

Report To: Council

From: Barbara Koopmans, Commissioner, Planning and Development

Date: April 15, 2019

Report No: PD-019-19

Subject: Public Meeting and Initial Report: Official Plan Amendment and

Zoning By-law Amendment by Vue Developments on Main for lands located at 28 and 60 Bronte Street North (Town Files:

LOPA-05/18 and Z-07/18).

Recommendation: THAT Planning and Development Report PD-019-19, BE

RECEIVED FOR INFORMATION.

EXECUTIVE SUMMARY

The applicant is proposing to construct two high-rise residential point towers with graderelated commercial uses. Both towers are to be constructed on top of separate six-storey podiums resulting in heights of 19 and 21 storeys, respectively. In total, the proposed development provides 435 residential units and 1,195 square metres of commercial space.

The applicant has requested an amendment to the Town of Milton Official Plan height limit provisions within the Central Business District policies to permit a maximum height of twenty-one (21) storeys.

The applicant has requested an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to facilitate the proposed development. The lands are currently zoned CBD-B which permits the residential high density use. However, site-specific relief relating to the height of the buildings, setbacks to lot lines, lot coverage, setbacks to parking areas and required parking rates has been requested.

The application is complete pursuant to the requirements of the Planning Act and is being processed accordingly. Staff recommends that upon completion of the consultation and review process that a Technical Report, including recommendations, be prepared and brought forward for consideration by Council. The Technical Report will address any issues raised through the consultation and review process.

REPORT

Background



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Owner: Vue Developments on Main, 401 Wheelabrator Way, Milton, Ontario

Applicant: Korsiak Urban Planning, 277 Lakeshore Blvd East, Oakville, Ontario

Location/Description

The subject property is located on the west side of Bronte Street, north of Main Street (See Figure 1 - Location Map; Figure 2 - Aerial Context). The property is approximately 1.34 hectares in size and currently contains a retail store (TSC Store). The subject property has frontage along Main Street West as well as Bronte Street North.

Surrounding land uses include a service station and predominately low-density residential uses to the east, the CN Railway Line immediately to the west, commercial uses immediately to the south and residential uses beyond to the south and southeast, and vacant employment lands to the north.

Proposal

The applicant is proposing to construct two high-rise residential point towers with heights of 19 and 21 storeys (approximately 61m and 68m, exclusive of mechanical rooms and equipment), respectively, with 1,195 square metres of grade-related commercial use. Figure 3 illustrates the proposed concept plan for the site and Figure 4 illustrates the concept elevations.

The application seeks to amend the Town's Official Plan to permit a maximum height of 21 storeys on the lands, whereas the Official Plan currently permits a maximum height of four storeys. The applicant further seeks to amend Zoning By-law 016-2014, as amended, to seek site-specific relief related to building height, lot coverage, setbacks to parking areas, setbacks to lot lines and required parking rates. The development is seeking a reduction in required parking to 1.0 space per unit for resident parking, plus 0.25 of a space per unit for visitor parking, plus 1.0 parking space per 20 square metres of commercial gross floor area. The By-law currently requires 1.5 spaces per unit for resident parking, plus 0.25 of a space per unit for visitor parking, plus 1.0 space per defined area of gross floor area for commercial uses such as offices (1 space per 30 square metres gross floor area), restaurants (1 space per 9 square metres gross floor area) area plus 1 space per 18 square metres of patio space) or retail stores (1 space per 20 square metres gross floor area).

The following information has been submitted by the applicant in support of the Official Plan Amendment and Zoning By-law Amendment, and is available on the Town's website for review:

- Architectural Plans prepared by KNYMH, dated October 25, 2018;
- Parking Site Statistics prepared by KNYMH, dated October 2, 2018;



