

The Corporation of the Town of Milton

Report To:	Council
From:	Barbara Koopmans, Commissioner, Development Services
Date:	May 31, 2021
Report No:	DS-032-21
Subject:	Public Meeting and Technical Report: Proposed Plan of Subdivision and Zoning By-law Amendment by Milton Thompson Road Developments Limited to permit the development of a six- storey apartment building (Files: 24T-20003/M and Z-05/20).
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 (24T-20003/M - Milton Thompson Road Developments Limited);
	AND THAT application Z-05/20 - for an amendment to the Town of Milton Comprehensive Zoning By-law 016-2014, as amended, to change the current site-specific Residential Low Density (RLD*144), Residential Medium Density 1 (RMD1) and Natural Heritage System (NHS) Zones to Natural Heritage System (NHS) and site-specific Residential High Density (RHD*288), to permit the development of a six-storey residential apartment building BE APPROVED;
	AND THAT WHEREAS the Planning Act limits the ability to apply for a minor variance for a 2-year period following approval of this By-law, BE IT RESOLVED that a privately initiated application for a minor variance may be made;
	AND THAT the Provincial Ministers of Health, Education, Transportation and Infrastructure and Metrolinx receive a copy of this report with a request to review and plan for future Milton District Hospital, school and transportation expansions;
	AND FURTHER THAT staff be authorized to bring forward an amending Zoning By-law for Council adoption.

EXECUTIVE SUMMARY

Milton Thompson Road Developments Limited submitted a draft plan of subdivision and a zoning by-law amendment application for the subject property in April 2020. Since that



time, the applicant has made several changes to their plans and reports in response to various staff and agency comments. The applicants are currently seeking approval of the Plan of Subdivision and Zoning By-law Amendment to facilitate the development.

The proposed subdivision consists of the block for the proposed residential development, a block for the Natural Heritage System and associated buffers, road widening blocks and a daylight triangle. The Natural Heritage System block will be dedicated to the Town.

In order to permit the development as currently proposed, the applicant is seeking approval of an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to implement the residential plan of subdivision and develop the six-storey (6) apartment building as proposed, attached as Appendix 1.

The statutory public meeting was held on October 19, 2020. No members of the public spoke at the meeting. However, staff have received one written submission and this is addressed under the Summary of Issues section of this report.

Since the public meeting in October 2020 for the proposed draft plan of subdivision and Zoning By-law Amendment, changes have been made to the proposal. The built form and size of the proposed apartment building remain the same as initially presented; however, changes to the interior layout and floor plans internal to the building have resulted in an increase in the number of dwelling units by eleven, from 137 to 148 units. As a result of the increase in units, the resultant resident parking rate is also reduced to 1.22 spaces per residential dwelling unit from the previously proposed 1.34 spaces per residential dwelling unit. The visitor parking rate is proposed to remain at 0.25 spaces per dwelling unit, which meets the requirements of the Zoning By-law. Overall, the 218 parking spaces proposed on site remains the same. The applicant has updated the submission documents, including reports and drawings, to demonstrate that the increase number of units is able to be accommodated on the subject lands.

Staff is of the opinion that these changes are significant enough to warrant the opportunity for additional public involvement. As a result, notice of an additional public meeting has been circulated to surrounding property owners in accordance with Town policies and Planning Act requirements.

All internal Town of Milton departments and responding external agencies have provided correspondence to Town Planning staff indicating their support for the applications as currently presented. They have also provided the appropriate conditions of draft plan approval necessary for the Town to consider the approval of these applications. Staff has reviewed all of the documentation, plans and comments provided to date and is of the opinion that the applications, as submitted, are prepared in a manner that would allow them to be considered by Town Council for approval.

