



# The Corporation of the Town of Milton

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Report To: Council

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From: Jill Hogan, Acting Commissioner, Development Services

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Date: December 13, 2021

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Report No: DS-095-21

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Subject: Public Meeting and Initial Report: Proposed Draft Plan of Subdivision and Zoning By-law Amendment by Milton Meadows Properties Ltd. to permit the development of a residential plan of subdivision (Town Files: 24T-15005/M and Z-15/15)

**Recommendation: THAT Report DS-095-21 BE RECEIVED FOR INFORMATION.**

## EXECUTIVE SUMMARY

In 2015, the applicant, Milton Meadows Properties Ltd., submitted applications for a plan of subdivision and an amendment to the Town of Milton Zoning By-law 016-2014, as amended. The zoning applicable to the subject lands is proposed to be changed from the current Future Development (FD) and Natural Heritage System (NHS) Zones to a site-specific Residential Low Density (RLD\*XXX), site-specific Residential Medium Density 2 Zone (RMD2\*XXX) and a Natural Heritage System (NHS) Zone to facilitate a residential plan of subdivision.

The proposed plan of subdivision, if approved, would create lots and blocks for mixed use, detached and townhouse dwelling units, a block for a condominium townhouse development, as well as a natural heritage block and associated buffer block, open space blocks and an internal road network.

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 any comments received at the Public Meeting.

## REPORT

### Background

**Owner:** Milton Meadows Properties Ltd., 65 Royalpark Way, Woodbridge, ON L4H 1J5



## Background

**Applicant:** Humphries Planning Group Inc. 190 Pippin Road, Suite A, Vaughan, ON L4K 4X9

**Location:**

The subject lands are legally described as Parts of Lot 3 and 4, Concession 1, Geographic Township of Esquesing and are located south of No. 3 Side Road, east of New Tremaine Road. The applicant has removed the lands on the north side of No. 3 Side Road between Milton Heights Crescent to the west and proposed Street A to the east from the application.

**Site Description:**

The new Tremaine Road right-of-way has already been conveyed to Halton Region and the lands on the east side of Tremaine Road have been included with the Century Grove plan of subdivision. The remaining lands included in the plan of subdivision are approximately 8.34 hectares in size.

Sixteen Mile Creek traverses the property at the southwest corner. Associated with the creek are natural heritage lands, consisting of the environmental features associated with Sixteen Mile Creek, including the floodplain and a small wooded area.

Existing residences, forming part of the Milton Heights community, are located to the west and north west of the subject lands, as well as some lands on the south side of No. 3 Side Road which are not subject to this application. The natural heritage lands associated with Sixteen Mile Creek are located to the south and include the southwest corner of the lands. To the east is the new Tremaine Road right-of-way and lands part of the Century Grove plan of subdivision. To the north is No. 3 Side Road and the draft approved Milton Meadows North plan of subdivision. Due to the timing of the applications and the approvals by the Ontario Municipal Board, the Century Grove and Milton Meadows North subdivisions are subject to zoning under Zoning By-law 144-2003, the Town's Rural Zoning By-law.

**Proposal:**

The plan of subdivision proposes a mixed use development at the intersection of New Tremaine Road and No. 3 Side Road, lots and blocks for 57 detached and 72 townhouse dwellings (31 as street townhouses and 41 on a block for a condominium townhouse development), open space blocks, a natural heritage system block and an internal road system. A Draft Plan of Subdivision is attached to this report as Appendix 1.

The application seeks to rezone the subject lands a site-specific Residential Low Density zone, a Residential Medium Density 2 (RMD2\*XXX) zone and Natural Heritage System (NHS) zone to permit a residential plan of subdivision. A Draft Zoning By-law and Schedule A is attached to this report as Appendix 2.

