



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: July 15, 2024

Report No: DS-057-24

Subject: Technical Report: Proposed Plan of Subdivision and Zoning By-law Amendment Applications by Sundial Homes (4th Line) Limited applicable to lands legally described as Part of Lot 6, Concession 5, NS (Trafalgar) (Town Files: 24T-21006/M and Z-20/21)

Recommendation: **THAT** Town of Milton Council support the granting of Draft Plan Approval by the Commissioner of Development Services for the proposed plan of subdivision (Town File: 24T-21006/M);

AND THAT Application Z-20/21 for an amendment to the Town of Milton Comprehensive Zoning By-law 016-2014, as amended, to change the current Future Development (FD) and Natural Heritage System (NHS) Zone Symbols to the Residential Medium Density 1 - Special Provision 356 (RMD1*356) Zone, Residential Medium Density 1 - Special Provision 357 (RMD1*357) Zone, Residential Medium Density 2 - Special Provision 358 (RMD2*358) Zone, Minor Institutional - Special Provision 359 (I-A*359) Zone, Mixed Use - Special Provision 360 (MU*360) Zone, Natural Heritage System (NHS) Zone, Open Space (OS) Zone, and Open Space - Stormwater Management (OS-2) Zone symbols, along with Holding (H) Symbols H35 and H78 on specific lots and blocks on the subject lands, BE APPROVED;

AND THAT the Commissioner of Development Services forward this report to the Provincial Ministers of Health, Education, Transportation and Infrastructure and Metrolinx with a request to review and plan for future Milton District Hospital, school and transportation expansions;

AND FURTHER THAT staff be authorized to bring forward an amending Zoning By-law for Council Adoption.



EXECUTIVE SUMMARY

Sundial Homes (4th Line) Limited is seeking approval of an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to implement a proposed residential plan of subdivision.

The subdivision proposes 1094 residential dwelling units (253 detached including one heritage replica, 140 street townhouses, 54 rear access townhouses and 280 back-to-back townhouses, along with an estimated 367± apartments that will be part of and developed within the major node block), delineation of the natural heritage system (watercourse, environmental buffer and trail connection), a stormwater management pond, a village square, a public elementary school, trail system, various servicing, grading and residential reserve blocks, and an internal road network. Holding provisions have also been applied to specific lots and blocks where further information or action is required. Development and registration of the subdivision is planned to occur in phases.

As such, the proposed Zoning By-law Amendment seeks to replace the current Future Development and Natural Heritage System (NHS) Zone symbols with the Residential Medium Density 1 - Special Provision 356 (RMD1*356) Zone, Residential Medium Density 1 - Special Provision 357 (RMD1*357) Zone, Residential Medium Density 2 - Special Provision 358 (RMD2*358) Zone, Minor Institutional - Special Provision 359 (I-A*359) Zone, Mixed Use - Special Provision 360 (MU*360) Zone, Natural Heritage System (NHS) Zone, Open Space (OS) Zone, and Open Space - Stormwater Management (OS-2) Zone symbols, along with Holding (H) Symbols H35 and H78 on specific lots and blocks on the subject lands.

The statutory public meeting was held on January 18, 2022. No members of the public spoke at the public meeting. Staff did receive written submissions from a local resident that raised concerns with the lack of on-street cycling facilities within the proposed plan of subdivision and generally throughout the Town of Milton.

All internal Town of Milton departments and responding external agencies have provided correspondence to Town Planning staff indicating their support for the applications as currently presented. They have also provided the appropriate conditions of draft plan approval necessary for the Town to consider the approval of these applications. Staff has reviewed all of the documentation, plans and comments provided to date and is of the opinion that the applications as submitted are prepared in a manner that would allow them to be considered by Town Council for approval.