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- Plan of Survey prepared by Cunningham McConnell Limited, dated September 7, 2018;
- Planning Justification Report prepared by Korsiak Urban Planning, dated December 2018;
- Draft Official Plan Amendment prepared by Korsiak Urban Planning, undated;
- Draft Zoning By-law Amendment prepared by Korsiak Urban Planning, undated;
- Urban Design Brief prepared by Korsiak Urban Planning, dated December 2018;
- View Analysis prepared by Korsiak Urban Planning, dated December 2018;
- Shadow Impact Study prepared by KNYMH, dated October 30, 2018;
- Traffic Impact Study & Parking Study prepared by Paradigm Transportation Solutions, dated November 2018;
- Functional Servicing and Stormwater Management prepared by Lanhack Consultants, dated October 19, 2018;
- Geotechnical Investigation Report prepared by Landtek Limited, dated March 9, 2017;
- Hydrogeology Report prepared by SIRATI, dated November 8, 2018;
- Railway Vibration Study prepared by Valcoustics Canada Ltd., dated November 8, 2018;
- Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd., dated November 8, 2018;
- Tree Removals Plan prepared by Korsiak Urban Planning, dated October 26, 2018;
- Criteria for Evaluating Archaeological Potential prepared by Korsiak Urban Planning dated October 25, 2018.

Planning Policy

The subject lands are located within the Urban Area designation in the Region of Halton Official Plan. The Urban Area designation permits a variety of uses, including a range of residential dwelling types and densities.

The subject lands are designated Central Business District on Schedule B - Urban Area Land Use Plan, and Downtown Supportive Area and Gateway on Schedule C - Central Business District Land Use Plan in the Town of Milton's Official Plan. The Central Business District and Downtown Support Area designations permit a range of uses such as retail, service commercial, office, institutional and residential, including high density residential uses.

While a full review of the applicable planning policies will be undertaken as part of the review of the application, based on the information provided, staff is of the opinion that an Official Plan Amendment is required for the proposed height of the buildings. The Downtown Supportive Area policies permit a maximum height of four storeys in this location in accordance with Schedule C.7.A.CBD, however buildings greater than four storeys may be considered on a site-specific basis in accordance with the bonus



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provisions of the Official Plan. The bonus provisions of the Official Plan limit the additional height that may be permitted without an Official Plan Amendment, so the application to permit maximum heights of 19 and 21 storeys is still required.

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

Zoning By-law

The subject lands are currently zoned Site Specific Secondary Commercial (CBD-B*30) which permits Residential High Density (RHD) uses, such as apartment buildings.

The application seeks to add site specific provisions to the Secondary Commercial (CBD-B) zone to facilitate the construction of the proposed high density development. The site specific provisions being sought include allowing a guest unit as a permitted use, permitting two residential buildings on the subject lands, and other site specific provisions related to building height, setbacks for patios, parking areas and underground parking structures to the lot line, setbacks for parking areas to the building, off-street parking requirements, and maximum lot coverage.

Attached to this report as Appendix 2 is the Draft Site Specific Zoning By-law.

Site Plan Control

Should the application be approved, the developer is required to obtain site plan approval prior to building permit issuance. 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. Other items, such as traffic and safety, garbage disposal and capacity of utilities, including water and sanitary sewer connections, will be reviewed as part of the technical site plan review.

Discussion

Public Consultation

A Public Information Centre (PIC), hosted by the owner of the lands and their consulting team was held on February 28, 2019 at Hugh Foster Hall. Town Planning staff attended the PIC as did three members of Council. Approximately 50 interested citizens attended. Members of the public sought information about the proposed development, the planning process and provided both support and opposition to the proposed development. The public was given information on how to formally participate in the process, via written submission or oral presentation at the public meeting. Public comments will be addressed in a technical report to be brought forward within a recommendation in the future.



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Notice for the Public Meeting was provided pursuant to the requirements of the Planning Act on March 21, 2019 via a mail out to all property owners within 200 m of the subject lands and an ad in the Milton Canadian Champion on March 21, 2019.