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



## Background

- Draft Plan of Subdivision prepared by Humphries Planning Group Inc., revised April 8, 2021;
- Royal Park South Concept Plan, prepared by Freeman Planning Solutions, dated 6 October, 2014;
- Planning Justification Report prepared by Humphries Planning Group Inc., dated December 2015;
- Draft Zoning By-law prepared by Humphries Planning Group Inc., dated September, 2020;
- Stage 1 and 2 Archaeological Assessment of south side of No. 3 Side Road, prepared by Amick Consultants Limited, dated 27 January 2015;
- Revised Stage 1 and 2 Archaeological Assessment of south side of No. 3 Side Road, prepared by Amick Consultants Limited, dated 13 June 2016;
- Phase One Environmental Site Assessment 5, 7, 9, 19, 21 and 23 No. 3 Side Road, prepared by Pinchin, dated 22 January, 2015;
- Tree Inventory and Preservation Plan, prepared by Beacon, dated 25 November 2015;
- Preliminary Geotechnical Investigation 3<sup>rd</sup> Side Road proposed channel, stormwater management ponds, and 3<sup>rd</sup> Side Road servicing, prepared by Shad & Associates Inc., dated 15 July, 2011;
- Preliminary Geotechnical Investigation House No. 7 3<sup>rd</sup> Side Road, prepared by Shad & Associates Inc., dated 7 July, 2011;
- Functional Water, Wastewater, and Stormwater Drainage Report Milton Meadows South, prepared by Urbantech Associates Inc., dated December 2015;
- Transportation Impact Study Royal Park South, prepared by Burnside & Associates Limited, dated December 2015;
- Environmental Noise Feasibility Assessment Royal Park South, prepared by Valcoustics, dated 10 December 2015;
- Topographic survey

## Planning Policy

The subject lands are within the Urban Area in the Sherwood Survey Planning District. 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 range of residential uses and densities in the Residential Area designation on Schedule B. The Natural Heritage System Area is based on a systems approach to protecting and



## Background

enhancing natural features and functions, including key features, linkages, buffers, watercourses and wetlands.

On Schedule C.8.D. Land Use Plan of the Sherwood Survey Secondary Plan, the lands are designated Residential Area and Greenlands A area. The policies of the Sherwood Survey Secondary Plan outline the applicable density permitted in the Milton Heights Neighbourhood. A Local Official Plan Amendment (LOPA 01/07) was approved by the Ontario Municipal Board in 2014 and amended some of the policies applicable to the Milton Heights Neighbourhood, including the applicable density adjacent to arterial roads.

A full review of the applicable planning policies will be undertaken as part of the review of the applications. Through the planning review, conformity to the Official Plan will be assessed. Changes to the plan may be required to conform to the Official Plan.

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

The subject lands are currently zoned Natural Heritage System (NHS) and Future Development (FD) which do not permit the development as proposed. Approval of the Zoning By-law Amendment is required to facilitate the plan of subdivision. The application seeks to zone the lands site specific Residential Low Density (RLD\*XXX) to facilitate the development of single-detached dwellings, site specific Residential Medium Density 2 (RMD2\*XXX) to facilitate the development of townhouse dwelling units, site specific Residential Medium Density 2 (RMD2\*XXX) to facilitate mixed use development along No. 3 Side Road and Natural Heritage System (NHS) to ensure the protection of existing natural heritage system and associated buffers. The site specific Zoning By-law Amendment also seeks to allow site specific provisions to facilitate the development as it relates to the siting and setbacks of dwelling units on a lot.

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

### **Site Plan Control**

Should the applications be approved, Site Plan Approval will be required prior to the development of the proposed condominium townhouse block and the mixed use block.

## Discussion

Notice of a complete application was provided on November 1, 2016. Notice for the public meeting was initially provided pursuant to the requirements of the Planning Act on September 30, 2020; however, changes to the proposal resulted in the application being deferred. Notice for the current public meeting was provided on pursuant to the requirements of the Planning Act on November 18, 2021.

The applications were circulated to internal departments and external agencies on December 22, 2015. Due to the lack of servicing allocation, Halton Region returned the application to the Town and the application was put on hold. In 2020, the applicant secured



## Discussion

servicing allocation with Halton Region and the review of the application has been re-initiated.

Staff have identified the following issues to be reviewed:

- Natural Heritage System and its boundaries
- Density
- Urban Design
- Appropriate zones to implement the policies and site-specific zone provisions
- Noise impacts from stationary sources associated with the existing industries

Coordination with the existing industries will be required concerning stationary noise impacts and mitigation.