Conclusions and Recommendations

EXECUTIVE SUMMARY

Staff is satisfied that the plan of subdivision processed under File 24T-21006/M, subject to the requested conditions of draft plan approval and the site-specific zoning provisions attached as Appendix 1, conforms to Provincial, Regional and Town planning policies and Conservation Halton regulations, and achieves acceptable engineering and design standards. Planning staff is also satisfied that the proposed Zoning By-law Amendment is consistent with the land use policies of the Provincial Policy Statement and conforms to the Town Official Plan.

REPORT

Background

Owner: Sundial Homes (4th Line) Limited, 4576 Yonge Street, Suite 500, Toronto, ON

Applicant/Agent: Matson Planning & Development Inc., 20 Shore Breeze Drive, Suite 1609, Toronto, ON

Location/Description

The subject lands are in Ward 3, generally located at the northwest corner of James Snow Parkway and Britannia Road and between Fourth Line and James Snow Parkway, and are legally described as Part of Lot 6, Concession 5, New Survey, Former Geographic Township of Trafalgar, in the Town of Milton, in the Regional Municipality of Halton. A residential reserve block located adjacent to the northeast corner of the Sundial subdivision that was registered as part of the second phase of Mattamy's Bayview Lexis subdivision (24T-20001/M) to the north has also been added to the subject application for zoning purposes only, as the two developers are currently in discussions regarding the transfer of the block from Mattamy to Sundial for the purposes of advancing the consolidation and coordinated development of all residential reserve blocks located along the mutual property line. Since the transfer is not yet complete, Mattamy has authorized staff to rezone the block of land they still own along with the remainder of the lands owned by Sundial, to ensure that the zoning applied to the consolidated lands will be consistent. See Figure 1- Location Map.

The subject lands are approximately 37 hectares (91 acres) in size with frontages along Fourth Line, Britannia Road and James Snow Parkway. The majority of the lands are vacant, with the exception of the newly constructed channel corridor situated along Fourth Line that now encompasses portions of the stream that once traversed the lands. The corridor construction was coordinated with the subdivisions to the north and has proceeded in advance of the residential development planned for the subject lands in order to ensure that

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the natural heritage system could be implemented in an environmentally conscious and contiguous manner. It should also be noted that the lands did once contain a dwelling that was on the Town's Heritage List.

Surrounding land uses are primarily agricultural operations and former rural residential dwellings that are now located within the Urban Area boundary to the east, south and west, with significant residential development occurring within the adjacent subdivision to the north. Adjacent to the southwest corner of the subject lands, is Omagh, a small rural village at the intersection of Britannia Road and Fourth Line. The subject lands are also located within the Boyne Survey Secondary Plan Area, which is an area designated for urban residential and mixed-use development.

Proposal:

Figure 2 illustrates the proposed plan of subdivision which consists of 1094 residential dwelling units (253 detached including one heritage replica, 140 street townhouses, 54 rear access townhouses and 280 back-to-back townhouses, along with an estimated 367+ apartments that will be part of and developed within the major node block), two channel blocks, four channel buffer blocks, two trail blocks, one stormwater management pond block, two stormwater management pond buffer blocks, one village square block, one public elementary school block, one servicing block, two grading buffer blocks, three residential reserve blocks, two road widening blocks, five 0.3 metre reserve blocks and an internal road network. The proposed plan of subdivision will be intersected by two collector roads (Street "1" and Street "2" on the plan) that will provide main accesses to/from Fourth Line, Britannia Road, James Snow Parkway and Trudeau Drive that has been constructed up to the northern limit of the subject lands by the adjacent landowner, and contain numerous local roads throughout. The proposed plan of subdivision is intended to be developed and registered in phases (See Figure 3 - Phasing Plan). These phases are subject to change.

