

## **PLANNING JUSTIFICATION REPORT**

**Applications to Amend the Town of Milton Official Plan  
and Zoning By-law 016-2014 and Draft Plan of Subdivision  
Sixteen Mile Land Corp./Yates Land (Milton) Corp.  
6439 Regional Road 25  
Town of Milton**



**July 2020**

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**PURPOSE OF REPORT**

The purpose of this report is to provide an overview of the subject lands, provide an assessment of the planning policy framework and regulations governing the subject lands, and provide planning justification for the development proposal.

**PROPERTY DESCRIPTION AND SURROUNDING LAND USES**

The subject lands comprise a 7.018 ha parcel located at the northeast corner of Regional Road 25 and Louis St. Laurent Avenue, within the Bristol Survey Secondary Plan Area in the Town of Milton. The Sixteen Mile Creek bisects the property flowing in a northwest to southeast direction. Yates Drive abuts the property to the east. The location of the subject lands is shown on **Schedule 1** to this report.

The site is well tree covered and contains a mix of vegetation. The western portion of the site is cleared, vacant and relatively flat. These lands were recently in agricultural production. The eastern portion of the property contains a single detached residential dwelling and accessory structures. Access to the site is achieved from both Regional Road 25 and from Yates Drive, serving the existing dwelling.

The lands to the east and west of the site have been developed as residential. The lands at the southeast corner of Regional Road 25 and Louis St. Laurent are currently vacant. A place of worship lies further to the south. Single detached dwellings and the Sargent Farms poultry farm operation are situated to the north.

**PROPOSAL**

The proposal involves three (3) applications; amendments to the Official Plan (OPA) and Zoning By-law (ZBA) and a draft plan of subdivision. While the subdivision plan deals with the entire site, the proposed OPA and ZBA apply only to the westerly portion of the site, where three (3) six (6) storey condominium buildings and a one (1) storey common area “clubhouse” building connecting two of the condominium buildings are proposed. The architectural plans including site and elevation plans are appended to this report as **Schedule 2**.

The draft OPA attached to this report as **Schedule 3** proposes to retain the Residential/Office Area designation with a site-specific provision for a maximum density of 198 units per net hectare for the westerly portion of the site.

The current zoning on the westerly portion of the site is “Future Development”. The draft ZBA attached to this report as **Schedule 4** proposes a new Residential Medium Density II (RMD2\*xxx) Special Zone for these lands.

The applicants propose to divide the lands by way of plan of subdivision into eight (8) blocks as follows:

<b>Block #</b>	<b>Description</b>	<b>Area (ha)</b>
1	Residential	1.513
2	Natural Heritage System	3.967
3	Future Development	1.080
4	Future Development	0.140
5	Future Development	0.010
6	NHS Buffer	0.206
7	NHS Buffer	0.070
8	NHS Buffer	0.032
<b>TOTAL</b>		<b>7.018</b>

The proposed Blocks are further described below.

Block 1 is 1.513 ha in area and located at the southwest corner of the site at the corner of Regional Road 25 and Louis St. Laurent Avenue. Three (3) six (6) storey buildings are proposed, containing a total of 276 residential units within this block.

Block 2 is 3.967 ha in area and includes those lands identified and designated as Natural Heritage System (NHS) in the Regional Official Plan and the Town of Milton Official Plan. The Block generally follows the Sixteen Mile Creek and the associated valley lands.

Block 3 is a 1.08 ha future development block located northeast of the Sixteen Mile Creek with frontage onto Yates Drive.

Block 4 is a 0.140 ha future development block located at the corner of Louis St. Laurent Avenue and Yates Drive.

Block 5 is a small, irregular shaped block with frontage onto Louis St. Laurent Avenue, and identified as future development.

Blocks 6, 7, and 8 comprise a total of 0.308 ha, identified as NHS buffer blocks.

## **PRE-CONSULTATION**

A pre-consultation meeting with Town and Regional staff was initially held on November 14, 2017 to discuss the proposed applications. The November 2017 pre-consultation meeting was based on a development plan consisting of stacked townhouse and single-detached lots.

Based on a further review and assessment by the developer and its consulting team, the proposal was subsequently revised to three (3) six (6) storey apartment buildings. A further pre-consultation meeting was held on September 4, 2018 to review the revised proposal. Since pre-consultation comments are valid only for a 6-month period, a third pre-consultation meeting was required and held with Town and Regional staff on February 11, 2020. The plans, reports and studies identified at the February 2020 pre-consultation meeting have been included as part of the application submission package.

## **PLANNING FRAMEWORK**

### **Provincial Policy Statement 2020 (“PPS”)**

The Provincial Policy Statement (PPS) is issued under Section 3 of the Planning Act and came into effect on May 1, 2020, replacing the previous PPS. The PPS “sets the policy foundation for regulating the development and use of land.” The policies of the PPS address building strong healthy communities; the wise use and management of resources; and protecting public health and safety. In setting out a policy framework for growth and development, the PPS seeks to establish a balance in providing for “appropriate development while protecting resources of provincial interest, public health and safety and the quality of the natural and built environment.”

Part V: Policies, Section 1.0 focuses on building “healthy, liveable and safe communities”. Section 1.1 describes the principles which support healthy, liveable and safe communities, including:

*Policy 1.1.1. Healthy, liveable and safe communities are sustained by:*

*a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*

*b) accommodating an appropriate affordable and market-based range and mix of residential types (including single detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

*e) promoting the integration of land use planning, growth management,*

*transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

The proposed development achieves the policy objectives of providing efficient development by making full use of the developable portion of the site. The proposed development also achieves the objective of providing a range and mix of residential housing types by adding a higher density form of housing and by providing a range of unit sizes.

Settlement areas shall be the focus of growth and development [Policy 1.1.3.1]. Policy 1.1.3.2 provides direction with respect to land use patterns within settlement areas. This policy requires land use patterns based on densities and a mix of land uses which support efficient land use and infrastructure; minimize negative impacts to air quality and climate change; and which are supportive of active transportation and public transit. In this instance, the density of the proposed development is appropriate and makes efficient use of land and infrastructure. The site is served by local transit, connecting the site and its residents to nearby community facilities such as libraries, medical facilities, recreational opportunities and shopping.

The PPS also includes policies to address housing needs in the Province. Policy 1.4 provides direction to municipalities in planning and providing for housing. In addition to providing direction with respect to ensuring adequate supply of land and servicing infrastructure, the PPS provides direction with respect to densities.

#### *Policy 1.4 Housing*

*1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

##### *b) permitting and facilitating:*

- 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
- 2. all types of residential intensification, including additional residential units and redevelopment in accordance with policy 1.1.3.3;*

*c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*

*d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed;*

*e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*

*f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

Policy 1.5 speaks to the importance of public open spaces and recreational opportunities.

*Policy 1.5 Public spaces, recreation, parks, trails and open space*

*1.5.1 Healthy, active communities should be promoted by:*

*a) Planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;*

*b) Planning and providing for a full range and equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open spaces areas, trails and linkages, and, where practical, water-based resources.*

The proposed development includes internal roadways designed to safely accommodate pedestrians. There are opportunities for trail connections to connect the development to the adjacent natural areas.