The applicant is currently in the process of addressing outstanding comments provided by internal departments and external agencies. At a minimum, a second submission will be required to address outstanding comments. 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,

Jill Hogan, MCIP, RPP  
Acting Commissioner, Development Services

For questions, please contact: Mollie Kuchma, MSc, MPA, MCIP, RPP      Ext. 2312  
Senior Planner, Development Review

## Attachments

Figure 1 - Location Map  
Appendix 1 - Draft Plan of Subdivision  
Appendix 2 - Draft Zoning By-law & Schedule A

CAO Approval  
Andrew M. Siltala  
Chief Administrative Officer



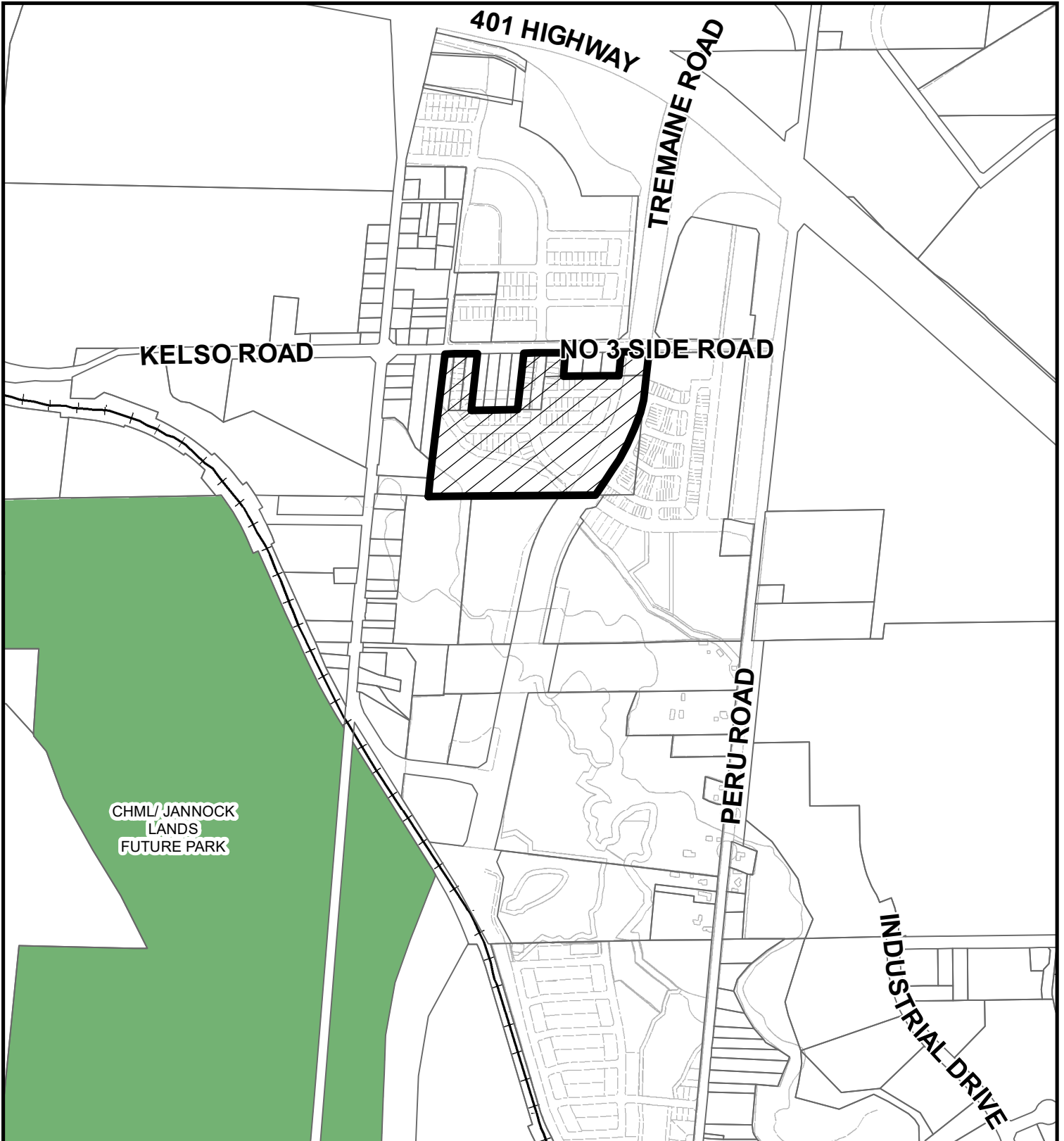
# The Corporation of the Town of Milton

Report #:  
DS-095-21  
Page 6 of 6

## 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.

# FIGURE 1 LOCATION MAP



Council Meeting Date:  
December 13, 2021

Scale: 1: 3,500

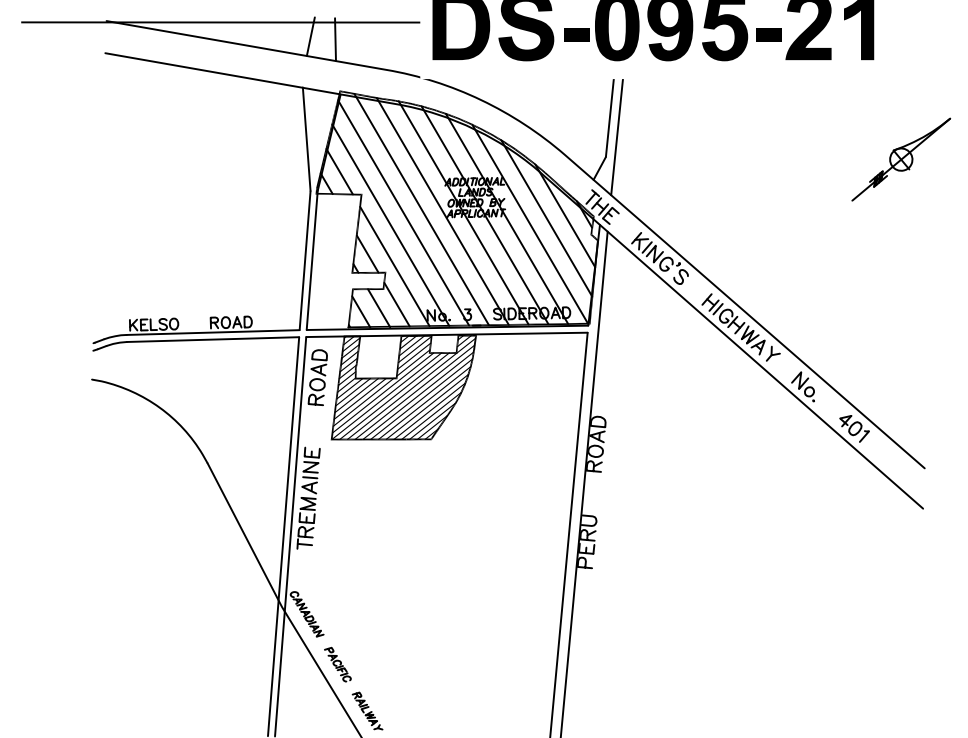
Files: Z-15/15

Development Services Department



Subject Property

# APPENDIX 1 DS-095-21



KEY PLAN Subject Lands N.T.S.

**OWNER'S CERTIFICATE:**  
I authorize Humphries Planning Group Inc. to prepare and submit this plan for draft approval.  
Date: \_\_\_\_\_  
Milton Meadows Properties Ltd.  
65 Roperpark Way  
Woodbridge, ON  
L4H 1J5

