023



SITE PLAN

SCALE 1/8" = 1'-0"



985 LOGAN DR

TOWN OF MILTON
DEVELOPMENT SERVICES
RMD1*264 ZONE

ZONING: **REVIEWED FOR C of A**
rob.catarino
ZONING OFFICER

JUL 18, 2023
DATE



Prime Permit Designs
Building Drafting Permits
primepermitdesigns@gmail.com
514-660-7576



18/07/23
CANAM ENGG.

SCOPE OF WORK

GENERAL NOTES

DO NOT SCALE DRAWINGS
PROPERTY RIGHTS RETAINED BY:
BG CONSTRUCTION DESIGN
ANY REPRODUCTION IN WHOLE OR IN PART
UNDER THE RULES AND BY-LAWS OF THE
CORPORATION IS STRICTLY FORBIDDEN.
ANY REPRODUCTIONS MUST BE
AUTHORIZED BY
ALL DRAWINGS ARE IN METRIC SCALE

NO	REVISION / ISSUE	DATE

SITE PLAN

CITY : MILTON

985 LOGAN DR

EXISTING DWELLING

SHEET	PROJECT
A-1	JUNE 2023
	SCALE 1/8"=1'-0"



Memorandum to Committee of Adjustment Members

Minor Variance Application: A23-059M - 137 Hatt Court

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 two (cumulative) parking spaces for an additional residential unit and principle unit, whereas the Zoning By-law requires three parking spaces - two associated with the principle unit and one with the additional dwelling unit (a reduction in one parking space).

The subject property is known municipally as 137 Hatt Court and is legally described as Lot 40 on 20M-1180. The lands are generally located north of Britannia Road and east of Bronte Street South. Surrounding land uses include residential, future development and parkland.

The lands currently contain a single detached dwelling with an attached single-car garage. The applicant is seeking to construct an additional residential unit in the form of a basement apartment.

Since 2014, the Zoning By-law 016-2014, as amended, required three parking spaces to be provided on a lot when an additional residential unit is proposed (i.e. two spaces associated with the primary dwelling unit and one with the additional residential unit).

Through the introduction *Bill 23 - More Homes, Built Faster Act*, the Province outlined that municipalities shall not require more than one parking space per dwelling unit. Bill 23 received Royal Assent on December 28, 2022 and at such time, as a municipality required to conform to Provincial direction, the Town of Milton approved additional dwelling units on the basis that only one parking space per unit be required (and further, foregoing Section 4.10 (ii) of the Zoning By-law, as amended).

Since such time, the Province clarified the intent of the parking provisions in Bill 23 noting that the intent was to not allow municipalities to require more than one parking space per additional residential unit - not the primary dwelling unit. This was clarified through *Bill 97 - Helping Homebuyers, Protecting Tenants Act*, which received Royal Assent on June 8, 2023. Upon Bill 97 taking effect, the Town conformed to Provincial guidance and reverted back to the Zoning By-law provisions - including Section 4.10 (ii).

During the time period between December 28, 2022 when Bill 23 received Royal Assent and June 8, 2023 when Bill 97 received Royal Assent, any landowner that *applied* for a Building Permit was subject to the parking requirements set-out in Bill 23 - one parking space associated with the primary dwelling unit and one with the additional residential unit (two spaces on the property). Anyone that applied for a Building Permit after June 8,

2023, has since been subject to the provisions set-out in Section 4.10 (ii) of the Zoning By-law and must demonstrate that three legal parking spaces can be provided on the subject lands.

Following the approval of Bill 23, the owner and applicant of 137 Hatt Court discussed with Town staff the implications of the legislation and decided to pursue the creation of an additional residential unit within their basement, under the assumption that only two parking spaces would be required.

An application for an additional residential unit was applied for on June 12, 2023. Given the date of application and the fact that Bill 97 was in effect, the proposal is subject to Section 4.10 (ii) of the Zoning By-law and must demonstrate that three legal parking spaces can be provided on the property. Should the owner have applied five days prior to making their Building Permit application, their proposal would have been reviewed under the Bill 23 parking provisions.

Official Plan Designation (including any applicable Secondary Plan designations):

The subject property is designated 'Residential Area' on both Schedule B - Urban Land Use Plan within the Town of Milton Official Plan and Schedule C.10.C Boyne Survey Secondary Plan Land Use Plan. The 'Residential Area' designation allows secondary dwelling units, subject to policies within Section 3.2.3.9 of the Town of Milton Official Plan:

- a) The use shall be located in an existing single-detached, semi-detached, row house, and in accessory structures where adequate municipal piped water and wastewater services are available and connected;*
- b) The site is accessible to public transit;*
- c) There will be no significant changes to the external character of the building or property;*
- d) All of the requirements of the Zoning By-law, including the provision of adequate parking, of the Ontario Building Code, of the Property Standards By-law and other relevant municipal and provincial regulations can be satisfied; and,*
- e) The existing dwelling is not within the Regulatory Flood Plan.*

Given that the unit is proposed within a single-detached dwelling with full municipal servicing, is accessible to public transit, results in no external changes to the dwelling, maintains all Zoning By-law provisions (with the exception of the relief being requested through this application), and is not proposed within Flood Plain, it is Town staff's opinion that the proposal is in conformity with the Town of Milton Official Plan.

Zoning:

The subject lands are zoned as Residential Medium Density 1 (RMD1*207) within the Town of Milton Urban Zoning By-law 016-2014, as amended.

Section 4.10 of the Zoning By-law sets-out the following provisions for secondary/accessory dwelling units:

- i) Only 1 accessory dwelling unit shall be permitted per lot and shall be located within the main dwelling unit;*
- ii) A minimum of 1 parking space per accessory dwelling unit is provided in addition to the required parking for the main dwelling unit;*

- iii) The dwelling must be on full municipal water and waste water services; and,*
- iv) The accessory dwelling unit shall not exceed a maximum size of 85 square metres.*

To achieve compliance with Section 4.10, the applicant is seeking to reduce the number of parking spaces required for the entire site. Given the principle dwelling unit and proposed additional dwelling unit, the Zoning By-law requires three spaces, whereas the applicant is proposing two spaces.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the *Planning Act* on, August 16, 2023. As of the writing of this report on August 23, 2023, Town staff have not received any comments from members of the public.

Agency Consultation

No objections were filed with respect to the variance application from Town staff or external agencies. The applicant is advised that no physical construction can begin until such time that the Minor Variance Application is approved and Building Permit issued.

Planning and Development Department Comments:

The applicant has requested a minor variance to reduce the number of parking spaces required to accommodate the creation of an additional residential unit. The site currently contains a single-car garage and single-car driveway - it can only functionally provide parking for two vehicles (one in the driveway and one in the garage). There is no opportunity to widen the driveway to create an additional space, given the driveway's proximity to the lot line and siting of the porch.

Planning staff recognize the unfortunate timing of the property owner's application. Should they have applied for their Building Permit five days prior to June 12, 2023, the applicant would have been in compliance with Provincial direction contained in Bill 23 and the Zoning By-law 016-2014, as amended.

