



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: July 18, 2022

Report No: DS-075-22

Subject: Public Meeting and Technical Report: Town-Initiated Housekeeping Amendment to Official Plan Schedule C.7.A.CBD - Central Business District Height Limits, Zoning By-law 016-2014 Schedule A - Zoning Map, and Zoning By-law 016-2014 Schedule D - Central Business District Building Heights (Town File: HKA 02/22 and HKA 03/22)

Recommendation: THAT Development Services Report outlining Town-Initiated Housekeeping Amendment to Official Plan Schedule C.7.A.CBD - Central Business District Height Limits, BE APPROVED;

AND THAT, Development Services Report outlining Town-Initiated Housekeeping Amendments to Schedule A - Zoning Map and Schedule D - Central Business Height Limits of By-law 016-2014, BE APPROVED;

AND THAT WHEREAS the Planning Act limits the ability to apply for a minor variance for a 2-year period following approval of this By-law, BE IT RESOLVED that a privately initiated application for a minor variance to the amended schedules to this report may be made;

AND THAT staff be authorized to bring forward Official Plan Amendment No. 75 in accordance with the draft Official Plan Amendment Attached as Appendix 1 to this report for Council Adoption;

AND THAT staff be authorized to bring forward an amending By-law in accordance with the Draft By-law attached as Appendix 2 to this report for Council Approval.

EXECUTIVE SUMMARY

The purpose of the proposed applications is to correct mapping errors that have been identified by Town Staff, as it relates to Official Plan Schedule C.7.A.CBD Central

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Business District Height Limits, as well as Schedule A - Zoning and Schedule D - Central Business District - Building Heights of Zoning By-law 016-2014. The mapping errors have been identified as errors that were incorrectly included on the Schedule or errors that were not applied to properties, as was intended through the Downtown Study, the Mature Neighbourhoods Character Study and the Major Transit Station Area Study. A detailed review of each of the changes is provided below.

Conclusion and Recommendations

Staff are satisfied that the proposed housekeeping amendments, attached as Appendix 1 and Appendix 2, conform to Provincial, Regional and Town planning policies. Staff are also of the opinion that these changes are technical in nature and represent changes that reflect the intent of the Downtown Study, the Mature Neighbourhoods Character Study and the Major Transit Station Area Study. Therefore, staff recommends approval of the Official Plan Housekeeping Amendment and the Zoning By-law Housekeeping Amendment, as presented through this report.

REPORT

Background

Through an ongoing review of inquiries related to properties in the Downtown Area, staff have identified a number of mapping errors which do not accurately reflect the intention of previous studies, including the Downtown Study, the Mature Neighbourhoods Character Study and the Major Transit Station Area Study.

The Town has initiated a Housekeeping Amendment to address these errors. Rectifying these mapping errors will ensure that any future development of these lands in accordance with the completed studies which encompass significant public and Council input.

The specific properties and the proposed amendments are discussed below.

Discussion

Proposed Amendments

Housekeeping Amendment HKA 02/22 proposes the following amendments:

Official Plan Schedule C.7.A.CBD - Downtown Business District Height Limits

- The height schedule for lands at the rear of 320 Main Street fronting Pearl Street, 15, 16, 21 and 22 Court Street South, 359, 365, 369, 389, 395, 399, 405 and 409 Pearl Street, as well as 17, 20, and 26 Prince Street are proposed to be amended to permit a maximum height of 1-2 storeys. The current schedule identifies these lands as having maximum permitted heights of 3-4 storeys. The amendment to 1-2 storeys is required to conform to the recommendations of the Downtown Study,

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Mature Neighbourhoods Character Study and MTSA study. Each of these lands are zoned low density residential which only permits a maximum height of 2 storeys. Rectifying this error will ensure that should any redevelopment of these lands be proposed, the height of the structure permitted will be in accordance with the recommendations of the Downtown Study, Mature Neighbourhoods Character Study and MTSA study.

- The height schedule for the lands at 99, 107, 111 and 117 Mary Street is proposed to be amended to permit a maximum height of 1-2 storeys. The current schedule identifies these lands as having maximum permitted heights of 3-4 storeys. These lands are zoned low density residential which only permits a maximum height of 2 storeys. Rectifying this error will ensure that should any redevelopment of these lands be proposed, the height of the structure permitted will be in accordance with the recommendations of the Downtown Study and Mature Neighbourhoods Character Study.
- The height schedule for the lands at 28, 60, and 104 Bronte Street North is proposed to be amended to permit a maximum height of 3-4 storeys. The height schedule currently permits 18 storeys. This mapping error reflects the height proposed through OPA 64 which is currently under appeal to the Ontario Lands Tribunal (OLT). The maximum height on the schedule should be reflective of the current maximum permitted height which is 3-4 storeys. There are no implications on the OLT hearing for these lands as the hearing will discuss the proposed development.

Official Plan Amendment No. 75 outlining amendments to Schedule C.7.A.CBD Downtown Business District Height Schedule is attached to this report as Appendix 1.