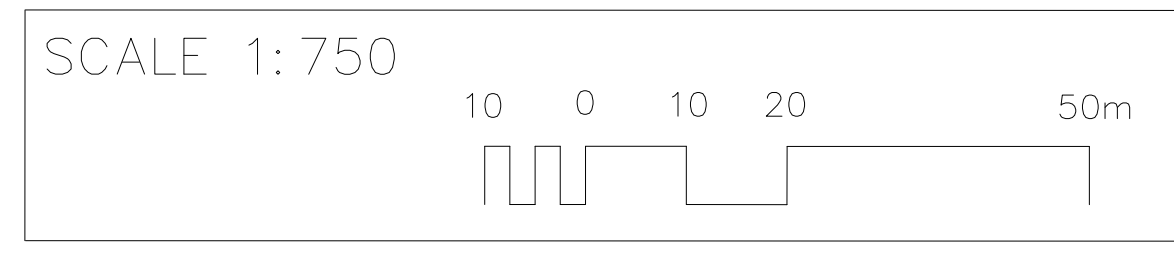
**SURVEYOR'S CERTIFICATE:**  
I hereby certify that the boundaries of the lands being subdivided and their correct relationship to the adjacent lands are accurately and correctly shown on this plan.  
Date: \_\_\_\_\_  
Gary Vanderveen, Ontario Land Surveyor  
Holding Jones Vanderveen Inc.

**ADDITIONAL INFORMATION:**  
[Section 51(17) of the Planning Act, R.S.O. 1990, c. P. 13, as amended to April 11, 1997]  
a), b), e), f), g), & j) - on plan.  
c) - on key plan  
d) - see statistics  
h) - piped water to be installed by developer  
i) - sandy loam  
k) - all services to be made available by developer  
l) - none

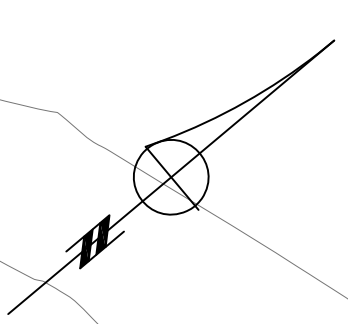
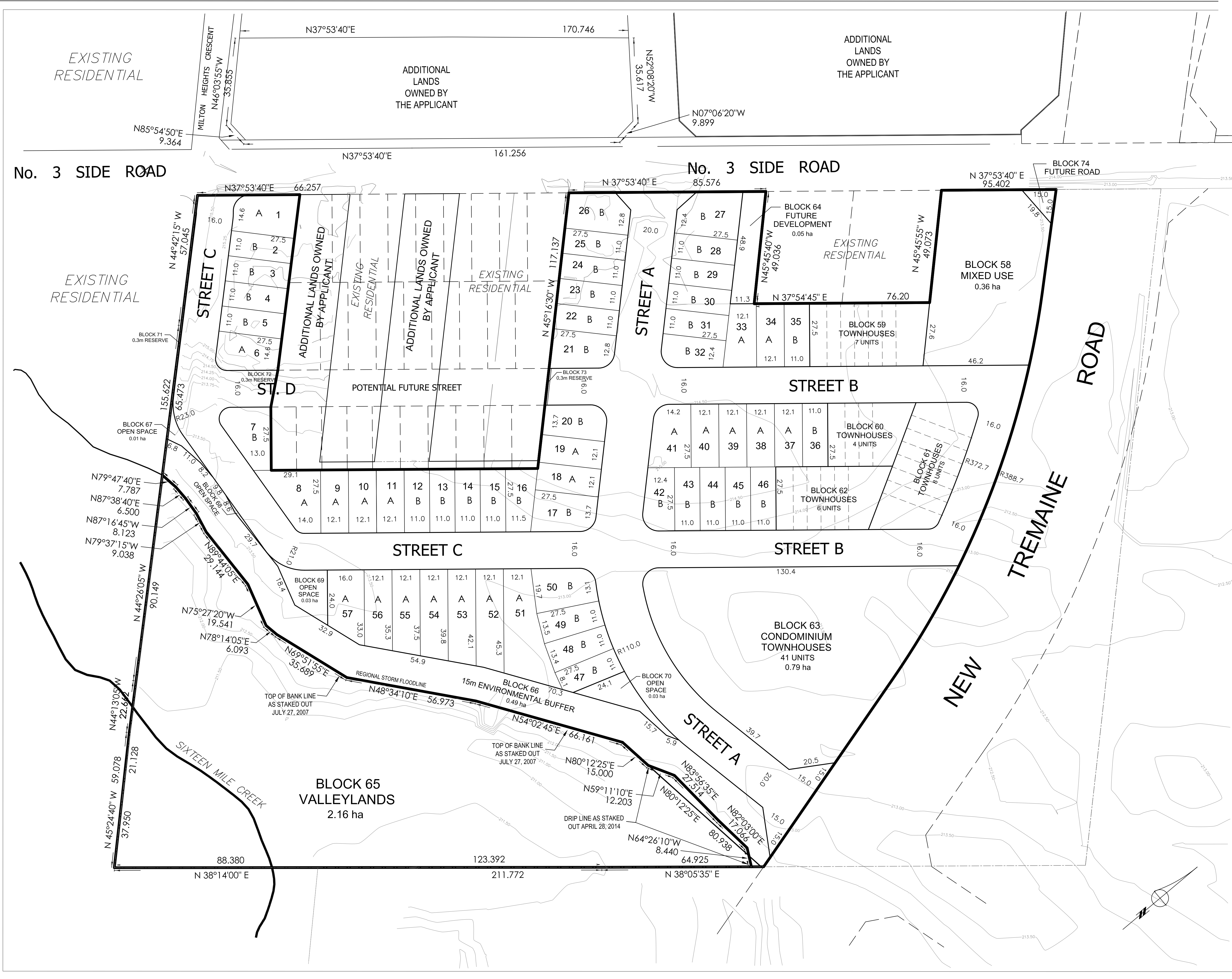
**DEVELOPMENT STATISTICS:**