Conclusions and Recommendations

Staff is satisfied that the Plan of Subdivision, subject to the requested conditions of draft plan approval and the site specific zoning provisions attached as Appendix 2, will conform to Provincial, Regional and Town planning policies and Conservation Halton regulations, and achieves acceptable engineering and design standards. Planning staff is also



satisfied that the proposed Zoning By-law Amendment is consistent with the land use policies of the Provincial Policy Statement and conforms to the Regional and Town Official Plans. Therefore, staff recommends approval of the Zoning By-law Amendment and the draft approval of the Plan of Subdivision as presented through this report.

REPORT

Background

Owner:

Milton Thompson Road Development Group Inc. and 2536546 Ontario Inc., 1100 Burloak Drive, Suite 300, Burlington, ON L7L 6B2

Applicant:

MHBC Planning, 442 Brant Street, Suite 204, Burlington, ON L7R 2G4

Location:

The subject lands are approximately 1.3 hectares in size with 98 metres of frontage on Thompson Road and approximately 113 metres of frontage on Kennedy Circle. Two existing residential dwellings are located at 981 and 995 Thompson Road, and 0 Kennedy Circle is vacant.

A small watercourse traverses the rear of 995 Thompson Road. Associated with the creek are natural features, consisting of a wetland and woodland. These extend onto both 981 and 995 Thompson Road. A hedgerow with mature Bur Oak is located within the subject lands along the boundary between 995 Thompson Road and 0 Kennedy Circle. In addition, a number of trees are located within and along the perimeter of the site.

To the north of the subject lands is an existing residential property with a detached dwelling. To the east are lands with natural features owned by the Town of Milton. Along Kennedy Circle are four residential properties, one of which abuts the lands. South of Kennedy Circle is an existing residential property and an existing commercial plaza.

Proposal:

The application seeks to rezone the subject lands as site-specific Residential High Density (RHD*288) and Natural Heritage System (NHS) to facilitate a residential plan of subdivision, which creates a block for the development of a 6-storey apartment building, and the adjacent Natural Heritage System, as proposed. A Draft Zoning By-law is attached to this report as Appendix 2.

Figure 2 shows the concept plan for the proposed plan of subdivision and Figure 3 shows the proposed rendering and elevation. The proposed draft Plan of Subdivision includes one block for the proposed apartment building, a natural heritage block, which includes the wetland, the woodland and the associated buffers for these features, and a road widening block and a daylighting block along Thompson Road.



The following reports and supporting materials have been submitted in support of the application:

- Draft Plan of Subdivision prepared by MHBC Planning, dated April 22, 2020
- Planning Justification Report prepared by MHBC Planning, updated January 2021
- Draft Zoning By-law prepared by MHBC Planning, January 30, 2020
- Stage 1 and 2 Archaeological Assessment of 0 Kennedy Circle and 981-995 Thompson Road South, prepared by ASI Archaeological and Cultural Heritage Services, dated 10 December 2019
- Stage 3 Archaeological Assessment, prepared by ASI Archaeological and Cultural Heritage Services, Dated October 5 2020
- Phase One Environmental Site Assessment 981, 995 Thompson Road South and 0 Kennedy Circle, prepared by DS Consultants Ltd., dated November 5, 2019
- Phase Two Environmental Site Assessment, 981, 995 Thompson Road South and 0 Kennedy Circle, prepared by DS Consultants Ltd., dated December 13, 2020
- Scoped Environmental Impact Study 981 & 995 Thompson Road South and 0 Kennedy Circle, prepared by Stantec, dated February 18, 2020
- Environmental Impact Study Addendum, prepared by Terrastory Environmental Consulting Inc., dated September 18, 2020
- Tree Inventory and Preservation Plan, prepared by Terrastory Environmental Consulting Inc., dated January 2020
- Geotechnical Investigation Proposed Residential Building 981 and 995 Thompson Road South, prepared by DS Consultants Ltd., dated November 15, 2019
- Hydrogeological Investigation 981 and 995 Thompson Road, prepared by DS Consultants Ltd., updated August 24, 2020
- Functional Servicing and Stormwater Management Report 995 Thompson Road, prepared by C.F. Crozier & Associates Inc., updated September 2020
- Transportation and Parking Study for Milton Residential Development 981 and 995 Thompson Road South, prepared by Salvini Consulting, updated January 2021
- Noise Feasibility Proposed Residential Development 981 & 995 Thompson Road South, prepared by HGC Engineering, updated September 25, 2020
- Shadow Impact Analysis Proposed Development 981-995 Thompson Rd. S., prepared by KNYMH, dated March 4, 2020
- Urban Design Brief, 981-995 Thompson Road, prepared by MHBC Planning, updated October 2020



