



# The Corporation of the Town of Milton

Report To:	Council
From:	Barbara Koopmans, Commissioner, Development Services
Date:	November 16, 2020
Report No:	DS-045-20
Subject:	Public Meeting and Initial Report: Proposed Official Plan Amendment and Zoning By-law Amendment by Milton Main Street Homes Ltd. for lands known as 555 Bessborough Drive (Town Files: LOPA-06/20 & Z-014/20)
Recommendation:	<b>THAT Report DS-045-20 BE RECEIVED FOR INFORMATION.</b>

## EXECUTIVE SUMMARY

The purpose of the application is to amend the Town of Milton Official Plan and Zoning By-law to facilitate the development of a 90-unit townhouse development. The Local Official Plan Amendment seeks to allow the Residential/Office Area designation to be developed in its entirety as a Residential Medium Density 2 use at a density of 57 units per net hectare, where Residential High Density uses are intended to be the main permitted use at a minimum density of 85 units per net hectare and a maximum density of 150 units per net hectare. The Zoning By-law Amendment seeks to amend the current Residential Medium Density 2 with a Holding Provision (RMD2-H1) Zone by removing the H1 - Holding and further adding three site-specific Residential Medium Density 2 (RMD2\*XXX, RMD2\*YYY and RMD2\*ZZZ) zones to facilitate the construction of dual frontage townhouses, street townhouses and back-to-back townhouses.

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

## REPORT

### Background

#### Owner:

Milton Main Street Homes Ltd. 90 Tiverton Court, Markham ON, L3R 9V2

#### Applicant:

Mr. Robert Walters, Weston Consulting, 201 Millway Avenue, Vaughan ON L4K 5K8



# The Corporation of the Town of Milton

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## **Location:**

The subject lands are municipally known as 555 Bessborough Drive, on the east side of Tremaine Road, north of Louis St. Laurent Avenue (see Figure 1 - Location Map).

## **Site Description:**

The subject lands are approximately 1.59 hectares in size with approximately 111 metres of frontage on Tremaine Road and approximately 77 metres of frontage on Louis St. Laurent Avenue. The lands are currently vacant.

To the north and east of the subject lands are existing residential uses comprised of single detached and semi-detached dwelling units. To the west are agricultural lands and the Mattamy National Cycling Centre (Velodrome). Across Louis St. Laurent Avenue to the south are lands zoned Future Development (FD) which are intended for future residential development.

## **Proposal:**

The application seeks to amend the Residential/Office Area designation of the Town of Milton Official Plan to permit Medium Density 2 uses (townhouses) where the primary use is intended to be Residential High Density (i.e. apartment units). The proposal seeks to develop 90 townhouse units with freehold lots on common element roads, at a density of 57 units per net hectare. The application further seeks to amend the Residential/Office Area designation of the Sherwood Survey Secondary Plan to allow the Residential/Office Area designation to be developed as Residential Medium Density 2, where it is stated that the Residential/Office Area designation is not permitted to be developed in its entirety for Medium Density 2 uses.

The application seeks to rezone the subject lands to three site-specific Residential Medium Density 2 (RMD2\*XXX, RMD2\*YYY and RMD2\*ZZZ) Zones to facilitate the development of 90 townhouse dwelling units, which includes 38 dual frontage townhouses, 14 street townhouses and 38 back to back townhouse dwellings. The current zoning permits townhouse dwelling units; however, the Zoning By-law Amendment is required in order to develop freehold lots fronting on condominium roads.

Figure 2 shows the concept plan for the proposed development. It is noted that the proposed development is also referred to as Block 168 of RP 20M-1177. The proposed development is comprised of twelve blocks of townhouse units. The proposed condominium road will be accessed by two points off of Bessborough Drive.

