



The Corporation of the Town of Milton

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DS-024-25
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Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: April 28, 2025

Report No: DS-024-25

Subject: Public Meeting & Technical Report: Zoning By-law Amendment application by Shadybrook Development Inc., to lands known as Part of Lot 6, Concession 1 (Trafalgar) and Block 14 & 15, Plan 20M-1182, to permit the development of a residential plan of subdivision (Files: Z-17/14; 24T-14012)

Recommendation: **THAT** Application Z-17/14 - for an amendment to the Town of Milton's Comprehensive Zoning By-law 016-2014, as amended, **BE APPROVED**;

AND THAT staff be authorized to bring forward an amending Zoning By-law in accordance with the draft By-law attached as Appendix 1 to Report DS-024-25 for Council Adoption;

AND THAT the Provincial Ministers of Health, Education, Transportation and Infrastructure and Metrolinx receive a copy of this report with a request to review and plan for future Milton District Hospital, school and transportation expansions.

EXECUTIVE SUMMARY

The applicant is seeking an amendment to the Town's Zoning By-law to rezone the subject lands from the current Future Development (FD), Natural Heritage System (NHS), and existing site specific Residential Medium Density 2 (RMD2*219) zone symbols to a site specific Residential Medium Density 1 (RMD1 *220), site specific Residential Medium Density 1 with a Holding (RMD1*220-H35), site specific Residential Medium Density 1 (RMD1 *364), a site specific Residential Medium Density 2 (RMD2*365), a site specific Residential Medium Density 2 with a Holding (RMD2*263-H35), Mixed Use (MU), Open Space (OS), Open Space Stormwater Management (OS-2) and Natural Heritage System (NHS) to accommodate a proposed residential plan of subdivision.

The application for the Zoning By-law Amendment and related Plan of Subdivision was made in 2014 and two Public Meeting's were previously held on July 23, 2014, and March 6, 2023. The current Public Meeting is required to allow the applicant to rezone lands currently owned

EXECUTIVE SUMMARY

by Branthaven Caivan Inc. (and previously zoned in 2015) to avoid creating properties with dual zoning.

The lands subject to the Public Meeting are shown on Figure 1.

Conclusions and Recommendations

Staff is satisfied that the plan of subdivision, subject to the requested conditions of draft plan approval and the site-specific zoning provisions attached as Appendix 1, will conform 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 Regional and Town Official Plans.

Therefore, staff recommends approval of the Zoning By-law Amendment as presented through this Report.

REPORT

Background

Owner: Shadybrook Development Inc.

Agent: Glenn Schnarr & Associates Inc., 10 Kingsbridge Garden Circle, Suite 700, Mississauga, ON. L5R 3K6

Location:

The subject lands are located in Ward 4, on the north side of Britannia Road, with Bronte Street South along the east and the CN Railway to the west within the Boyne Survey Secondary Plan. Surrounding land uses include existing and future residential, a mixed-use development to the east (Shearling Heights Estates Z-15/21), and institutional uses to the north (Elsie MacGill Secondary School and a proposed place of worship (Z-12/21).

Attached as Figure 2 to this report is the location map of the proposed plan of subdivision.

Proposal:

The applicant is seeking an amendment to the Town's Zoning By-law to rezone the subject lands from the current Future Development (FD), Natural Heritage System (NHS), and existing site specific Residential Medium Density 2 (RMD2*219) zone symbols to a site specific Residential Medium Density 1 (RMD1 *220), site specific Residential Medium Density 1 with a Holding (RMD1*220-H35), site specific Residential Medium Density 1

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(RMD1 *364), a site specific Residential Medium Density 2 (RMD2*365), a site specific Residential Medium Density 2 with a Holding (RMD2*263-H35), Mixed Use (MU), Open Space (OS), Open Space Stormwater Management (OS-2) and Natural Heritage System (NHS) to accommodate a proposed residential plan of subdivision.

Figure 3 illustrates the proposed Draft Plan of Subdivision.

The development proposes 116 single detached dwellings, 46 semi-detached dwellings and 162 townhomes for a total of 324 units in total. An additional 43 townhouse units will form part of this subdivision once the lots are consolidated with the adjacent subdivision. The development also proposes a Major Node Block, to be developed in the future. The Major Node represents a high-density block and is conceptually designed as a mix of townhouses and three eight-storey buildings (see Figure 4 for the Concept Plan). The subdivision also proposes a Stormwater Management block, a Natural Heritage System block and associated buffers and a 5-metre-wide pedestrian trail (located on the east side of the channel).