However, based on the in-effect policy framework, planning staff must consider this application on the basis that relief is required from Section 4.10 (ii) and only two legal parking spaces can be accommodated on site. As such, an analysis of the Four-Tests of a Minor Variance application under Section 45(1) of the *Planning Act* is required. Should one of the tests not be met, the application would not be supportable from a planning policy perspective.

1. Is the development desirable for the development of the subject lands?

The Official Plan encourages gentle intensification within Residential Areas. Further, provincial direction encourages the creation of additional units with the overall goal of increasing house stock. The unit does not disturb the existing residential nature of the community and does not impact adjacent lands given there is no exterior development proposed and the secondary access is to be located at the rear of the lot. Planning staff are of the opinion that the addition of a secondary dwelling unit is desirable for the development of the subject lands.

2. Does the proposal conform to the Official Plan?

Given that the additional residential unit is proposed within an existing dwelling and adheres to all policies within Section 3.2.3.9 of the Official Plan, planning staff are of the opinion that the proposal is in conformity with the Residential Area designation.

3. Does the proposal maintain the intent of the Zoning By-law?

The Zoning By-law is clear in the approach to requiring a dedicated parking space for an additional residential unit, in addition to two spaces for the primary unit. Given that the applicant cannot physically accommodate three vehicles on the site, planning staff are of the opinion that the intent of the Zoning By-law is not maintained through this proposal.

4. Is the relief minor in nature?

Given that the requested relief removes one full parking space from the site, planning staff are of the opinion that the relief is not minor. There is no overnight on-street parking for additional vehicles and regardless of the current owner's vehicular situation, there would not be adequate parking on the site to support the introduction of an additional residential unit.

Based on the foregoing, planning staff are of the opinion that the proposal does not maintain the four-tests of a minor variance in that the relief being requested is not minor in nature and does not maintain the intent of the Zoning By-law. As such, planning staff recommend that the application be refused.

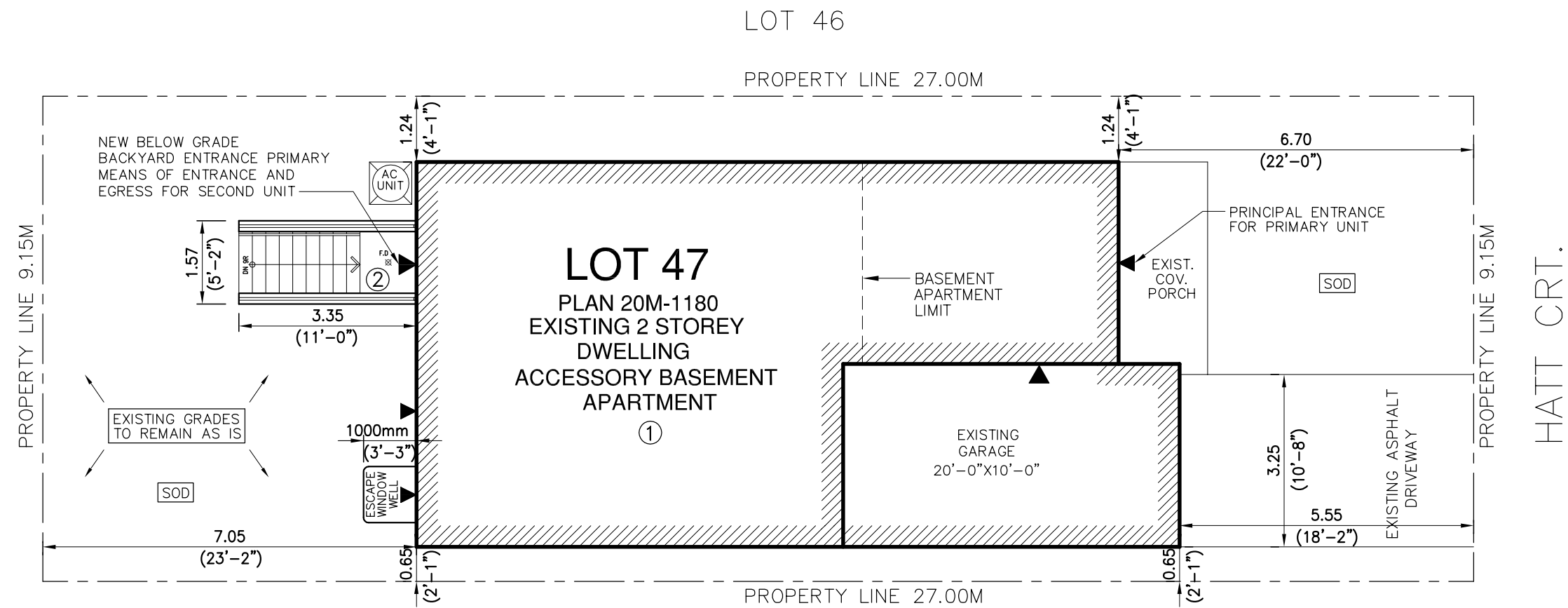
Recommendation:

THAT the application for minor variance **BE DENIED**.

Rachel Suffern

Rachel Suffern, MPA, M. Sc. (PI)
Planner, Development Review

August 23, 2023



SCOPE OF WORK

- ① ACCESSORY APARTMENT
- ② NEW BELOW GRADE BACKYARD ENTRANCE PRIMARY MEANS OF ENTRANCE AND EGRESS FOR SECOND UNIT

▲ ENTRANCE/EGRESS

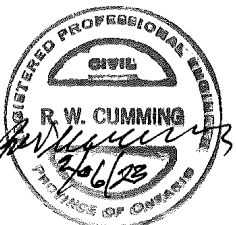
AREA STATISTICS

GROSS FLOOR AREA CALCULATION
 EXISTING MAIN FLOOR AREA=139.36 M2
 EXISTING SECOND FLOOR AREA=185.80 M2
 FINISHED BASEMENT AREA (UNDER PRINCIPAL RESIDENCE) = 9.30 M2
 PROPOSED BASEMENT APARTMENT AREA = 45.52 M2
 BASEMENT APARTMENT GFA IS 24.35 % OF PRINCIPAL RESIDENCE GFA



No	Date	Revision/Issued
01	2023.01.20	Schematic Design
02	2023.01.23	Permit Application