Policy 1.6.6 focuses on the provision of sanitary, water and stormwater services. The PPS speaks to ensuring that growth and development make efficient use and optimize existing infrastructure.

*1.6.6.1 Planning for sewage and water services shall:*

*a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:*

*1. Municipal sewage services and municipal water services;*

The proposed development makes use of existing municipal water and wastewater services.

*1.6.6.7 Planning for stormwater management shall:*

- a) be integrated with planning for sewage and water services and ensure that the systems are optimized, feasible and financially viable over the long term;*
- b) minimize, or where possible, prevent increases in contaminant loads;*
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces; and*
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

The Stormwater Management and Functional Servicing Report prepared in support of these applications addresses the means of stormwater management in order to control the quality and quantity of stormwater from the site. The proposed handling of stormwater includes stormwater attenuation and the re-use of some portions of stormwater for on-site irrigation purposes.

Policy 1.6.7 deals with transportation systems. Policy 1.6.7.4 is relevant to the proposed development:

*1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*

The subject lands are located at the intersection of two arterial roads and served by Milton Transit (Routes 9 and 10). Potential future trail connections may provide for alternate transportation modes to connect to nearby identified secondary nodes and the Central Business District.

Part V, Section 2.0 of the PPS deals with the wise use and management of resources. The subject lands include lands that are designated as Greenlands A

Area in the Milton Official Plan, also identified as Greenbelt Natural Heritage System (Overlay) on Map 1 of the Region of Halton Official Plan. Section 2.1 is therefore relevant to the consideration of this development.

## *2.1 Natural Heritage*

*2.1.1 Natural features and areas shall be protected for the long term.*

*2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*

*2.1.3 Natural heritage systems shall be identified in Ecoregions 6E & 7E<sup>1</sup>, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.*

*2.1.4 Development and site alteration shall not be permitted in:*

- a) significant wetlands in Ecoregions 5E, 6E and 7E<sup>1</sup>; and*
- b) significant coastal wetlands.*

*2.1.5 Development and site alteration shall not be permitted in:*

- a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E<sup>1</sup>;*
- b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)<sup>1</sup>;*
- c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)<sup>1</sup>;*
- d) significant wildlife habitat;*
- e) significant areas of natural and scientific interest; and*
- f) coastal wetlands in Ecoregions 5E, 6E and 7E<sup>1</sup> that are not subject to policy 2.1.4(b)*

*unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

With regard to the above policies, the Environmental Impact Assessment (EIA) completed by LGL and Jennifer Lawrence and Associates (June 2020) has documented and evaluated the natural features and functions on the subject lands. The EIA concludes that development is not proposed within these areas. Additionally, a sufficient buffer has been provided to ensure that any potential negative impacts on these features from the proposed development will be mitigated. The EIA notes that the removal of the existing bridge crossing and the creation of the stormwater management outfall must, by their nature, be undertaken within the NHS.

*2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*

The EIA confirms the Sixteen Mile Creek and the unnamed tributary as fish habitat. Most notably, Sixteen Mile Creek is identified as habitat for the Silver Shiner, which has been identified provincially as a “Threatened” species and protected under the Ontario Endangered Species Act, 2007. The EIA notes that consultation with the Ministry of the Environment, Conservation and Parks (MECP) and Fisheries and Oceans Canada (DFO) will be required with respect to the construction of the stormwater outfall due to the potential for impacts to the aquatic habitat. Details with respect to mitigation measures can be found in Sections 8.6 and 10 of the EIA, submitted along with the subject development applications.

*2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*

Wildlife habitat and communities were assessed by LGL and Jennifer Lawrence and Associates and documented in the EIA. The study notes that “the majority of the species observed are considered secure and common to the community types found within the Study Area...”. Several Species at Risk were identified: Silver Shiner (Threatened), Snapping Turtle (Special Concern), and Myotis Bats (Endangered). Mitigation measures for the protection of these species is detailed in the EIA under Section 10. In all cases the EIA reports that effective mitigation measures are available either through establishment of buffer zones, timing of construction, or other means.

*2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

Natural Heritage features have been documented and assessed in the EIS. The EIA notes that “setback and buffers are typically applied to Natural Heritage features to maintain and protect the ecological integrity and function of the feature and to comply with provincial and municipal policies.” Accordingly, Section 6.1 of

the EIA includes a table (Table 7) of recommended buffers and setbacks to ensure that the features and their functions are maintained.

## *2.2 Water*

*2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:*

- a) Using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;*
- c) Evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level;*
- e) Maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;*
- f) Implementing necessary restrictions on development and site alteration to:
  - 1. Protect all municipal drinking water supplies and designated vulnerable areas; and,*
  - 2. Protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;**
- g) Planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;*
- i) Ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.*

Impacts on the quality and quantity of water have been assessed by Terraprobe Inc. in the Hydrogeological Report (February 2020), the Stormwater Management and Functional Servicing Report prepared by A.M. Candaras Associates Inc. (June 2020) and addressed in the EIA under Section 8.2.3.

With respect to stormwater, the proposed outfall has been designed to minimize impact on significant vegetation communities and wildlife habitat. Thermal impacts are anticipated to be negligible with no negative impacts to the Silver Shiner. Quality of the stormwater will be controlled through an underground tank and treatment system prior to discharge to Sixteen Mile Creek. No negative impact is anticipated on the wetland, which is primarily surface water fed.

The EIA notes the potential for impacts to the Sixteen Mile Creek and valley system from erosion and sedimentation of exposed soils during construction. The EIA recommend mitigation measures (see Table 8 of the EIA) to minimize negative impacts.

### 3.1 Natural hazards

*3.1.1 Development shall generally be directed to areas outside of:*

*b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and*

*3.1.2 Development and site alteration shall not be permitted within:*

*d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.*

The EIA confirms that all development is proposed outside of the natural hazards associated with flooding and erosion. Site alteration (removal of the bridge and installation of the stormwater management outfall) are temporary activities which will, by necessity, occur within the natural hazard area.

It is my opinion that the development proposal is consistent with the PPS (2020).

### **Growth Plan for the Greater Golden Horseshoe 2019 (“Growth Plan”)**

The current version of the Growth Plan for the Greater Golden Horseshoe 2019 (“Growth Plan”) was prepared and approved under the Places to Grow Act, 2005 and took effect on May 16, 2019. It provides policies for the management of population and employment growth, and to guide municipal decisions on a variety of issues such as transportation, infrastructure planning, land-use planning, urban form, housing, natural heritage, and resource protection.

The Guiding Principles (Section 1.2.1) of the Growth Plan provide a foundation for the Plan’s principles and policies. Guiding Principles include the following:

- *Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime;*
- *Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability;*
- *Support a range and mix of housing options including second units and affordable housing to serve all sizes, incomes, and ages of households.*

These Guiding Principles have been implemented through specific policies contained in Section 2 (Where and How to Grow). The Growth Plan emphasizes building of compact and complete communities that are well-designed, offer transportation choices and use of active transportation, accommodate people's needs throughout an entire lifetime and have an appropriate mix and range of housing, jobs, local services, and public service facilities.

