

Agerton Secondary Plan

Background Studies and Master Environmental Servicing Plan

Preamble and Context

The Town of Milton and the Agerton New Urban Land Ltd. landowners group (LOG) have agreed to develop this Memorandum of Understanding (MOU) to update the background studies for the Agerton Secondary Plan and to complete an Annex to the Town's Master Environmental Servicing Plan. The purpose of this MOU is to clearly identify the roles and responsibilities of each party as they relate to the Town-led Agerton Secondary Planning process.

The Trafalgar Corridor, comprising the Agerton and Trafalgar Secondary Planning Areas, was originally planned to accommodate a combined population of 32,000 residents by 2031. Accordingly, the background studies prepared to support the Agerton and Trafalgar Secondary Plans assumed a population of 26,000 residents in the Trafalgar Secondary Plan Area and approximately 6,000 residents in the Agerton Secondary Plan Area.

Subsequently, the Trafalgar Secondary Plan was appealed to the Ontario Land Tribunal. As a result, the Trafalgar Secondary Plan now accommodates the entire population of 32,000 residents evaluated through the original background studies for the Trafalgar Corridor.

The land use planning for the Agerton and the Trafalgar Secondary Planning Areas are at differing stages, with the planning for the Trafalgar Secondary Plan Area being further advanced than the Agerton Secondary Plan Area.

The Draft Agerton Secondary Plan presented to a Public Meeting of Council on July 18, 2022, established the Town's goals, objectives and general growth management policy framework. The Council endorsed Draft Agerton Secondary Plan provides growth management policies to implement the 2031 planning horizon for a minimum target of 6,800 residents and 15,000 jobs (including 8,000 jobs within the MTSA) and that achieves a general target proportion of 45% residents and 55% jobs in the MTSA.

The Halton Regional Official Plan (ROPA 49) expanded the lands within the Milton-Trafalgar GO MTSA to a total gross area of 130.6 hectares. ROPA 49 sets a minimum density target of 150 residents and jobs combined per gross hectare. This equates to a minimum population target for the MTSA of 19,590 residents and jobs.

Concurrently, the Town is preparing a new Municipal Urban Structure and Local Growth Management Strategy as part of its emerging new Official Plan. To inform this work, the Town has engaged Watson and Associates to prepare growth forecasts including population, employment and housing forecasts. Based on the Watson Study, the Agerton Secondary Plan is projected to accommodate a population of 14,100 residents and 17,500 jobs by 2051. Within the MTSA, the Study identifies a requirement for 6,600 jobs to be accommodated by 2051 with further capacity to provide an additional 2,800 jobs in the period beyond 2051. The Study forecasts a housing requirement of 6,570 units to be created within the MTSA by 2051.

Agerton Secondary Plan
Background Studies and Master Environmental Servicing Plan

The Town's MESP for the Trafalgar Corridor has been completed to encompass both the Agerton and Trafalgar Secondary Plan Areas and has established guidance for managing the environmental and water-based systems of the respective areas. The information presented in the Town's MESP has provided a characterization of the existing natural and water-based systems within the respective areas, which is recognized to represent an update to the characterization provided in the parent Subwatershed Study. It is anticipated that refinements to the Agerton Secondary Plan may be completed subsequent to the completion of the Trafalgar Corridor MESP, which would appropriately require verification and refinement to the management recommendations advanced in the Town's MESP.

Memorandum of Understanding

Between

TOWN OF MILTON (otherwise known as the “Town”)

and

Agerton New Urban Land Ltd. (otherwise known as the “Landowners Group” (LOG))

This Memorandum of Understanding (MOU) sets out the terms and understanding between the (partner) and the (partner) to prepare updates to the Trafalgar Corridor and Agerton Secondary Planning background studies, including completion of an Annex to the Town’s Master Environmental Servicing Plan (MESP) together with such new studies as may be necessary, to the satisfaction of the Town for the purpose of completing the Agerton Secondary Plan.

Both parties agree that the arrangements contemplated by this MOU do not constitute an enforceable agreement at law, but rather a general statement, at this time, as to the basis upon which the parties intend to proceed. The parties also agree that further agreements and documentation would need to be prepared and signed by the parties, if they wish to formalize these matters and legally bind the parties.

This MOU is conditional upon approval by the Council of the Town and the LOG.

NOW THEREFORE the Town and the LOG have agreed to enter into this MOU to update the Trafalgar Corridor and Agerton Secondary Planning background studies, including completion of an Annex to the Town’s Master Environmental Servicing Plan together with such new studies as may be necessary, having regard to projected growth in the Trafalgar Corridor (comprising the Agerton and Trafalgar Secondary Planning Areas) to a 2051 planning horizon.

