



# The Corporation of the Town of Milton

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Report To: Council

From: Jill Hogan, Commissioner, Development Services  
Glen Cowan, Chief Financial Officer / Treasurer

Date: July 15, 2024

Report No: DS-054-24

Subject: Agerton Secondary Plan - Memorandum of Understanding and Funding Agreement

**Recommendation:** THAT Milton Council approve the Memorandum of Understanding between the Town of Milton and Agerton New Urban Land Ltd.;

THAT the Mayor and Town Clerk be authorized to sign any necessary documentation to the Memorandum of Understanding between The Corporation of the Town of Milton and Agerton New Urban Land Ltd.;

THAT the Mayor and Town Clerk be authorized to execute a funding agreement between the Town and Agerton New Urban Land Ltd., to facilitate the completion of updates to the Trafalgar Corridor and Agerton Secondary Planning background studies, including completion of an Annex to the Town's Master Environmental Servicing Plan together with such new studies as may be necessary, as described in this report, subject to the satisfaction of the Chief Financial Officer/Treasurer and the Town's Solicitor;

THAT delegated authority to award consulting contracts for peer reviews following confirmation of scope of work and costs be approved as outlined;

AND THAT the Manager, Purchasing and Supply Chain Management be authorized to execute the contract(s), as outlined by the purchasing by-law, and the Mayor and Town Clerk be authorized to sign any required paperwork.

## EXECUTIVE SUMMARY

The Agerton Secondary Plan and its supporting studies need to be refreshed and updated. Some new studies, including the Master Environmental Servicing Plan also need to be completed or initiated.

Town Staff is recommending that the attached MOU be approved to agree the respective roles and responsibilities of the Town and the Agerton landowners' group.

Staff is recommending that the Town enter into a funding agreement with the landowners' group to recover the costs of peer review by the Town and its consultants.

## REPORT

### Background

The Trafalgar Corridor, comprising the Agerton and Trafalgar Secondary Planning Areas, was originally planned to accommodate a combined population of 32,000 residents by 2031. Accordingly, the background studies prepared to support the Agerton and Trafalgar Secondary Plans assumed a population of 26,000 residents in the Trafalgar Secondary Plan Area and approximately 6,000 residents in the Agerton Secondary Plan Area.

Subsequently, the Trafalgar Secondary Plan was appealed to the Ontario Land Tribunal. As a result, the Trafalgar Secondary Plan is now planned to accommodate at minimum the entire population of 32,000 residents evaluated through the original background studies for the Trafalgar Corridor. Consequently, any population planned for the Agerton Secondary Planning area is over and above the quantum originally evaluate in the background studies.

The land use planning for the Agerton and the Trafalgar Secondary Planning Areas are at differing stages, with the planning for the Trafalgar Secondary Plan Area being further advanced than the Agerton Secondary Plan Area. Similarly, the Master Environmental Servicing Plan (MESP) is at different stages of completion for each of the Secondary Planning Areas.

In November 2021, Halton Region Official Plan Amendment 48 (ROPA 48) was approved. ROPA 48 implemented an employment land conversion for the "south-west quadrant" of the Secondary Plan (south of the rail corridor, west of Trafalgar Road). It also confirmed the identification of a proposed Milton Trafalgar GO Major Transit Station Area (MTSA).

## Background

The Draft Agerton Secondary Plan presented to a Public Meeting of Council on July 18, 2022, established the Town's goals, objectives and general growth management policy framework. The Council endorsed Draft Agerton Secondary Plan (2022) provides growth management policies to implement the 2031 planning horizon for a minimum target of 6,800 residents and 15,000 jobs (including 8,000 jobs within the Milton Trafalgar GO MTSA) and for a general target proportion of 45% residents and 55% jobs in the MTSA.

The Draft Agerton Secondary Plan (2022) identified the CPKC rail yards as future Urban Area. Through the Halton Regional Official Plan Amendment 49 (ROPA 49) the lands within the Milton-Trafalgar GO MTSA were extended to encompass the western portion of the CPKC lands, to a total gross area of 130.6 hectares. ROPA 49 sets a minimum density target of 150 residents and jobs combined per gross hectare. This equates to a minimum population target for the MTSA of 19,590 residents and jobs. In addition, the remainder of the rail yards were brought into the urban boundary as 'Employment Area'.

