



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: May 29, 2023

Report No: DS-030-23

Subject: Technical Report: Proposed Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment by Village Developments Inc. for lands in Ward 2 known as 485, 501 and 511 Ontario Street South (Town Files: 24T-20004/M, LOPA-04/20 & Z-07/20).

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-20004/M);

AND THAT applications to the Town of Milton Official Plan and Zoning By-law 016-2014, as amended, to facilitate the development of a mid-rise residential apartment building **BE APPROVED**;

AND THAT staff be authorized to bring forward Official Plan Amendment No. 73 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 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 the Commissioner of Development Services forward a copy of this 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 a six (6) storey apartment building with 296 purpose built rental residential dwelling units. The proposed plan of subdivision, if approved, will create a block for the proposed residential development as well as the natural heritage system at the rear of the site. The Official Plan

EXECUTIVE SUMMARY

Amendment seeks to permit an increased density to 267 units per net hectare for the proposed development. The Zoning By-law Amendment seeks to rezone the lands to permit an apartment building, and further establish zone standards including building setbacks, lot coverage, building height and minimum number of parking spaces for visitors.

Conclusions and Recommendations

Staff is satisfied that the Plan of Subdivision attached as Appendix 1, subject to the requested conditions of Draft Plan Approval, the Local Official Plan Amendment attached as Appendix 2, and the site-specific Zoning By-law Amendment 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 are 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: Village Developments Inc. 7686 Appleby Line, Milton ON L9T 2Y1

Applicant: Michael Bissett, Bousfields Inc., 3 Church Street, Toronto ON M5E 1M2

Location: The subject lands are located in Ward 2 and municipally known as 485, 501 and 511 Ontario Street South, on the east side of Ontario Street, north of Laurier Avenue (see Figure 1 - Location Map).

Site Description: The subject lands are approximately 1.5 hectares in size with approximately 111 metres of frontage on Ontario Street South as identified on the Location map in Figure 1. The lands are currently comprised of three low density residential lots, which each contain a single detached dwelling to be demolished.

To the north of the subject lands is a medium density townhouse development. The lands across Ontario Street to the west are residential, with existing, established low-density residential dwelling units. Immediately to the east of the property is a watercourse and natural heritage features, followed by established, low-density residential dwellings. Immediately south of the property are lands comprised of commercial uses, including retail, medical clinic and office uses.

Proposal: The application seeks to facilitate the development of a six-storey apartment building consisting of 296 purpose built rental apartment units comprised of 1 bedroom, 1

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bedroom plus den, 2 bedroom and 3 bedroom units to accommodate a variety of housing needs. Figure 2 shows a concept plan for the proposed development. The development proposes 64 parking spaces at grade with 373 spaces underground, resulting in a parking rate of 1.0 space per residential unit and 0.25 visitor spaces per residential unit. A parking justification report was submitted and reviewed by staff who are in support of the proposed reduction in resident parking spaces, subject to a holding provision to ensure that the proposed Transportation Demand Management (TDM) measures are implemented on site. The proposed visitor parking space rate meets the requirements of the Town's Zoning By-law.

The plan of subdivision proposes to create a block for the development of the proposed apartment building, as well as a Natural Heritage System (NHS) block that will contain the identified NHS features as well as the associated buffers, which will be conveyed to the Town for the long-term protection of the features.

The Official Plan Amendment seeks to permit a six-storey building with a maximum density of 267 units per net hectare. The subject lands are designated as Residential Area within the Town's Official Plan. In this designation, high density residential uses are permitted to a maximum height of eight storeys with a maximum density of 150 units per net hectare. The proposed density is higher than initially proposed, but this is due to the development block now being smaller to accommodate the proposed Low Impact Development (LID) feature east of the apartment building, as well as increasing the NHS block to the rear of the site to incorporate all natural features and hazards as well as the associated buffers. The building itself includes one less unit than the initial proposal.

The Zoning By-law Amendment seeks to rezone the subject lands from the current Residential Low Density (RLD) zone to a site specific Residential High Density with a holding (RHD*336-H79) zone to permit the apartment use, and further identify site-specific provisions to facilitate the development. These site-specific provisions relate to the number of units, setbacks to existing property lines, lot coverage and parking requirements. The holding zone will be applied to the developable portion of the lands and not lifted until such time as the applicant is able to demonstrate that all proposed TDM measures outlined in the parking justification study are able to be met on site.

