



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: April 15, 2024

Report No: DS-029-24

Subject: Technical Report: Official Plan Amendment and Zoning By-law Amendment Applications by Milteron Developments Ltd., applicable to lands known municipally as 8010-8150 Derry Road West, Milton. (Town Files: LOPA 02/23 & Z-07/23)

Recommendation: **THAT Development Services Report DS-029-24 outlining application for amendments to the Town of Milton Official Plan and Zoning By-law 016-2014, as amended, to facilitate the construction of a three-storey 27-unit stacked townhouse building, amend the parking rates for the proposed stacked townhouse and apartment buildings and increase the maximum gross floor area for accessory buildings, BE APPROVED;**

AND THAT staff be authorized to amend Official Plan Amendment No. 81 in accordance with the draft Official Plan Amendment attached as Appendix 1 to Report DS-029-24 for Council adoption;

AND THAT staff be authorized to bring forward an amending Zoning By-law in accordance with the draft By-law attached as Appendix 2 to Report DS-029-24 for Council Adoption;

AND FURTHER THAT the Town Clerk forward a copy of Report DS-029-24 and the decision to the Region of Halton for their information.

EXECUTIVE SUMMARY

The applicant is seeking amendments to the Town of Milton Official Plan and Zoning By-law 016-2014, as amended, to facilitate the construction of a three-storey 27-unit stacked townhouse building, amend the parking rates for the proposed stacked townhouse and apartment buildings and increase the maximum gross floor area for accessory buildings.

An Official Plan Amendment is required to permit an increase in maximum density to 295 units per hectare, an increase from the permitted 283 units per hectare, to accommodate the proposed 27-unit stacked townhouse building. The applicants have applied to amend the

EXECUTIVE SUMMARY

existing site specific Residential High Density (RHD*261) zone to reduce the required parking for apartment buildings and stacked townhouse dwellings to 1.0 spaces per dwelling unit plus 0.2 visitor spaces per dwelling unit. Additionally, the applicants are seeking an increase in the maximum combined gross floor area of 270 square metres for accessory buildings whereas the by-law permits a maximum of 25 square metres. The applicant has indicated that the increased floor area is required to accommodate 3 bicycle storage shelters (73 square metres each), a pool shed (11.75 square metres), a garbage building (12.37 square metres), as well as to allow for space for future needs.

Conclusions and Recommendations

Staff recommends that the applications for amendments to the Town of Milton Official Plan and Zoning By-law 016-2014, as amended, **BE APPROVED** for the following reasons:

1. The proposal conforms to Provincial, Region and Town planning policy;
2. The proposal meets all of the technical requirements of the affected Civic Departments and all other agencies;
3. The proposed residential building is compatible with both existing and future surrounding land uses and represent an appropriate form of residential intensification;
4. The development will continue to provide alternative, transit friendly housing form in the Town of Milton.

REPORT

Background

Owner: Milteron Developments Ltd., 3625 Dufferin Street, Toronto, ON.

Applicant: Korsiak Urban Planning, 277 Lakeshore Road East, Oakville, ON.

Location/Description:

The subject lands are located in Ward 3 at the southeast corner of Regional Road 25 and Derry Road within the Bristol Survey Secondary Plan. The lands are currently being constructed to accommodate 3 apartment buildings (25-storey, 20-storey, and 14-storey) and 34 townhouse units, with associated underground and surface parking.

Surrounding land uses include commercial plazas to the north and northwest, a gas bar and associated car wash to the west and a tributary of Sixteen Mile Creek to the immediate south and east of the subject lands. Grade-related residential subdivisions exist to the west of the

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subject lands, to the north beyond the commercial uses, and to south and east beyond Sixteen Mile Creek.

Previous Approvals:

In June of 2019, Council approved an Official Plan Amendment and Zoning By-law Amendment (Files: LOPA 07/17 & Z-012/17) to facilitate the construction of three apartment buildings with heights of 16, 20 and 25-storey's, five 3-storey townhouse buildings, one 3-storey stacked townhouse building and associated parking and amenity areas. Through the subsequent Site Plan application, the applicant removed the 24 unit 3-storey stacked townhouse building and incorporated those units within the apartment buildings. This was achieved through a minor variance application (File: A20-040) as the site specific Zoning By-law Amendment contained a maximum number of apartment units. The total number of dwelling units remained as approved through the Official Plan Amendment. Additionally, the height of the approved 16-storey apartment building was reduced to 14-storey's through the detailed design.