Concurrently, the Town is preparing a new Municipal Urban Structure and Local Growth Management Strategy as part of its emerging new Official Plan. To inform this work, the Town engaged Watson and Associates to prepare growth forecasts including population, employment and housing forecasts. Based on the Watson Study, the Agerton Secondary Plan is projected to accommodate a population of 14,100 residents and 17,500 jobs by 2051. Within the MTSA, the Study identifies a requirement for 6,600 jobs to be accommodated by 2051 with further capacity to provide an additional 2,800 jobs in the period beyond 2051. The Study forecasts a housing requirement of 6,570 units to be created within the MTSA by 2051.

## Discussion

The extension of the provincially directed planning horizon from 2031 to 2051; the new growth forecasts projected to 2051; the revised boundaries for the MTSA and urban employment lands; and associated changes to the Trafalgar Secondary Plan, all combine to mean that the Agerton Secondary Plan and its supporting studies need to be refreshed and updated. Some new studies, including the Master Environmental Servicing Plan (MESP) also need to be completed or initiated.

Typically, the Town would bear the full responsibility and costs for undertaking the entire Secondary Planning process, including any required studies. It would be inappropriate for the Town to fully divest itself of this crucial municipal responsibility. However, Staff has been discussing with the Agerton landowners' group a more collaborative approach and a sharing of roles and responsibilities. Whereby, the Town would protect its role as the municipal planning authority responsible for controlling the process and preparing the Secondary Plan.

## Discussion

But the landowners group would be responsible for commissioning updates to the background studies and would take a lead role in the completion of the Master Environmental Servicing Plan. In order to protect the Town's interests and due diligence, the Town and its consultants would peer review the studies and reserve the right to not accept the findings of the studies should there be an irreconcilable difference of professional opinion.

To this end, Town of Milton Staff and the Agerton landowners' group have discussed the opportunities for collaborative working arrangements and have prepared a Memorandum of Understanding. The landowners' would be responsible for undertaking most of the required Secondary Plan background studies at no cost to the Town. Staff are recommending that the Town enter into a funding agreement with the landowners to cover the costs of peer review by the Town and its consultants.

Staff are seeking authorization to proceed with a direct award to Malone Given Parsons to conduct a peer review of updates to the required Agerton Secondary Plan background studies and to proceed with a direct award to the original environmental team directly involved in the preparation of the main Trafalgar MESP to peer review the proposed Agerton Annex to the Trafalgar Corridor Master Environmental Servicing Plan. Subject to Council approval of the recommendations herein, Staff will initiate discussions to confirm the scope of work required to conduct the peer reviews and the associated costs.

The Staff recommended peer review consultants prepared the original background studies and completed the main body of the MESP work for the Town. Their knowledge of the Town will provide a more detailed level of insight into the work and their history of working with the Town will assist in completing this work in the required timeline.

In order meet the project schedule staff are recommending the delegated authority to award consulting contracts for peer reviews, following confirmation of the scope of work and costs. Staff will report the results back to Council for information.



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## Financial Impact

As discussed within the report, the Memorandum of Understanding outlines that the landowners' are responsible for undertaking most of the required Secondary Plan background studies at no cost to the Town.

The Funding Agreement will establish that the landowner's group will also be responsible for any peer review costs undertaken by the Town. Budget amendments will be required within existing approved capital projects for any peer review costs and associated funding, which will be managed based on the authorities provided with the Town's existing Budget Management Policy No. 113. The costs associated with preparing a funding agreement will be recovered from the landowner's group through fees established within the Town's User Fee By-law.

Respectfully submitted,

Jill Hogan  
Commissioner, Development Services

Glen Cowan  
Chief Financial Officer / Treasurer

For questions, please contact:  
David Twigg

Phone: Ext. 2205

## Attachments

Attachment 1: Draft Memorandum of Understanding

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



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## Recognition of Traditional Lands

water, food and resources. We stand as allies with the First Nations as stewards of these lands.