Planning Policy: The subject lands are designated as Urban Area in the Regional Official Plan. The Regional Official Plan includes a number of objectives that speak to providing a range of identifiable, inter-connected and complete communities of various sizes, types and characters for residence, work and leisure, and further encourages all levels of government to stimulate rental market housing construction within the Region to meet those needs.

The Regional Official Plan requires that all new development within the Urban Area be connected to Halton's municipal water and wastewater system. It is noted that the subject lands are within the Urban Boundary, and as a result, the Region's Allocation Program does not apply to the proposed development.

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The subject lands are located 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 Area with the Natural Heritage System overlay present at the rear of the site. The Residential Area policies of the Official Plan permit a full range of residential uses and densities, including high density apartment residential uses with a density range of 86 to 150 units per net hectare and a maximum height of eight storeys. Through this application, the applicant proposes a density of 267 units per net hectare to accommodate the proposed 296 rental apartment units contained within the proposed 6-storey apartment building.

The subject lands are located within the "Intensification Area" identified on Schedule K in the Town's Official Plan, with the east side of Ontario Street, where the subject lands are located, further identified as an "Intensification Corridor." Intensification Corridors are defined as "*Intensification Areas identified along major roads, arterials or higher order transit corridors that have the potential to provide a focus for high density mixed use development consistent with planned transit service levels.*" One of the general objectives associated with the Intensification Areas is to promote higher densities than surrounding areas and to provide a diverse and compatible mix of land uses, including residential and employment uses, to support neighbourhoods.

Intensification is encouraged to take the form of medium and high density residential uses, generally guided by the following policies:

- a) The character of adjacent established residential neighbourhoods shall be respected in terms of height, massing and setbacks*

The Residential Area designation permits high density residential uses up to a maximum height of eight storeys, whereas the apartment building is proposed to be six storeys in height. The site is located immediately adjacent to an existing medium density townhouse development as well as an existing commercial development, and the existing low density neighbourhoods are buffered by a large natural heritage system block to the east and a large regional right-of-way (Regional Road 25) to the west.

- b) Buildings shall be stepped back, terraced or setback to maintain an appropriate transition and relationship between different built forms*

The mid-rise apartment building is proposed to be terraced at the fifth and sixth floors. It is proposed to be setback in line with the existing streetscape associated with the adjacent medium density development, and maintains an adequate building setback to adjacent uses.

- c) Rear or side yards abutting existing residential development shall be designed to include fencing and landscaping and other design features to mitigate noise, light and visual impacts*

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To the rear of the proposed apartment building is a large Natural Heritage System block that is to be conveyed to the Town. A chain-link fence is required to separate the development block and the Natural Heritage System, which contains a watercourse, floodplain and erosion hazards. Landscaping and natural vegetation are proposed along the property lines adjacent to the existing residential and commercial uses. Through the subsequent Site Plan Approval process, landscaping and fencing will be reviewed in further detail.

- d) The development shall not cause traffic hazards or an unacceptable level of congestion on surrounding roads*

A Traffic Impact Study and Parking Justification Impact Study were submitted as part of the application and deemed to be sufficient in addressing traffic and parking considerations, by both Regional and Town transportation staff. Ontario Street is a major arterial road, which is expected to carry the largest volumes of traffic through Town. Future improvements continue to be made and are planned for the future along Ontario Street as Milton continues to grow.

- e) The site shall be easily accessible by public transit*

Ontario Street is serviced by Milton public transit (bus) with bus stops within walking distance of the site. The site is also within close proximity to the Milton GO Station which provides public transit service to the Greater Toronto Area.

- f) Site design shall take advantage of natural topography and vegetation to minimize the impacts of building height on adjacent land uses*

The developable portion of the lands are located immediately adjacent to Ontario Street, maintaining an adequate setback to the slope hazard and river valley. The height is proposed to be six storeys whereas eight storeys is permitted as of right for high density uses. Landscaping is proposed along the lot lines, which will be reviewed in further detail through the subsequent Site Plan Approval process. Additionally, the NHS area to the rear of the site will be conveyed to the Town and maintained in a natural state for the long-term protection of the natural features. This will also provide a sufficient buffer to the existing neighbourhood to the rear of the site.