Land Use	Units	Lot/Block	Area
Single Detached 12.1m A Lots	22	1-57	2.09 ha
Single Detached 11.0m B Lots	35		0.52 ha
Mixed Use		58	0.36 ha
Townhouses	25	59-62	0.52 ha
Condominium Townhouses	41	63	0.79 ha
Future Development		64	0.05 ha
Valleylands		65	2.16 ha
15m Environmental Buffer		66	0.49 ha
Open Space		67-70	0.07 ha
0.3m Reserves		71-73	0.01 ha
Future Road		74	0.01 ha
Streets		16.0m ROW (715 m) 20.0m ROW (300 m)	1.79 ha
<b>SUB-TOTAL</b>	<b>123</b>		<b>8.34 ha</b>

DRAFT PLAN OF SUBDIVISION  
PART OF LOTS 3 AND 4, CONCESSION 1  
(GEOGRAPHIC TOWNSHIP OF ESQUESING)  
TOWN OF MILTON  
REGIONAL MUNICIPALITY OF HALTON



<b>HUMPHRIES PLANNING GROUP INC.</b>	
<small>180 PIPPIN ROAD, SUITE A, VAUGHAN, ONTARIO, L4K 4X9 TEL: (905)264-7678, FAX: (905)264-8073 www.humphriesplanning.com</small>	
File Number: 15423	Drawing Number:
Date Drawn: NOV 14 15	<b>A1</b>
Drawn By: VT	
Checked By: R.H.	
Date Revised: APR 8 21	
CAD File No. :	





THE CORPORATION OF THE TOWN OF MILTON  
BY-LAW NO. XXX-202X

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, AS AMENDED, IN RESPECT OF THE LANDS DESCRIBED AS PART OF THE NORTH EAST HALF OF LOT 3, CONCESSION 1, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MILTON MEADOWS PROPERTIES LTD.) TOWN FILE: Z-15/15

**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, as amended, is hereby amended by changing the existing Future Development (FD) zone symbol to Residential Medium Density 2 \*XXX (RMD2 \*XXX) Zone, Residential Low Density\*XXX (RLD\*XXX) Zone, Density 2 \*XXXX (RMD2 \*XXXX) zone and Natural Heritage System (NHS) Zone symbol on the land shown on Schedule A attached hereto.
- 2) **THAT** Section 13.1, Subsection 13.1.1.XX, is amended by adding the following provisions:
  1. For lands zoned Residential Medium Density 2 \*XXX (RMD2\*XXX), notwithstanding any provisions of the By-law to the contrary, the following provisions apply:
    - i) Notwithstanding any provisions to the contrary, a porch, veranda or balcony, including any stairs may encroach a maximum of 1.0 metre into a required front yard.
    - ii) Notwithstanding Table 6D the following site specific exceptions apply to the lands shown on Schedule A:
      - a) For Townhouses with Lanes Access:
        - i. minimum lot frontage along street: interior unit 6.7 metres
        - ii. minimum lot frontage along street: end unit 7.9 metres
        - iii. minimum lot frontage along street: corner unit 9.7 metres
        - iv. minimum lot frontage along street: corner unit abutting a private street 8.7 metres