Proposal:

The applicant is seeking amendments to the Town of Milton Official Plan and Zoning By-law 016-2014, as amended, to facilitate the construction of a three-storey 27-unit stacked townhouse building, including increasing the maximum residential density, amend the parking rates for the proposed stacked townhouse and apartment buildings and increase the maximum gross floor area for accessory buildings.

Figure 2 illustrates the proposed concept plan. The application proposes one 27-unit stacked townhouse building, shown as Building "D", along with associated parking and a 74.5 square metre amenity area, located in the north east portion of the subject lands. The remainder of the site, currently under construction, was previously approved to accommodate the development of three apartment buildings ranging from 25 to 14-storey's, and 34 traditional townhouses, associated underground/surface parking and outdoor amenity areas. Site access to the site is provided via Regional Road 25 and Derry Road.

The following reports have been submitted in support of this application:

- Planning Justification Report, prepared by Korsiak Urban Planning, dated July 2023.
- Functional Servicing and Stormwater Management Report, prepared by Candevcon Limited, dated October 5, 2017, revised August 14, 2023.
- Noise Study, prepared by RWDI Air Inc. dated August 21, 2023.
- Public Engagement Strategy, prepared by Korsiak Urban Planning, dated July 7, 2023
- Slope Stability Review, prepared by Sirati & Partners, dated April 10, 2023
- Traffic Impact Study, prepared by GHD Limited, dated August 21, 2023

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- Parking Assessment (Addendum to TIA - Parking Justification Report), prepared by GHD Limited, dated March 14, 2024.
- Urban Design Brief, prepared by Kirkor Architects & Planners, dated August 17, 2023.

Planning Policy

In 2019, the Town of Milton Council approved Official Plan Amendment Number 56, which designated the subject lands as Special Policy Area No.36, as shown on Schedule I1 - Urban Area Specific Policy Areas. This amendment permitted the subject lands to be developed to provide three high-rise residential buildings with heights of 25, 20 and 16 storeys, a 3-storey stacked townhouse building and five 3-storey townhouse buildings, with a maximum density of 283 units per hectare. Following the approval of the Official Plan and Zoning By-law Amendment's, and through the detailed design site plan application process, the applicants removed the previously proposed stacked townhouse building and relocated those units within the apartment buildings. The current application seeks permission to increase the maximum density and re-introduce the stacked townhouse building, in the same location as previously approved, to the development.

The subject lands are designated Secondary Mixed Use Node as shown on Schedule B - Urban Area Land Use Plan within The Town's Official Plan. The Secondary Mixed Use Node designation provides a range of commercial uses to serve the surrounding residential uses, including a major food store, as well as a location for office and institutional and a full range of residential uses including low, medium and high densities.

Additionally, Schedule K -Intensification Areas of the Town's Official Plan has identified Derry Road and Regional Road 25 as "Intensification Corridors" and the subject land as "Intensification Area". The Official Plan defines "intensification corridors" as: "intensification areas identified along major roads, arterials or higher order transit corridors that have the potential to provide a focus for higher density mixed use development consistent with planned transit service levels".

Section 2.1.3.2 states while higher density mixed use development is generally directed towards to the Urban Growth Centre, additional mixed use development at higher densities is planned to occur within secondary mixed use nodes, located at significant intersections, and along intensification corridors.

Section 2.1.6.1 states that the Town shall promote intensification in order to support the development of compact, efficient, vibrant, complete and healthy communities that:

- a) Support a strong and competitive economy;
- b) Protect, conserve, enhance and wisely use land, air and water;
- c) Optimize the use of existing and new infrastructure;

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- d) Manage growth in a manner that reflects Milton's vision, goals and strategic objective;
- e) Support achievement of the intensification and density targets of this Plan.

Section 2.1.6.2 states that Intensification Areas are located within the Urban Area and consist of the Urban Growth Centre, Major Transit Station Areas, Intensification Corridors and Secondary Mixed Use Nodes along with specific sites.

Section 2.1.6.3 states that the Intensification and the development of Intensification Areas shall be promoted to achieve the following objectives:

- a) To provide an urban form that is complementary to existing developed areas, uses space more economically, promotes live-work relationships, fosters social interaction, enhances public safety and security, reduces travel by private automobile, promotes active transportation, and is environmentally more sustainable;
- b) To provide opportunities for more cost-efficient and innovative urban design;
- c) To provide a range of employment opportunities, facilities and services in centralized locations that are readily accessible by public transit;
- d) To provide a diverse and compatible mix of land uses, including residential and employment uses, to support neighbourhoods;
- e) To create a vibrant, diverse and pedestrian-oriented urban environment;
- f) To cumulatively attract a significant portion of population and employment growth;
- g) To provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places;
- h) To support transit and active transportation for everyday activities;
- i) To generally achieve higher densities than the surrounding areas;
- j) To achieve an appropriate transition of built form to adjacent areas;
- k) For Major Transit Station Areas, Intensification Corridors and Secondary Mixed Use Nodes:
 - a. to achieve increased residential and employment densities in order to ensure the viability of existing and planned transit infrastructure and service; and,
 - b. to achieve a mix of residential, office, institutional and commercial development, where appropriate; and