The proposal before Council at the current time is a request for an amendment to Town of Milton Zoning By-law 016-2014, as amended, to implement the draft plan of subdivision as described above. Accordingly, the proposal seeks to change the zoning applicable to the subject lands (referred to as "Sundial 4th Line") from the current Future Development (FD) and Natural Heritage System (NHS) Zone symbols to the Residential Medium Density 1 - Special Provision 356 (RMD1*356) Zone, Residential Medium Density 1 - Special Provision 357 (RMD1*357) Zone, Residential Medium Density 2 - Special Provision 358 (RMD2*358) Zone, Minor Institutional - Special Provision 359 (I-A*359) Zone, Mixed Use - Special Provision 360 (MU*360) Zone, Natural Heritage System (NHS) Zone, Open Space (OS) Zone, and Open Space - Stormwater Management (OS-2) Zone symbols. In addition,

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Holding (H) symbols H35 and H78 are proposed to be applied to specific lots and blocks within the subdivision which prohibits the sale of lots and issuance of any building permits on the identified lots and blocks until such time that the conditions associated with these lots and blocks (i.e. consolidation of residential reserves with adjacent lands and confirmation of servicing availability for phases three and four denoted on the phasing plan) are met to the satisfaction of Halton Region and the Commissioner of Development Services.

The following reports and information has been submitted in support of this application:

- Legal Survey, prepared by Schaeffer Dzaldov Bennett Ltd., dated December 22, 2020;
- Draft Plan of Subdivision, prepared by KLM Planning Partners Inc., dated March 26, 2024;
- Phasing Plan, prepared by KLM Planning Partners Inc., dated June 26, 2024;
- Aerial Orthophotograph, prepared by KLM Planning Partners Inc., dated July 27, 2021;
- Planning Justification Report, prepared by KLM Planning Partners Inc., dated September 2021;
- Allocation Transfer Request, prepared by Sundial Homes, dated February 1, 2021;
- Stage 1, 2 & 3 Archaeological Assessment (Part of Lot 6, Concession 5), prepared by Archaeological Assessments Ltd., dated July 4, 2011;
- Preliminary Report on the Stage 4 Excavation of the Omagh Site (AiGw-509), Part of Lot 6, Concession 5), prepared by Archaeological Assessments Ltd., dated December 12, 2011;
- Heritage Impact Assessment, 1501 Fourth Line, Part of Lot 6, Concession 5, prepared by Parslow Heritage Consultancy Inc., dated March 12, 2021;
- Phase One Environmental Site Assessment - Fourth Line and Britannia Road, prepared by Soil Engineers Ltd., dated June 13, 2022;
- Phase Two Environmental Site Assessment - Fourth Line and Britannia Road, prepared by Soil Engineers Ltd., dated April 5, 2023;
- Soil Investigation Report for 1501 Fourth Line, prepared by Soil Engineers Ltd., dated May 2004;
- Transportation Impact Study, prepared by CGH Transportation, dated April 2023;
- Noise Control Feasibility Study (Revision 3), prepared by SS Wilson Associates Consulting Engineers, dated November 6, 2023;
- Functional Servicing and Stormwater Management Report, prepared by SCS Consulting Group Ltd., January 2024;

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- Woody Vegetation Assessment/Tree Preservation Report, prepared by Cosburn Giberson Landscape Architects, dated June 2, 2021;
- Site Plan for Elementary School Block, prepared by Hossack Architecture, dated June 13, 2024;
- Community Context Concept Plan, prepared by Cosburn Giberson Landscape Architects, dated April 2023;
- Park Concept Plan - Village Square Block 311, prepared by Cosburn Giberson Landscape Architects, dated May 2024;
- Heritage Binder (Conceptual Site Plan, Floor Plans & Elevations for Replica Heritage Dwelling - Lot 1), prepared by Anderson + Associates Inc., dated February 2022 and July 2022 (SP);
- Major Node Concept Plans (Site Plan, Floor Plans, Elevations), prepared by Richmond Architects Ltd., dated January 26, 2023;
- Urban Design/ Architectural Control Guidelines, prepared by John G. Williams Limited, dated April 13, 2023; and,
- Draft Zoning By-law Amendment, prepared by KLM Planning Partners Inc., dated June 7, 2024.