- v. minimum lot depth 30.0 metres
- vi. minimum front yard setback 4.5 metres
- vii. minimum exterior side yard setback 3.0 metres
- viii. minimum interior side yard setback for an end unit 0.0 metre one side, and other side 1.5 metres
- ix. other side for townhouses on a street radius 1.2 metres
- x. minimum rear yard setback 1.0 metre
- xi. maximum width of garage face 6.0 metres

b) For Townhouses with Street Access:

- i. Minimum Frontage (interior units): 6.0 metres
- ii. Minimum Frontage (end units): 7.5 metres
- iii. Minimum Rear Yard Setback, where garage is attached, of 6.1 metres

2. For lands zoned Residential Low Density\*XXX (RLD\*XXX) Zone, notwithstanding any provisions of the By-law to the contrary, the following standards and provisions shall apply:

A. The only Permitted Uses are a detached dwelling, a group home Type 1, a home daycare and a home occupation.

B. Special Site Provisions:

- 1) The maximum height for a dwelling is 2-storeys and 9.0 metres. The height shall be measured from the average grade along the front of the dwelling to the ridge or peak of the roof, whichever is higher. The average grade at the front of the dwelling to the eaves must be more than 50% of the overall height.
- 2) A detached garage may only be located in the rear yard and may be accessed across an exterior side lot line. The minimum rear yard setback is 1.2 m and the minimum interior side yard setback is 1.2 m.
- 3) An attached garage may only be accessed across an exterior side lot line or by a driveway leading to the rear of the dwelling from the front lot line. On a corner lot where an attached garage is accessed over the exterior side lot line, the minimum required rear yard to the garage shall be 1.2 metres.
- 4) Notwithstanding any provisions to the contrary, a porch, veranda or balcony may encroach a maximum of 2.0 metres into a required front yard or exterior side yard. Stairs may encroach an additional 0.5 metre.

- 5) Air conditioning units are permitted in all yards, except for a front yard or an exterior side yard and shall be setback a minimum of 0.6 metre from a rear or interior side lot line.
  - 6) The maximum height of a fence in the front yard or the exterior side yard is 1.0 metre.
  - 7) Notwithstanding the provisions in Section 6.2 - Table 6B:
    - i) minimum lot frontage 11.0 metres
    - ii) minimum lot depth 24.0 metres
    - iii) a minimum rear yard setback 7.0 metres
    - iv) maximum lot coverage provisions 40%
3. For lands zoned Residential Medium Density 2 \*XXXX (RMD2\*XXXX), notwithstanding any provisions of the By-law to the contrary, the following provisions apply:
- A. Notwithstanding Section 6.1 – Table 6A Permitted Uses:
    - 1) The following additional uses are permitted:
      - i) Live Work Unit, as defined in site specific exception \*158 and according to such provisions.
- 3) 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 Appeals Tribunal dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Land 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 ON .....**