The plans and documents, which have been submitted in support of the applications are listed below:

- Zoning By-law Amendment Application, prepared by Weston Consulting, dated July 2020;



# The Corporation of the Town of Milton

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- Site Plan, prepared by Weston Consulting and Hunt Design Associates, dated May 27, 2020;
- Planning Justification Report, prepared by Weston Consulting, dated June 2020;
- Urban Design Brief, prepared by Weston Consulting, dated July 2020;
- Traffic Impact Study, prepared by GHD, dated March 26, 2020;
- Stormwater Management & Functional Servicing Report, prepared by GHD, dated March 2020;
- Phase One Environmental Assessment, prepared by Geopro, dated June 26, 2020;
- Building Elevations, prepared by Hunt Design Associates, undated;
- Geotechnical Assessment, prepared by Geopro, dated March 11, 2020;
- Environmental Noise Assessment, prepared by YCA Engineering, dated February 2020;
- Landscape Plans, prepared by Alexander Budrevics & Associates, dated February 19, 2020; and,
- Draft Zoning By-law, prepared by Weston Consulting, dated June 2020.

## Planning Policy

The subject lands are within the Urban Area of the Town of Milton and further located within the Sherwood Survey Secondary Plan Area.

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. While some appeals are still outstanding, the appeals do not affect the policies for the Urban Area.

On Schedule B of OPA #31, the lands are designated Residential/Office Area. The Official Plan, as amended by OPA #31, permits residential high density as the main permitted use at a minimum density of 85 units per net hectare and a maximum density of 150 units per net hectare in the Residential/Office Area designation. Other permitted uses include office uses, assisted and special needs housing, local institutional uses, local commercial uses and parks and public spaces.

On Schedule C.8.D Land Use Plan of the Sherwood Survey Secondary Plan, the lands are designated Residential/Office Area. The Secondary Plan specifies that the permitted uses in the Residential/Office Area designation shall be in accordance with the policies of Section 3.3 of the Official Plan. However, notwithstanding Section 3.3 of the Official Plan, Residential Medium Density 1 uses are not permitted within the Residential/Office Area designation, but limited Medium Density 2 development may be permitted at a minimum density of 50 units per net hectare, so long as the entire Residential/Office Area is not developed as Medium Density 2 in its entirety.



# The Corporation of the Town of Milton

A full review of the applicable planning policies will be undertaken as part of the review of the applications; however, it is our opinion that an Official Plan Amendment is required to address the above-noted policies.

It is noted that the lands are currently zoned Residential Medium Density 2. The Zoning By-law Amendment approved in 2012 in association with the approved plan of subdivision is deemed to conform to the Official Plan. As of right, Residential Medium Density 2 uses are permitted on the subject lands today; however, a new Zoning By-law Amendment is necessary to apply site-specific provisions to facilitate the proposed development, which triggers the requirement to conform to all policies in effect on the date of the new application.

A draft Official Plan Amendment and Schedule are attached to this report as Appendix 1.

## **Zoning By-law 016-2014, as amended**

The subject lands are currently zoned Residential Medium Density 2 with a Holding (RMD2-H1). The Residential Medium Density 2 Zone permits townhouse dwelling units; however, site-specific provisions are required to facilitate the development of the units on freehold lots on condominium roads. The site-specific provisions include provisions for minimum lot frontage, minimum lot depth, minimum front yard setback, minimum exterior side yard setback, minimum rear yard setback, and maximum building height for each Parcel of Tied Land, as defined in the Condominium Act, in addition to site-specific provisions related to stairs, walkways and balconies.

When the Zoning By-law Amendment to zone the lands RMD2 was approved in 2012, a H1 - Holding was applied to the lands, only to be removed when adequate servicing was available. It is indicated in the supporting documentation that allocation for these lands has been secured, which is to be confirmed through Halton Region's review of the application. Once confirmed, the H1 - Holding will be lifted through this process, should the application be approved.

A draft Zoning By-law and Schedule A are attached to this report as Appendix 2.

## **Site Plan Control**

Should the Official Plan Amendment and Zoning By-law Amendment be approved, site plan approval will be required prior to the development of the site.

## **Discussion**

Notice of a complete application was provided on September 9, 2020. A virtual public information session is scheduled to be held by the applicant on November 11, 2020.



# The Corporation of the Town of Milton

Notice for the public meeting has been provided pursuant to the requirements of the Planning Act on October 22, 2020, through written notice to all properties within 200 metres of the subject lands, as well as an ad in the Milton Canadian Champion. The applications were circulated to the internal departments and external agencies on September 10, 2020. Town staff is currently in the process of reviewing the application; however, a resubmission will be required to address outstanding comments.