Furthermore, Section 2.1.6.5 states that it is the policy of the Town to: b) provide opportunities for further intensification within Intensification Corridors and Secondary Mixed Use Nodes in accordance with the policies of the Plan; d) direct development with higher densities, including mixed uses and transit supportive land uses to Intensification Areas; f) ensure the proper integration of Intensification Areas with surrounding neighbourhoods through pedestrian walkways, cycling paths and transit routes, and the protection of the physical character of these neighbourhoods through urban design; h) promote development densities that will support existing and planned transit; i) consider intensification and development of Intensification Areas as the highest priority of urban development with the Town and consider programs and incentives, including Community Improvement Plans under the Planning Act, to promote and support intensification; j) adopt parking standards

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for Intensification Areas that promote the use of active transportation and public transit; s) promote the use of rehabilitated brownfield and greyfield sites for residential intensification.

Section 2.6.3.14 states that as an incentive to encourage travel demand management, the Town may permit reduced parking standards for developments which demonstrate through their travel demand management plan and implementation strategy that a reduction in the parking standards is appropriate. A reduction in parking standards may also be considered in locations where mixed use development is permitted, where there is a significant density of development and good accessibility to transit in accordance with the policies of Section 3.5 of this Plan. Staff note that Travel Demand Management measures were implemented through the initial approvals for the development, which included car sharing, subsidized transit passes for residents in the development and a reduction in parking rates for the apartment units and stacked townhouse units. Through the current application, the applicant proposes a further reduction in the parking rates. This is discussed under the Issues section of this report.

Section 2.7 states that with regard to housing, it is the Town's goal to meet current and future housing needs by ensuring that an appropriate range and mix of housing by density, type and affordability are permitted within the Town to meet a wide range of needs of current and future households. Section 2.7.3.1 states that at least 50% of new housing units produced annually be in the form of townhouses or multi-storey buildings.

It is the opinion of staff that the proposed Official Plan Amendment is in conformity with the above policies and direction of the Town of Milton Official Plan and that the proposed 27-unit stacked townhouse building will provide additional housing through intensification in an area designated for high density development. The overall development will encourage social interaction through the large amenity areas, both ground level and rooftop, which will provide residents opportunity for the enjoyment of passive recreation within their development. Through the continued implementation of the Travel Demand Measures approved for the lands, which includes car sharing, bicycle use and utilization of local transit through subsidized passes, the demand by private automobile is reduced, local transit is supported and active transportation is promoted. The intensification of the lands and the variety of housing forms offered on-site, which include apartment units, townhouse units and the proposed stacked townhouse building, will achieve higher densities than the surrounding areas, which are predominantly low and medium density residential developments outside of the secondary mixed use node while also complimenting the existing area. It is the opinion of staff that the proposal will be well integrated into the community as it affords access to nearby community facilities such as the Milton Sports Centre, is well served by Milton Transit, and will continue to support the existing retail uses in the immediate area.

Staff reviewed the application in relation to the policies of the Provincial Policy Statement (2020), the Growth Plan (2020), the Halton Region Official Plan and the Town of Milton Official Plan, the Bristol Survey Secondary Plan. Town staff and our agency partners are

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satisfied that the Official Plan Amendment as presented through this report, conform to the applicable Provincial, Regional and Town land use planning policies and regulations.

Attached to this report as Appendix 1 is the Official Plan Amendment.

Zoning By-law 016-2014, as amended

The subject lands are currently zoned a site-specific Residential High Density (RHD*261) zone under the Town's Zoning By-law. As indicated previously, the site specific zoning was approved by Council in 2019 and was implemented to facilitate the construction of three apartment buildings with heights of 16, 20 and 25-storey's, five 3-storey townhouse buildings, one 3-storey stacked townhouse building and associated parking and amenity areas. Through the detailed design, the development was refined and the height of the 16-storey apartment building was reduced to 14-storeys, and the stacked townhouse building was removed and the units were accommodated within the apartment buildings (through Minor Variance A2-20/040). The current application proposes to amend the existing site specific Residential High Density (RHD*261) zone to reduce the required parking for apartment buildings and stacked townhouse dwellings to 1.0 spaces per dwelling unit plus 0.2 visitor spaces per dwelling unit. Additionally, the applicants are seeking an increase in the maximum combined gross floor area of 270 square metres for accessory buildings whereas the by-law permits a maximum of 25 square metres. The applicant has indicated that the increased floor area is required to accommodate 3 bicycle storage shelters (73 square metres each), a pool shed (11.75 square metres), a garbage building (12.37 square metres), as well as to allow for space for future needs. Planning staff have no concern with the increase in floor area to accommodate the additional accessory buildings. The request for a reduction in parking is discussed under the Issue's section of this report.