- Floor plans, Elevations and 3D View, prepared by KNYMH, dated February 2020
- Survey and topographic survey

Planning Policy:

The subject property is designated Urban Area and Natural Heritage System in the Halton Region Official Plan. Regional staff have confirmed that the uses being proposed on the attached draft plan of subdivision conform to the Regional Official Plan and all Provincial land use policy.

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 Area and Natural Heritage System Area. The Official Plan, as amended by OPA #31, permits a full range of residential uses and densities in the Residential Area designation on Schedule B. As identified in policy 3.2.2 d), high density residential uses are permitted within a density range of 86 to 150 dwelling units per net hectare in the Residential Area. The Natural Heritage System Area is based on a systems approach to protecting and enhancing natural features and functions, including key features, linkages, buffers, watercourses and wetlands.

With an increase in units from the initially proposed 138 residential dwelling units to 149, the resultant net density is 162 units per net hectare with a resultant unit mix of 59 1-bedroom units, 48 1-bedroom plus den units, and 41 2-bedroom units.

Section 5.10.3 of the Town's Official Plan states that all numbers and quantities in the text shall be interpreted as approximate only and that minor variations from any numbers or quantities will be permitted, provided the intent of the Plan is preserved. In consideration of the changes that have been made to the proposal, staff is of the opinion that the intent of the Plan is preserved and the increase to 162 units per net hectare is considered minor. The applicant has demonstrated that the increase in units can be accommodated within the initially proposed build form, and accommodated from a servicing perspective. The increase in units occurred due to changes in internal floor plans, where units that were initially proposed to be two-storey units have been revised to be one-storey units only. Additionally, the proposed unit increase is able to be accommodated from a transportation perspective and sufficient parking is provided on site to serve the proposed development.

The subject lands are within the Urban Area in the Bristol Survey Planning District.

On Schedule C.6.D Land Use Plan of the Bristol Survey Secondary Plan, the lands are designated Residential Area and Greenlands B Area. The Secondary Plan specifies that the permitted uses in the Residential Area designation shall be in accordance with the policies of Section 3.2.2 of the Official Plan. In accordance with OPA #31, the Residential High Density use is therefore permitted.



The development is located within the Built Boundary of the Town's Urban Area and on the periphery of a Secondary Mixed Use Node, which has been identified as an area for intensification. The proposal conforms to the Town's Natural Heritage System objectives and policies and has been designed in such a way to protect and enhance the woodlot onsite, which will also be conveyed to the Town to ensure its long term protection. The proposal conforms to the objectives and policies of the Bristol Survey Secondary Plan by providing a compact, residential development in an appropriate location within the Residential Area designation.

Staff has reviewed the application 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, the Town of Milton Official Plan and the Bristol Survey Secondary Plan Area.

Zoning By-law 016-2014, as amended

The subject lands are currently zoned site-specific Residential Low Density (RLD*144), Residential Medium Density 1 (RMD1), Future Development (FD) and Natural Heritage System (NHS) Zones, which do not permit the development, as proposed. Approval of the Zoning By-law Amendment is required to permit the Plan of Subdivision and facilitate the development of the proposed six-storey apartment building.

The lands are proposed to be zoned site specific Residential High Density (RHD*288) and Natural Heritage System (NHS). The NHS designation incorporates the associated natural heritage features which include a watercourse, wetland and woodlot as well as the associated buffer. The lands zoned NHS will be dedicated to the Town, as the adjacent lands to the rear containing these same features are also owned by the Town. This will allow for the natural heritage features in this area to be owned by one common entity, and protected in perpetuity.