The following reports and supporting materials have been submitted in support of the application and are currently under review:

- Revised Draft Plan of Subdivision prepared by Glen Schnarr & Associates Inc., dated November 21, 2024
- Planning Justification Report including Public Engagement Strategy prepared by Glen Schnarr & Associates Inc., dated December 2024
- Phasing Plan prepared by Glen Schnarr & Associates Inc., dated November 28, 2024
- Draft Implementing Zoning By-Law prepared by GSAI dated December 2024
- Noise and Vibration Feasibility Study prepared by HGC Engineering dated May 1, 2024
- Response to CN Peer Review and Region of Halton comments, dated October 24, 2024, prepared by HGC Engineering
- Traffic Impact Study prepared by GHD Limited dated February 12, 2024
- Functional Servicing Report prepared by Urbantech Consulting dated December 11, 2024
- Stormwater Management Report prepared by Urbantech Consulting dated December 11, 2024
- Updated Hydrogeological Assessment prepared by R.J. Burnside & Associates Limited, dated July 2017
- Major Node Urban Design Brief prepared by The Planning Partnership, dated November 2022

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- Architectural Design Guidelines prepared by The Planning Partnership, dated September 2022
- Ministry of Tourism, Culture and Sport Letter Confirming Stage 1 Archaeological Assessment dated April 29, 2014, prepared by Archeoworks Inc.
- Ministry of Tourism, Culture and Sport Letter Confirming Stage 2 Archaeological Assessment dated Jan 8, 2016 prepared by Archeoworks Inc.
- Ministry of Tourism, Culture and Sport Letter Confirming Stage 2 Archaeological Assessment dated June 14, 2016 prepared by Archeoworks Inc.
- Ministry of Tourism, Culture and Sport Letter Confirming Stage 3 Archaeological Assessment dated March 9, 2018 prepared by Archeoworks Inc.
- Ministry of Tourism, Culture and Sport Letter Confirming Stage 3 Archaeological Assessment dated March 9, 2018 prepared by Archeoworks Inc.
- Ministry of Tourism, Culture and Sport Letter Confirming Stage 3 Archaeological Assessment dated May 11, 2017 prepared by Archeoworks Inc.
- Stage 1 Archaeological Assessment for parts 1, 2 and 3 of the Plan prepared by Archeoworks Inc., dated June 10, 2014
- Stage 4 Archaeological Assessment for parts 1, 2 and 3 of the Plan prepared by Archeoworks Inc., dated November 1, 2018
- Phase I Environmental Site Assessment, dated December 12, 2024, prepared by EXP Services Inc.
- Phase Two Environmental Site Assessment, dated February 8, 2024, prepared by EXP Services Inc.
- Phase II Environmental Assessment prepared by Barenco Inc. dated June, 2011
- Letter of Reliance, prepared by EXP Services Inc., dated December 17, 2024

Discussion

Planning Policy:

Halton Region Official Plan

As of July 1, 2024, Halton Region has become an upper-tier municipality without planning responsibilities, however the Halton Region Official Plan ('ROP') remains in-effect and the local municipalities are responsible for administering the plan until such time that it is revoked or amended by the respective municipality.

The subject lands are designated Urban Area on Map 1: Regional Structure of the Halton Region Official Plan. All development is subject to the policies of the ROP. Section 76 of the

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ROP states that the permitted uses in the Urban Area are to be in accordance with a Local Official Plan and Zoning By-law.

Town of Milton Official Plan

The subject lands are designated Residential Area, Residential Office Area and Natural Heritage System Area as shown on Schedule B - Urban Area Land Use Plan of the Town of Milton Official Plan.

The Residential Area designation means that the uses shall be primarily low to medium density residential dwellings.

The Residential/Office Area designation is intended for lands where higher density development is to be encouraged, including lands at gateways to the community and adjacent to major open space, commercial nodes and major institutional uses. The permitted uses will be primarily attached multiple residential but may also include office and accessory local commercial uses located in the residential or office buildings, particularly adjacent to gateways and major institutional uses.

The purpose of the Natural Heritage System 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 subject lands are located within the Boyne Survey Secondary

Boyne Survey Secondary Plan

The subject lands are located within the Boyne Survey Secondary Plan and are designated Residential Area, Natural Heritage System, Residential/Office Area, Institutional Area and Major Node Area.

The Residential Area designation, which makes up the majority of the subject lands, permits a variety of housing types and forms including Medium Density Residential I and II uses, High Density Residential uses and Local Institutional uses and Coach houses.

The Natural Heritage System designation, which represents the realigned creek and its buffers, is intended 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.

With regard to the lands designated Residential/Office Area, Policy C.10.5.2.1 of the Plan notes that where the approval of the Subwatershed Impact Study results in the realignment of a watercourse corridor or the location of a stormwater management facility such that the

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lands within the designation no longer have frontage on and direct access to an arterial road, the adjacent land use designation will be deemed to apply to such lands without amendment to this Plan (in this case being Residential Area). The draft plan shows this area as consisting of the realigned channel and buffers, stormwater management pond and residential development.

A portion of the lands, located just below Elsie MacGill Secondary School, are designated Institutional Area. This Institutional Area designation on the subject lands, as well as on the lands to the north, was for the purpose of accommodating a secondary school within the Boyne lands. Policy C.10.5.4.4 of the Boyne Survey Secondary Plan indicates that should the lands not be required for institutional uses, then the adjacent land use designation would apply, being Residential Area. As the secondary school is built and in operation, the Residential Area designation would apply.

