



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 6, 2023

Report No: DS-013-23

Subject: Technical Report: Proposed Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment by Fieldgate Developments for lands known as Part Lots 7 & 8, Concession 1 NS (Trafalgar) at the southwest corner of Bronte Street and Louis St. Laurent Av

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 (24T-21005/M - Fieldgate Developments);

AND THAT applications to the Town of Milton Official Plan and Zoning By-law 016-2014, as amended, to facilitate the development of mixed use plan of subdivision **BE APPROVED**;

AND THAT staff be authorized to bring forward Official Plan Amendment No. 77 in accordance with the draft Official Plan Amendment attached as Appendix 2;

AND THAT staff be authorized to bring forward an amending Zoning By-law with a holding in accordance with the draft By-law attached as Appendix 3;

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;

AND FURTHER THAT the Town Clerk forward a copy of the Report and Decision to the Region of Halton for their information.

EXECUTIVE SUMMARY

The purpose of the proposed applications is to facilitate the development of the Secondary Mixed Use Node with commercial and residential development at the southwest corner of Bronte Street and Louis St. Laurent Avenue. The proposed development consists of approximately 16,550 square metres of retail/commercial service space, as well as up to 1,129 residential dwelling units, including 177 townhouse units, 456 retirement residential



EXECUTIVE SUMMARY

units in two apartment buildings, and an additional 496 units in three high density apartment buildings.

The proposed plan of subdivision will create blocks for the proposed commercial development, the proposed residential development, a 15.68 hectare district park, as well as blocks for a trail, an active transportation link, natural heritage system and associated buffers, a stormwater management facility and road widenings.

The Official Plan Amendment seeks to permit an increase in the allowable maximum gross floor area for commercial uses within the Secondary Mixed Use Node. A maximum of 36,696 square metres of retail/commercial space is permitted within the entire Secondary Mixed Use Node. The application proposes 16,550 square metres of retail-commercial space for this specific site, which is 5,560 square metres greater than the maximum permitted GFA in the Secondary Mixed Use Node.

The Zoning By-law Amendment seeks to rezone the lands to permit the proposed uses, and further establish zone standards specific to the proposed development and apply holding provisions related to Transportation Demand Management measures and servicing allocation.

Conclusions and Recommendations

Staff is satisfied that the Plan of Subdivision attached as Appendix 1, subject to the requested conditions of draft plan approval, Special Policy Area 44 attached as Appendix 2, and the site specific zoning provisions attached as Appendix 3, will conform to Provincial, Regional and Town planning policies and Conservation Halton Regulations, and further achieves acceptable engineering and design standards. Planning staff is also satisfied that the proposed Official Plan Amendment and Zoning By-law Amendment is consistent with the land use policies of the Provincial Policy Statement and conforms to the Regional Official Plan. Therefore, staff recommends approval of the Official Plan Amendment and Zoning By-law Amendment, and the draft approval of the Plan of Subdivision as presented through this report.

REPORT

Background

Owner: Fieldgate Developments, 5400 Yonge Street, Toronto ON M2N 5R5

Location: The subject lands are located on the south west corner of Bronte Street and Louis St. Laurent Avenue, east of the Canadian National Railway tracks (see Figure 1 - Location Map).

The lands are approximately 36.5 hectares (90.19 acres) in size with approximately 200 metres of frontage on Bronte Street and 500 metres of frontage on Louis St. Laurent Avenue. Currently the lands are vacant, comprised of three parcels of undeveloped,

Background

former agricultural lands, surrounded by lands either recently developed or planned for future development.

Proposal: The application seeks to facilitate the development of a plan of subdivision to create blocks for the proposed commercial development, the proposed residential development, a 15.68 ha (38.75 acre) District Park, as well as blocks for a trail, an active transportation link, natural heritage system and associated buffers, a stormwater management facility and road widenings. Figure 2 shows the concept plan for the proposed plan of subdivision.

Through the proposed plan of subdivision, a 15.68 ha block for the purpose of the creation of a Town-owned District Park, is proposed. These lands will be conveyed to the Town and zoned Open Space (OS) through the proposed application, to facilitate the development of the district park in the future. Details related to the development of this site as a Town-owned park will be subject to a separate public engagement process, undertaken by the Town, in the future.