The portion of the lands zoned site specific Residential High Density (RHD*288) will facilitate the development of the six-storey apartment building as proposed. The site specific provision addresses provisions relating to the front, interior and side yard setbacks, the setback to parking areas as well as the minimum number of off-street vehicle parking spaces and bicycle parking spaces, in accordance with the parking justification study and associated Transportation Demand Management measures proposed.

Should the application be approved, the applicant is required to obtain Site Plan Approval prior to building permit issuance. Detailed site plan drawings addressing such matters as building elevations and urban design, lot grading and drainage, lighting and landscaping will be reviewed.

A draft zoning by-law is attached as Appendix 2.

Discussion

Public Consultation and Review Process



Notice of a complete application was provided on April 8, 2020. A virtual public information session was held by the applicant on September 15, 2020. Several members of the public participated and asked questions about traffic, the building form and tenure, on-site amenities, construction related matters and timing of the development.

Notice for the public meeting has been provided pursuant to the requirements of the Planning Act on September 24, 2020 and the Statutory Public Meeting was held on October 19, 2020. A notice was also placed in the Milton Canadian Champion. No members of the public spoke at the meeting. However, staff has received one written submission and this is addressed under the Summary of Issues section of this report.

Notice for the additional public meeting was provided pursuant to the requirements of the Planning Act on May 6, 2021 to advise the public of the changes that have been made to the proposal and offer the opportunity to comment on further changes. Notice was also placed in the Milton Canadian Champion on May 6, 2021.

Agency Consultation

The revised draft plan of subdivision, zoning by-law amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region, Conservation Halton, Town Departments, School Boards and other agencies offered no objection to the applications and requested standard conditions of draft plan approval be applied. Agencies will continue to work with the applicants through the detailed draft approval process as well as the Site Plan Approval process prior to the development of the site.

Summary of Issues

<u>Traffic</u>

A Traffic Impact Study (TIS) was submitted and reviewed by Town Engineering staff as it relates to the proposed development. The TIS reviewed peak travel times, taking into consideration existing and proposed conditions, including future development within the area. The report indicates that the existing intersection is able to operate at an acceptable level with the proposed increase in residents. The Town operates an Intersection Pedestrian Signal at this location for safe pedestrian crossing of Thompson Road.

The site is well located for travel by active transportation with both existing and planning cycling and pedestrian infrastructure on both Thompson Road South and Kennedy Circle. The site has been designed in such a way that there are connections to this infrastructure directly from the lands. The site is also serviced by transit which connects directly to the Milton GO station.

Town Engineering staff is satisfied with the proposed development subject to the implementation of Transportation Demand Management (TDM) measures being included in the amending by-law. As such, the requirement for 157 bicycle parking spaces has been included in the draft by-law.

Proposed Use



The Corporation of the Town of Milton

The proposed apartment building is in accordance with the Town's Official Plan and Secondary Plan policies for the area. These lands have been contemplated for high density residential development, and are proposed to be developed in accordance with those policies. The site is directly across the street from commercial uses, within walking distance to multiple schools, and also in close proximity to the Bristol District Park, making it an ideal location for the proposed use.

Conclusion

Staff is satisfied that the Plan of Subdivision (Appendix 1), subject to the required conditions of draft plan approval and the site specific zoning by-law and associated provisions attached as Appendix 2, will conform to Provincial, Regional and Town land use planning policy and achieves acceptable engineering and design standards. Planning staff is also satisfied that the proposed zoning by-law amendment is consistent with the Provincial Policy and conforms to the Region of Halton and Town of Milton Official Plans. Therefore, staff recommends approval of the draft zoning by-law amendment and the granting of draft plan approval to the plan of subdivisions.