Planning Policy

On June 6, 2024, Bill 185, also known as the Cutting Red Tape to Build More Homes Act, 2024 ("Bill 185"), received Royal Assent. As a result, as of July 1, 2024, Halton Region has become an upper-tier municipality without planning responsibilities and the Regional Plan will no longer be an official plan for the Regional Municipality of Halton. Instead, it will be deemed an official plan of each of the Local Municipalities in Halton (the City of Burlington, Town of Halton Hills, Town of Milton, and Town of Oakville) until such time as it is revoked or amended by the respective municipality.

Within the former Halton Region Official Plan (ROP), the subject lands are designated as Urban Area with areas of Regional Natural Heritage System and Parkway Belt West Plan. Regional staff through the review of various submissions of materials, and prior to the transfer of the ROP, confirmed that the uses proposed on the attached draft plan of subdivision do conform to Regional and all Provincial land use policy as the proposed development supports efficient use of land and infrastructure through the provisions of a range and mix of dwelling types in a compact form, and ensures adequate protection of the quality of the natural environment.

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At the local level, the subject lands are located within the Town's Urban Area in the Boyne Survey Planning District and are designated Residential Area, Natural Heritage System and Parkway Belt West Plan Area on Schedule B - Urban Area Land Use Plan of the Town's Official Plan. The Residential Area designation permits a full range of residential uses and densities along with complementary non-residential uses that are necessary to create a residential neighbourhood environment. The purpose of the Natural Heritage System Area designation is to protect areas which have been identified as having environmental significance and to establish a Natural Heritage System which achieves an enhanced natural habitat and ecological functions that will be resilient to the impacts of the adjacent urban development. The purpose of the Parkway Belt West Plan Area designation, which is applied as an overlay, is in general, to recognize lands that have been identified by the Parkway Belt Plan to accommodate future linear facilities for transportation (i.e. James Snow Parkway), community and utility purposes.

Schedule K - Intensification Areas, also identifies James Snow Parkway and Britannia Road as Intensification Corridors. Residential intensification is encouraged in these corridors and shall generally take the form of medium and high density residential uses in accordance with applicable policies of the Official Plan. Schedule M - Key Features within the Greenbelt and Regional Natural Heritage System, identifies key features on the subject lands.

The subject lands are also located within the Boyne Survey Secondary Plan Area and are designated Residential Area, Residential/Office Area, Major Node Area, and Natural Heritage System, Gateway, and Omagh Study Area as shown on Schedule C.10.C - Boyne Survey Secondary Plan Land Use Plan. Schedules C.10.A - Boyne Community Structure Plan and Schedule C.10.B - Boyne Active Transportation and Natural Heritage System Plan also identify the requirements for a village square, a stormwater management pond, on-street bike paths, trails, and an enhanced streetscape design along Britannia Road and the collector road that bisects the plan and runs east to west. Appendix C.10.D - the Boyne Survey Tertiary Plan also identifies a heritage feature on the subject lands and identifies the conceptual location of the Omagh By-pass that has now been designed and constructed in accordance with the Britannia Road Environmental Assessment.

Similar to the general Official Plan policies, a mix of residential dwelling units and densities along with complementary non-residential uses that are necessary to create a residential neighbourhood environment (including local institutional uses such as elementary schools) are permitted within the Residential Area designation of the secondary plan. The main permitted uses of the Residential/Office Area designation are office and high density residential uses. However, where a Subwatershed Impact Study (SIS) results in the realignment of a watercourse corridor where the designation no longer has frontage on and

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direct access to an arterial road, the adjacent land use designation will be deemed to apply to such lands without an amendment to the Plan. In accordance with the direction of the SIS applicable to this subdivision, the small area of residential/office designation located in the northwest corner of the plan was replaced with the adjacent natural heritage system designation on that portion of the lands.