- g) Surface parking shall be discouraged*

Surface parking is proposed for visitor parking only. Resident spaces will be provided in underground parking areas.

- h) Impacts on adjacent properties resulting from grading, drainage, service area locations, access and parking shall be minimized.*

The site design proposes one access point to Ontario Street to minimize the amount of vehicles leaving and entering the site at one time. Transportation Demand Management measures, including providing both short term and long term secure bicycle parking spaces, and information packages advising of transit and active transportation opportunities in the area are required. Engineering plans, including site grading, drainage,

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stormwater management and functional servicing have been provided and reviewed by engineering staff and have been deemed to be satisfactory. Additional detailed design information relating to the civil engineering plans for the site will be required through a subsequent Site Plan Application.

Staff have reviewed the application and supporting documentation and 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, and the Town of Milton Official 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 Town's Official Plan and provides for a much needed housing type to serve the residents of Milton.

Official Plan Amendment No. 73 and Special Policy Area 49 on Schedule I1 are attached to this report as Appendix 2.

Zoning By-law 016-2014, as amended:

The subject lands are currently zoned Residential Low Density (RLD) 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 the proposed apartment building, identify the area to be used as an LID to address drainage concerns on site, and to refine the extent of the Natural Heritage System based on floodplain analysis and top of bank staking.

The lands on Block 1 are proposed to be zoned Site Specific Residential High Density with a Holding (RHD*336-H79). The development block will be comprised of one six-storey apartment building containing 296 rental apartment units. In addition to rezoning the lands to permit the use, site specific provisions to facilitate the development as proposed will be applied to the lands. These provisions relate to setbacks, height, residential parking rate, bicycle parking rate, privacy screens for ground level units and lot coverage,

In addition to the site specific provisions, a Holding will be applied to the lands to ensure the Transportation Demand Management (TDM) measures are implemented on the lands. The TDM measures include:

- The provision of a minimum of 90 long-term secure bicycle parking spaces plus 18 short-term visitor bicycle parking spaces. The long-term bicycle parking areas must be locked and have access permitted to residents only. The bicycle parking facilities must comply with the City of Toronto Bicycle Parking Guidelines. The bicycle parking spaces must be shown on the plans including the details of the lockers/racks;
- The Owner agrees to charge for parking as a separate cost to occupants. All units are to be unbundled from parking spaces. The purchase/rental agreement between

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the occupant and the property owner must be provided noting the cost of a parking space and the ability for occupants to opt in or out of having a parking space;

- The Owner agrees to provide active uses at-grade along street frontages via sidewalk connectivity; and
- The provision of information packages to tenants alerting them to transit and active transportation opportunities in the area.

In addition to the above, a small portion of Block 1 east of the proposed apartment building will also be zoned Site Specific Natural Heritage System (NHS*338). This is to accommodate a proposed LID which will assist with infiltration and drainage. The LID is to be located wholly on the developer's lands and the ongoing maintenance of this feature will be the responsibility of the property owner. A portion of the area the LID is located within is the 15m buffer associated with the adjacent slope valley. No development other than the LID is permitted within the lands zoned NHS*338.

The lands on Block 2 will be zoned Natural Heritage System (NHS).

The proposed site-specific Zoning By-Law Amendment and Schedule A are attached to this report as Appendix 3.

Should the application be approved, the applicant is required to obtain Site Plan Approval for the proposed apartment building prior to the issuance of Building Permits. Site Plan Approval will review the detailed design of the site, addressing matters such as building design and elevations, lot grading and drainage, lighting and landscaping.

Discussion

Public Consultation and Review Process: A Notice of Complete Application advising of the proposed development was provided in accordance with Town policies on June 4, 2020.

A virtual public information session was hosted by the applicant on October 27, 2020. Twenty-seven households attended the session, including Town Planning Staff and one Councillor. An overview of the proposed development was provided and the public was given the opportunity to ask questions of the developer and consultants directed.