Section 2.1 provides context for the policies of the Plan. Some of the key paragraphs within Section 2.1 of the Growth Plan are outlined as follows:

*“This Plan is about accommodating forecasted growth in complete communities. These are communities that are well designed to meet people’s needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes.”*

*“To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options...”*

Section 2.2.1 of the Growth Plan sets out policies for managing growth. The following sections which are pertinent to the applications are summarized below and include:

*2.2.1.2 c) within settlement areas, growth will be focused in:*

- i. delineated built-up areas;*
- ii. strategic growth areas;*
- iii. locations within existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
- iv. areas with existing or planned public service facilities.*

The Growth Plan definition of strategic growth areas includes the following statement: *“Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be*

*identified as strategic growth areas.”* The subject property is located at the intersection of a Minor Arterial Road (Louis St. Laurent) and a Major Arterial Road (Regional Road 25) (Milton Official Plan, Schedule F). Regional Road 25 north of Britannia Road is identified on Schedule K of the Milton Official Plan as an Intensification Corridor, and displays many of the characteristics of a strategic growth area described in the Growth Plan.

Section 2.2.1.3 provides direction to municipalities to include policies that:

*c) provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.*

The subject lands make effective and efficient use of infrastructure.

Section 2.2.2.4 speaks to how the application of Growth Plan policies will “*support the achievement of complete communities*” that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services and public service facilities;*
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
- d) expand convenient access to:*
  - i) a range of transportation options, including options for the safe, comfortable, and convenient use of active transportation;*
  - ii) public service facilities, co-located and integrated in community hubs;*
  - iii) an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
  - iv) healthy, local and affordable food options, including through urban agriculture;*
- e) provide for a more compact built form and vibrant public realm, including public open spaces;*
- f) mitigate and adapt to climate change impacts, improving resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and*

- g) *integrate green infrastructure and appropriate low impact development.*

The proposal for multi-family residential contributes to complete communities. It adds to the range of housing options available in the community, with convenient access to public transit, trails, open space, and public servicing facilities including recreational opportunities. The development represents a compact built form, and contributes to environmental sustainability using best practice stormwater management techniques and mitigating impacts on the natural environment.

*2.2.4.10 Lands adjacent or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.*

As noted, the subject lands are adjacent to a transit route. Multi-family residential development at the density proposed is transit-supportive.

It is my opinion that the development proposal conforms to the Growth Plan.

### **Region of Halton Official Plan 2018 (ROP)**

The subject lands are designated “Urban Area” by the Halton Region Official Plan as amended by ROPA 38, and includes lands which are designated as Regional Natural Heritage System (RNHS). Regional Road 25 is a Major Arterial identified on Map 3 of the ROP, with a ROW width of 42m.

As articulated in Part III, Section 44 of the ROP, the Region’s primary role is to provide broad policy direction on strategic matters. Detailed land use policies and designations are left to the local area municipality, and local official plans are considered ‘extensions’ of the Regional Plan. Nonetheless, there are specific policy matters of Regional interest that are of note with respect to the subject lands.

Part III, Section 72 sets out the objectives of the Urban Area designation. Notably:

*72. (1) To accommodate growth in accordance with the Region’s desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently.*

*72 (2) To support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes sufficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy.*

The proposed development contributes to the development of healthy, complete communities by providing a compact form of residential accommodation that is

transit-supportive, and respects and maintains the natural features present on the property.

ROPA 38 has eleven (11) objectives associated with the Urban Area. Two applicable objectives addressed by the proposed development are:

*72(6) To identify an urban structure that supports the development of Intensification Areas.*

*72(9) To facilitate and promote intensification and increased densities.*

Policy 78 of ROPA 38 addresses Intensification Areas. Intensification Areas are defined to consist of an Urban Growth Centre; Major Transit Station Areas; Intensification Corridors as identified in Local Official Plans, and Mixed-Use Nodes. Through the adoption of Official Plan Amendment No. 31, (“OPA 31”) to the Town of Milton Official Plan, the Town has designated Regional Road 25 as an Intensification Corridor. OPA 31 is approved and in effect for the Urban Area.

It is a policy of the Region to direct development with higher densities and mixed uses to Intensification Areas. ROPA 38 contains the following definition of an Intensification Corridor:

*“Intensification Corridor means Intensification Areas identified along major roads, arterials or higher order transit corridors that have the potential to provide a focus for higher density mixed-use development consistent with planned transit service levels”.*

The subject lands are adjacent to an Intensification Corridor (Regional Road 25) as identified in the Milton Official Plan. Policy 81(7) requires Local Municipalities to prescribe in Official Plans and Zoning By-laws minimum development densities for lands within Intensification Areas and to promote development densities that support existing and planned transit services. ROPA 38 also encourages Local Municipalities to adopt parking standards and policies within Intensification Areas to promote the use of active transportation and public transit.

Policy 86(6) states that it is the policy of the Region to adopt housing targets whereby at least 50% of new housing units produced annually in the Region be in the form of townhouses or multi-storey buildings and that at least 30% of new housing units be affordable or assisted housing. Policy 86(11) states that the Region permits intensification of land use for residential purposes such as infill, redevelopment, and conversion of existing structures provided that the physical character of existing neighbourhoods can be maintained. The development proposal for these lands will contribute to achieving the target for multi-storey buildings/units and will be in keeping with the neighbourhood character.

Part III, Section 118(3) is also applicable, given the Regional Natural Heritage

System designation on a portion of the subject lands.

*118(3) Require the proponent of any development or site alteration that meets the criteria set out in Section 118(3.1) to carry out an Environmental Impact Assessment (EIA)...”*

The EIA undertaken in support of this application meets this requirement of the ROP, including identifying Key Features and assessing potential impacts of development and recommending mitigation measures.

### Healthy Communities Guidelines

We have also reviewed the Region’s Healthy Communities Guidelines. These guidelines address: the built environment; mobility; the natural environment and open space; human services; sustainable design; the economy and community food supply.

The Healthy Communities Guidelines state that a number of built environment elements can contribute to a healthy community such as compact development. The development of the subject lands as proposed represents, in our opinion, a compact development within an existing walkable and well-connected community and it will add to the current housing options for residents.

It is my opinion that the development proposal conforms to the ROP.

### Town of Milton Official Plan (MOP)

The Region of Halton approved Amendment No. 31 to the Milton Official Plan on November 22, 2018.

The subject lands are within the Bristol Survey Secondary Plan Area. Schedule C.6.D (Land Use Plan) designates the property as Residential/Office Area (with a Special Study Area overlay); and Greenlands A Area.