Designer



ACCESSORY APARTMENT

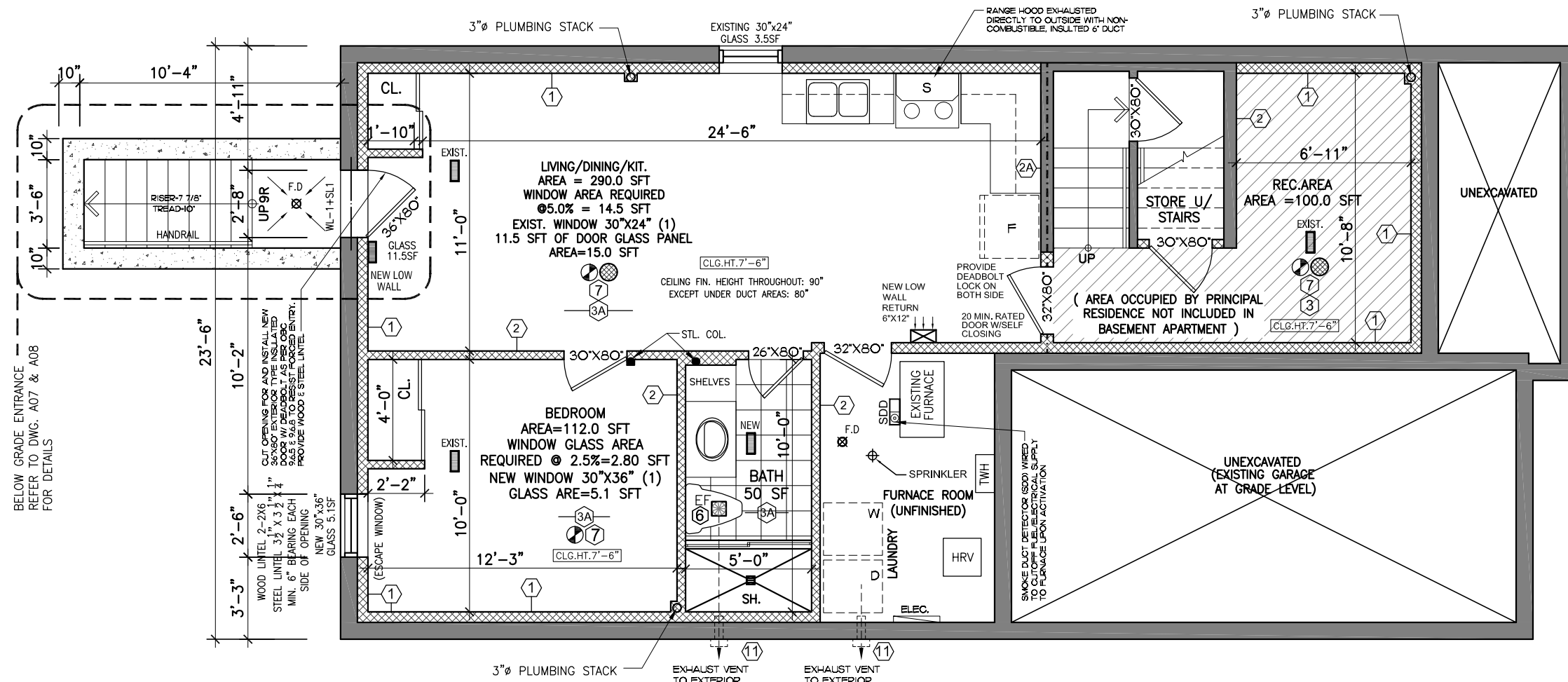
343 PRIMROSE CRES.
MILTON

SITE PLAN

Scale: 1:150
 Date: 2023.01.23
 Project: 22-055
 Drawing Number:

A1

Revision: 00



PROPOSED BASEMENT PLAN

GROSS FLOOR AREA CALCULATION
PROPOSED BASEMENT APARTMENT GFA = 490.0 SFT / 45.52 M²
FINISHED BASEMENT AREA (UNDER PRINCIPAL RESIDENCE) = 100.0 SFT / 9.30 M²
TOTAL BASEMENT GFA = 590.0 SFT / 54.82 M²
CEILING HEIGHT = 7'-6"

LENGEND :

- EXISTING WALLS
- NEW WALLS
- FIRE RATED WALLS. REFER TO SHEET A0 FOR DETAILS

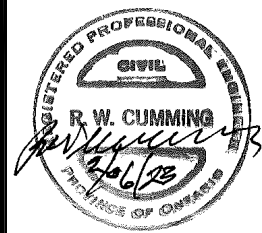
NOTE:
WOOD & STEEL LINTELS
WL-1 NEW WOOD LINTEL 2-2x6 SPF
NO 1 OR 2
SL-1 NEW STEEL LINTEL 3 1/2" X 3 1/2" X 1" THICK
WITH 6" BEARING ON BOTH END

7 REFER DRAWING NO. A0 FOR GENERAL NOTES AND SCHEDULES
INTERCONNECTED AND WIRED SMOKE ALARMS AT EACH FLOOR AND EACH UNIT INCLUDING FINISHED BASEMENT AND LEGAL BASEMENT - AS PER OBC 9.10.19.



No	Date	Revision/Issued
01	2023.06.01	Schematic Design
02	2023.06.08	Permit Application

Designer



ACCESSORY APARTMENT

137 HATT CRT.
MILTON

PROPOSED BASEMENT PLAN

Scale: 3/16"=1'-0"
Date: 2023.06.08
Project: 23-015
Drawing Number:

A3

Revision: 00



Memorandum to Committee of Adjustment Members

Minor Variance Application: A23-054M - 460, 470, 480 and 490 Gordon Krantz Avenue

General Description of Application:

Under Section 45(1) of the *Planning Act*, the following minor variances to Zoning By-law 016-2014, as amended, has been requested to:

- To allow 64 residential parking spaces, in an underground parking structure, to have a minimum length of 5.68 metres, whereas the Zoning By-law requires 5.8 metres (a reduction of 0.12 metres/space).
- To allow 17 residential parking spaces, in an underground parking structure, to have a minimum width of 2.73 metres, whereas the Zoning By-law requires 2.75 metres (a reduction of 0.02 metres/space).
- To allow one parking space (affecting unit 343), located in an underground parking structure, to be 2.74 metres wide and 5.75 metres long, whereas the Zoning By-law require the space to be 2.75 metres wide and 5.8 metres long (a reduction of 0.01 metre and 0.05 metre).

The subject property is known municipally as 460/470/480/490 Gordon Krantz Avenue and is legally described as Block 83 on 20M-1230. Surrounding land uses include residential, community park and future development.

The lands are approved for four six-storey apartment buildings. Through phase one of the development, in accordance with Site Plan Approval (file SP-38/21), the applicant has started construction on Buildings C and D, both of which front onto Tremaine Road. Buildings A and B will be reviewed through subsequent site plan applications.

During construction of the underground parking structure, additional insulation was required on the perimeter of the structure and resulted in the reduction of parking space dimensions. As such, the applicant is seeking relief from the Zoning By-law to accommodate the resultant deficiencies.

Official Plan Designation (including any applicable Secondary Plan designations):

The subject property is designated 'Residential Area' on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan and Schedule C.10.C Boyne Survey Secondary Plan Land Use Plan. This designation permits a range of residential uses and

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 as a site-specific Mixed Use (MU*27) within the Town of Milton Urban Zoning By-law 016-2014, as amended. The proposal adheres to all provisions within the Zoning By-law, with the exception of the following:

Section 5.8.i Table 5D of the Zoning By-law requires that the size of a perpendicular parking space shall be 2.75 metres wide by 5.8 metres long. The following relief is requested from this provision for various spaces within the underground parking:

- To allow 64 residential parking spaces, in an underground parking structure, to have a minimum length of 5.68 metres, whereas the Zoning By-law requires 5.8 metres (a reduction of 0.12 metres/space).
- To allow 17 residential parking spaces, in an underground parking structure, to have a minimum width of 2.73 metres, whereas the Zoning By-law requires 2.75 metres (a reduction of 0.02 metres/space).
- To allow one parking space (affecting unit 343), located in an underground parking structure, to be 2.74 metres wide and 5.75 metres long, whereas the Zoning By-law require the space to be 2.75 metres wide and 5.8 metres long (a reduction of 0.01 metre and 0.05 metre).