The application seeks to amend the Boyne Survey Secondary Plan for the Town's Official Plan to allow an increase in the maximum gross floor area for commercial uses. A maximum of 36,696 square metres of commercial spaces is currently permitted within this Secondary Mixed Use Node in the Boyne Survey Secondary Plan. Currently, the northwest corner has site specific permissions (C2*119) to allow for the development of 14,864 square metres of commercial gross floor area and the northeast corner which contains a retail/commercial plaza (Milton Marketplace) with 10,842 square metres of gross floor area. The proposed Official Plan Amendment seeks to allow 16,550 square metres of commercial space for this development, which exceeds the maximum commercial gross floor area permitted by 5,560 square metres. This would increase the total allowable commercial gross floor area to 42,256 square metres for the entire Secondary Mixed Use Node at Louis St. Laurent Avenue and Bronte Street. It is noted that it is unlikely that the full 14,864 square metres will be built on the northwest corner of the node, as the developer originally intended to build a stand-alone commercial/retail plaza anchored by a food store, but has since rezoned a portion of the lands in 2016 (Report PD-047-16) for residential development and further in 2019 (Report PD-032-19) for a mixed use development.

The application seeks to rezone the subject lands from the current Future Development (FD) zone and Natural Heritage System (NHS) zone to site specific Secondary Mixed Use Commercial (C2*329) to facilitate the development of the commercial block, site specific Residential Medium Density 2 (RMD2*330) to facilitate the development of the proposed townhouses, site specific Residential High Density (RHD*331) to facilitate the development of retirement residential units, and site specific Residential High Density (RHD*332) to facilitate the development of apartment dwelling units. Additionally, the application seeks to rezone the remainder of the lands as Open Space (OS) zone to facilitate the development of the District Park, Open Space - Stormwater Management (OS-2) zone to facilitate the stormwater management facility and Natural Heritage System

Background

(NHS) to accommodate the existing natural heritage features on site. The Zoning By-law Amendment also seeks to establish zone standards specific to the proposed development in conformity with the permissions granted through the Official Plan, and include site specific provisions relating to the siting of buildings on the property, maximum building heights, permitted uses and parking rates. A holding provision will also be applied to Block 4 to ensure adequate Transportation Demand Management (TDM) measures are implemented on Block 4 as it relates to a proposed reduction in parking spaces, and a holding provision will be applied to Blocks 2 and 4, relating to securing adequate allocation for the provision of servicing the residential lands.

Planning Policy: The subject lands are within the Urban Area of the Town of Milton. Official Plan Amendment No. 31 (OPA #31) is an amendment to the Town's Official Plan, which was adopted by the Town of Milton on June 14, 2010 and approved by Halton Region with modifications on November 22, 2018.

On Schedule B, Urban Area Land Use Plan, of OPA #31, the lands are designated as Residential Office Area and Natural Heritage System Area. The main permitted uses within the Residential Office Area designation are primarily high rise residential uses, as well as office and local commercial uses. The Natural Heritage System Area is intended to protect, maintain and enhance the natural heritage, hydrologic, and landform features and functions, as well as to improve or restore the quality and quantity of ground and surface water and the hydrologic functions of watersheds.

The subject lands are located within the Boyne Survey Secondary Plan Area. On Schedule C-10-C Land Use Plan, the lands are designated Secondary Mixed Use Node, District Park and Natural Heritage System. The main purpose of the Secondary Mixed Use Node designation is to provide areas that offer commercial uses which will service both the surrounding neighbourhood and broader Milton community, as well as provide a range of higher density and mixed use developments at key intersections. Residential high density uses are permitted in the Secondary Mixed Use Node to a maximum height of 15 storeys.

In May 2018, Town of Milton Council approved a Town-initiated Local Official Plan Amendment for the Boyne Survey Secondary Plan to amend the policies for Residential High Density, Secondary Mixed Use Node and Major Node designations. The intent of this amendment was to ensure that the purpose of the nodes continued to be a focal point for the community where a mix of uses would be achieved, while maintaining the unit mix and overall density required for the Boyne Survey Secondary Plan area.