Staff have identified the following issues to be reviewed:

- Setbacks and other site-specific zone provisions
- Traffic and parking
- Stormwater management
- Conformity with the Official Plan

A technical report will be brought forward to Council at a later date, responding to issues raised both at the Public Meeting and through the circulation and planning review process.

## Financial Impact

None arising from this Report.

Respectfully submitted,

Barbara Koopmans, MPA, MCIP, RPP, CMO  
Commissioner, Development Services

For questions, please contact: Mollie Kuchma, MSc, MPA, MCIP, RPP 905-878-  
Planner, Development Review 7252 x2312

## Attachments

Figure 1 – Location Map  
Figure 2 – Concept Plan  
Appendix 1 – Draft Official Plan Amendment & Schedule  
Appendix 2 – Draft Zoning By-law & Schedule A

CAO Approval  
Andrew M. Siltala  
Chief Administrative Officer

# FIGURE 1 LOCATION MAP



Council Meeting Date:  
November 16, 2020

Scale: 1: 1,700

Files: Z-14/20

Development Services Department



Subject Property  
6 of 19

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**FIGURE 2**



Milton Townhouse Block 168  
Milton, Ontario  
Scale 1:300  
August 10, 2020  
ABAL 3324

**Amendment No. XX  
To the Official Plan  
Of the  
Town of Milton**

The following text constitutes

Amendment No. XX to the Official Plan of the Town of Milton

Specifically, the Sherwood Survey Secondary Plan



**Part I - THE PREAMBLE, does not constitute part of this Amendment**

**Part II - THE AMENDMENT, consisting of the following text constitutes Amendment No. XX to the Official Plan of the Town of Milton, specifically the Sherwood Survey Secondary Plan**

**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  
 Milton Main Street Homes Ltd.  
 (Town of Milton)  
 (LOPA – XX/20)

## PURPOSE OF THIS AMENDMENT

The purpose of this amendment is to introduce a site specific policy permitting *Medium Density II* development within the Residential/ Office Area designation on the northeast corner of Tremaine Road and Louis St. Laurent Avenue. This site-specific amendment would permit the subject property be developed for entirely *Medium Density II* residential uses.

## LOCATION OF THE AMENDMENT

The lands affected by this amendment to the Official Plan are legally described as Block 168, PLAN 20M-1177, Town of Milton, Regional Municipality of Halton. The subject property is located at the northeast corner of Tremaine Road and Louis St. Laurent Avenue.

## BAISIS OF THE AMENDMENT

This Official Plan Amendment permits only Medium Density II residential uses on the lands located at the northeast corner of Tremaine Road and Louis St. Laurent Avenue at a maximum net density of 56.6 uph, notwithstanding Policy C 8.5.2 of the Sherwood Survey Secondary Plan or any other policy of the Town's Official Plan. This Amendment is required to allow approval of rezoning and site plan applications which will permit 90 townhouse units.

The zoning by-law amendment and site plan applications for the subject property demonstrate that the proposed development conforms to the design policies and intent of the Town of Milton Official Plan and the Sherwood Survey Secondary Plan - including the gateway policies. The Amendment allows a logical extension of the existing residential development from the north and east, allowing Medium Density II residential uses which will be compatible and which will complement the surrounding uses.

The proposed development enhances a strong streetscape presence along both Tremaine Road and Louis St. Laurent Avenue, with the introduction of dual-frontage townhouse units. The proposed development maintains a sense of place and reinforces the public realm presence at

this important intersection, while complementing a similar development proposed on the southeast corner of the intersection. This Amendment and the associated rezoning and site plan applications are supported by all of the required technical plans and studies.

The Boyne Survey Secondary Plan will continue to be adequately served by other land use designations in the Plan which allow office uses, including the Secondary Mixed Use Area to the east and other Office/Residential Area designations within the Plan.

## PART II – THE AMENDMENT

All of this part of the document entitled PART II – THE AMENDMENT, consisting of the following text and attached schedules constitutes Amendment No. XX to the Official Plan of the Town of Milton.

### DETAILS OF THE AMENDMENT

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

#### 1.0 Schedule Changes

##### 1.1 Schedule I1

- a) Addition of Special Policy Area No. XX overlay to the northeast corner of Tremaine Road and Louis St. Laurent Avenue.

##### 1.2 Schedule C.10.C

- a) Addition of the identification that lands located at the northeast corner of Tremaine Road and Louis St. Laurent Avenue permit only Medium Density II residential uses.