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the *Planning Act* on, August 16, 2023. As of the writing of this report on, August 23, 2023, staff have not received any comments from members of the public.

Agency Consultation

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

Planning and Development Department Comments:

The applicant has requested a minor variance to accommodate various reduced parking dimensions affecting spaces within the underground parking structures (for Buildings C and D). The site plan approval granted accommodated the required 2.75 metres by 5.8 metres parking space dimensions. However, upon construction, the parking dimensions were reduced as an unintended consequence of additional insulation being required along the perimeter of the underground parking structure.

The proposed reductions are minor in nature and any impact is negligible - the parking spaces will remain functional so far as vehicles accessing the spaces, along with providing for adequate turning maneuvers entering/exiting the spaces and parking garage. As such, planning staff offer no objection to the approval of this application. The relief being requested is minor in nature, desirable for the development of the subject lands, conforms to the Official Plan and maintains the intent of the Zoning By-law.

Recommendation:

THAT the application for minor variance BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. That the applicant provide updated drawings to the Building Department reflecting the revised parking dimensions; and
2. That the approval be subject to an expiry of two (2) years.

Rachel Suffern

Rachel Suffern, MPA, M.Sc. (PI)
Planner, Development Review

August 23, 2023

KEY PLAN/GROUND FLOOR PLAN
N.T.S.

LEGEND

- Condo 1 (A + B)
- Condo 2 (C + D)