The Major Node designation identifies integrated concentrations of mixed uses and higher residential densities at key intersection locations. These areas are to be the focus of urban activity for surrounding residential neighbourhoods, be pedestrian-oriented and maximize the use of public transit. The main permitted uses within the Node include a variety of high density residential (from 3 to 15 storeys), institutional and office uses and community facilities. A limited amount of grade-related multiple attached housing forms, assisted and special needs housing for seniors and people requiring emergency or supportive housing, local institutional, and retail and service commercial uses are also permitted subject to specific criteria and/or additional plan policies. The design of development within the Major Node Area shall ensure compatibility and transition between the Node and adjacent development. A variety of building heights and forms is encouraged with the tallest buildings being oriented to the primary intersection and corridors, and stepped back or terraced abutting development outside of the Node and parking is strongly encouraged to be located underground or within parking structures. Where surface parking is permitted, it should be minimized and located away from the street line. The location of the Major Node Area designation on Schedule C.10.C is conceptual except where bounded by existing major roads. The configuration of the node is to be primarily determined through the tertiary planning exercise and where necessary, can be modified provided that any revision is in conformity with the policies of the Plan.

The Natural Heritage System (NHS) designation as previous mentioned is a systems approach taken to ensure the protection, preservation and enhancement of the key features, buffers and linkages of which it is composed. The boundaries of the NHS have been delineated through the various environmental studies required as part of the related planning applications. The Gateway designation located at Britannia Road and James Snow Parkway is a key point of entry to the Milton Urban Area and will require special design treatment of both the road allowance and any development adjacent to the road allowance.

The Omagh Study Area designation on Schedules C.10.A and C.10.C is an overlay designation. No development shall be permitted in this general area, until a detailed development plan for Omagh is completed.

Boyne Survey Secondary Plan Policy C.10.2.1 e) identifies that the overall residential density of at least 40 units per net hectare and an overall density of approximately 70 residents and

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jobs combined per gross hectare exclusive of lands within the Natural Heritage System is required. The development as currently proposed including the estimated units in the Major Node Block, has a development density of approximately 65 units per net hectare and approximately 90 residents and jobs combined per gross hectare as calculated using the persons per unit assumptions from the Region of Halton 2022 Development Charges Background Study. The estimated population that would be generated based on the proposed draft plan of subdivision is approximately 2,990 people.

Staff reviewed the application in relation to the policies of the Provincial Policy Statement, 2020 (PPS), the Growth Plan for the Greater Golden Horseshoe, 2019 as Amended by Amendment 1, 2020 (APTG), the former Halton Region Official Plan 2009 (ROP), the Town of Milton Official Plan, the Boyne Survey Secondary Plan including the Boyne Survey Tertiary Plan (July 2017), and the Boyne Survey Area 5B - Omagh Tributary Subwatershed Impact Study (SIS) Addendum. Town staff and our agency partners are satisfied that the draft plan of subdivision and the application for the Zoning By-law Amendment as presented through this report, conform to the applicable Provincial, Regional and Town land use planning policies and regulations.

Zoning By-law 016-2014, as amended:

The subject lands are currently zoned Future Development (FD) and Natural Heritage System (NHS) under By-law 016-2014, as amended, which do not permit the land uses being proposed on the subject lands. An amendment to the Zoning By-law is required in order to allow the implementation of the proposed residential plan of subdivision as described above and to refine the NHS in accordance with the detailed studies undertaken as part of the Boyne Survey Secondary Plan and subject applications. A draft Zoning By-law Amendment is attached as Appendix 1 to this report.

Site Plan Control

Should the applications be approved, site plan approval will be required for the major node block, the elementary school block and potentially the village square park block, prior to the commencement of any development.

It should be noted that based on the information provided to date, Staff is satisfied that the size and configuration of the aforementioned blocks are appropriate for the scale and form of development envisioned in the Boyne Survey Secondary Plan and the concepts provided

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are in accordance with the requirements of the Halton District School Board and Community Services Department.