Agency Consultation

The application was circulated to internal departments and external agencies on January 3, 2019 with a commenting deadline of February 4, 2019. Staff have identified the following items to be reviewed and addressed:

- Shadow Impact/Privacy/Views
- Stormwater Management & Servicing
- Urban Design, Built Form, Massing & Height
- Integration with the Public Realm
- Traffic Impacts, Parking, Pedestrian Vehicle Access/Circulation
- Noise
- Consistency with PPS & Growth Plan
- Pedestrian Level Wind Mitigation
- Land Use Compatibility to Surrounding Land Uses/Transition
- Environmental Assessment of Lands

A technical report with recommendations will be brought forward for Council consideration upon completion of the evaluation of the application at a future meeting.

Financial Impact

None arising from this report.

Respectfully submitted,

Barbara Koopmans, MPA, MCIP, RPP, CMO Commissioner, Planning and Development

For questions, please contact: Mollie Kuchma, M.Sc., MPA, Phone: Ext. 2312

MCIP, RPP, Planner

Attachments

Figure 1 - Location Map

Figure 2 - Aerial Context

Figure 3 - Conceptual Site Plan

Figure 4 - Elevation Rendering

Appendix 1 - Draft Official Plan Amendment, Schedule I1 and Schedule C.7.A.CBD



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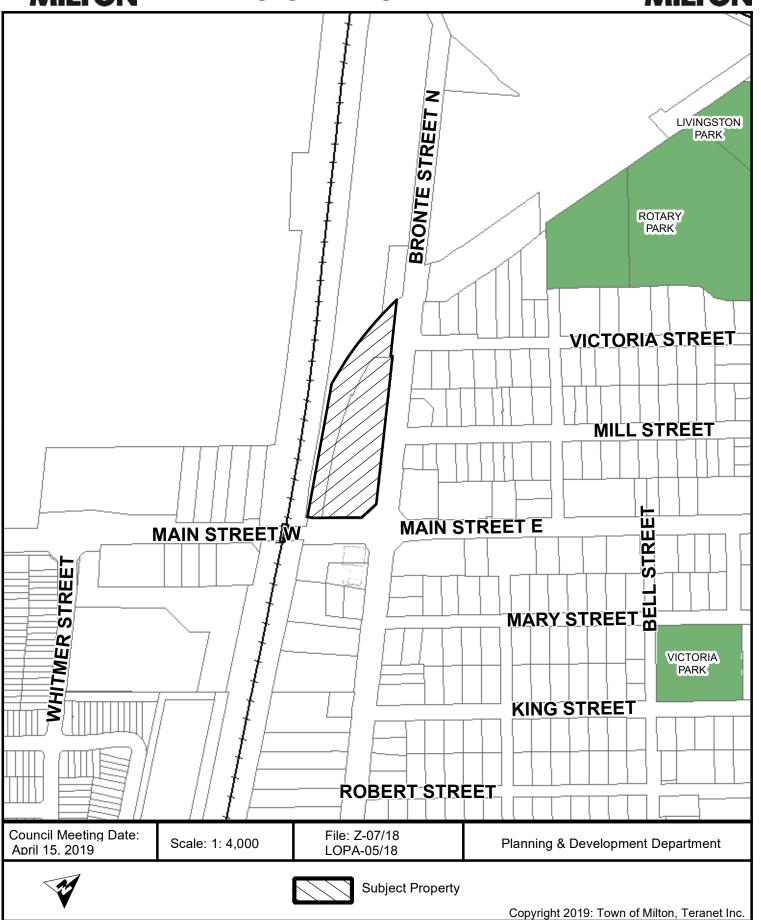
Appendix 2 - Draft Amending Zoning By-law and Schedule A Map

CAO Approval William Mann, MCIP, RPP, OALA, CSLA, MCIF, RPF Chief Administrative Officer