In addition to the specific policies of the Bristol Survey Secondary Plan, the following policies of the parent MOP are applicable:

#### 3.3. Residential/Office Area

*3.3.1.1. The Residential/Office Area designation on Schedule “B” is intended for lands within the established Urban Area and HUSP Urban Area where higher density development is to be encouraged, include lands at gateways to the community and adjacent to major open space, commercial nodes and major institutional uses. The permitted uses will be primarily high rise residential uses, but may also include office and accessory local commercial uses which are located in the residential or office buildings, particularly adjacent to*

*gateways and major institutional uses.*

### *3.3.2 Permitted Uses*

*The Residential/Office Area designation on Schedule “B” means that the main permitted uses shall be high rise residential uses at a minimum density of 85 units per net hectare and a maximum density of 150 units per net hectare.*

The proposed development is in keeping with the Residential/Office Area designation in that it provides for a higher density development at a significant intersection and gateway. An amendment to the Official Plan is required as the proposed density of 198 units per hectare exceeds the maximum density established by this policy.

It is worth noting that the Residential/Office Area policies for the Sherwood Survey Secondary Plan west of Regional Road 25 identify the intersection of Louis St. Laurent and Regional Road 25 as a gateway as per the following policy:

*Section C.8.5.2. ...In addition, development in the Residential/Office Area designations;*

- a) at the intersection of Regional Road 25 and Louis St. Laurent Ave., and Tremaine Road (Regional Road 22) and Louis St. Laurent Ave. will reflect the significance of these gateway locations in accordance with the policies of Section C.8.4.6.*

The proposed development reflects the gateway nature of the intersection by providing taller buildings oriented to the street.

The pertinent policy for the Natural Heritage System designation are as follows:

### *3.12 Regional Natural Heritage System*

*3.12.1.1 The Regional Natural Heritage System designation as shown on Schedule "B" recognizes those areas within the Urban Area where protection and preservation of natural heritage features and areas and their ecological functions is required, in accordance with the policies of Sections 4.8 and 4.9 of this Plan.*

*4.8.1.1 The Natural Heritage System consists of the Regional Natural Heritage System and the Greenbelt Natural Heritage System.*

*4.8.1.5 The goal of the Natural Heritage System is to ensure that the biological diversity and ecological functions within the Town and broader Halton Region will be preserved and enhanced for future*

*generations.*

With respect to development, Section 4.9.3 provides specific direction:

*4.9.3.1 The Town shall apply a systems based approach to implementing the Regional Natural Heritage System by:*

*b) Not permitting the alternation of any components of the Regional Natural Heritage System unless it has been demonstrated that there will be no negative impacts on the natural features and areas or their ecological functions; in applying this policy, agricultural operations are considered as compatible and complementary uses in those parts of the Regional Natural Heritage System under the Agricultural System and are supported and promoted in accordance with policies of this Plan.*

As discussed elsewhere in this report, the findings of the EIA completed in support of this development proposal confirm that there will be no negative impacts on the natural features and their functions as a result of this development.

#### Bristol Survey Secondary Plan

Bristol Survey Secondary Plan was approved by amendment to the Official Plan adopted by Milton Council on December 15, 1998 and approved by the Region, with modifications on September 22, 1999. Section C.6 of the MOP sets out the policies applying to lands within the Bristol Survey Planning District.

The lands are identified on Schedule C.6.D as Residential/Office Area and Greenlands A Area, with a Special Study Area overlay.

Section C.6.2.1 describes the community character for the Bristol Survey Secondary Plan, including a clear physical connection to the Milton Urban Area particularly the Central Business District and open space linkages within the district and with the broader community. Key design features intended to achieve that community character include a linked open space system, a bicycle/pedestrian trail system and a community structure based on four identifiable neighbourhoods. The subject lands are identified on Schedule C.6.A as being within the Coates Neighbourhood.

Section C.6.4 of the Plan establishes Strategic Policies to achieve the vision for the community. The following Sections are particularly relevant to the subject lands:

#### *C.6.4.3 Sixteen Mile Creek Sub-Watershed Study Areas 2 and 7*

*All new development within Subwatershed Areas 2 and 7 shall comply with*

*the recommendations of the Subwatershed Plan. Functional recommendations specifically focused on the Bristol Survey Secondary Plan Area will also apply, subject to verification as part of the completion of the subwatershed planning process. No amendments to the Secondary Plan shall be required to implement the recommendations of the Subwatershed Plan.*

The findings of the Subwatershed Study are addressed in the EIA submitted in support of this application. In particular, both the original subwatershed study and the 2015 update identify the presence of Silver Shiner in the branch of the Sixteen Mile Creek that flows through the subject property. Protection of the Silver Shiner is addressed in the EIA.

#### *C.6.4.4 Housing Mix*

*The ultimate housing mix targets for the Urban Area as found within Section 2.7.3.1 of the Official Plan shall apply to the Bristol Survey Planning District. These targets are 60 percent single detached and semi-detached, 15 percent row housing or similar housing forms and 25 percent apartment or similar housing form mix.*

The subject proposal will assist in meeting these targets by adding apartment units to the community's housing mix.

#### *C.6.4.5. Urban Design*

*C.6.4.5.2 Further to, and in accordance with the policies of Section 2.8 of this Plan, all development within the Bristol Survey Planning District shall be designed in a manner which reflects the following urban design objectives and the Urban Design Guidelines in the Bristol Survey Implementation Strategy:*

- a) To create new development that has an immediate character in part by retaining, where possible, through site specific assessment, existing vegetation, and character buildings;*

The subject proposal retains existing vegetation associated with the Sixteen Mile Creek valley system with appropriate buffers.

- b) To create a linked open space system that provides well connected strategically located, highly visible and thereby safe greenspace corridors throughout the community;*

The Sixteen Mile Creek provides for a linked greenspace connection with lands to the north and south. Schedule C.6.C of the Official Plan identifies a conceptual trail system on the east side of the Sixteen Mile Creek.

- d) *To provide a framework for the continued development of a diverse and distinct community identity with viable commercial and public use facilities which will serve the growing needs of the surrounding community while complementing the existing facilities of the Central Business District;*

The proposed apartment development adds density to the area contributing to the viability of local commercial uses.

- e) *To provide a high quality streetscape design to accommodate safe pedestrian, bicycle and vehicular links within the Bristol Survey Secondary Plan lands and to the surrounding community;*

The proposed buildings contribute to a high-quality streetscape by providing for buildings at or near the street at a key intersection. Internal drives and pathways provide safe transportation connections.

- g) *To establish Regional Road 25 as a gateway which reflects the unique natural open space character of the community through the provision of streetscape treatments and the siting and design of buildings and structures.*

As noted above, the addition of taller building elements oriented to the street at a key intersection contributes to the sense of Regional Road 25 as a gateway and intensification corridor.

An Urban Design Brief has been prepared in support of the proposed development addressing the design considerations in the OP. The subject proposal is in keeping with these Urban Design objectives. Additionally, shadow impacts from the proposed development have been assessed by ATA Architects Inc. as documented in the Design Brief, and found to be acceptable.

Section C.6.5.16 addresses the Special Study Area overlay.