The Major Node Area designation is intended to be the focus of urban activity for surrounding residential neighbourhoods, be pedestrian-oriented and maximize the use of public transit. Permitted uses within the Major Node Area include a variety of high density residential, institutional and office uses, community facilities and retail/commercial uses not exceeding 2,787 square metres in the node. The applicant has provided a concept Urban Design Brief illustrating a proposed development within the node consisting of three 8-storey buildings with additional back-to-back townhouses and street townhouse units, and a landscape/amenity area. While these are conceptual in nature and will require refinement through future detailed design, the concepts demonstrate conformity with the direction for the development of the Major Node Area.

Section C.10.2.1 e) of the Secondary Plan identifies that overall residential density of at least 40 units per net hectare and an overall density of approximately 70 residents and jobs combined per gross hectare exclusive of lands within the Natural Heritage System is required. Upon completion of the entire Plan of Subdivision, the proposed development will add an additional 324 grade-related housing units at a proposed density of 42.6 units per hectare and the Major Node is estimated to add approximately 544 apartment units.

Staff reviewed the application in relation to the policies of the Provincial Policy Statement, the Growth Plan, the Halton Region Official Plan and the Town of Milton Official Plan, the Boyne Survey Secondary Plan including the Boyne Survey Tertiary Plan. 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), Natural Heritage System (NHS), and existing site specific Residential Medium Density 2 (RMD2*219) zone symbols

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to a site specific Residential Medium Density 1 (RMD1 *220), site specific Residential Medium Density 1 with a Holding (RMD1*220-H35), site specific Residential Medium Density 1 (RMD1 *364), a site specific Residential Medium Density 2 (RMD2*365), a site specific Residential Medium Density 2 with a Holding (RMD2*263-H35), Mixed Use (MU), Open Space (OS), Open Space Stormwater Management (OS-2) and Natural Heritage System (NHS) to accommodate the proposed residential plan of subdivision.

Regarding the conceptual development of the Major Node Area, Staff note that the node is proposed to be placed within a Mixed Use (MU) zone and the applicant is seeking no site specifics to accommodate their proposed development as the conceptual design would appear to be in compliance with the MU zone provisions (i.e. height and density (FSI)). Through detailed design, should deficiencies be identified, the applicant would be required to seek a Minor Variance or return to Council for an amended bylaw.

As noted previously, a small portion of lots within the previously approved Branthaven Caivan Inc. Plan of Subdivision fronting on Tasker Court, currently zoned Residential Medium Density 2 (RMD2*219), will be rezoned through this Zoning Amendment to facilitate lot consolidation with the Shadybrook development to avoid having lots with dual zoning. To ensure this lot consolidation takes place and complete development lots are created, a Holding Provision (H35) will be placed on the zoning, only to be lifted when the lands are joined in title.

The proposed zoning by-law is attached as Appendix 1.

Public Consultation and Review Process

The Shadybrook Plan of Subdivision, which comprises the majority of the development, was subject to two previous statutory public meetings. The first was held on July 23, 2014 and a subsequent meeting was held on March 6, 2023. No members of the public spoke at the meeting, nor did staff receive any written correspondence regarding this development.

Notice for the lots within the Branthaven Caivan Inc. portion of lands subject to this zoning by-law amendment was provided in accordance with the Planning Act. It is noted that this land was previously zoned through the Branthaven plan of subdivision and implementing zoning by-law amendment.

Agency Circulation

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 offered no objection to the applications and requested standard conditions of draft plan approval be applied. Agencies will continue to work with the applicants through the detailed draft approval process. Staff

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note that CN Rail was circulated the applications and have requested several Draft Plan Conditions related to noise, required safety setbacks to their rail line, the granting of an environmental easement and the requirement for the applicant enter into an Agreement with CN Rail. The applicant has indicated no concerns with these requirements at this time and will continue to work with internal and external agencies throughout the draft approval process.

Summary of Issues

CN Intermodal

At the public meeting, Councillor Best requested that appropriate warning clauses to future purchasers be included in agreements of purchase and sale. Staff will ensure that appropriate warning clauses are included in the draft plan conditions and agreements of purchase and sale.

Timing of Construction

Councillor Ali questioned the timing of the construction should the development proceed. The applicants have indicated that following the approval of the implementing zoning and the issuance of draft plan approval, the development will require approximately two years to prepare the lands for house construction. Following the site alteration works, house construction will likely occur in 2027-2029 depending on market conditions. The development of the Major Node will follow.

Conclusion

Planning staff is satisfied that the proposed zoning by-law amendment is consistent with the Provincial Policy and conforms to the Region of Halton and Town of Milton Official Plans. Therefore, staff recommends approval of the draft zoning by-law amendment. Following the passing of the Zoning By-law, the related Plan of Subdivision will be recommended for Draft Approval, of which the Commissioner of Development Services has delegated authority to issue.

Financial Impact

None arising from the approval of this report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services



The Corporation of the Town of Milton

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For questions, please contact: Aaron Raymond, MCIP, RPP, Phone: Ext. 2313
Senior Planner

Attachments

Figure 1 – Branthaven Caivan Location Map
Figure 2 - Shadybrook Location Map
Figure 3 - Draft Plan of Subdivision
Figure 4 - Conceptual Major Node
Appendix 1 - Zoning By-law Amendment and Schedule A

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.