Financial Impact

None arising from this Report

Respectfully submitted,

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

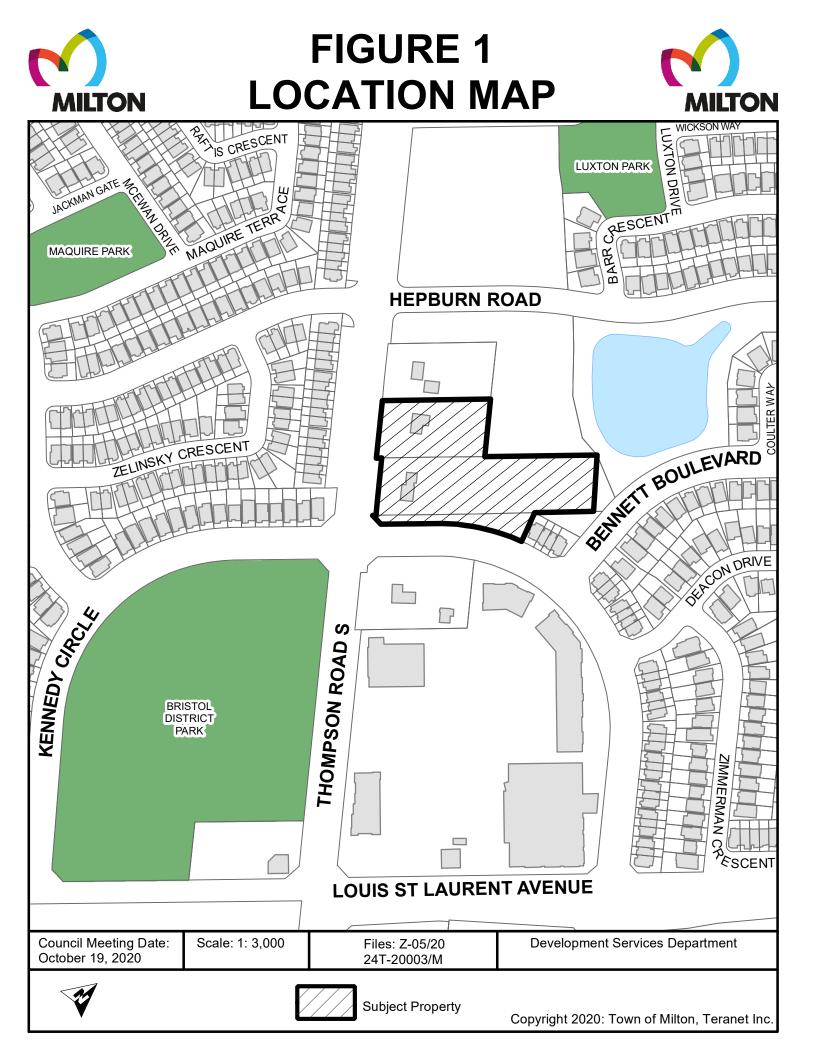
For questions, please contact:

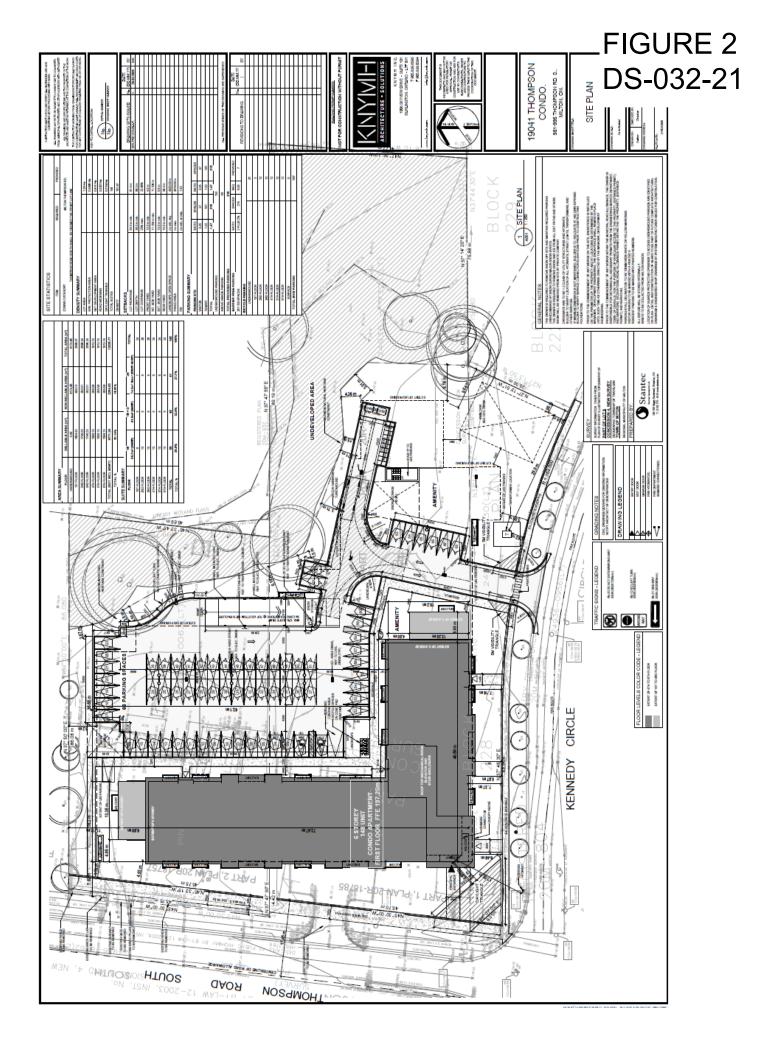
Mollie Kuchma, MSc, MPA, MCIP, RPP,Phone:Senior PlannerExt. 2312

Attachments

Figure 1 – Location Map Figure 2 – Site Concept for Development Proposal Figure 3 – Rendering of Proposed Elevation Appendix 1 – Draft Plan of Subdivision Appendix 2 – Zoning By-law & Schedule A