As part of this Local Official Plan Amendment, Medium Residential 2 uses including grade-related multiple-attached housing forms such as townhouses, stacked townhouses and back-to-back townhouses were added as an additional permitted use in addition to High Density Residential uses, such as apartment buildings.

It is staff's opinion that the proposed development generally conforms to the policies of the Town's Official Plan and the Boyne Survey Secondary Plan Area as it relates to the principle of land use. However, as previously noted, an Official Plan Amendment is

Background

required to address the proposed increase in commercial gross floor area proposed for this Secondary Mixed Use Node.

The Secondary Mixed Use Node policies of the Boyne Survey Secondary Plan outline a maximum amount of gross floor area that is permitted for commercial uses, which includes a maximum of 36,696 square metres for this Node. Based on the existing and proposed development approved in this node, only approximately 10,990 square metres of commercial development would be permitted on these lands. As a result, an Official Plan Amendment is required to permit the additional 5,560 square metres, in order to achieve the 16,550 square metres of commercial gross floor area proposed by this development. This would increase the total allowable commercial gross floor area of 42,256 square metres for the entire Secondary Mixed Use Node at Louis St. Laurent Avenue and Bronte Street. To support this request, the applicant has submitted a Market Demand & Impact Analysis which was subsequently peer reviewed on behalf of the Town by an expert in the field.

The peer-reviewer concurred with the analysis which indicated the demand for commercial development and market opportunity. It was noted that the site is situated in an ideal location for retail development, particularly given its location within one of the two Secondary Mixed-Use Nodes, and highlights the Town's projected rapid population growth, current and anticipated development applications, as well as future anticipated retail facilities located within the Local Trade Area. It was concluded that there is sufficient market demand to support the proposed increase in commercial development on the subject site.

Staff have reviewed the application and supporting documentation is of the opinion that the proposed development is consistent with the Provincial Policy Statement and conforms to the Growth Plan, the Halton Region Official Plan, the Town of Milton Official Plan and the Boyne Survey Secondary Plan. The proposed Official Plan Amendment is appropriate for the development of the lands as proposed and it has been adequately demonstrated that the Amendment being sought meets the intent of the policies contained within the secondary plan.

Official Plan Amendment No. 77 and Special Policy Area 48 on Schedule I1 are attached to this report at Appendix 2.

Zoning By-law 016-2014, as amended:

The subject lands are currently zoned Future Development (FD) and Natural Heritage System (NHS), which do not permit the development, as proposed. Approval of the Zoning By-law Amendment is required to facilitate the development of a commercial block, residential blocks, District Park block and associated buffers, trails and stormwater management facility.

The lands on Block 1 are proposed to be zoned site specific Secondary Mixed Use (C2*329) zone to facilitate the development of the proposed commercial block. The commercial block will be comprised of fourteen commercial buildings, totalling 16,550



Background

square metres, anchored by a large food store. In addition to rezoning the lands to permit a variety of uses, such as service commercial and retail, site specific provisions relating to the proposed siting of buildings, total Gross Floor Area to implement the proposed Official Plan amendment, buffering and queuing for commercial uses is proposed.

The lands on Block 2 are proposed to be zoned site specific Residential Medium Density 2 (RMD2*330) to facilitate the development of grade related townhouse dwelling units. The block will be comprised of Dual Frontage Townhouse Dwellings and Back-to-Back Townhouse dwellings. The site specific zoning will include specific provisions relating to the siting of the dwelling units on the block. Additionally, a holding provision (H75) will be applied to the lands, only to be removed when adequate servicing allocation for the residential portion of the site has been secured to the satisfaction of Halton Region. It is the intent that the Townhouse dwelling units in Block 2 will be condominium townhouses in the future.

The lands on Block 3 are proposed to be zoned site specific Residential High Density (RHD*331) to facilitate the development of retirement dwelling units. Site specific provisions are included relating to the size and orientation of the block, height of the buildings to implement the permissions in the Official Plan, and a reduction in proposed parking spaces. The holding provision is not required for these lands as the units are proposed to be purpose-built residential, for which allocation is currently secured for the site.