#### 2.0 Text Changes

##### 2.1 Adding the following text to Section 4.11 “Special Policy Area”

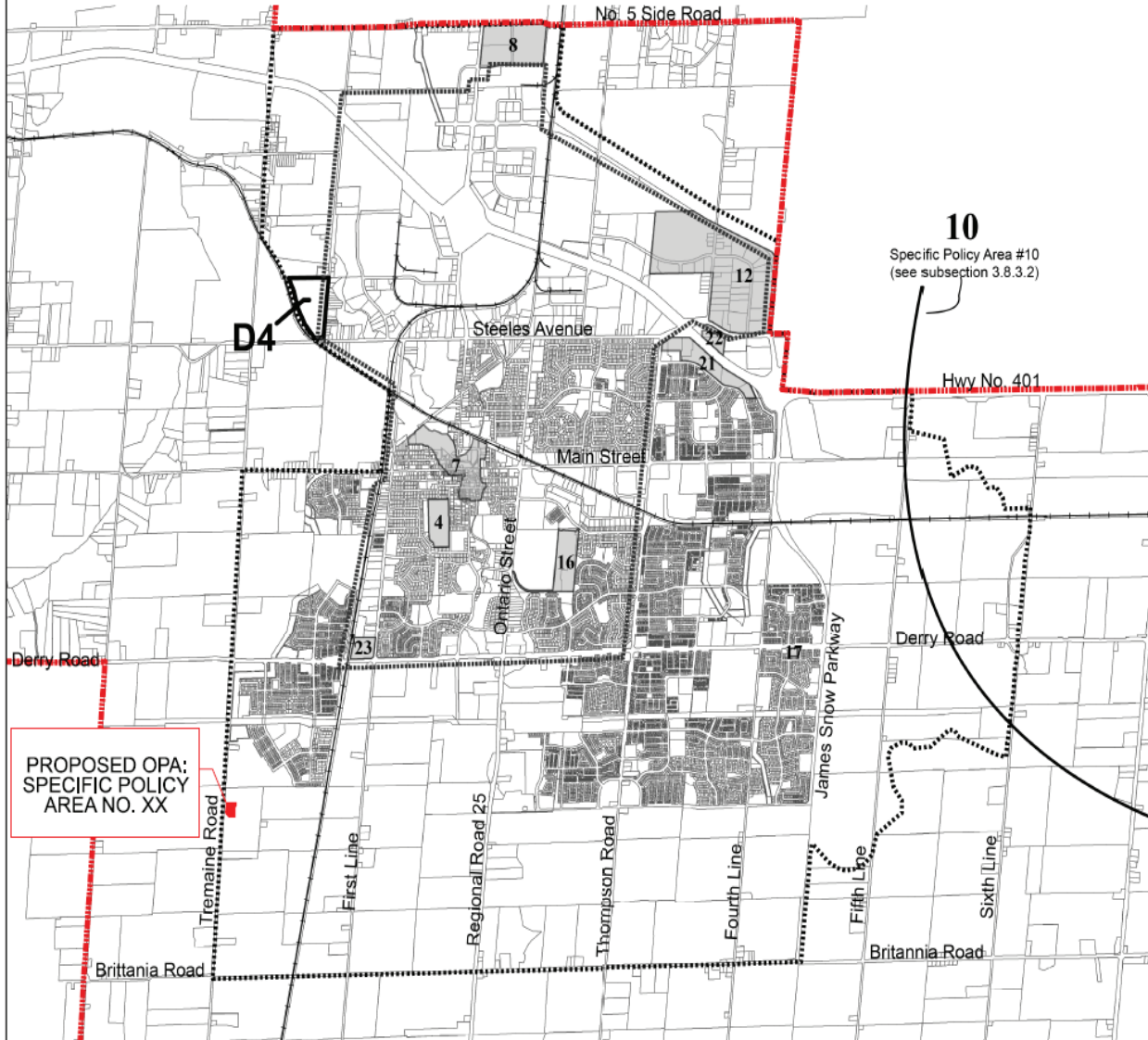
##### 4.11.3.XX

Notwithstanding Policy 8.5.2 of the Sherwood Survey Secondary Plan or any other policy of the Town’s Official Plan to the contrary, the lands located at the northeast corner of Tremaine Road and Louis St. Laurent Avenue, referred to as Block 168 on Plan 20M-1177 and identified as Special Policy Area XX on Schedules I1 and C-8-D of this plan, may be developed entirely for Medium Density II residential uses at a maximum net density of 56.6 units per hectare.