CAO Approval Andrew M. Siltala Chief Administrative Officer

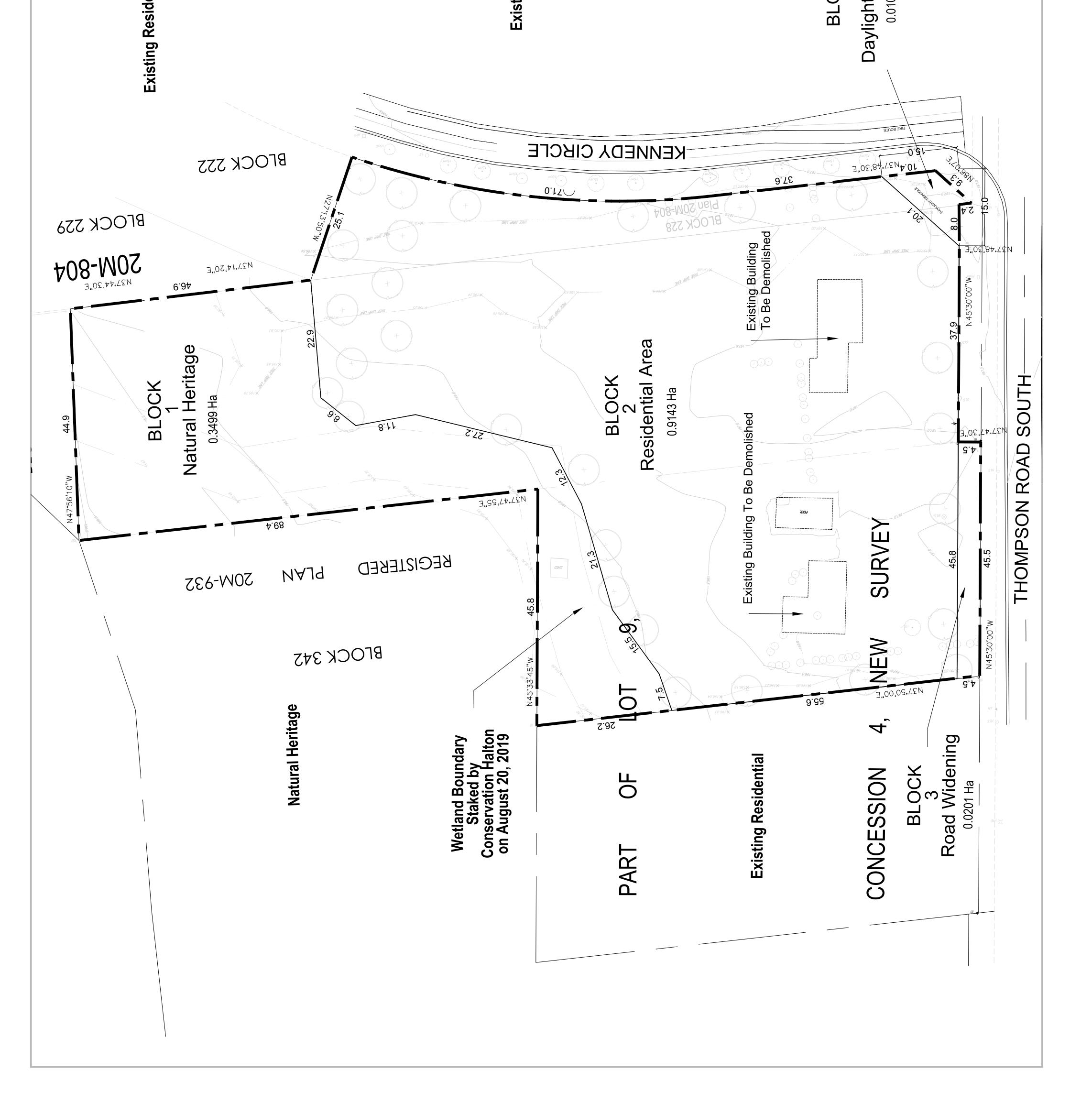








September 02, 2020 For Draft Plan Approval April 22, 2020 For Draft Plan Approval February 13, 2020 For Draft Plan Approval Data Issued / Revised Plan Approval September 02, 2020 For Draft Plan Approval Appli 22, 2020 For Draft Plan Approval February 04, 2020 For Draft Plan Approval Lebusry 04, 2020 For Draft Plan Approval Data Issued / Revised Plan Approval Appli 22, 2020 For Draft Plan Approval Appli 24, 2020 For Draft Plan Appli 24, 2020 For Draft Plan Ap	serte I 25 50 75m serte I 2 1 25 50 75m serte I 2 1 2 5 2 5 2 2 2 2 2 2 2 2 2 2 2 2 2 2
File Name 0 Kennedy Circle and 981, 995 Thompson Road South	292-2



APPENDIX 2 DS-032-21

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XXX-2020

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 24 OF THE PLANNING ACT, AS AMENDED, IN RESPECT TO THE LANDS DESCRIBED AS PART OF LOT 9, CONCESSION 4, NEW SURVEY, GEOGRAPHIC TOWNSHIP OF TRAFALGAR, AND MUNICIPALLY IDENTIFIED AS 981 AND 995 THOMPSON ROAD SOUTH AND 0 KENNEDY CIRCLE, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MILTON THOMPSON ROAD DEVELOPMENTS LIMITED) – TOWN FILE: Z-05/20

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend the 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:

- THAT Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD), Residential Low Density Exception 144 (RLD*144), Residential Medium Density 1 (RMD1), and Natural Heritage System (NHS) Zone symbols to a sitespecific Residential High Density (RHD*288) Zone symbol on the Lands shown on Schedule A attached hereto.
- 2) **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection Section 13.1.1.288 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Residential High Density (RHD*288), the following standards and provisions shall apply:

- A. Special Site Provisions
 - 1) For the purposes of this by-law, the lands zoned site specific Residential High Density (RHD*288) are to be considered one lot.
 - 2) For the purposes of this by-law, Thompson Road South shall be deemed the front lot line.
 - 3) For the lands zoned Residential High Density (RHD*288) the following additional special site provisions shall apply:
 - a) The maximum number of dwelling units shall be 148 units.
 - b) Notwithstanding Section 6.2, Table 6E, the minimum front yard setback shall be 4.5 metres

- c) Notwithstanding Section 6.2, Table 6E, the minimum interior side yard setback shall be 11 metres
- d) Notwithstanding Section 6.2, Table 6E, the minimum exterior side yard setback shall be 5.8 metres
- e) Notwithstanding Section 5.12, Table 5L, the minimum parking area setback to all other lot lines shall be 1.5 metres above-grade and 3 metres below-grade.
- Notwithstanding Section 5.8.1, Table 5E, the minimum offstreet parking requirement for apartment buildings shall be 1.22 spaces per unit, plus 0.25 spaces per unit for visitor parking.
- g) Notwithstanding Section 5.10, Table 5I, a minimum of 157 bicycle parking spaces, including a minimum of 8 shortterm visitor bicycle parking spaces and a minimum of 149 long-term secure bicycle parking spaces shall be provided.
- 3) **THAT** if no appeal is filed pursuant to Section 34 (19) of the Planning act, RSO 1990, c. P13, as amended, or if an appeal is filed and the Local Planning Appeal Tribunal dismisses the appeal, this By-law shall come into force upon the day which 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 of the Tribunal's Order is issued directing the amendment or amendments.
- 4) THAT, notwithstanding Section 45 (1)(3) and in accordance with Section 45(1)(4) of the Planning Act, a minor variance application will be permitted during the two (2) year period after the Zoning By-law Amendment ('ZBA') has been passed, provided that the variances are not related to building height, density or parking provisions.

PASSED INOPEN COUNCIL ON MAY 31, 2021

Mayor

Gordon A. Krantz

Town Clerk

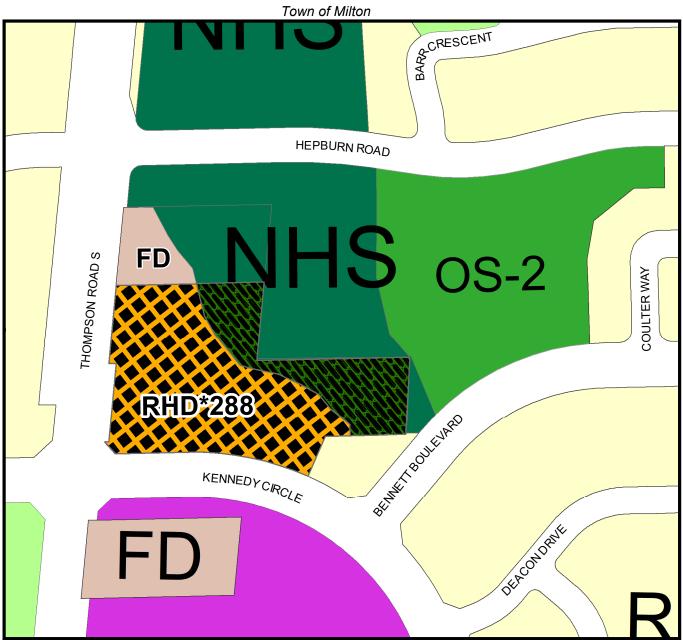
Meaghan Reid

SCHEDULE A TO BY-LAW No. -2021

TOWN OF MILTON

PART LOT 9 CONCESSION 4 TRAFALGAR NEW SURVEY, & PART OF PART 1 ON RP 20R1954 & BLOCK 228 ON PLAN M804

Town of Milton



THIS IS SCHEDULE A TO BY-LAW NO._____ PASSED THIS __ DAY OF _____, 2021.

RHD*288 - Residential High Density Zone Special NHS - Natural Heritage System

MAYOR - Gordon A. Krantz

Z-05-20 24T-20003M

CLERK- Meaghen Reid

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