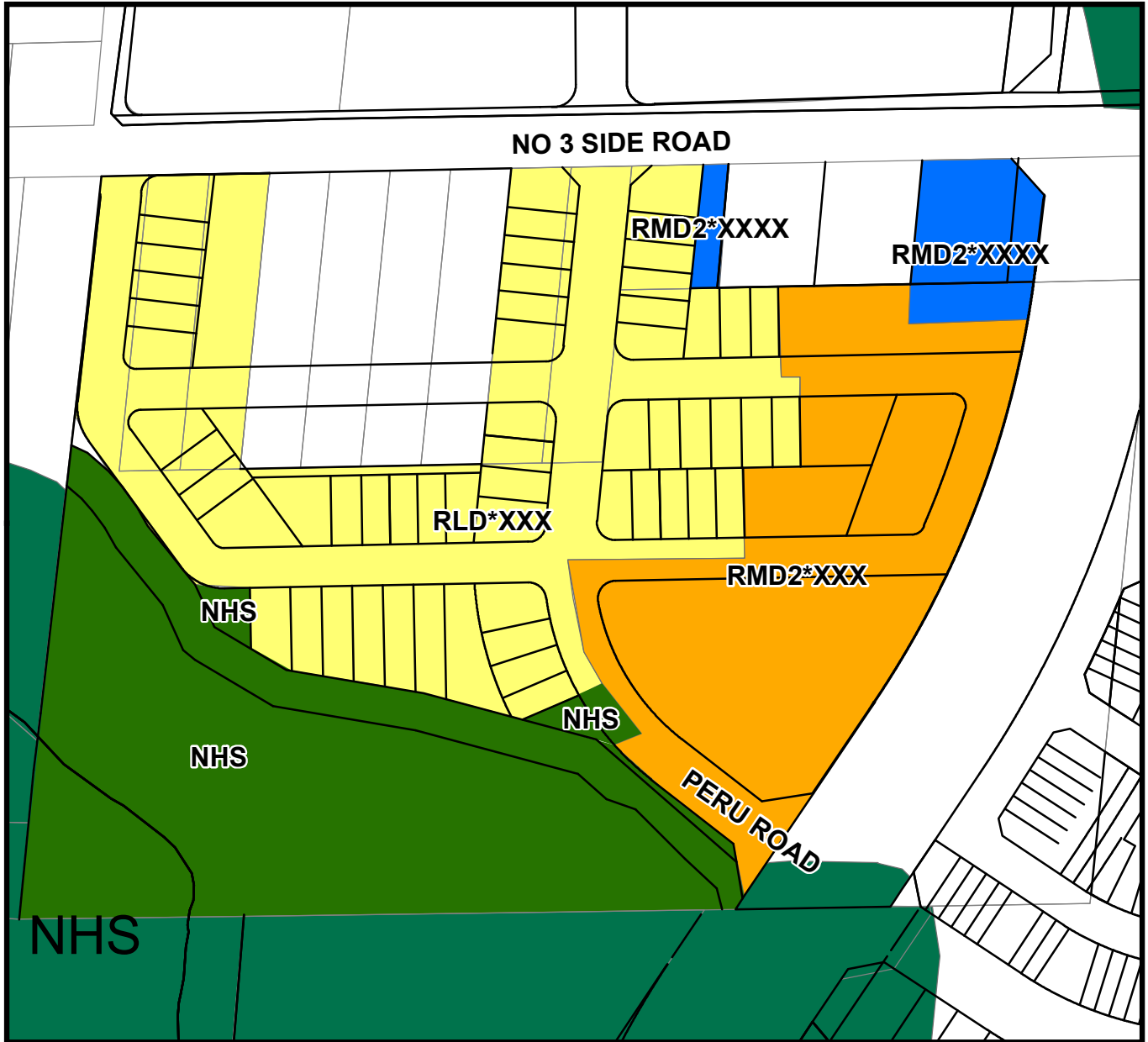
\_\_\_\_\_MAYOR  
G.A. Krantz

\_\_\_\_\_TOWN CLERK  
Meaghan. Reid

DRAFT  
 SCHEDULE A  
 TO BY-LAW No. -2021  
 TOWN OF MILTON

PART LOT 3 & 4 CONCESSION 1 TRAFALGAR NEW SURVEY

*Town of Milton*



THIS IS SCHEDULE A  
 TO BY-LAW NO. \_\_\_\_\_ PASSED  
 THIS \_\_ DAY OF \_\_\_\_\_, 2021.

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

\_\_\_\_\_  
 CLERK- Meaghen Reid

- RLD\*XXX - Low Density Residential Zone Special
- RMD2\*XXX - Medium Density Residential Zone 2 Special
- RMD2\*XXXX - Medium Density Residential Zone 2 Special
- NHS - Natural Heritage System