#### *C.6.5.16 Special Study Area:*

*The Special Study Area designation shown on Schedule C.6.C of this Plan is an overlay designation and applies to those lands where further study may be required with respect to planning, transportation, or environmental issues. Future permitted uses in and adjacent to the Special Study Area will depend on the results of a specific Special Study Area study. No amendment to this Plan will be required to implement the most appropriate land uses for the area in question, as determined through the Special Study Area study.*

As confirmed with Town Planning staff, the studies undertaken in support of this development proposal satisfy the requirements for the Special Study Area as it pertains to the subject lands.

### **Town of Milton Zoning By-law 016-2014 (“Zoning By-law”)**

The subject lands are currently zoned Future Development (FD) Zone and Natural Heritage System (NHS) Zone in the Town of Milton’s Comprehensive Zoning By-law 016-2014.

In Section 12 of the Zoning By-law, a Future Development (FD) Zone only permits uses that legally existed on the date the By-law came into effect. Therefore, any redevelopment would require a rezoning application.

Further, as outlined in Section 11 of the Zoning By-law, the Natural Heritage (NHS) Zone only permits existing residential and non-residential uses, as well as forestry uses. The existing NHS Zone would recognize the existing detached dwelling on the property.

In order to permit the proposed residential development, the rezoning of the subject lands is deemed necessary.

### **DRAFT OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS**

We have prepared a Draft OPA and ZBA in support of the applications.

The Draft OPA is attached as **Schedule 3** to this report. The Draft OPA applies to the lands currently designated Residential/Office Area and retains that designation with permission for a maximum density of 198 units per net hectare whereas 150 units per net hectare is currently permitted.

The Draft ZBA appended as **Schedule 4** to this report proposes to change the existing Future Development (FD) Zone to a new Residential Medium Density II (RMD2\*xxx) Zone to permit the proposed development. The special provision will include a maximum of 276 residential apartment units; a maximum building height of six (6) storeys; reduction in the parking standard to 1.38 spaces per unit inclusive of visitor parking; and various modifications to the proposed setbacks, following road widening, based on the building layout and configuration.

### **DRAFT PLAN OF SUBDIVISION**

A draft plan of subdivision has been prepared to create blocks intended for development and protection of the NHS. A development block (Block 1) of 1.513 hectares at the intersection of Louis St. Laurent Avenue and Regional Road 25 is the subject of the OPA and ZBA applications. Additional blocks provide for future

residential development on the east side of the Sixteen Mile Creek and the creation of NHS blocks and associated buffer blocks.

### **TECHNICAL SUPPORT OF THE APPLICATIONS**

In support of the applications, technical studies have been prepared in keeping with the studies identified through the pre-consultation process. These studies/reports form part of, and are integral to my planning opinion on the revised applications. A brief overview of the technical reports is as follows:

#### **Urban Design Brief (ATA Architects Inc. June 30, 2020)**

ATA Architects Inc. has provided an assessment of the proposal's conformity with the Town of Milton Urban Design Guidelines, including the Mid-Rise Design Guidelines (May 2018). A summary of the Urban Design Brief is as follows:

- The proposed six (6) storey buildings meet the Guidelines' definition of mid-rise.
- The building facades have an appropriate and desirable relationship to the street.
- Below-grade parking provided avoids a large expanse of surface parking.
- The proposal provides for a gradual transition to the four (4) storey buildings across Regional Road 25.
- Amenity areas exceed Town of Milton's minimum standards.
- Shadow impacts generally conform to the Town of Milton Shadow Impact Analysis Guidelines and will not have a significant impact on the adjacent residential to the west.

ATA Architects Inc. concludes that "The proposed development adheres to the Urban Design Guidelines and the Mid-Rise Guidelines."

#### **Environment Impact Assessment (LGL/Jennifer Lawrence and Associates, June 2020)**

LGL Limited (LGL) and Jennifer Lawrence and Associates Inc. were retained to conduct natural heritage and planning studies for the subject lands. The studies were conducted to address Region of Halton and Conservation Halton (CH) environmental impact assessment requirements associated with the development applications for the property. The EIA concludes overall that the proposal is consistent with and in conformity with applicable provincial, regional and CH policies. The detailed report findings have been referred to throughout this report.

#### **Tree Preservation – Arborist Report (LGL July 2020)**

LGL conducted a tree inventory and collected information including individual tree species, diameter, and tree condition. A screening was done to identify any

species regulated by the Ontario *Endangered species Act (2007)*. A summary of the report is as follows:

- A total of 278 trees were identified and assessed.
- Apart from ash trees, most trees on site are in good health.
- There are no species regulated by the *Ontario Endangered Species Act*.
- Potential impacts of development to trees include soil compaction and root cutting.
- Tree protection measures to restrict construction activity will be required and are detailed in the report.
- A total of 21 trees are expected to be removed from the tableland as a result of residential development.
- A total of 23 trees are expected to be removed within the valley lands to accommodate stormwater management infrastructure.
- Removal of vegetation should occur outside of the bat roosting period. (April 1 to September 30) and generally avoided during bird breeding season (mid-March to late August).

#### **Stormwater Management Report and Functional Servicing Report (A.M. Candaras Associates Inc, June 2020)**

A.M. Candaras Associates Inc. has prepared a functional servicing report for the subject lands, which includes an assessment of current stormwater conditions and proposed stormwater management approach to control both quality and quantity of stormwater flows. The report is summarized as follows:

- Sanitary servicing for the development will be provided by connecting to the existing 825mm sanitary sewer on Louis St. Laurent Avenue.
- Water servicing for the development will be provided by connecting to the existing 750mm watermain on Louis St. Laurent Avenue.
- An underground concrete stormwater tank structure will be provided to achieve extended detention, and achieve water balance by reusing captured water for on-site irrigation purposes.
- A JellyFish unit will be provided to achieve Level 1 enhanced quality protection.
- Permits will be required from Conservation Halton for the development of the storm outfall.

#### **Hydrogeological Investigation (Terraprobe Inc., February 2020)**

Terraprobe Inc. was retained to complete a hydrogeological investigation to assess the hydrogeological function of the subject lands including long-term water level monitoring. Ground water level monitoring, hydraulic conductivity testing and ground water quality analysis were completed. An assessment was completed to

evaluate the potential impacts to surrounding ground water users and natural features. A summary of the Hydrogeological Investigation is as follows:

- Pre-development infiltration levels can be maintained.
- De-watering during construction will be required; it is recommended that these flows be directed to municipal sewers.
- Longer term discharge from sub-floor drains will be suitable for discharge to Sixteen Mile Creek.
- Private wells were identified in the vicinity from the MECP well records data base with reported low quality and low yields. It is expected that most of these wells have been decommissioned as a result of urban development occurring on full municipal services.

### **Phase 1 and Phase 2 ESA, (Terraprobe Inc., 2017, 2019)**

Terraprobe Inc. was retained in September 2017 to undertake a Phase 1 ESA for the subject lands. Based on the Phase 1 findings, Terraprobe Inc. was subsequently retained to complete a Phase 2 Environmental Site Assessment (Phase 2 ESA). The Phase 2 ESA was required to investigate the Areas of Potential Environmental Concern (APECs) for the Potential Contaminants of Concern that were identified on the property. Having completed the Phase 2 ESA study in 2019, Terraprobe Inc. concluded that there was no exceedance of applicable site condition standards was noted in fill, soil, groundwater samples and no remediation is required.