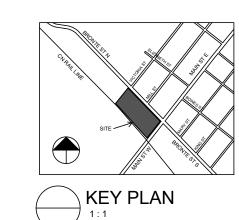


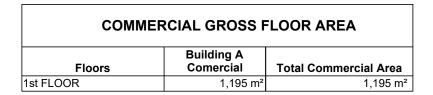
FIGURE 1 LOCATION MAP

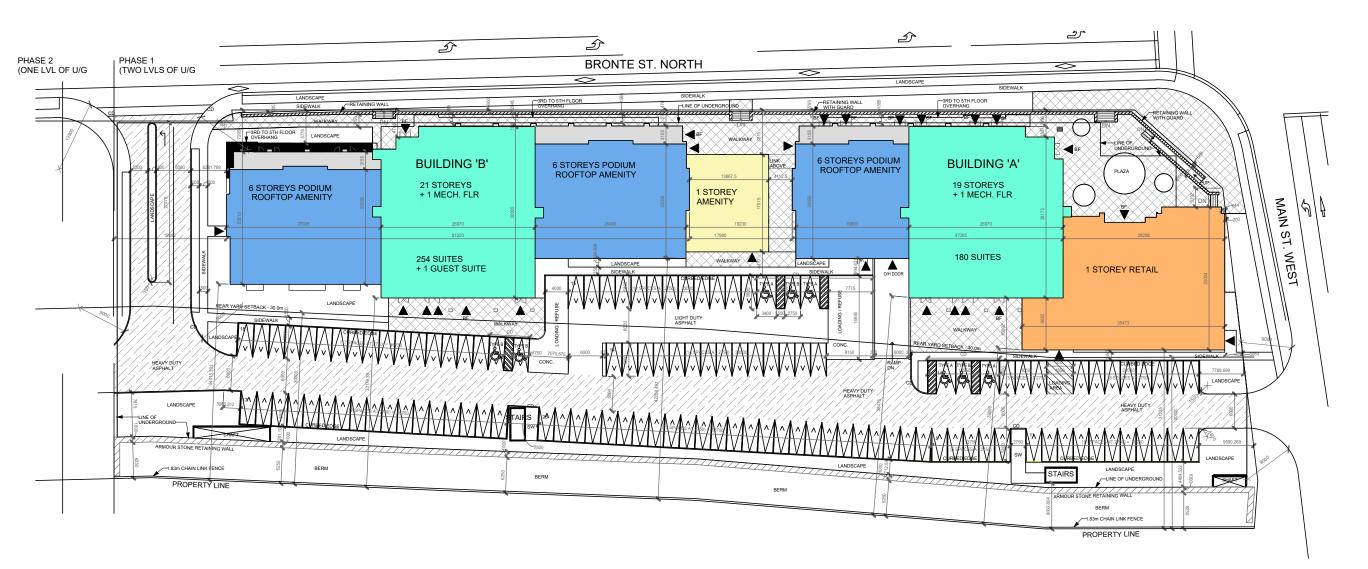












RAILWAY LINE

SITE PLAN
1:300

RAILWAY LINE

NOT FOR CONSTRUCTION WITHOUT PERMI



KNYMH INC. BURLINGTON, ONTARIO • L7P 0V T 905.639.6595



FIGURE

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BRONTE AND MAIN

28 - 60 BRONTE MILTON, ONTARIO

SITE PLAN

160

SF



AMENDMENT NUMBER XX TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

Part of Lot 14, Concession 1 (NS Trafalgar)
28 and 60 Bronte Street North
Town of Milton
(Town File: LOPA-05/18)

AMENDMENT NUMBER XX

TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

- PART 1 THE PREAMBLE, does not constitute part of this Amendment
- PART 2 THE AMENDMENT, consisting of the following text constitutes Amendment No. XX to the Official Plan of the Town of Milton



PART I: THE PREAMBLE

THE TITLE

This amendment, being an amendment to the Official Plan of the Town of Milton shall be known as:

Amendment No. XX

To the Official Plan of the Town of Milton

28 & 60 Bronte Street North (Part of Lot 14, Concession 1 (NS Trafalgar)) (Town of Milton) (LOPA 05/18)

PURPOSE OF THE AMENDMENT

The purpose of this amendment is to add Special Policy Area XX to the lands at 28 & 60 Bronte Street North.

LOCATION OF THE AMENDMENT

The subject lands are located on the northeast side of Bronte Street North, east of Main Street West and north of the Canadian National Railway line. The lands are municipally identified as 28 & 60 Bronte Street North and are legally described as Part of Lot 14, Concession 1 (NS Trafalgar), Town of Milton. The location of the property is illustrated in Figure 1.