Housekeeping Amendment HKA 03/22 proposes the following amendments:

Zoning By-law Schedule A - Zoning Map

- The Zoning Map for the lands at the rear of 320 Main Street fronting Pearl Street and 376 Pearl Street is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density (RLD) zone and rezoning the lands as Residential Low Density I (RLD1) to conform to the Mature Neighbourhoods Character Study.
- The Zoning Map for the lands at 351 Highside Drive between the southerly boundary of the lands zoned Greelands A and Highside Drive is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density (RLD) zone and rezoning the lands as Residential Low Density II (RLD2) zone to conform to the Mature Neighbourhoods Character Study.
- The Zoning Map for the lands at 243 Caves Court is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density

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(RLD) zone and rezoning the lands as Residential Low Density IV (RLD4) zone to conform to the Mature Neighbourhoods Character Study.

- The Zoning Map for the lands at 161 Fulton Street (sewage treatment plant) is proposed to be amended by revising the schedule that currently zones these lands as site-specific Residential Low Density (RLD*7) and rezoning the lands as site-specific Residential Low Density I (RLD1*7) to conform to the recommendations of the Mature Neighbourhoods Character Study. The site specific zoning exceptions and approved variances that apply to the property are carried forward and not impacted.
- The Zoning Map for the lands at 79 Martin Street is proposed to be amended by revising the schedule that currently zones these lands as site-specific Residential Low Density (RLD*282) and rezoning the lands as site specific Residential Low Density I (RLD1*282) to conform to the recommendations of the Mature Neighbourhoods Character Study. The site specific zoning and any approved variances that apply to the property are carried forward and not impacted.
- The Zoning Map for the lands at 245 Commercial Street is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density III (RLD3) and rezoning the lands as site specific Residential Low Density III (RLD3*120) to restore the existing approved special provisions which were not carried forward in the zoning schedule.
- The Zoning Map for the lands at 350 Ontario Street South is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density III (RLD3) and rezoning the lands as site specific Residential Low Density III (RLD3*134) to restore the existing approved special provisions which were not carried forward in the zoning schedule.

Zoning By-law Schedule D - Central Business District Building Heights

- The Central Business District Building Height Schedule for the lands at the rear of 320 Main Street fronting Pearl Street, 15, 16, 21 and 22 Court Street South, 359, 365, 369, 389, 395, 399, 405 and 409 Pearl Street and 17, 20 and 26 Prince Street is proposed to be amended by revising the schedule that currently permits a minimum height of 3 storeys and 10.5 metres and a maximum height of 4 storeys and 16.5 metres to permit a maximum 2 storeys height in accordance with the provisions of Table 6B. This mapping error resolution is required to conform to the recommendations of the Downtown Study, the Mature Neighbourhoods Character Study and the MTSA Study.
- The Central Business District Building Height Schedule for the lands at 680, 700, 720, 0, 800, 810, 820, 842, 860, 886, and 900 Nipissing Road is proposed to be amended by revising the schedule that currently permits a maximum 2 storeys height in accordance with the provisions of Table 6B to permit a maximum height

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of 2 storeys and 9.5 metres. This mapping error resolution is required to restore the height permission established in Zoning By-law 016-2014 mapping dated February 24, 2014.

- The Central Business District Building Height Schedule for the lands at 145 and 151 Nipissing Road is proposed to be amended by revising the schedule that currently permits a minimum height of 19 storeys and a maximum height of 23 storeys to a maximum of 23 storeys (with no minimum). This mapping error resolution is required to correct the label in the legend.
- The Central Business District Building Height Schedule for the lands at 21 James Street and 36 Charles Street is proposed to be amended by revising the schedule that currently permits a minimum 3 storeys and 10.5 metres and a maximum 4 storeys and 16.5 metres to a maximum 2 storeys and 9.5 metres. This mapping error resolution is required to restore the height permission established in Zoning By-law 016-2014 mapping dated February 24, 2014 and to conform to the recommendations of the Downtown Study.

The Zoning By-law and associated Schedule A - Zoning map and Schedule D - Central Business District Heights map is attached to this report as Appendix 2.

The moratorium for lands described in this housekeeping amendment is proposed to be waived as it relates specifically to the amendments considered in the attached Zoning Amendment. Any moratoriums in effect for these lands associated with previously approved studies will continue to apply until the expiry date established at the time these moratoriums were approved by Council.

Public Consultation and Review Process

In accordance with the *Planning Act* requirements and Town policies, notice for the Statutory Public Meeting for Town-initiated applications was provided on June 16, 2022 through an ad in the Milton Canadian Champion. As of the writing of this report, no written submissions have been provided.

Agency Consultation

The proposed housekeeping amendments were circulated to both internal departments and external commenting agencies who offered no objection to the applications.

Conclusion

Staff is satisfied that the proposed Official Plan Amendment as attached in Appendix 1 and the proposed Zoning By-law Amendment as attached in Appendix 2 conforms to Provincial, Regional and Town land use planning policy. Therefore, staff recommends approval of the proposed Official Plan and Zoning By-law Amendments for the purpose of addressing mapping errors in these schedules as noted above.



Financial Impact

None arising from this report.

Respectfully submitted,

Jill Hogan, MCIP, RPP
Commissioner, Community Services

For questions, please contact: Mollie Kuchma, MSc, MPA, Phone: Ext. 2312
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Development Review

Attachments

Figure 1 - Official Plan Amendment Location Map
Figure 2 - Zoning By-law Amendment Location Map
Appendix 1 - Official Plan Amendment & Schedule C.7.A.CBD
Appendix 2 - Zoning By-law Amendment, Schedule A & Schedule D

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.