Notice for the Statutory Public Meeting held on January 18, 2021, was provided pursuant to the requirements of the *Planning Act* and Town policies on December 19, 2020, through written notice to all properties within 200 metres of the subject lands, as well as an ad in the Milton Canadian Champion. A number of residents spoke in opposition to the proposed development and letters of objection were also received from residents within the vicinity of the development, citing concerns including height, privacy, traffic and parking. A discussion of the issues raised by the public is included in this report.

Agency Consultation: The proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment as well as all supporting documentation has been

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circulated to internal and external commenting agencies for review and comment. Halton Region, Conservation Halton, Town Departments and School Boards have offered no objection to the applications and requested standards conditions of Draft Plan Approval be applied. The agencies and Town departments will continue to work with the applicants through the detailed draft plan 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. In the case of this particular development, as previously noted, the lands are designated Residential Area, and are also located within an Intensification Area, and located on an Intensification Corridor (Ontario Street). The Intensification Corridor expects residential intensification to take place, and is an ideal place to do so, within close proximity to public transit and commercial uses. The proposed development meets the policies of the Town's Official Plan and provides for a dwelling type (purpose built rental apartment units) that will assist in addressing a current gap in Milton's housing stock. The amendments sought through the Local Official Plan Amendment and Zoning By-law Amendment are considered suitable for the purpose of supporting the proposed development as depicted on the concept plan.

Transition to Adjacent Uses, Building Height, and Privacy:

Concerns have been raised regarding high density development in the form of a six-storey apartment building adjacent to residential development. It is noted that high density residential adjacent to existing medium density residential and within the vicinity of low density residential development is considered to be compatible. Consideration has been, and will continue to be, considered as it relates to the built form and urban design through ongoing development approvals (i.e. Site Plan Approval). To the north of the proposed development is an existing medium density townhouse development. Fencing and landscaping will provide a transition to the 3-storey townhouses, and it is separated from the proposed building by the driveway and parking spaces. To the south of the proposed development is commercial development, which again will be buffered by fencing and landscaping, and will provide convenient amenities to future residents of the building. The two existing low density neighbourhoods are located to the west and east of the proposed site. To the west, the building is set back significantly from the rear yards on Valleyview Crescent by the large Ontario Street Right-of-Way. To the east, the building is setback significantly from the rear yards on Gowland Crescent by the large natural heritage system which will be conveyed to the Town.

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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:

An increase in traffic as a result of the proposed development is expected as the lands are currently used for three single detached dwellings, and intensification of the site is proposed. Additionally, Ontario Street is a major arterial road that is built to accommodate large volumes of traffic, including additional traffic from other development areas in Milton, regardless of this development.

A Traffic Impact Study has been submitted and reviewed by both Regional and Town Engineering Staff, which includes forecasted traffic volumes associated with the proposed development, as well as existing and proposed development within the vicinity. Staff are satisfied that Ontario Street can accommodate the proposed traffic volumes anticipated from this site.

As noted above, a Parking Justification Study was also submitted and reviewed by Town Engineering Staff, which found the parking rates proposed to be sufficient. Among the conclusions identified in the report, it is noted that the resident parking spaces will be unbundled, which means that residents of the apartment building will be required to purchase/rent parking spaces separate from their unit. This means that residents will be aware of the parking spaces available to them at the time of leasing their units, and should a parking space not be required by the resident, will be available to other tenants in the building.

Noise and Noise Attenuation along Ontario Street:

A petition was circulated to Town Staff and Councillors regarding a noise wall along the exterior lot lines of the properties backing on to Ontario Street from Valleyview Crescent. It is noted that a noise wall to address noise from Ontario Street traffic is beyond the scope of the proposed development. As noted above, Ontario Street is a major arterial road that is expected to accommodate large volumes of through Town.

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. 73 and Special Policy Area 49 attached as Appendix 2, and the site-specific Zoning By-law Amendment 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 purpose built rental apartment dwelling units that will assist in accommodating housing needs and filling a gap in Milton's



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current housing stock. Therefore, staff recommends approval of the Official Plan and Zoning By-law Amendments as well as the granting of Draft Plan Approval by the Commissioner of Development Services for the proposed Plan of Subdivision.

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 Plan
Figure 3 - Proposed Elevation
Appendix 1 - Draft Plan of Subdivision
Appendix 2 - Official Plan Amendment & Schedule I1
Appendix 3 - Zoning By-Law Amendment & 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.