BASIS OF THE AMENDMENT

The proposed amendment would permit the development of two high-rise residential buildings of 19 and 21 storeys respectively, containing up to 435 residential units with 1195 square meters of ground floor commercial space on the subject lands.

PART II: THE AMENDMENT

All of this part of the document entitled Part II: THE AMENDMENT consisting of the following text constitutes Amendment no. to the Town of Milton Official Plan.

DETAILS OF THE AMENDMENT

The Official Plan of the Town of Milton is hereby amended by Official Plan Amendment No. XX pursuant to Section 17 and 21 of the Planning Act, as amended, as follows:

1.0 Map Change

- 1.1 Amending Schedule I1 "Urban Area Specific Policy Areas" by adding Special Policy Area No. XX to the lands at 28 60 Bronte Street North (known legally as Part of Lot 14, Concession 1 (NS Trafalgar)).
- 1.2 Amending Schedule C.7.A.CBD Central Business District Secondary Plan, Height Limits by permitting a maximum height of twenty-one storeys on the lands at 28 and 60 Bronte Street North (known legally as Part of Lot 14, Concession 1 (NS Trafalgar)).

2.0 Text Change

2.1 Adding the following text to Section 4.11 "Specific Policy Area":

4.11.3.XX The land identified as Specific Policy Area No. XX on Schedule I1 of this Plan, being the lands at 28 - 60 Bronte Street North may be developed to provide two high density residential buildings of up to 21 storeys in height and with a maximum residential density of 350 units per hectare. A minimum of 1,195 square metres of commercial/retail space must be provided on the ground floor of either of the two high-rise residential buildings.