The lands on Block 4 are proposed to be zoned site specific Residential High Density (RHD*332) to facilitate the development of four apartment buildings. Site specific provisions are included relating to the siting of the buildings on the lands, height of the buildings to implement the permissions in the Official Plan, an increase in lot coverage and a reduction in proposed parking spaces. Additionally, two holding provisions will be applied to the lands, only to be removed when (H75) adequate servicing allocation for the residential portion of the site has been secured to the satisfaction of Halton Region, and (H76) until such time as the Owner demonstrates to the satisfaction of the Town that all recommended Transportation Demand Management measures, as per the revised Traffic Impact Study prepared by TYLin, will be implemented. It is the intent that the apartment dwelling units in Block 4 will be condominium apartment units in the future.

The remainder of the lands are proposed to be zoned Open Space (OS) to facilitate the development of the District Park, Open Space - Stormwater Management (OS-2) to facilitate the stormwater management facility and Natural Heritage System (NHS) to accommodate the existing natural heritage features on site.

Should the application be approved, the applicant is required to obtain Site Plan Approval for each of the proposed commercial and residential blocks, prior to the issuance of building permits. Site Plan Approval will review detailed design of the blocks, addressing matters such as building elevations and urban design, lot grading and drainage, lighting and landscaping.



Background

Schedule A and the proposed site-specific Zoning By-law for the subject lands are attached to this report as Appendix 3.

Discussion

Public Consultation and Review Process: Notice of complete application was provided to surrounding properties on August 26, 2021.

The developer and their consultants held a Public Information Centre (PIC), virtually, on October 27, 2021. This PIC consisted of a presentation on the proposed development and a question and answer period. Town staff were in attendance to take note of questions and comments provided by the public.

Notice for the public meeting held on November 15, 2021 was provided pursuant to the requirements of the Planning Act on October 21, 2021, through written notice to all properties within 200 metres of the subject lands, as well as an ad in the Milton Champion.

One written letter of objection was received by a nearby homeowner. Questions and comments were received from members of Council during the Public Meeting. No members of the public spoke in support or opposition to the proposal at the Public Meeting. A summary of the issues identified are discussed in further detail below.

Agency Consultation: The revised draft plan of subdivision, Official Plan Amendment and Zoning By-law Amendment and all supportive documents were circulated to both internal and external commenting agencies for review. Halton Region, Conservation Halton, Town Departments, School Boards, CN Rail and other agencies offered no objection to the applications, and requested standard conditions of draft plan approval be applied. The agencies will continue to work with the applicants through the detailed draft approval process as well as the Site Plan Approval process prior to the development of the site.

Summary of Issues:

Principle of Land Use and Amendments Sought:

The principle of land use and uses permitted on this site are determined through the Town's Official Plan and any applicable Secondary Plans. In the case of this particular development, the lands are subject to the Town's Official Plan as well as the Boyne Survey Secondary Plan. These policy documents outline the permitted uses and provide direction on how the lands are to be developed.

As previously noted, the lands are identified as a Secondary Mixed Use Node in the Boyne Survey Secondary Plan, which is intended to be a designated location in the Town in which higher order commercial and high density developments are to be located. The Boyne Area Secondary Plan intends for a mix of housing and dwelling types, ranging from low to medium to high density uses to accommodate a range of housing needs. The Secondary Mixed Use Nodes are strategically located at key intersections throughout Town, along

Discussion

both arterial and local roads, in ideal locations for high density, transit-supportive development.

The proposed development, comprised of both commercial and high density residential development, meets the policies of both the Town's Official Plan and the Boyne Area Secondary Plan as it relates to the use of the lands and other characteristics including height and density. No amendments to the Official Plan are required for the proposed uses, the proposed heights or density. The only amendment required to the Official Plan relates to the proposed increase in Gross Floor Area, as discussed earlier in this report.

Transition to Adjacent Residential Area, Building Heights, Siting, Shadow and Privacy:

Concerns have been raised regarding high density residential development adjacent to existing residential development. It is noted that high density residential adjacent to existing medium density residential development is considered to be an appropriate transition and consideration has been, and will continue to be considered as it relates to built form and urban design through ongoing development applications, such as Site Plan Approval, in the future. To the east of the proposed development, is an existing residential neighbourhood comprised of Residential Medium Density 1 and 2 single detached, semi-detached and townhouse units. The large municipal Right-of-Way separating the proposed high density uses also provides an adequate transition as it relates to potential shadow impact and privacy concerns.