The Region of Halton has requested a Holding Provision be applied to the zoning of Building "D", the 27-unit stacked townhouse, until such time as the applicant has amended their Allocation Agreement with the Region and has provided a letter confirming no potentially contaminating activities have occurred on site since previous investigations and a letter of reliance has been provided to their satisfaction.

Attached to this report as Appendix 2 is the site-specific Zoning By-law

Site Plan Approval

Site Plan approval is required prior to the issuance of a building permit for any new development on the site. Detailed site plan drawings addressing such matters as building elevations, lot grading and drainage, site design, lighting and landscaping will be required to be submitted for review and approval. The applicant will also be required to enter into a site plan agreement with the Town and provide securities to guarantee the completion of works

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in accordance with the approved drawings. It should be noted that a Site Plan Approval for this development is being granted in phases, with each building being approved per phase.

Discussion

Public Consultation

Notice for the public meeting held on October 23, 2023, was provided pursuant to the requirements of the Planning Act on September 28, 2023.

The applicant held a virtual Public Information Centre (PIC) on Tuesday May 30, 2023. The purpose of the PIC was to provide the public with an informal opportunity to not only view the drawings and concepts illustrating the proposal, but also to ask questions of the applicant and consultants and learn about the application process. Staff were present at the PIC as well. The PIC was attended by one member of the public and Councillor Khalqi. The resident expressed concern with the capacity of the local schools and their ability to accommodate new students from the development. This is discussed under the Issue's section of this report.

Agency Circulation

The Official Plan Amendment and Zoning By-law applications and all supporting documents were circulated to both internal and external commenting agencies. Halton Region, Town Departments, School Boards and other agencies offered no objection to the application. Agencies will continue to work with the applicants through the detailed site plan approval process. As noted previously, the Region has requested a Holding Provision on the zoning of the 27-unit stacked townhouse building until such time as the Allocation Agreement with the Region has been updated and sufficient Regional allocation of water and wastewater services has been secured.

With regard to the review of the proposed parking reductions, the Town's Transportation section had noted initial concerns and had requested a Peer Review of the required Parking Justification Study. This is discussed further in the Issues section.

Issues

School Enrollment

At the Public Meeting, as well as at the public information session, concern was expressed regarding the number of school children the proposed development would accommodate and the impact to the local school system. Planning staff contacted representatives at both the Halton Catholic District School Board and the Halton District School Board for student enrollment projections. Based on the projections provided directly by the respective School Boards, the proposed development is not anticipated to produce a significant number of

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students. The Halton District School Board has indicated that they are projecting a maximum of 13 students in grades K-12. The Halton Catholic District School Board indicated they are projecting 8 students in grades K-12. The initial development had yielded an estimated 76 students. Both the Halton Catholic District School Board and the Halton District School Board offered no objections to the proposed applications subject to standard conditions and warning clauses be applied at the time of a future Site Plan/Plan of Condominium application. Staff are aware of the constraints Schools within the Town are facing with increasing student population and will continue to work with the School Boards to accommodate future schools within the municipality.

Safety and Landscaping along Derry Road

Concern was expressed with having the stacked townhouse building front along Derry Road and potential conflict with residents and Derry Road. The entrances to the units are approximately 3.9 metres from the property line with proposed landscaping at the edge of the property line. Through the detailed site plan process, staff will examine the feasibility of more robust landscaping or other measures to reduce the risk of potential conflict.

Traffic Lights

A member of Council inquired about the potential of traffic lights being installed at the east entrance to the site along Derry Road. Through the initial approvals for the development, traffic lights were identified as a requirement and are currently being installed in this location. This will assist in not only regulating traffic flow but also providing an additional safe access for pedestrians to the commercial plazas to the north of the subject lands.