THE CORPORATION OF THE TOWN OF MILTON

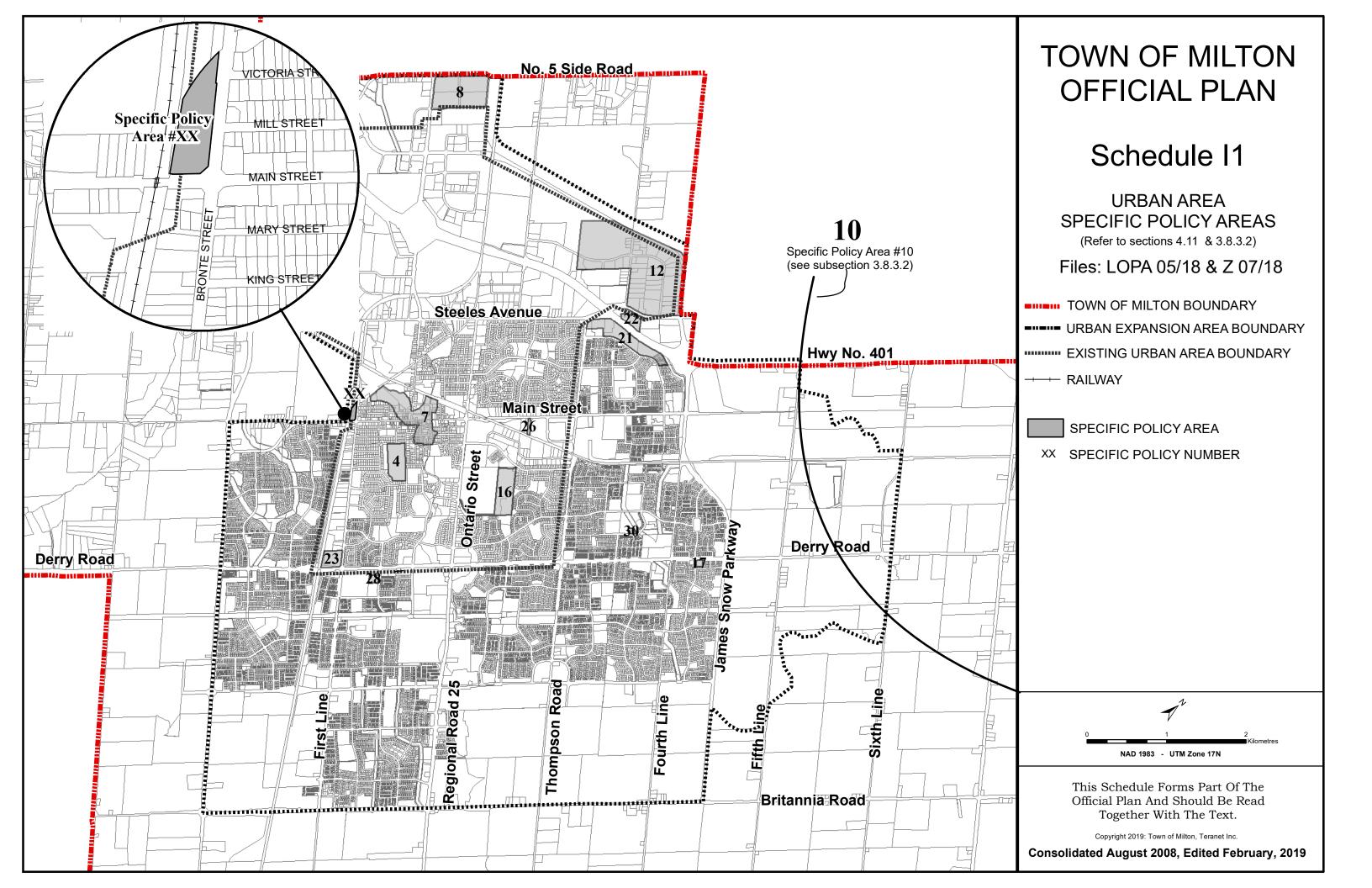
BY-LAW NO.XX.2019

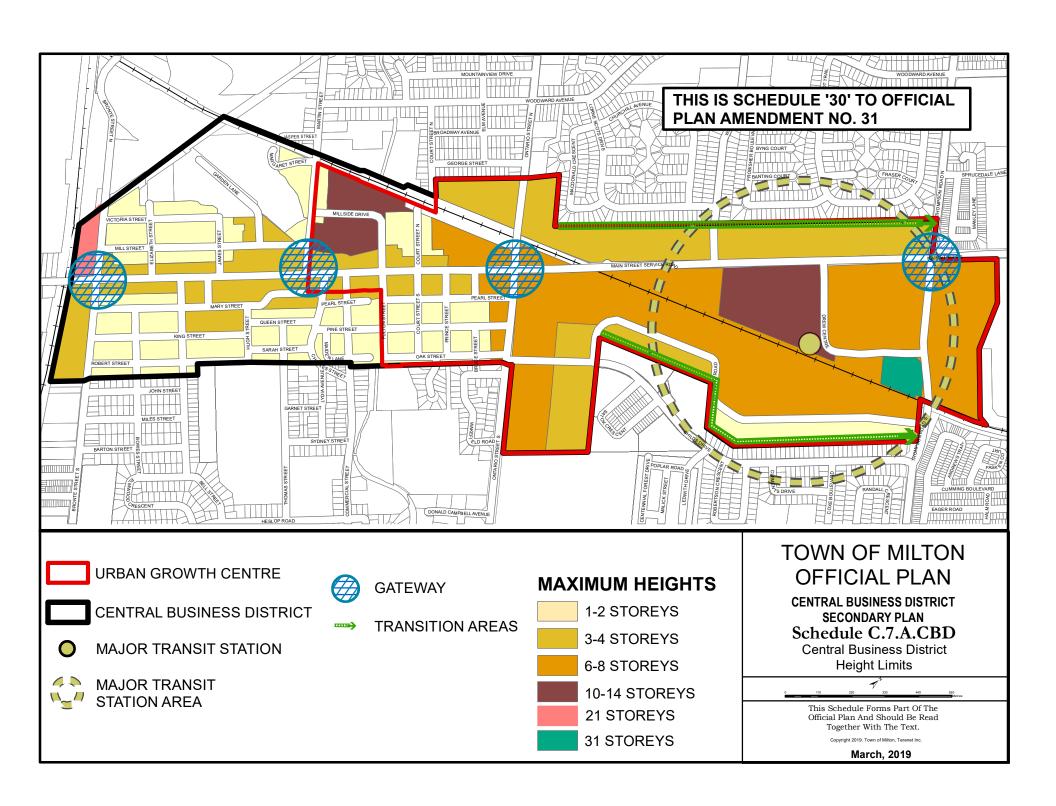
BEING A BY-LAW OF THE TOWN OF MILTON TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTION 17 OF THE PLANNING ACT, AS AMENDED, IN RESPECT OF THE LANDS MUNICIPALLY IDENTIFIED AS 28 AND 60 BRONTE STREET NORTH, LEGALLY DESCRIBED AS PART OF LOT 14, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON (FILE NO. LOPA 05/18)