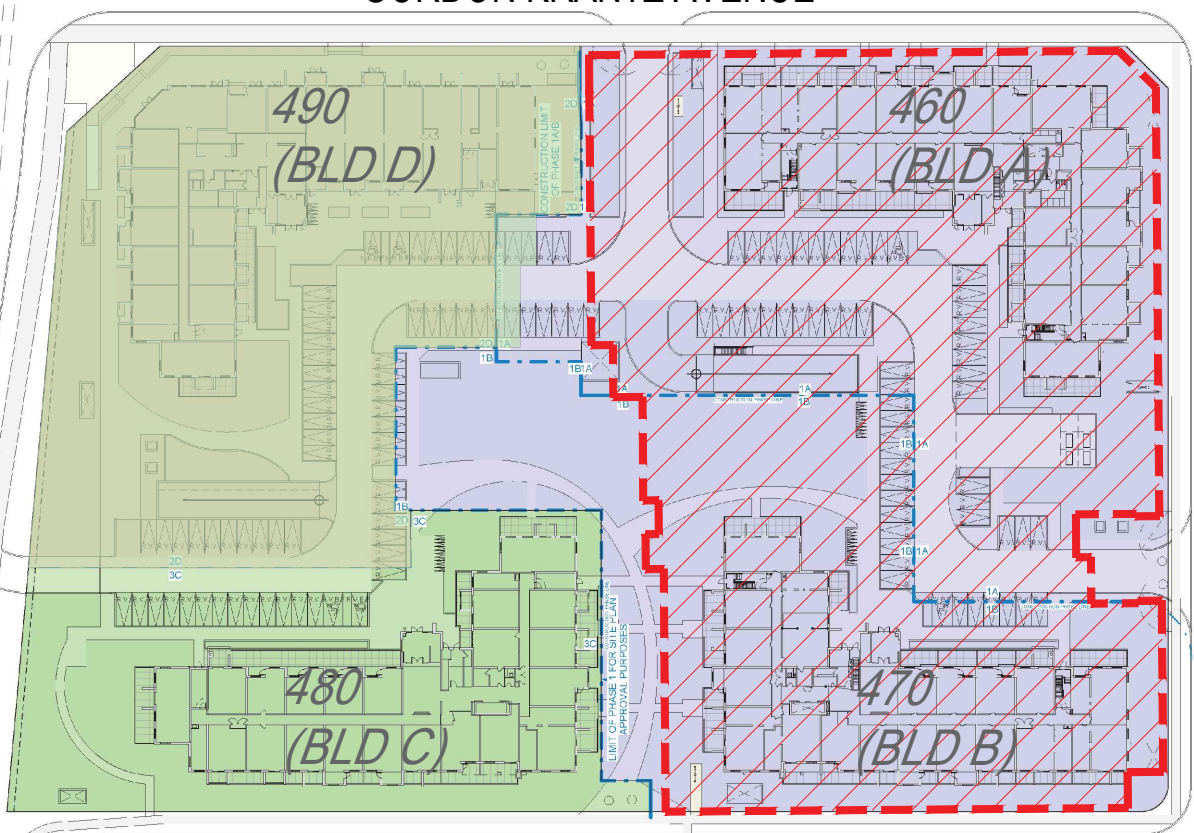
GORDON KRANTZ AVENUE

Extent of UG
Parking
Condo 1 -
BLDG A+B



TREMAINE ROAD

DIAZ LANDING

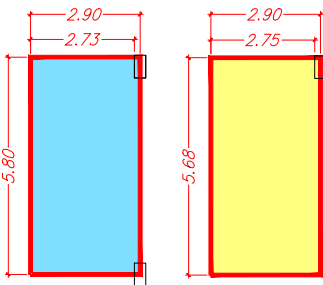


1 SITE PLAN PHASING PLAN

BELLFLOWER COURT

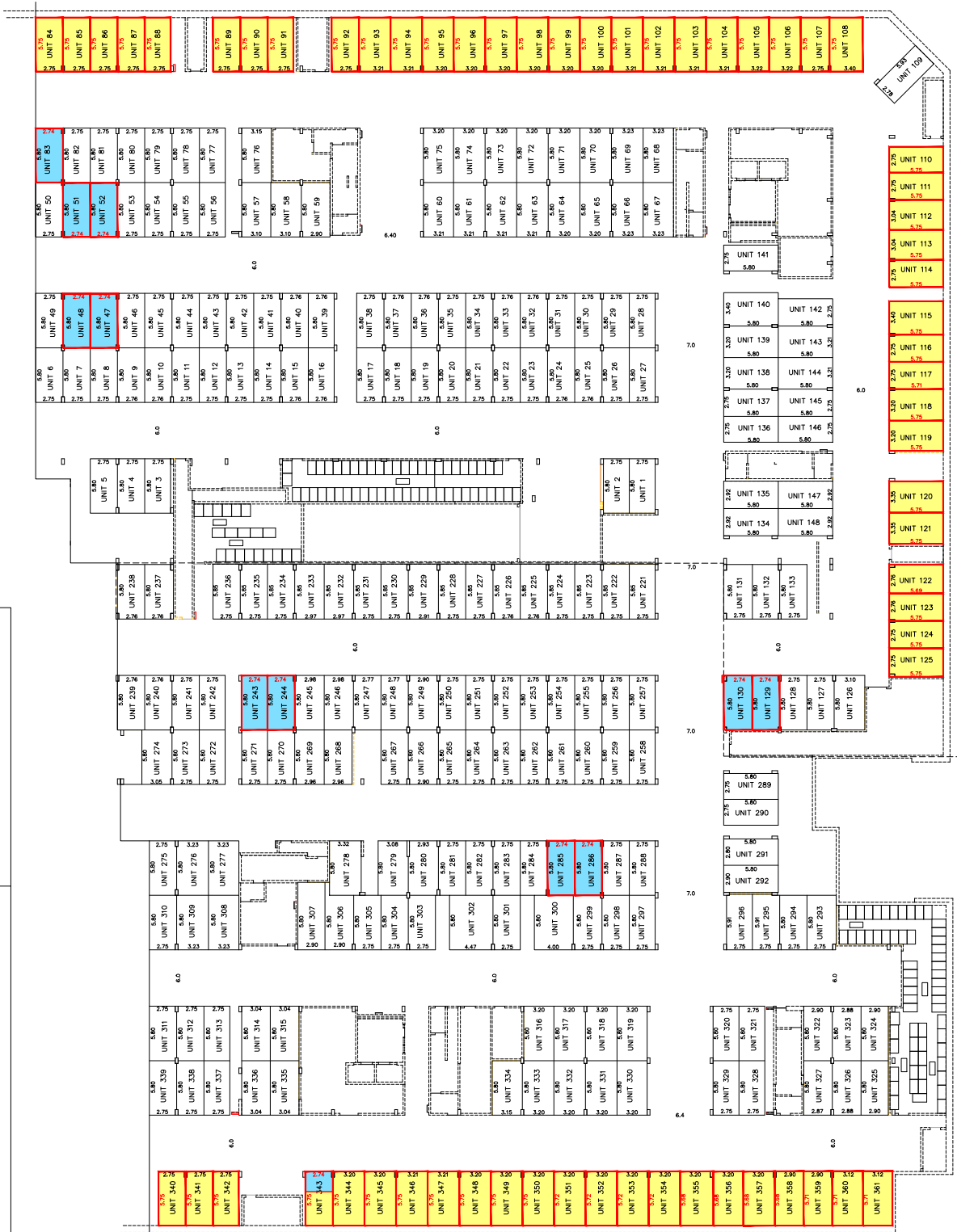


MILTON
TOWN OF MILTON
DEVELOPMENT SERVICES
MU*271 ZONE
ZONING: REVIEWED FOR C of A
sherri.jamieson JUL 12, 2023
ZONING OFFICER DATE



LEGEND

- Reduced parking width to 2.73m (12 spaces) from 2.75m (1-2cm)
- Reduced parking space length to 5.68m (63 spaces) from 5.80m (5-12cm)



MINOR VARIANCE APPLICATION - SKETCH 1
Mattamy (Milton West) Limited, Varga Node Block
460 & 470 Gordon Krantz Ave (BLD A & B)

PLAN 20M - 1230, BLOCK 83
PART OF LOT 7, CONCESSION 1, NEW SURVEY
TOWN OF MILTON

SCALE 1:650
June 15, 2023



206-277 Lakeshore Road East
Oakville, Ontario L6J 1H9
T: 905-257-0227
info@korsiak.com

KEY PLAN/GROUND FLOOR PLAN
N.T.S.

LEGEND

- Condo 1 (A + B)
- Condo 2 (C + D)

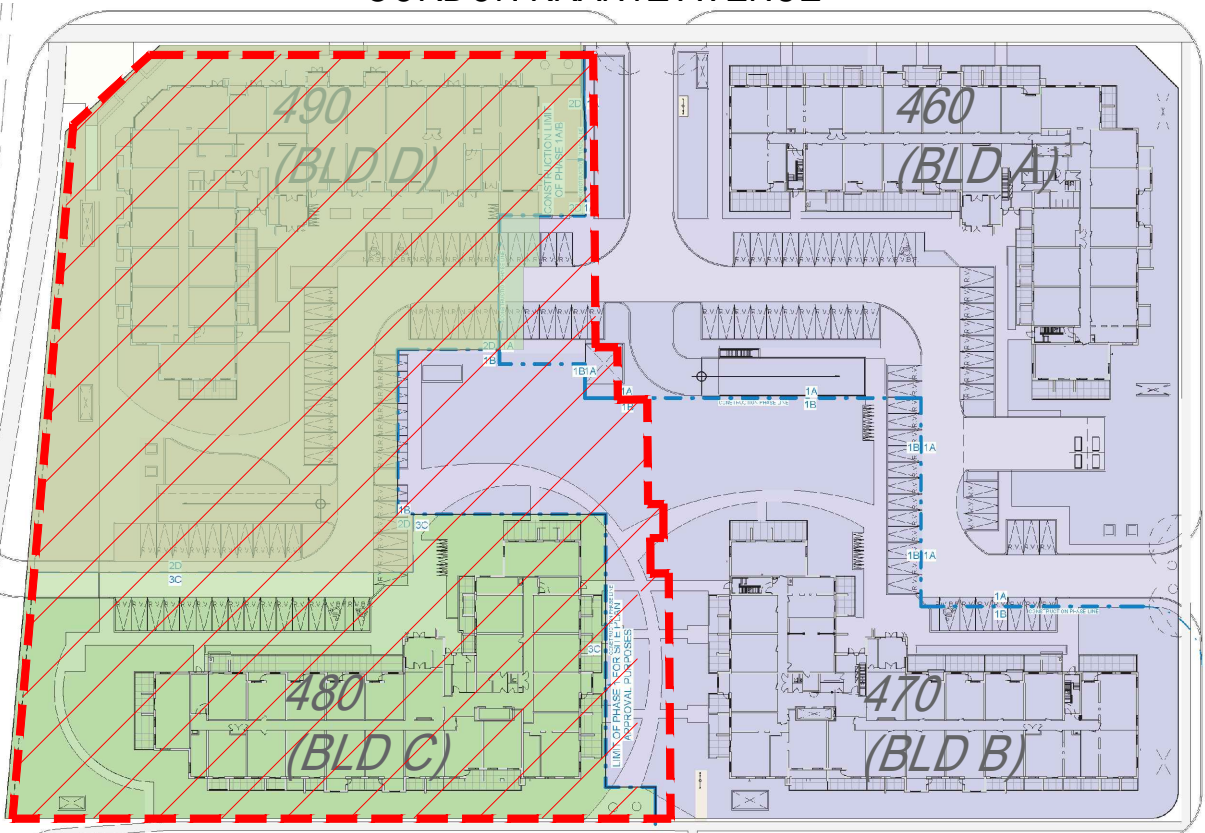
GORDON KRANTZ AVENUE

Extent of UG
Parking
Condo 2 -
BLDG C+D



TREMAINE ROAD

DIAZ LANDING



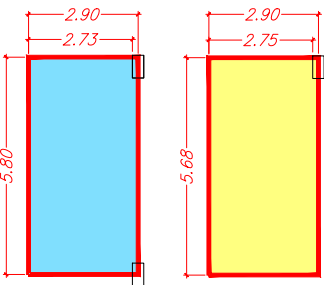
1 SITE PLAN PHASING PLAN
A009 1:400

BELLFLOWER COURT



DIAZ LANDING

MILTON
TOWN OF MILTON
DEVELOPMENT SERVICES
MU*271 ZONE
ZONING: REVIEWED FOR C of A
sherri.jamieson JUL 12, 2023
ZONING OFFICER DATE