As previously noted, the Boyne Area Secondary Plan permits residential heights of up to 15 storeys. The applicant is not seeking to increase the permitted heights as outlined in the approved Secondary Plan, but rather implement these heights through the site specific Zoning By-law Amendment. The applicant submitted a shadow impact study which has been reviewed by Town staff and concludes that the proposed development both meets and exceeds the criteria specified in the Town's shadow impact study guidelines relating to the impact of the proposed development on both the public and private realm. Through a future Site Plan Application, the shadow study will again be required to demonstrate conformity to these guidelines. In addition, the proposal will be reviewed in light of the Town's Midrise and Tall Building Design guidelines to ensure appropriate transitions to the surrounding context.

Since the Public Meeting, the applicant has also reduced the height and number of units, as well as the siting of buildings on Block 4, the high density block at the intersection of Bronte Street South and Whitlock Avenue, closest to existing residential development. Initially, the applicant proposed 460 apartment units and 14 townhouse units in two buildings at a height of 11 storeys, one building at a height of 15 storeys and three townhouse blocks. The applicant now proposes 496 apartment units in four buildings, with the buildings on the south side of the block closest to the intersection of Bronte Street S and Whitlock Avenue being six storeys in height, and the two buildings on the north side of the block being 11 storeys immediately adjacent to Bronte Street South and 15 storeys interior to the site.

Discussion

Should the application be approved, all high density development will be subject to Site Plan Approval which will consider a more detailed review of the built form, urban design, site treatment, lighting and landscaping.

Property Values:

The value of a property is dependent on a number of factors including the size and type of property, market trends, location, etc., and is not limited to the impact of surrounding land uses. As a result, case law has demonstrated that property value is not considered to be a planning issue.

Traffic Impacts and Pedestrian Access:

An increase in traffic as a result of the proposed development is expected as the lands are currently vacant. A Traffic Impact Study has been submitted and reviewed by Town Engineering staff, which includes forecasted traffic volumes associated with the proposed development and existing development within the vicinity.

As previously noted, Secondary Mixed Use Nodes are strategically located at key intersections throughout the Town, which are easily serviced by arterial roads and transit.

As part of the Plan of Subdivision, Whitlock Ave will be extended west into the proposed development and will be conveyed to the Town to be maintained as a Town road. In addition to the right-of-way, a multi-use path will be connected to the existing network along Bronte Street South and a trail block will be conveyed which will include pedestrian access to the proposed Active Transportation Link over the CN Railway tracks. Through the future development of the proposed residential and commercial blocks, staff will also continue to review for other opportunities for pedestrian access through the site to both the proposed District Park as well as the Active Transportation Link.

Conclusion: Staff is satisfied that the Plan of Subdivision as shown in Appendix 1, subject to the required conditions of draft plan approval, Local Official Plan Amendment No. 77 and Special Policy Area 48 attached as Appendix 2, and the site specific zoning by-law and associated provisions attached as Appendix 3, will conform to Provincial, Regional and Town land use planning policy and achieves acceptable engineering and design standards. The proposed development will offer a variety of additional commercial and retail opportunities for residents of the surrounding neighbourhood and wider Milton community, and offer a variety of dwelling unit types to accommodate varying needs in the form of apartment units, retirement units and attached multiple-unit type dwellings. Therefore, staff recommends approval of the Official Plan and zoning by-law amendments and the granting of draft plan approval to the plan of subdivisions.

Financial Impact

None arising from this report.



Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact: Mollie Kuchma, MSc, MPA, Phone: Ext. 2312
MCIP, RPP, Senior Planner

Attachments

- Figure 1 – Location Map
- Figure 2 – Site Concept for Development Proposal
- Appendix 1 – Draft Plan of Subdivision
- Appendix 2 – Official Plan Amendment & Schedule I1
- Appendix 3 – Zoning By-law & Schedule A
- Appendix 4 – Public Comments

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.