The Council of the Corporation of the Town of Milton, in accordance with the provisions of Section 17 and 21 of the Planning Act R.S.O. 1990, c. P.13, as amended, hereby enacts as follows:

- 1. Amendment No. XX to the Official Plan of the Town of Milton, to amend Schedules I1 and C.7.A.CBD of the Town of Milton Official Plan to provide for permission for the development of two high-rise residential buildings with heights of 21 and 19 storeys, respectively, at lands located at 28 and 60 Bronte Street North and legally described as Part of Lot 14, Concession 1 (NS Trafalgar), Town of Milton, consisting of the attached maps and explanatory text, is hereby adopted.
- 2. Pursuant to Subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this Official Plan Amendment comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsections 17 (24) and (25). Where one or more appeals have been filed under Subsection 17 (24) or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Local Planning Appeal Tribunal.
- 3. In the event that the Regional Municipality of Halton, being the Approval Authority, has declared this Official Plan Amendment to not be exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number XX to the Official Plan of the Town of Milton.

PASSED IN OPEN COUNCIL	ON20xx.	
		Mayor
	Gordon A. Krantz	
	William Roberts	Acting Town Clerk





THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO.XXX.2019

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT IN RESPECT OF THE LANDS MUNICIPALLY IDENTIFIED AS 28 AND 60 BRONTE STREET NORTH AND LEGALLY DESCRIBED AS PART OF LOT 14, CONCESSION 1, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - VUE DEVELOPMENTS ON MAIN - (FILE: Z-07/18)

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended;

AND WHEREAS the Town of Milton Official Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

- 1. THAT Schedule A to Comprehensive Zoning By-law 016-2014 is hereby further amended by changing the existing Secondary Commercial (CBD-B) Zone symbol to the Secondary Commercial Special Section XXX (CBD-B*XXX) Zone symbol shown on Schedule A attached hereto.
- 2. **THAT** Schedule D to Comprehensive Zoning By-law 016-2014 is hereby further amended by changing the existing Maximum Building Height to 21 Storeys on the land shown on Schedule B attached hereto.
- 3. **THAT** Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.XXX as follows:

Secondary Commercial Special Section XXX (CBD-B*XXX) Zone

- (i) Additional permitted uses:
 - a. Guest Suite
 - b. Mixed Use Building
- (ii) Definitions:

For the purpose of this by-law:

a. BALCONY means a platform that may be partially enclosed projecting from the main wall of a building which is not supported by vertical uprights other than the wall itself except when located above a

- porch/veranda, patio or exclusive use driveway and which is only accessible from within the building.
- b. AMENITY AREA means the area situated on a residential or mixed use building lot that is intended for recreational purposes, and may include landscaped open spaces, patios, balconies, communal play areas, lunges, decks and other similar uses but shall not include a swimming pool or areas occupied at grade, by service areas, parking areas, aisles or access driveways associated with the development.
- c. GUEST UNIT means a room within the apartment building that is not connected to any individual apartment, but which includes bedroom and bathroom space that can be used by visitors to the apartment building as overnight temporary accommodation and it shall not include a kitchen. A Guest Unit does not constitute an apartment and shall not require a separate parking provision.