Discussion

Public Consultation

Notice for the public meeting was provided pursuant to the requirements of the Planning Act on December 20, 2021 and the statutory public meeting was held on January 18, 2022. No members of the public spoke at the meeting but staff did receive written submissions from a local resident that raised concerns with the lack of on-street cycling facilities within the proposed plan of subdivision and generally throughout the Town of Milton. See Appendix 2 - Written Submissions attached.

Agency Consultation

The draft Plan of Subdivision, Zoning By-law Amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region, Conservation Halton, Town Departments, School Boards and other agencies, including Enbridge Gas and Canada Post, offered no objection to the applications and requested standard conditions of draft plan approval be applied. Halton Region did request that a holding provision be placed on the lands identified as Phases 3 and 4 on the phasing plan until such time that sufficient servicing allocation is ensured through the Region's Allocation Program for the future development of the lots and blocks. Policy and Urban Design staff also provided recommendations for the Major Node Block in relation to its shape and orientation, its interface with the existing village of Omagh, future built form and the inclusion of local commercial uses and/or mixed use buildings for the surrounding development. In addition, staff encouraged the applicant to recognize the heritage resource that once existed on the lands by installing a commemorative heritage plaque and constructing a replica house on a lot within the plan of subdivision, showcasing unique characteristics of the former dwelling.

Town Departments and agencies will continue to work with the applicants through the detailed draft approval process.

Summary of Issues

Adequate Cycling Facilities / Active Transportation

The proposed plan of subdivision has implemented both on and off-road walking and cycling opportunities that will complement the overall active transportation system within the Town. Trails and multi-use paths that provide routes for cyclists will be implemented along the

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engineered channel and the four metre access road and trail adjacent to the stormwater management pond offering off-road connections throughout the neighbourhood. On-street bicycle lanes that meet the Town's current development engineering standards will be included as part of the collector road system that will provide connections to the off-road routes and to the regional road network.

With respect to improvements for future cycling networks, the Town has taken the feedback obtained through the public consultation component of this application and requested that the information be reviewed as part of the overall Official Plan Review exercise and the Transportation Master Plan (TMP) update. Policy staff has indicated that stronger language relating to achieving more progressive active transportation will be included in the Town's Official Plan and Development Engineering staff has noted that while there are no formal revisions to the TMP at this time, the notion of providing separate off-road cycling infrastructure (i.e. dedicated bike lanes within the boulevard) is being considered.

Heritage Resource Assessment

As noted previously, the subject lands once contained a dwelling, which was municipally identified as 1501 Fourth Line and included on the Town of Milton's Heritage List. As a result, a Heritage Impact Assessment (HIA) for 1501 Fourth Line was undertaken in 2021 to accompany the planning applications associated with the subject lands. During the heritage assessment it was observed that the dwelling had been demolished prior to commencement of the study work. In light of the situation, an assessment of the debris was still undertaken where the structural remains were photographed, and an evaluation of the construction methods conducted.

Since the physical structures were no longer viable, the heritage consultant recommended in her assessment that the heritage associated with the property could be commemorated in various ways (e.g. roads, streets and other public or private spaces be named in commensurate with the historical persons and activities that occurred in and around the property). Town staff agreed with this direction but given the unfortunate demolition of the resource, invited the developer to champion the heritage conservation of significant heritage resources by considering the construction of a heritage replica to showcase some of the unique heritage attributes of the former dwelling. Sundial Homes agreed to take on the challenge posed by staff, and has identified a location within the proposed plan of subdivision (Lot 1 on the draft plan) that is in proximity to the original location of the dwelling and has prepared a series architectural drawings that incorporates elements of the former dwelling in its design for staff review.

Development Within the Major Node Block

Discussion

As part of subdivision and zoning amendment applications, staff requires the applicant to provide preliminary concepts for larger development blocks such as the Major Node Block located in the southeast corner of the subject plan, to demonstrate that a block is sized appropriately and is able to accommodate the development envisioned by the Boyne Survey Secondary Plan.