LEGEND

- Reduced parking width to 2.73m (6 spaces) from 2.75m (1-2cm)
- Reduced parking space length to 5.68m (2 spaces) from 5.80m (5-12cm)



PARKING UNITS 1 TO 148 INCLUSIVE 228 TO 303 INCLUSIVE

MINOR VARIANCE APPLICATION - SKETCH 2
Mattamy (Milton West) Limited, Varga Node Block
480 & 490 Gordon Krantz Ave (BLD C & D)

PLAN 20M - 1230, BLOCK 83
PART OF LOT 7, CONCESSION 1, NEW SURVEY
TOWN OF MILTON

SCALE 1:650
June 15, 2023



206-277 Lakeshore Road East
Oakville, Ontario L6J 1H9
T: 905-257-0227
info@korsiak.com



Memorandum to Committee of Adjustment Members

Minor Variance Application: A23-058M - 4401 Fourth Line

General Description of Application:

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

- Allow an accessory structure to have a rear yard setback of 9.07 metres, where as the Zoning By-law requires 15 metres (a reduction of 5.93 metres).
- Allow a maximum gross floor area of an accessory structure to be 228.85 square metres, whereas the Zoning By-law permits a maximum of 93 square metres (an increase of 135.85 square metres).
- To allow a parking area to 0.0 metres setback from an interior lot line, whereas the Zoning By-law requires a minimum setback of 3.0 metres (a reduction of 3.0 metres).

The subject property is known municipally as 4401 Fourth Line and is legally described as Part of Lot 22, Concession 22, being Part 2 on 20R-3019. Surrounding land uses include rural residential, agriculture and natural heritage features. The subject property is located at the corner of Lower Base Line West and Fourth Line, generally north of the Highway 407 corridor.

Official Plan Designation (including any applicable Secondary Plan designations):

The subject property is designated 'Agriculture' on Schedule 1 - Town Structure Plan of the Town of Milton Official. This designation permits a single detached dwelling on an existing lot of record, along with accessory uses (such as a shed).

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 as Agricultural (A1) Zone. In this zone, one single detached dwelling is permitted per lot, along with accessory uses.

The subject lands comply with all provisions of the Zoning By-law, with the exception of the relief being requested to accommodate two existing sheds:

Rear Yard Setback

Section 4.1.2.2.i1 requires that accessory structures maintain a 15 metre rear yard setback. To accommodate the existing siting of the wood accessory shed, the applicant is requesting a reduction in rear yard setback to permit 9.07 metres.

Increase Gross Floor Area

Section 4.1.2.2 ii requires that an accessory structure or building shall not exceed a gross floor area of 93 square metres. To legalize the existing steel accessory shed, the applicant is requesting an increase in permitted gross floor area to allow 228.85 square metres.

Parking Area

Section 5.7 Table 5C dictates that no parking area shall be located no closer than 3.0 metres to an interior lot line. To legalize the existing parking beside the steel accessory shed, the applicant is seeking a reduction of 3.0 metres.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the *Planning Act* on, August 16, 2023. As of the writing of this report on, August 23, 2023, staff have not received any comments from members of the public.

Agency Consultation

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

Planning and Development Department Comments:

The applicant has requested a minor variance to legalize two existing sheds on the subject lands - one wood accessory structure and one steel accessory structure. Both sheds were constructed between 2013 and 2015, according to Town airphotos. These were constructed by the previous owner without Building Permits. As such, the applicant is now seeking to legalize these structures. The structures are proposed to be used for personal use only - the applicant advised that the owners would be agreeable to signing a Letter of Undertaking to this end.

Given the size of the lot and configuration, the relief being requested for gross floor area and reduced rear yard setback is minor in nature. The lot size provides adequate area to accommodate the added gross floor area and the reduced setback will not impact adjacent land owners.

The proposed reduction in setback for a parking area is negligible given that it has been existing for a number of years with no impact to adjacent land owners. Further, the area is gravel and remains permeable, resulting in no negative run-off impacts. Existing mature trees along the lot line assist in minimizing the parking area. Finally, the parking area does not extend beyond the steel accessory shed.

Based on the aforementioned, the planning staff offer no objection to the approval of this application. The 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.

Recommendation:

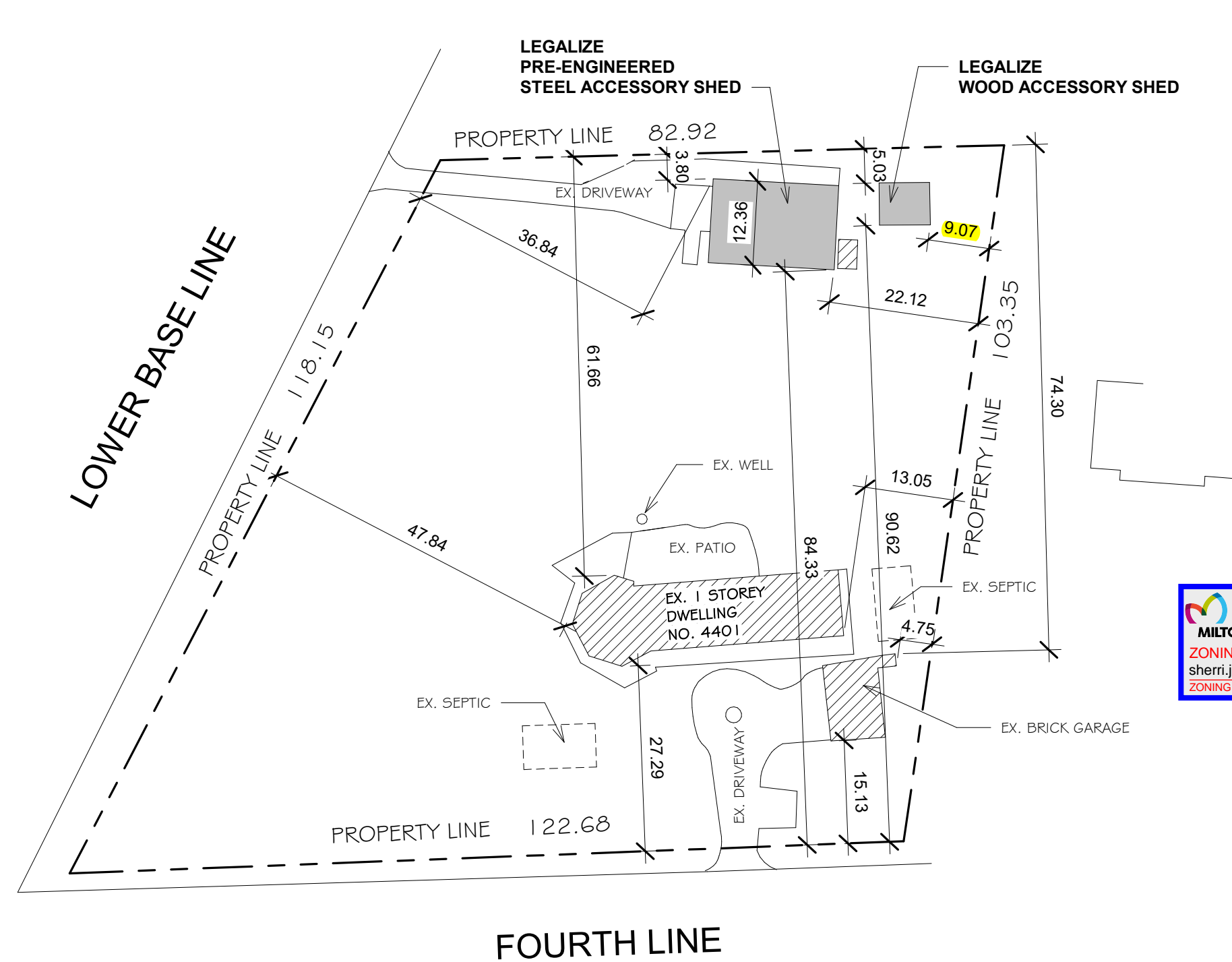
THAT the application for minor variance BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. That the owner sign a Letter of Undertaking agreeing that the only uses permitted through the A1 Zone shall take place within the accessory structures and on the property.
2. That a Building Permit be obtained for both accessory structures.
3. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met and/or Building Permits are not secured.