(iii) Special Provisions:

- a. Despite any provisions to the contrary, more than one residential building is permitted on the lot.
- b. Despite any provision to the contrary, Bronte Street North shall be deemed the front lot line.
- c. Notwithstanding the provisions of Section 4.5.i, Balconies, balconies are permitted in all yards for apartment buildings and mixed use buildings only.
- d. Notwithstanding the provisions of Section 4.18.to the contrary:
 - i) A restaurant patio is shall be located a minimum of 0.5 m from any other lot line.
 - ii) The restaurant patio shall not be required to comply with provision 4.18.vi.
- e. Notwithstanding the provisions of Section 4.19.4, Exceptions to Height Requirements, to the contrary:
 - the calculation of Building Height shall be exclusive of mechanical penthouses, rooftop equipment, elevator tower, stair tower and/or architectural features such as parapets and screen walls
- f. Notwithstanding Section 5.8.1, Table 5E, to the contrary the minimum off-street parking requirements shall be:
 - i) 1.0 spaces per dwelling unit
 - ii) plus 0.25 visitor parking spaces per dwelling unit
 - iii) plus 1 parking space per 20 square metres of commercial gross floor area

- iv) Visitor parking associated with a residential use, and client parking associated with a permitted non-residential use, may be provided in any combination of a parking structure and may be used for any combination of residential and permitted nonresidential uses.
- g. Notwithstanding Section 5.12, Table 5L, to the contrary, the parking area may be setback a minimum of 1.5 metres from a building.
- h. Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located within 0.0 metres of a street line or lot line.
- i. Notwithstanding Section 7.2, Table 7C to the contrary, the maximum lot coverage shall be 35%.
- 4. **THAT** if no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the Local Planning Appeal Tribunal dismisses the appeal, this by-law shall come into force on the day of the passing. If the Local Planning Appeal Tribunal amends the by-law pursuant to Section 34(26) of the *Planning Act*, as amended, the part or parts so amended come into force upon the day the Tribunal's Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON20xx	
	Mayo
Gordon A. Krant	
	Acting Town Clerk
William Roberts	

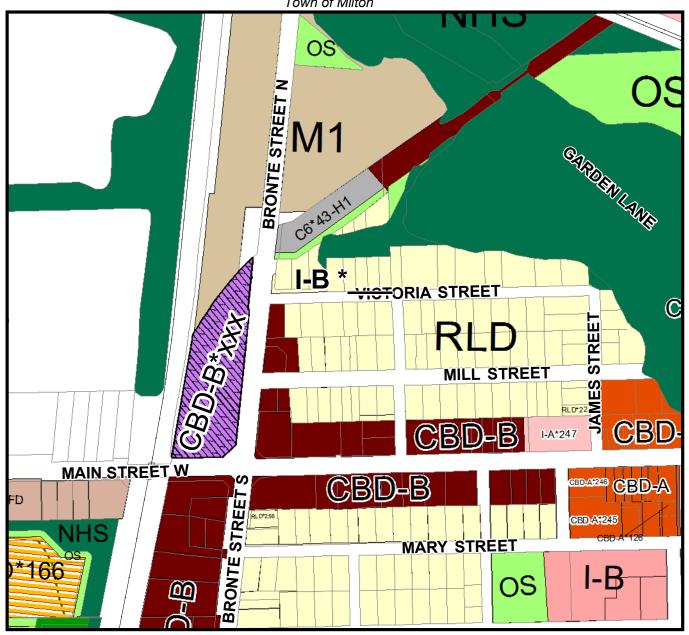
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SCHEDULE A TO BY-LAW No. -2019

TOWN OF MILTON

PART OF LOT 14, CONCESSION 1 TRAFALGAR NEW SURVEY, PART OF PARTS 1-3 RP 20R11682, PARTS 1,3 & 5 RP 20R20187 AND PARTS 3 & 4 & PART OF PART 2 RP 20R13880

Town of Milton



THIS IS SCHEDULE A TO BY-LAW NO._____ PASSED THIS DAY OF , 2019.



CBD-B* ____ - Site Specific Central Business District Secondary Commercial Zone



MAYOR - Gordon A. Krantz