The initial preliminary concept plan provided by the applicant for the Major Node Block, proposed a dedicated but limited area for high density development (i.e. apartment buildings) and incorporated a series of grade-related units behind. While the proposed development was in conformity with the uses permitted by the Official Plan and Secondary Plan policies, the block appeared to be significantly smaller than the block size anticipated by the Secondary Plan schedules, which staff felt could create a constraint for the applicant in achieving the policy objectives for the site. In addition, there appeared to be a disconnect between the Major Node Block and the existing village of Omagh and limited opportunities for direct access from the major road networks to the block in its current configuration.

Following the review of the initial concept, staff and the applicant met to discuss other options for the node, including the elongation of the block along Britannia Road and the incorporation of certain urban design elements such as: situating buildings closer to the street; focusing height at the main intersection and along the corridors of James Snow Parkway and Britannia Road with step backs and terracing as the built form approaches lower densities; enhancing pedestrian connections and promoting walkability; bringing amenities to the community to enhance the quality of life; and overall creating a sense of place and focus for the community. Staff also encouraged a mix of uses, specifically the integration of a minimum amount of retail space into the node (i.e. either along the regional road frontages or towards the interior of the subdivision along the collector roads) to assist in fulfilling the Town's complete community goals.

After a series of concept proposals and reviews, staff and the applicant agreed that the node would be more successful in achieving a range of strategic access points, built form, and combination of uses, as well as provide a connection to the existing Omagh neighbourhood, with the rectangular block shape as shown on the draft plan. Given that the node still remains in the corner of the two regional roads and provides the same area as required in the Boyne Survey Tertiary Plan, staff is satisfied that the slight modification meets the intent of the Boyne Survey Secondary Plan policies.

Although the design and development of the block will evolve over time, the applicant has demonstrated to staff that the intended built form (mix of grade related and apartment

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buildings), density and function can be achieved in the Major Node block as proposed in the draft plan.

Amending Zoning By-law

In order to permit the proposed development, a Zoning By-law Amendment containing a revised NHS boundary and Open Space Zones (i.e. stormwater management ponds, village square, grading blocks), as well as existing Minor Institutional, Mixed Use Node and Residential Zone classifications with site-specific provisions, and selective holding zones, is required. See proposed Zoning By-law Amendment and Schedule 'A' attached as Appendix 1 to this report.

Site-Specific Zone Provisions

The amending by-law includes site-specific provisions relating to the future elementary school, future major node block development and grade-related dwelling units including single detached dwellings, rear access townhouse, street townhouse and back-to-back townhouse dwellings within the RMD1 and RMD2 Zones. In order to validate the proposed variations in zone provisions, detailed concept plans (mixed use node) and detailed building sitings (elementary school and residential lots and blocks) were required to be provided for staff review. The nature of the proposed site-specific provisions are as follows:

- Minor Institutional (I-A)

The Halton District School Board (HDSB) has requested variations in zone standards (building height), general provisions (landscape buffers, residential sized accessory structures associated with playgrounds in front and exterior side yards) and parking (loading spaces and permission to park in adjacent Town parks subject to an agreement with the Town) to accommodate their three-storey elementary school and daycare building model along with the associated playground areas and pick up / drop off locations. The HDSB has also requested relief from the pre-requisites to erecting, using or occupying a building or structure in order to allow them to advance construction of schools under conditional permits where a development containing their lands is not advanced enough to allow them to obtain a full building permit. In order for the Chief Building Official to issue a conditional permit, the proposal must comply with the Zoning By-law.

- Mixed Use Node (MU)

Since the applicant is proposing grade-related product as part of the Major Node Block development, which is permitted in the Boyne Survey Secondary Plan policies subject to certain criteria and parameters, specific provisions guiding this type of development

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is required (i.e. listing the additional unit types, the zone standards that the grade related product will be subject to, and that the number of units shall not exceed 20 percent of the total number of units within the node). Given that a height of up to 15 storeys is encouraged in Major Node designations, permission for this height must also be recognized. Special provisions relating to the establishment of specific yards, driveways, parking areas, visibility, and encroachments have been added to address the mix of built form to be accommodated within one single block.