This MOU will be accomplished by undertaking the following activities:

1. The Town shall retain full responsibility and control for the public secondary planning process and preparation of the Agerton Secondary Plan.
2. The Secondary Plan shall be prepared by the Town and its consultants with inputs from Agerton New Urban Ltd land owners group (the LOG).
3. The Town shall prepare a Project Work Program clearly identifying the Phases/Tasks that will need to be undertaken as part of the Secondary Plan process.

Agerton Secondary Plan
Background Studies and Master Environmental Servicing Plan

4. The LOG, at its own cost, shall be responsible for commissioning such studies as agreed to by the Town and the LOG to support the Secondary Plan. (see Appendix A for the list of required studies).
5. The LOG, at its own cost, shall be responsible for updating the Town's Trafalgar Corridor MESP hydrologic modelling and assessments as it relates to the Agerton Secondary Plan area, accounting for more refined drainage boundaries and impervious coverages, siting of SWM facilities and potential locally specific guidance on natural features management / refinements including stream corridors, watercourse realignments and crossings. Furthermore, additional Agerton-specific guidance and direction will be developed on required scope for the next levels of studies including consideration of the number and location of DAEFSS undertakings, which can then take guidance from more detailed local Tertiary Plans. This additional guidance will be prepared as an Annex to the Town's Trafalgar Corridor MESP. The Annex would focus upon verifying and refining the impact assessment and associated management recommendations for the Agerton lands, and would not entail any update to the existing conditions characterization for those lands as presented in the Town's Trafalgar Corridor MESP. In addition, the Annex would undertake the additional analyses and establish recommendations for managing the watercourse at the intersection of Trafalgar Road and Derry Road per the guidance provided previously in the MESP, to accommodate the development of the major nodes at that intersection. Specific requirements of the Agerton Annex are provided in Appendix B.
6. The LOG, at its own cost, shall prepare terms of reference (TOR) and the corresponding work plan for approval by the Town and its consultants for the studies listed in Appendix A. The LOG shall cover the any costs incurred by the Town in reviewing the TOR and work plan.
7. The studies and TORs for the studies shall be prepared for the entire Secondary Plan area.
8. For the purposes of updating the population related background studies, the overall target population for the Trafalgar Corridor shall be assumed to be approximately 85,000 people and jobs by 2051. The overall target population for the Agerton Secondary Plan area shall be assumed to be approximately 32,000 people and jobs by 2051. Generally, a target proportion of 45% residents and 55% jobs shall apply to the Agerton Secondary Plan area. For the Milton Trafalgar MTSA, a target population (people and jobs) of 24,000 and a general target proportion of 60% residents and 40% jobs shall be assumed. For the target population of the MTSA, it shall be assumed that a proportion of the required jobs may be accommodated beyond 2051.
9. The studies shall be peer reviewed by the Town and its consultant team at the cost of the LOG. This shall include completion of a watershed-based hydrologic verification by the Town and its consultant team at the cost of the LOG.
10. The Town shall provide an estimate of the total costs of peer review, prior to commencement for approval by the LOG and may require that the LOG enter into a funding agreement for the costs of peer review. Such funding agreement to be approved by the Town and the LOG, acting reasonably.
11. The Town shall undertake consultation with applicable agencies and other stakeholders as appropriate and necessary.

Agerton Secondary Plan
Background Studies and Master Environmental Servicing Plan

12. The Town reserves the right to require such revisions and updates to the studies as may be needed to the satisfaction of the Town, applicable agencies and other stakeholders as appropriate and necessary.
13. The studies shall comply with all applicable provincial and municipal regulations and guidelines.
14. In the event that the Town is unable to accept or agree to the LOG study findings, the Town maintains the right to proceed with its own or alternative recommendations. By entering into this MOU, the LOG is not waiving any rights it otherwise has under the *Planning Act*, or any other legislation, now or in the future.

Reporting

The Town will periodically evaluate effectiveness and adherence to the agreement. The parties intend to allow a period of 6 months from the date of MOU to complete the updated background studies. This 6 months' period may be extended upon agreement of the parties.

Funding

This MOU is not a commitment of funds or a guarantee of specific funding agreements.

Duration

This MOU is at-will and may be modified by mutual consent of authorized officials from the Town and the LOG. This MOU shall become effective upon signature by the authorized officials from the Town and the LOG and will remain in effect unless any Party, at any time, provides written notice of an intention to withdraw from it.

Date _____

Date _____

For and On Behalf of

Town of Milton.

For and On Behalf of

Agerton New Urban Land Ltd.