### **Geotechnical Investigation and Erosion Risk Assessment (Terraprobe Inc., March 30, 2020)**

Terraprobe Inc. was retained to carry out a geotechnical investigation and erosion risk assessment for the subject lands. The purpose of the work was to investigate and report on the subsurface soil and ground water conditions in a series of boreholes drilled at the site. Based on this information, a slope stability assessment was completed to determine the Long-Term Stable Slope Crest.

### **Geotechnical Assessment and Findings**

- Surface overburden soils are comprised of Halton Till with an underlay of bedrock (Queenston Formation).
- Soils generally have low permeability.
- Construction dewatering and seasonal fluctuations may cause significant change to depth of groundwater.
- Construction recommendations including foundation design are included in the report.

## Erosion Assessment and Findings

- Valley slopes are relatively stable in their current condition.
- Some active erosion along creek banks was noted.
- There is a slight to moderate potential for unstable slopes with a slope stability rating in the range of 23 to 45.
- A further reading of groundwater levels is recommended prior to construction.
- A toe erosion setback of 5m is recommended for the entire site slope as per MNR Guidelines.
- A long-term stable slope crest is identified and mapped in the report along with setbacks in accordance with CH standards.

## **Transportation Impact, Parking and TDM Study (Paradigm Transportation Solutions Limited July 2020)**

A Transportation Impact, Parking and Travel Demand Management Study was prepared based on pre-consultation with staff from the Town of Milton and Region of Halton. The study was completed using Halton Region Transportation Impact Study Guidelines. The study examined and assessed the intersection of Regional Road 25 and Louis St. Laurent Avenue (signalized) and up to two (2) site driveways onto Regional Road 25, which are assumed to be unsignalized. A summary of the Paradigm work is as follows:

### Traffic Impact

Detailed traffic analysis was conducted for each of the study area intersections. A summary is as follows:

- The analysis included existing (base) conditions, and forecasted conditions for the year 2024 and 2029.
- The current deficiencies at the intersection of Regional Road 25 and Louis St. Laurent can be expected to continue independent of the development of the subject lands.
- Impacts from the development to peak hour operations at that intersection are expected to be relatively minor.
- No improvements to the intersection are required to accommodate the proposed development.
- A northbound right turn taper is recommended to allow right-turning traffic to safely slow down without interfering with the flow of through traffic on Regional Road 25.

### Parking

The development proposes a total of 383 parking spaces (plus 21 tandem spaces) which equates to a parking rate of approximately 1.39 parking spaces per unit

(combined resident and visitor). Included in the total parking spaces provided are 10 accessible parking spaces located in both the above-grade and below-grade parking areas. The current Town of Milton Zoning standards require 1.75 spaces per unit. In support of the proposed reduction in parking standards, Paradigm projected peak demand for the site at 362 spaces (1.31 spaces per unit) based on a review of compiled parking surveys and industry standard rates from the ITTE Parking Generation.

As Paradigm noted, a reduced parking supply is one of the most effective TDM measures available to encourage the shift away from private automobile travel. The subject lands are served by transit connecting to the downtown and Milton GO. Fifty-five (55) bicycle parking spaces are required (0.2 per unit) and will be provided on site. A reduced parking standard combined with other TDM measures will assist the Town in shifting its modal split towards alternative modes of travel.

#### **Noise Feasibility Study (HGC Engineering July 24, 2020)**

HGC Engineering conducted a noise feasibility study for the proposed development. The studies key findings are:

- Future road traffic sound levels will exceed MECP standards.
- Central air-conditioning and upgraded glazing on windows will be required.
- Warning clauses are recommended to advise residents of noise impacts.
- Sound levels from proposed rooftop units will not result in sound emissions exceeding MECP limits.

#### **Stage 1 – 2 Archaeological Assessment (Archaeological Assessments Ltd., September 12, 2017)**

Archaeological Assessments Ltd. conducted fieldwork and completed an assessment of the subject lands in accordance with the Ontario Heritage Act and technical guidelines from the Ministry of Tourism and Culture. No archaeological sites were encountered and the study concluded that no further archaeological assessment of the site is required. The Ministry of Tourism, Culture and Sport subsequently reviewed and accepted the submission. The study was entered into the Ontario Public Register on February 13, 2018.

#### **Technical Considerations**

From a technical perspective, the various technical reports and studies prepared in support of the proposed development do not raise any technical concerns.

## **PLANNING OPINION AND CONCLUSIONS**

Based on our review of the pertinent planning documents and the aforementioned technical studies, it is our opinion that the proposed development of the westerly portion of the subject lands for three (3) six (6) storey buildings, providing a total of 276 condominium apartment units is appropriate, compatible and represents good planning. The development of these lands at a higher density, in a mid-rise built form will achieve several policy directives of the PPS, Growth Plan, Regional Official Plan (i.e. ROPA 38), and the Milton Official Plan including the Bristol Survey Secondary Plan. The proposal represents reasonable intensification within a designated Intensification Corridor, and will help achieve a range and mix of dwelling units and housing opportunities.

With respect to compatibility, the subject lands are located across from a four (4) storey apartment building and townhouses. The Sixteen Mile Creek and the associated valley feature and related vegetation will be protected which provides separation and screening from adjoining lands to the north.

1. The proposal represents an efficient use of land and infrastructure and an appropriate form of development at a key gateway intersection in the Bristol Survey community. The 2020 PPS states that land use patterns shall be based on densities and a mix of land uses which, among other matters, are transit-supportive. The proposed development is consistent with the 2020 PPS.
2. The Provincial Growth Plan emphasizes the need to build well-designed, complete communities that offer a complete range of housing types and intensification is encouraged. The proposed high-density development represents reasonable intensification and offers an alternative housing form in the Coates Neighbourhood and broader Bristol Survey community. The proposed development conforms to the Growth Plan.
3. The proposed high-density development conforms to the goals, objectives and policies of ROPA 38 regarding housing, intensification, environmental protection (i.e. NHS) and servicing and complies with the Region's Healthy Community Guidelines.
4. The height and massing of the proposed building satisfies the criteria outlined in the MOP policies. Permission for an increased density of 198 units per hectare is appropriate given that the subject lands are located along a Major Arterial Road identified as an Intensification Corridor and are situated at a key gateway location.
5. The proposed high density, six (6) storey apartment buildings at this location do not result in undue shadowing on the lower-profile low and medium density residential to the west.