Parking

The applicant has proposed to reduce the required parking for apartment buildings and stacked townhouse dwellings to 1.0 space per dwelling unit, whereas the site specific zoning required 1.03 spaces per unit (1-bedroom apartment units) and 1.15 spaces per unit (all other apartment units) and 1.15 space per stacked townhouse unit. This results in a reduction of 56 parking spaces. In support of their request, the applicant submitted a Traffic Impact Study (which contained a section on the parking analysis) prepared by GHD Limited which concluded that the proposed resident rate of 1.0 space per unit would be sufficient to meet the parking demand of the residents of the development. The study found that the existing demand for residential parking spaces, based on sales data for Buildings "A" and "B", is 1 space per unit with the expectation that the remaining 239 units (28 units in Buildings "A" and "B", all 184 units and Building "C" and the proposed 27-unit stacked townhouse building) will be sold at 1.0 space per unit. A small surplus of parking would be available should a resident want to purchase an extra parking space. The Town's Transportation section has reviewed the submission and offered no objection to the proposed reduction. They have noted that a factor of consideration is that the proposed rate will assist in the overall Transportation Demand Management strategy in reducing single-occupant vehicle trips. This encourages

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residents to consider the use of alternative modes of transportation, and supports the Town's vision of a more integrated transportation network by reducing the need for residents to own more than one vehicle (or any at all).

Also taken into consideration is the continued improvement and intensification of the area's transit network, to be facilitated through the future road improvements of the supporting transportation network (i.e., widening of both Derry Road, and Regional Road 25). As the development is situated on the corner of a major intersection with existing transit services, residents will have direct access and benefit from a variety of converging transit routing options.

Additionally, the application proposes to reduce the visitor parking to 0.2 spaces per unit for apartments and stacked townhouse dwellings whereas the Town's Zoning By-law requires 0.25 spaces per unit. This would result in a visitor parking reduction of 32 parking spaces. Planning and Transportation staff have been reluctant to reduce the visitor parking rates below the 0.25 per unit minimum with only a small number of developments in Milton having a reduced rate. Through discussion with the applicant, and with the understanding that other municipalities similar to Milton have lower rates permitted as of right, the applicants submitted an addendum to the previously submitted report further assessing the proposed visitor parking rates. This addendum examines the visitor parking demand in three high density residential proxy sites located in Milton (620-630 Sauve Street, 1105-1124 Leger Way and 610 Farmstead Drive) and one in Oakville (98 Kaitting Trail). The assessment concluded that the average visitor rate for all proxy sites examined was 0.13 parking spaces per unit for visitor parking, well below the proposed 0.20 per unit rate being proposed by the applicant.

Additionally, the addendum analyses best practices for residential visitor parking rates in other municipalities (Burlington, London, Hamilton, Cambridge, Oakville, Belleville, Newmarket, Vaughan and Mississauga). The assessment found that the visitor rates ranged from 0.10 visitor spaces per unit (London, Ontario) to 0.25 visitor spaces per unit (Cambridge, Ontario), with most requiring 0.2 visitor spaces per unit or less.

Upon receipt of the addendum, and in addition to the internal review by the Town's Transportation section, Staff had arranged to have the report Peer Reviewed (at the applicant's expense). The Peer Review generally accepted the findings of the parking assessment but requested one additional proxy site be included in a further addendum, to be reviewed by the Town of Milton, which would represent a high rise development. In turn, the analysis was amended to include an additional proxy site at 41 Speers Road in Oakville, which consists of a 17-storey apartment building. The findings from this site were in line with the previously studied locations. Town of Milton Transportation staff have reviewed the submitted parking assessment and have agreed with the findings of the report as well as concur with the Peer Review of the assessment. As Planning staff rely on the expertise of



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the Town's Transportation staff in assessing the provision of parking, planning staff support the request for a reduction in the visitor parking rate to 0.2 spaces per unit.

Conclusion

It is the opinion of Planning that the proposed amendments to the Town's Official Plan and Zoning By-law conform to Provincial and Regional planning policy, meet the intent of the Town's Official Plan and achieves acceptable engineering and urban design standards. The proposed use and density are compatible with adjacent land uses, resulting in appropriate development of the subject lands. It is the opinion of staff that the proposed development will not only achieve appropriate intensification in a planned location but will also contribute to providing a complete community by offering a range of housing options that can support convenient access to the necessities of daily living, including access to the existing local stores and services located in the mixed use neighbourhood.

Staff recommends that the draft Local Official Plan amendment and draft Zoning By-law amendment, attached as Appendix 1 and 2, be brought forward for Council adoption.

Financial Impact

None arising from this report

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

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

Attachments

Figure 1 - Location Map
Figure 2 – Concept Pan
Figure 3 – Renderings
Appendix 1 – Official Plan Amendment No. 81
Appendix 2 – Zoning By-law Amendment

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer



The Corporation of the Town of Milton

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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.