### 3. IMPLEMENTATION AND INTERPRETATION

This Official Plan Amendment shall be implemented and interpreted in accordance with the implementation and interpretation provisions set out in the Amendment and relevant sections of the Official Plan.

# AMENDED SCHEDULE I1 - SPECIFIC POLICY AREAS

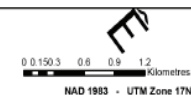


## TOWN OF MILTON OFFICIAL PLAN

### Schedule I1

URBAN AREA  
SPECIFIC POLICY AREAS  
(Refer to sections 4.11 & 3.8.3.2)

- TOWN OF MILTON BOUNDARY
- URBAN EXPANSION AREA BOUNDARY
- ..... EXISTING URBAN AREA BOUNDARY
- + + + + RAILWAY
- SPECIFIC POLICY AREA
- 5 SPECIFIC POLICY NUMBER
- D4- DEFERRED AND APPEALED AREAS AND NUMBERS

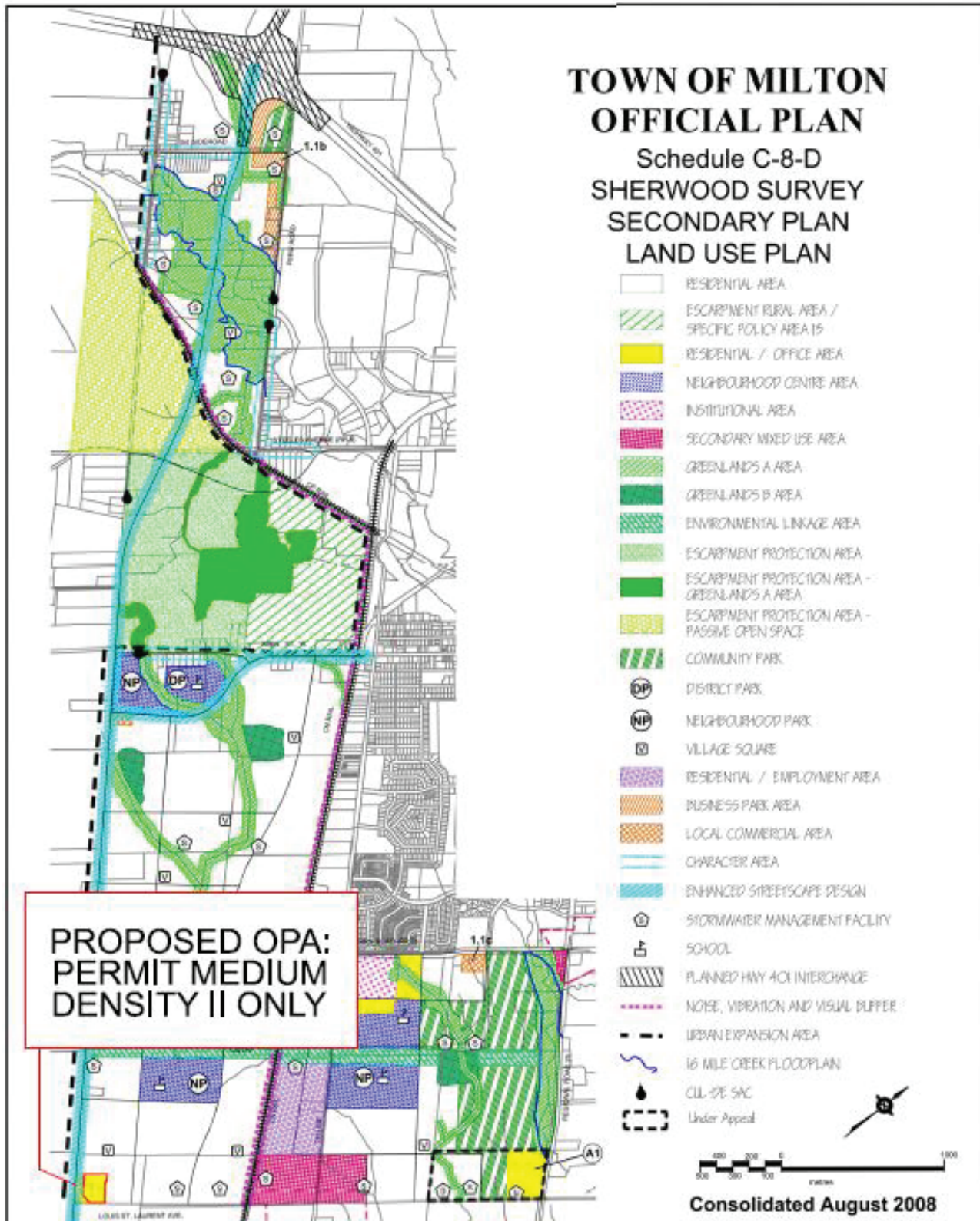


This Schedule Forms Part Of The  
Official Plan And Should Be Read  
Together With The Text.

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Consolidated August 2008

# AMENDED SCHEDULE C-8-D LAND USE PLAN





Weston Consulting June 2020

**THE CORPORATION OF THE TOWN OF MILTON****BY-LAW NO. \_\_\_\_\_ 2020**

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 DESCRIBED AS PART OF LOTS 7 and 8, CONCESSION 1, N.S., (TRAFALGAR), (MILTON MAIN STREET HOMES LTD.)

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

**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 Residential Medium Density 2 Holding H1 (RMD2-H1) Zone to the Residential Medium Density (RMD2\*A) Zone Special, Residential Medium Density (RMD2\*B) Zone Special, and Residential Medium Density (RMD2\*C) Zone Special symbols on the land shown on Schedule A attached hereto.
2. **That** Section 13.1.1 of By-law No. 016-2014, as amended, is hereby further amended by adding subsection 13.1.1.A to read as follows:

**Residential Medium Density 2 – Special Provision A (RMD2\*A) Zone**

- i) Front lot line shall be defined as the shortest lot line that abuts a private lane.
- ii) Notwithstanding the provisions of Section 4.19.5 or any other provision of this By-law to the contrary, stairs and walkways on grade shall be permitted in any required yard and to encroach to all lot lines.
- iii) Notwithstanding the provisions of Section 6.3.2.2 or any other provision of this By-law to the contrary, balconies are permitted in a required front yard and in a required rear yard to a maximum of 2.5 metres provided a minimum of 1.0 metres is maintained from a lot line.
- iv) Notwithstanding the provisions of Section 6 to the contrary, the following specific provisions shall apply to each Parcel of Tied Land, as defined in the *Condominium Act*, for a Back-to-Back Townhouse Dwelling unit:
  1. For a Corner Unit:
    - a. Minimum lot frontage shall be 6.5 metres.
    - b. Minimum lot depth shall be 14.8 metres.
    - c. Minimum front yard setback shall be 3.0 metres.
    - d. Minimum exterior side yard setback shall be 1.2 metres.

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2. For an Interior Unit:
  - a. Minimum lot frontage shall be 6.4 metres.
  - b. Minimum lot depth shall be 14.8 metres.
  - c. Minimum front yard setback shall be 3.0 metres.
3. For an End Unit:
  - a. Minimum lot frontage shall be 8.0 metres.
  - b. Minimum lot depth shall be 14.8 metres.
  - c. Minimum front yard setback shall be 3.0 metres.
  - d. Minimum interior side yard setback shall be 0.0 metres on one side and 1.5 meters on the other side.
3. **That** Section 13.1.1 of By-law No. 016-2014, as amended, is hereby further amended by adding subsection 13.1.1.B to read as follows:

**Residential Medium Density 2 – Special Provision B (RMD2\*B) Zone**

- i) Front lot line shall be defined as the shortest lot line that abuts a private lane.
- ii) Notwithstanding the provisions of Section 4.19.5 or any other provision of this By-law to the contrary, stairs and walkways on grade shall be permitted in any required yard and to encroach to all lot lines.
- iii) Notwithstanding the provisions of Section 6.3.2.2 or any other provision of this By-law to the contrary, balconies are permitted in a required front yard and in a required rear yard to a maximum of 2.5 metres provided a minimum of 1.0 metres is maintained from a lot line.
- iv) Notwithstanding the provisions of Section 6 to the contrary, the following specific provisions shall apply to each Parcel of Tied Land, as defined in the *Condominium Act*, for a Townhouse Dwelling unit:
  1. For a Corner Unit:
    - a. Minimum lot frontage shall be 7.35 meters.
    - b. Minimum lot depth shall be 20.0 meters.
    - c. Minimum front yard setback shall be 1.35 meters.
    - d. Minimum exterior side yard shall be 2.40 meters.
    - e. Minimum rear yard shall be 3.0 meters.
    - f. Maximum building height shall be 13.0 meters.
  2. For an Interior Unit:
    - a. Minimum lot frontage shall be 4.75 meters.
    - b. Minimum lot depth shall be 20.0 meters.
    - c. Minimum required front yard setback shall be 1.5 meters.
    - d. Minimum rear yard setback shall be 3.0 meters.

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- e. Maximum building height shall be 13.0 meters.
  - f.
3. For an End Unit:
- a. Minimum lot frontage shall be 6.4 meters.
  - b. Minimum lot depth shall be 20.0 meters.
  - c. Minimum required front yard setback shall be 1.5 meters.
  - d. Minimum interior side yard shall be 0.0 metres on one side and 1.2 metres on the other side.
  - e. Minimum rear yard shall be 2.6 metres.
  - f. Maximum building height shall be 13.0 meters.
4. **That** Section 13.1.1 of By-law No. 016-2014, as amended, is hereby further amended by adding subsection 13.1.1.C to read as follows:

**Residential Medium Density 2 – Special Provision C (RMD2\*C) Zone**

- i) Front lot line shall be defined as the shortest lot line that abuts a private lane.
  - ii) Notwithstanding the provisions of Section 4.19.5 or any other provision of this By-law to the contrary, stairs and walkways on grade shall be permitted in any required yard and to encroach to all lot lines.
  - iii) Notwithstanding the provisions of Section 6.3.2.2 or any other provision of this By-law to the contrary, balconies are permitted in a required front yard and in a required rear yard to a maximum of 2.5 metres provided a minimum of 1.0 metres is maintained from a lot line.
  - iv) Notwithstanding the provisions of Section 6 to the contrary, the following specific provisions shall apply to each Parcel of Tied Land, as defined in the *Condominium Act*, for a Townhouse Dwelling unit:
1. For a Corner Unit:
- a. Minimum lot frontage shall be 9.0 metres.
  - b. Minimum lot depth shall be 25.0 metres.
  - c. Minimum front yard setback shall be 4.3 metres.
  - d. Minimum exterior side yard shall be 2.9 metres.
  - e. Minimum rear yard shall be 7.0 metres.
2. For an Interior Unit:
- a. Minimum lot frontage shall be 5.8 metres.
  - b. Minimum lot depth shall be 25.0 metres.
  - c. Minimum required front yard setback shall be 4.3 metres.
  - d. Minimum rear yard setback shall be 7.0 metres.

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3. For an End Unit:
- a. Minimum lot frontage shall be 7.45 metres.
  - b. Minimum lot depth shall be 25.0 metres.
  - c. Minimum required front yard setback shall be 4.3 metres.
  - d. Minimum interior side yard shall be 0.0 metres on one side and 1.5 meters on the other side.
  - e. Minimum rear yard setback shall be 7.0 metres.
5. **THAT** all other provisions of By-law No. 016-2014, as amended, remain in force and effect.
6. **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.