Rachel Suffern

Rachel Suffern, MPA, M.Sc. (PI)
Planner, Development Review


August 23, 2023



LEGAL DESCRIPTION
PART OF LOT 22
CONCESSION 2,
NORTH OF DUNDAS STREET
TOWN OF MILTON
REGIONAL MUNICIPALITY OF HALTON

SITE STATISTICS

LOT AREA	10,518.18 m2
EX. DWELLING	389.99 m2
EX. GARAGE	97.46 m2
PRE-ENGINEERED SHED	228.85 m2
WOOD FRAME SHED	46.79 m2



TOWN OF MILTON

DEVELOPMENT SERVICES

A1 ZONE

ZONING: REVIEWED FOR C of A

sherri.jamieson

ZONING OFFICER

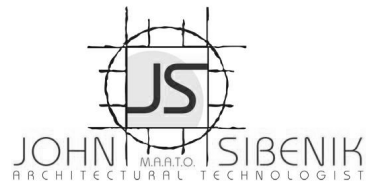
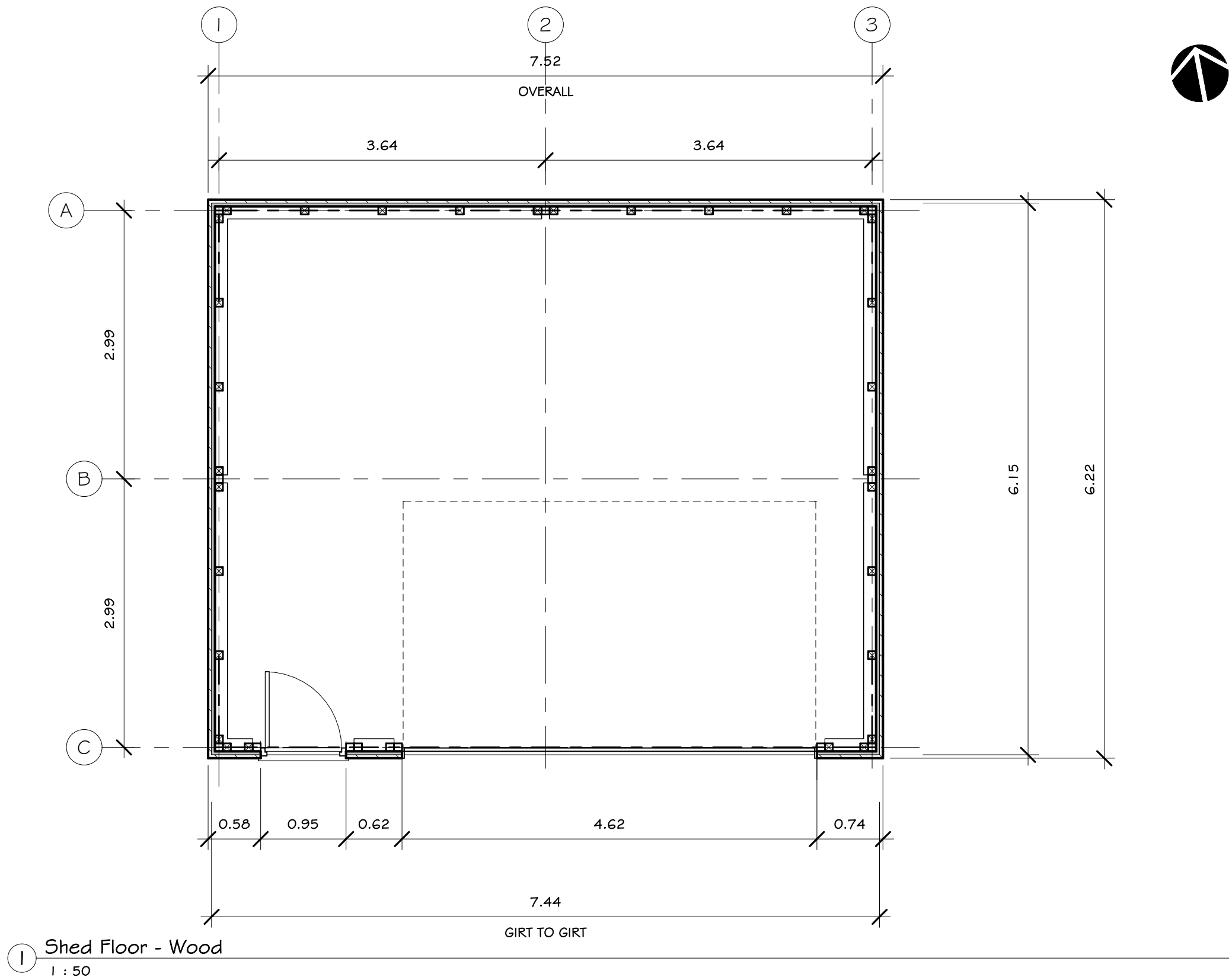
JUL 11, 2023

DATE

1 Site Plan
1 : 750

No.	Description	Date

Site Plan		
Project number	2022-37	A1
Date	June 20, 2023	
Drawn by	J.S.	
Checked by	J.S.	
		Scale 1 : 750