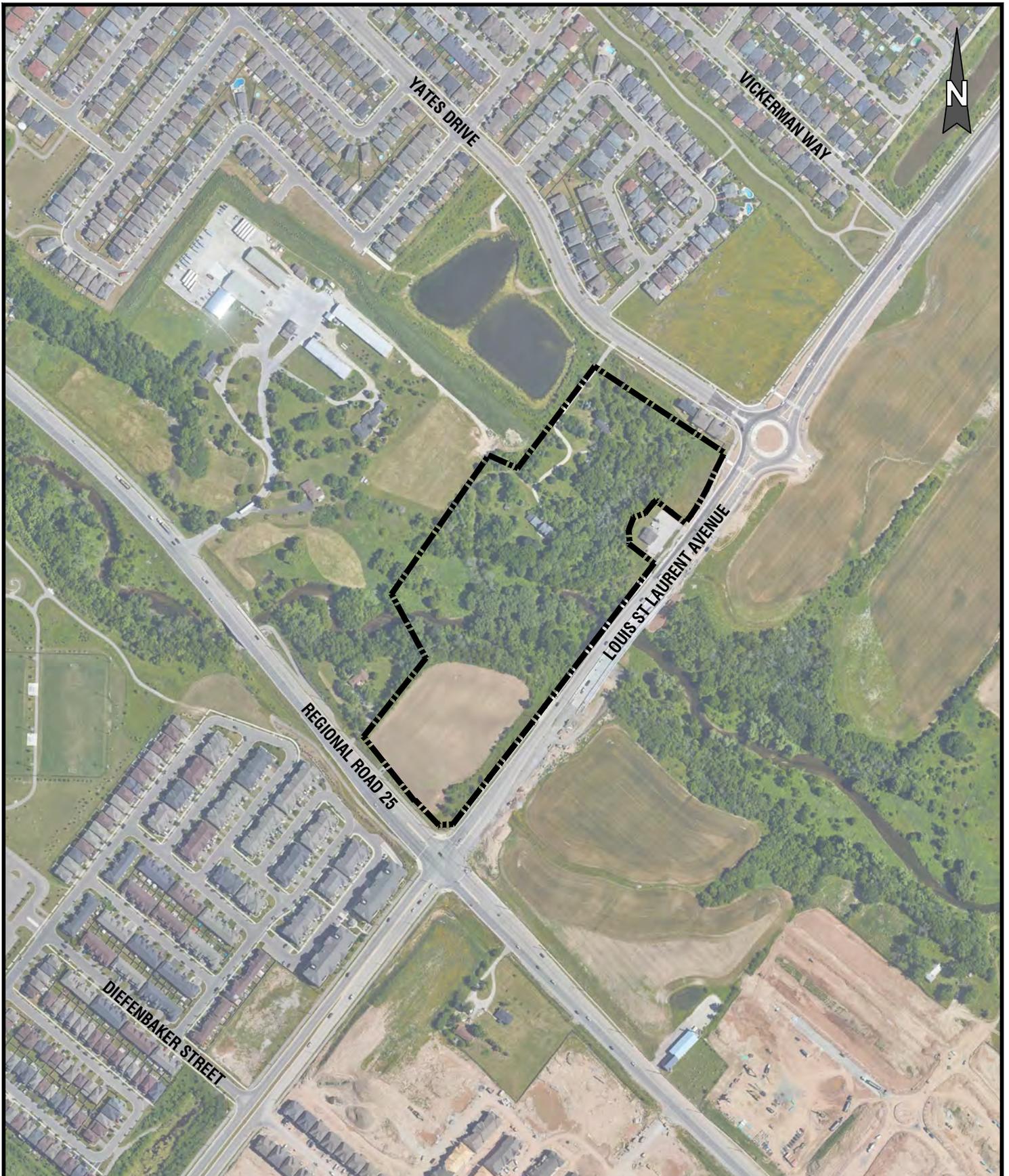
6. The proposed built form provides for an attractive streetscape and creates a comfortable pedestrian environment by locating the primary building entrance as close to the street as possible and locating parking underground and to the rear of the site.
7. The Functional Servicing Report prepared for the proposal indicates that municipal water and sanitary sewers are adequate and available to support the proposed development.
8. A Transportation Impact and Parking Study; a Noise Feasibility Study; Functional Servicing Report; and a Storm Water Management Design Brief have been prepared in support of the proposed development, with recommendations to mitigate any minor impacts regarding traffic, parking, road-related noise and on-site drainage.
9. The proposal is compatible and will add to the range and mix of land uses and housing opportunities within the Coates Neighbourhood. The proposed level of intensification is desirable and appropriate in order to meet the objectives for a compact, efficient, vibrant, complete and healthy community.
10. The Draft OPA and ZBA prepared in support of the proposed development attached as **Schedule 3 and 4** to this report are appropriate, reasonable and represent good planning.

Respectfully submitted,  
**WELLINGS PLANNING CONSULTANTS INC.**



Glenn J. Wellings, MCIP, RPP





PROJECT:  
 Sixteen Mile Land Corp./Yates Land (Milton) Corp.  
 Milton, Ontario

DRAWING TITLE:  
 6439 Regional Road 25

PROJECT No:  
 2019/18

DATE:  
 July 2020

SCALE:  
 1:5000

*Wellings Planning Consultants Inc.*

513 Locust Street, Unit B - Burlington, Ontario  
 t - 905-681-1769 e - Glenn@WellingsPlanning.ca

**Schedule 1**























**AMENDMENT NO. \_\_\_ TO THE OFFICIAL PLAN  
OF THE TOWN OF MILTON**

PART I - THE PREAMBLE, does not constitute part of this Amendment

PART II - THE AMENDMENT consisting of the following text, including changes to Official Plan Schedules and the addition of a new Official Plan constitutes Amendment No. \_\_\_ to the Official Plan of the Town of Milton

DRAFT

## **PART I – THE PREMABLE**

### **THE TITLE**

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

Amendment No. \_\_\_\_ to the Official Plan of the Town of Milton.

Northeast corner of Regional Road 25 and Louis St. Laurent Avenue.

### **PURPOSE OF THIS AMENDMENT**

The purpose of the amendment is to amend the density permissions for the subject lands. The lands are approximately 1.513 hectares (3.73 acres) in size and located east of Regional Road 25 between Louis St. Laurent Avenue to the south and Sixteen Mile Creek to the east. The lands will remain within the current “Residential/Office Area” land use designation however a maximum residential density of 198 units per hectare, based on the proposed 276 apartment units, may be permitted. The current allowable density under the Official Plan is 150 units per net hectare.

### **LOCATION OF THE AMENDMENT**

This Amendment applies to the subject lands located at 6439 Regional Road 25. The subject lands are legally described as Part of Lot 8, Concession 3 in the former Township of Trafalgar.

### **BASIS OF THE AMENDMENT**

The subject lands are designated “Residential/Office Area” by the Official Plan which allows for a minimum residential density of 85 units per net hectare and a maximum density of 150 units per net hectare. The amendment proposes a site-specific policy within the “Residential/Office Area” designation to permit a maximum density of 198 units per net residential hectare. The proposed mid-rise development at a slightly higher density is appropriate at a gateway location along a Major Arterial Road identified as an Intensification Corridor. The proposed apartment buildings provide adequate setbacks from adjacent properties, are compatible and will not result in an unacceptable shadow impact.