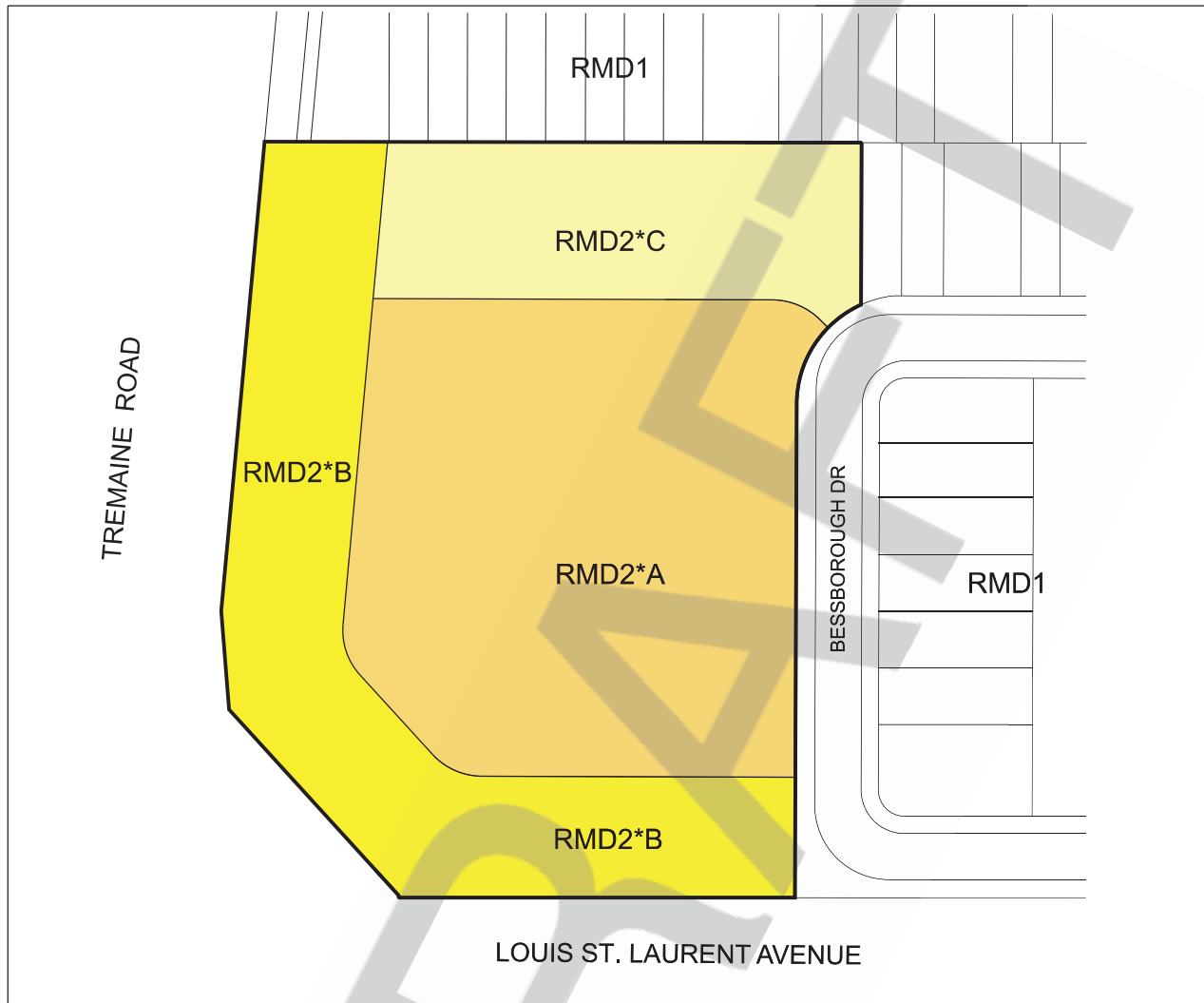
**READ A FIRST, SECOND AND THIRD TIME and FINALLY PASSED this \_\_\_\_ day of \_\_\_\_\_, 2020**

\_\_\_\_\_  
Gordon A. Krantz Mayor




\_\_\_\_\_  
Troy McHarg Clerk

ZONING BY-LAW  
016-2014  
SCHEDULE "A"  
TO BY-LAW No. -2020  
TOWN OF MILTON

PART OF LOTS 7 and 8 CONCESSION1, NEW SURVEY  
*Town of Milton*



THIS IS SCHEDULE "A"  
TO BY-LAW NO. -2020 PASSED  
THIS \_\_\_\_ DAY OF \_\_\_\_, 2020.

- |   |        |   |
|---|--------|---|
|  | RMD2*A | Residential Medium Density 2 Zone Special |
|  | RMD2*B | Residential Medium Density 2 Zone Special |
|  | RMD2*C | Residential Medium Density 2 Zone Special |

\_\_\_\_\_  
MAYOR - Gordon A. Krantz

\_\_\_\_\_  
ACTING CLERK - William Roberts