- Residential Medium Density 1 and 2 (RMD1 and RMD2)

Variations in frontage and depth requirements, along with setbacks and allowable encroachments have been proposed in certain instances to accommodate urban design features, sitings of proposed dwellings created and marketed by the developer, and in some cases, the relationship that a lot has to a street or multiple streets (e.g. units that have an access from a street at both the front and rear of a dwelling) for a variety of unit types. In addition, certain items that are not addressed in the Comprehensive Zoning By-law, such as a minimum outdoor amenity area requirement, has been added to ensure that each unit provides such a space.

To ensure that the three residential reserve blocks located in the northeast corner of Sundial's draft plan of subdivision will be seamlessly consolidated with Block 172 on Plan 20M-1263 (Mattamy Bayview Lexis Phase 2), to eventually create an additional 20 street townhouse dwelling units, and to avoid dual zoning categories on future consolidated lots, staff has proposed a new and separate RMD1 site-specific zone that would consistently apply to all the of blocks being consolidated between the two developers. As noted previously, since the transfer of lands from Mattamy to Sundial is not yet complete, Mattamy has authorized staff to rezone the block of land they still own along with the remainder of the lands owned by Sundial.

Holding Provisions

Planning and Regional staff have required through conditions of draft plan approval that certain lots and blocks will be subject to Holding (H) Symbols H35 and H78 described below, until such time as the required actions in these areas are completed to the satisfaction of Town and Halton Region staff.

"H35" Shall not be removed until:

- a) The subject lots/blocks have been consolidated with lots/blocks on adjacent plan(s) of subdivision and each of the resulting consolidated parcels is in

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compliance with the minimum lot frontage, depth and area (where applicable) requirements of the applicable zoning by-law.

“H78” Shall not be removed until:

- a) The Owner has addressed the following requirements for all the units proposed for development to the satisfaction of the Region of Halton. The Region of Halton shall provide written confirmation that these matters have been addressed:
 - i. The Owner shall secure the appropriate amount of water and wastewater servicing allocation under the Region of Halton Allocation Program;
 - ii. The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements;
 - iii. The Owner shall have made all required payments associated with the Allocation Program; and,
 - iv. The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) Letter.

H35 will be applied to the three residential reserve blocks located in the northeast corner of the draft plan and H78 will apply to lands identified as Phases 3 and 4 on the phasing plan. Since these holding descriptions have been introduced through previous site-specific zoning by-laws, the zoning by-law amendment provided herein only provides direction on what lands are affected by the holding provisions.

Lots subject to the holding provisions are also subject to a “no sales” agreement and cannot obtain a building permit until the applicable holding provision is lifted. The Commissioner of Development Services has the delegated authority to approve the applications to lift the holding provisions and direct that the Zoning By-law permitting the removal be approved by Council.

Conclusion:

Staff is satisfied that the Draft Plan of Subdivision (Figure 2), subject to the required conditions of draft plan approval and the site-specific Zoning By-law and associated provisions attached as Appendix 1, will conform to Provincial, Regional and Town land use planning policy and achieves acceptable engineering and design standards. Planning staff is also satisfied that the proposed Zoning By-law Amendment is consistent with Provincial Policy and conforms to the Town of Milton Official Plan. Therefore, staff recommends approval of the draft Zoning By-law Amendment and the granting of draft plan approval to the plan of subdivision.



Financial Impact

None arising from this report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

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

Attachments

Figure 1 - Location Map
Figure 2 - Draft Plan of Subdivision
Figure 3 - Phasing Plan
Appendix 1 – Draft Zoning By-law and Schedule A
Appendix 2 – Written Submissions

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.