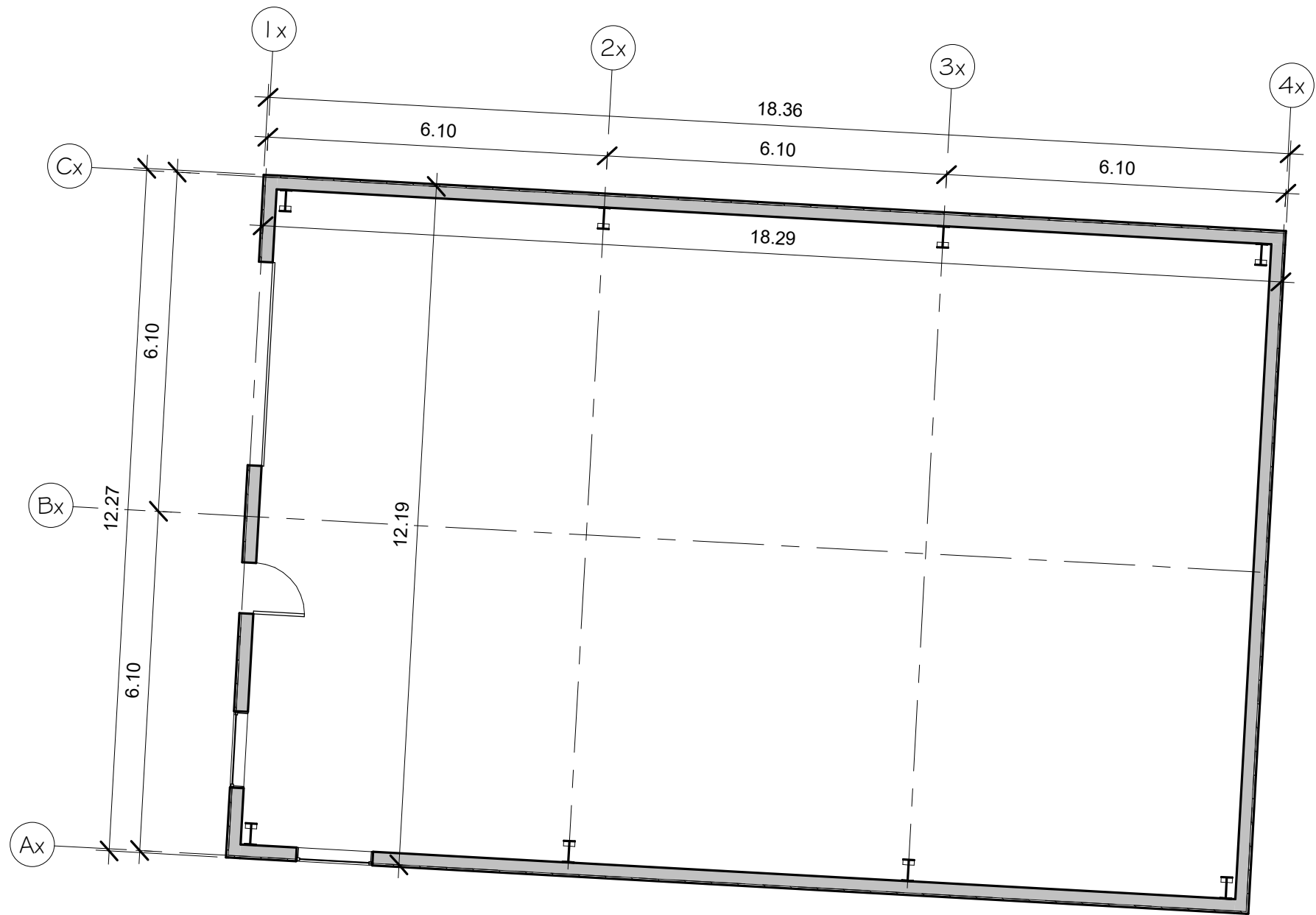
24 Ovida Ave., Toronto
Ontario M9B 1E1
Cell (416) 729-8497
Email: john.sibenik@sympatico.ca

Project:

Legalize Accessory Sheds to
Atherley / Homsy Residence
4401 Fourth Line
Milton, ON L9E 0G7

No.	Description	Date

Floor Plan of Wood Accessory Shed		
Project number	2022-37	A2.1
Date	June 20, 2023	
Drawn by	J.S.	
Checked by	J.S.	
Scale 1 : 50		



1 Shed Floor - Steel
1 : 100

No.	Description	Date

Floor Plan of Steel Accessory Shed

Project number	2022-37
Date	June 20, 2023
Drawn by	Author
Checked by	Checker

A2.2

Scale 1 : 100

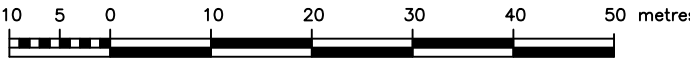
METRIC

DISTANCES SHOWN ON THIS PLAN ARE
IN METRES AND CAN BE CONVERTED
TO FEET BY DIVIDING BY 0.3048

SURVEYOR'S REAL PROPERTY REPORT

PLAN OF SURVEY OF
PART OF LOT 22
CONCESSION 2,
NORTH OF DUNDAS STREET
(ORIGINALLY IN TOWNSHIP OF TRAFALGAR)
TOWN OF MILTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 750



© COPYRIGHT, TARASICK McMILLAN KUBICKI LIMITED, 2022

REPORT SUMMARY

PROPERTY DESCRIPTION: 4401 FOURTH LINE, BEING PART OF LOT 22, CONCESSION 2, NORTH OF DUNDAS STREET (ORIGINALLY IN TOWNSHIP OF TRAFALGAR), DESIGNATED AS PART 2, PLAN 20R-3019, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON, PIN 24929-0159.

REGISTERED EASEMENTS/RIGHTS-OF-WAY: NONE REGISTERED ON TITLE.

COMMENTS: NOTE LOCATION OF THE NORTHERLY ASPHALT DRIVEWAY.

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF FOURTH LINE AS SHOWN ON PLAN 20R-3019, HAVING A BEARING OF N80°41'10"W.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
RIB	DENOTES	ROUND IRON BAR
P1	DENOTES	PLAN 20R-3019
P2	DENOTES	MACKAY, MACKAY, AND PETERS LTD. O.L.S., JULY 27, 2001
P3	DENOTES	MCCONNELL MAUGHAN LTD., O.L.S., OCT. 16, 1985

PREPARED FOR:

THIS REPORT WAS PREPARED FOR JS DESIGN AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT :

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON OCTOBER 6, 2022

OCTOBER 6, 2022

DATE

BORYS KUBICKI
ONTARIO LAND SURVEYOR

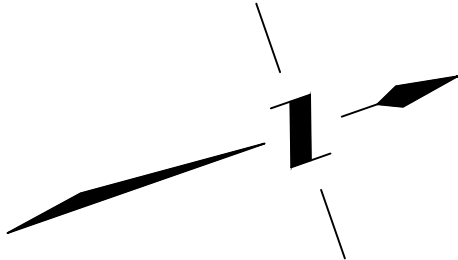
TARASICK McMILLAN KUBICKI LIMITED

ONTARIO LAND SURVEYORS

4181 SLADEVIEW CRESCENT, UNIT 42, MISSISSAUGA, ONTARIO L5L 5R2
TEL: (905) 569-8849 FAX: (905) 569-3160
E-MAIL: office@tmksurveyors.com

DRAWN BY: SJ

FILE No. 9596-SRPR



TOWN OF MILTON
DEVELOPMENT SERVICES
A1 ZONE
ZONING: REVIEWED FOR C of A
sherri.jamieson JUL 11, 2023
ZONING OFFICER DATE

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
V-35293

THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29(3)