## **PART II – THE AMENDMENT**

All of this part of the document entitled Part II – THE AMENDMENT consisting of the following text constitutes Amendment No. \_\_\_ to the Official Plan of the Town of Milton.

### **DETAILS OF THE AMENDMENT**

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

#### 1.0 Text Change

- 1.1 Amend Section C.6.5.2 Residential/Office Area by adding the following new section:

“C.6.5.2.X Further to, and in accordance with the policies of Section 3.3.2 of this Plan, for the lands designated “Residential/Office Area” located at the northeast corner of Regional Road 25 and Louis St. Laurent Avenue, described as Part of Lot 8, Concession 3 (formerly Township of Trafalgar) and municipally known as 6439 Regional Road 25, redevelopment of the subject lands may occur at a maximum density of 198 units per net hectare.

**DRAFT ZONING BY-LAW AMENDMENT**  
**THE CORPORATION OF THE TOWN OF MILTON**  
**BY-LAW NUMBER XXX-2020**

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT, AS AMENDED, IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 8, CONCESSION 3, 6439 REGIONAL ROAD 25, TOWN FILE: OP/Z- /20)

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

**AND WHEREAS** the Town of Milton Official Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

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

1.0 **THAT** Schedule A – Urban Area Zoning to Comprehensive Zoning By-law 016-2014, as amended, is hereby amended by changing the existing Future Development (FD) Zone to a new Residential Medium Density II (RMD2 \*xxx) Zone symbol on the land shown on Schedule “A” attached hereto.

2.0 **THAT** Section 13.1.1 of the Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection 13.1.1.xxx as follows:

i) Zone Standards:

Notwithstanding the regulations of the RMD II Zone (Table 6D) of Zoning By-law 016-2014 to the contrary, the following zone standards shall apply:

- a) Maximum Number of Units – 276 units
- b) For the purposes of this By-law, Louis St. Laurent Avenue shall be considered the front yard.
- c) Minimum Front Yard Setback – 4 metres

- d) Minimum Interior Side Yard Setback (east property line) – 4.5 metres
- e) Minimum Rear Yard Setback – 7.5 metres.
- e) Maximum Building Height – 6 storeys
- f) Minimum Number of Resident and Visitor Parking Spaces – 1.38 spaces per unit

All other regulations of the RMD II of Zoning By-law 016-2014 shall apply.

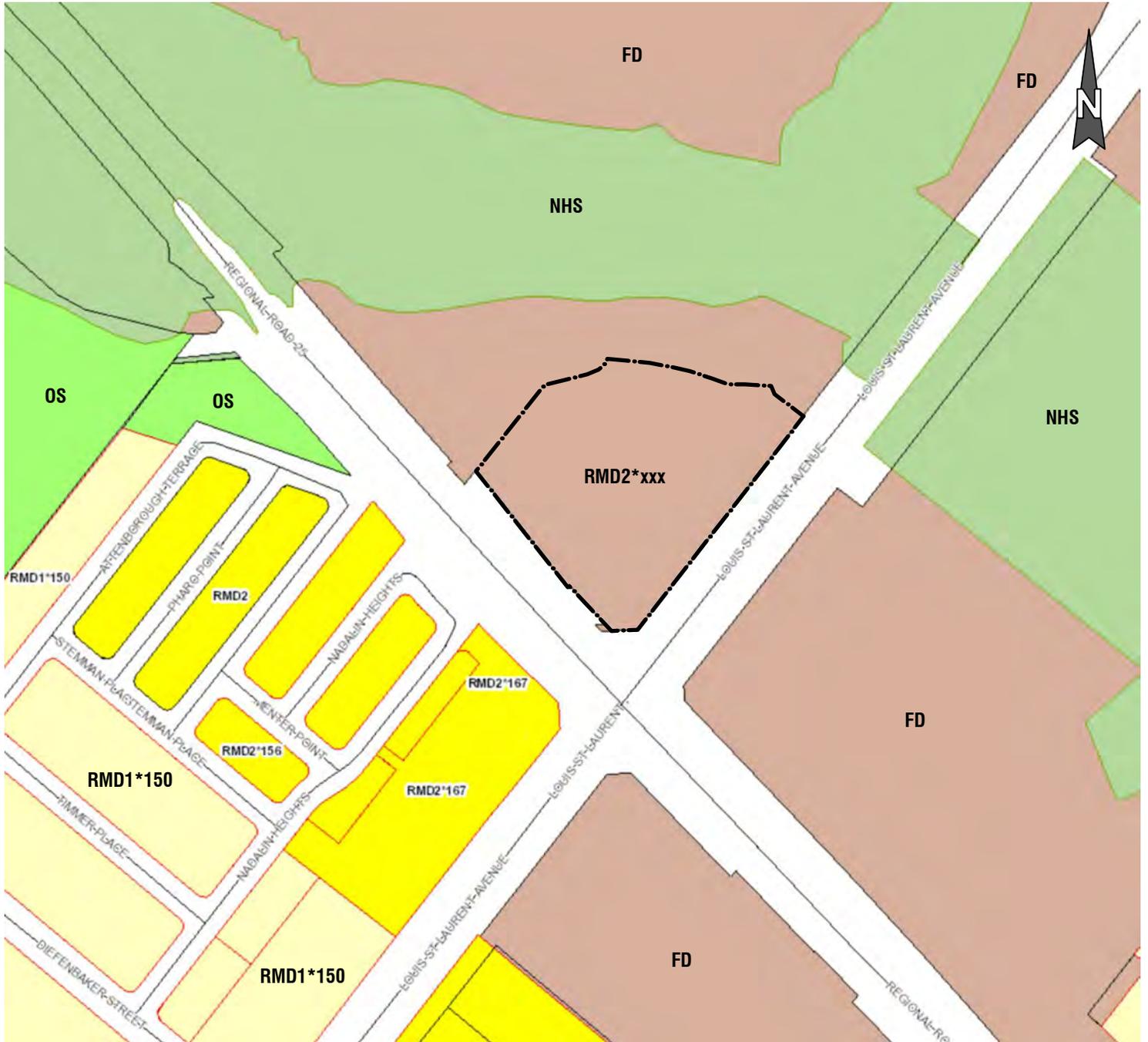
3.0 **AND THAT** if no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the Local Planning Appeal Tribunal dismisses the appeal, this by-law shall come into force on the day of its passing. If the Local Planning Appeal Tribunal amends the by-law pursuant to Section 34(26) of the *Planning Act*, as amended, the part or parts so amended come into force upon the day the Tribunal's Order is issued directing the amendment(s).

**PASSED IN OPEN COUNCIL ON** \_\_\_\_\_

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

\_\_\_\_\_  
Troy McHarg

**Schedule A**  
**By-Law No. \_\_\_\_\_**  
**Town of Milton**



**This is a Schedule A**  
**To By-Law No. \_\_\_\_\_ Passed**  
**This \_\_\_ Day of \_\_\_, 2020**



Lands to be Rezoned from Future  
Development (FD) to Residential  
Medium Density II (RMD2\*xxx)