



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: September 12, 2022

Report No: DS-108-22

Subject: Trafalgar Secondary Plan Area - Funding Agreement for a Senior Planner, Development Review

Recommendation: THAT Council authorize the Mayor and Clerk to execute a Funding Agreement between the Milton P4 Trafalgar Landowners Group Inc. and the Town of Milton, for the hiring of a Senior Planner, Development Review (contract) to manage the tertiary and subdivision application process for lands within Trafalgar Secondary Plan;

AND THAT the Commissioner of Development Services be given delegated authority to make changes to this agreement, in consultation with Legal Counsel and the Chief Financial Officer/Treasurer;

AND THAT staff be authorized to create a new capital project to fund the Senior Planner, Development Review (contract) with the total budget amount of \$450,000 being funded by the Milton P4 Trafalgar Landowners Group Inc.

EXECUTIVE SUMMARY

- Town of Milton Council adopted the Trafalgar Secondary Plan in March of 2019 and subsequently, the plan and associated background studies were forwarded to Halton Region for approval.
- In August 2022, Halton Region issued its draft decision and Town staff is recommending Milton Council receive the associated modifications to the Secondary Plan as outlined in the draft decision (see associated report DS-110-22 on the September 12, 2022 Council Agenda).

EXECUTIVE SUMMARY

- It is expected that Halton Region will issue its final decision shortly after Milton Council receives the modified plan in September 2022. Halton Region's decision may be appealed to the Ontario Land Tribunal (OLT).
- The Milton P4 Trafalgar Landowners Group Inc. are the owners of the lands within the area covered by the Secondary Plan. The group was formed to ensure the planning and future development of these lands progress in a coordinated manner.
- The Landowner's Group will be bringing forward a Tertiary Plan and subsequent applications for development on their lands.
- It is anticipated that the volume of planning applications will require a coordinated effort by both the Town and the Landowner's Group to ensure the applications are processed in the most efficient manner possible while ensuring the vision of the Secondary Plan is maintained.
- The Landowner's Group recognize that such a coordinated effort on the part of the Town will require that the Town engage the services of an additional Senior Planner, Development Review, who's primary but not exclusive role would be the processing and review of applications related to the Secondary Plan.
- The Landowner's Group has offered to fund a contract position for a period of at least three (3) years to assist with the management, processing and evaluation of planning applications for the lands within the area covered by the Secondary Plan.
- This report recommends Council authorize the Mayor and Clerk to execute a Funding Agreement between the Milton P4 Trafalgar Landowners Group Inc. and the Town of Milton, for the hiring of a Senior Planner, Development Review (contract) to manage the Tertiary Plan and subdivision application process for the Trafalgar Secondary Plan area.

REPORT

Background

The Town began the comprehensive planning process for the Trafalgar Secondary Plan in June of 2018 and has worked collaboratively with the Milton P4 Trafalgar Landowners Group Inc. throughout the process. The Landowner's Group controls approximately 60% of the lands. The Group has a group manager, a planner, a lawyer, a trustee, and the Group has established a funding mechanism. As of writing this Report, the group includes representatives from:

- Mattamy Lands
 - 2076828 Ontario Limited
 - White Squadron Development Corporation
- Trinison Lands
 - Frontenac Forest Estates Inc.
- York Trafalgar Lands:



Background

- Hannover Trafalgar Farms Limited and Milton Sheva Land Limited O/A Hornby Land JV
- Comarin Corp.
- Remington Lands
 - Remington Trafalgar Inc.

All members of the Landowner Group are participants in the 2020 Regional Allocation Program. The 2020 Allocation Program provides \$1.5 Billion worth of water, wastewater and transportation infrastructure to support growth, development and new housing supply for the next 6-10 years. The Program required participating landowners to secure, through pre-payment of Development Charges, a minimum subscription of 18,230 Single Detached Equivalents (SDEs). It is critically important that applications for development within the Trafalgar Secondary Plan be processed as expeditiously and efficiently as possible to support the realization of the 2020 Allocation Program.

Discussion

To ease the anticipated workload the Trafalgar Secondary Plan area will trigger, the Landowner's Group has offered to fund a Senior Planner, Development Review contract position to assist with the management, processing and evaluation of planning applications for the lands within the area covered by the Secondary Plan.

The funding would include the estimated salary, benefits and expenses which may be incurred by the Town in relation to the contract position. These expenses may include but are not limited to the costs of the Funding Agreement, the costs of advertising and recruiting for the contract position, as well as an estimate of all costs associated with the contract position, as if the role is filled by an employee of the Town.

The Town would advertise, interview, and offer the position to the chosen candidate without any input or interference from the Landowner's Group. It is also important to note that the Funding Agreement would offer no reduction in any planning application fees that the Landowner Group's, either individually or in combination would be required to pay. All fees and charges that may be required to be paid would be paid in full as required by any Town By-law.

Through staff's discussion with the Landowner's Group, it is understood and agreed that the person hired to fill the contract position would carry out the role as an independent professional planner and undertake all work in an appropriate manner, including the review of any applications that may be submitted by the Landowner's Group at any time, including areas outside of the Secondary Plan, in a professional and independent manner without regard to the fact that the Landowner's Group has provided funding for the position.

In consideration of the above, this Report recommends that Council authorize the Mayor and Clerk to enter into a Funding Agreement with the Landowner's Group to fund a



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Discussion

contract position for a period of at least three (3) years and further requests that the Commissioner of Development Services be given delegated authority to make changes to this agreement, in consultation with Legal Counsel and the Chief Financial Officer/Treasurer.

Financial Impact

The estimated cost for the Senior Planner position for a three year period amounts to \$450,000, including the potential supplemental expenses as outlined herein. It is recommended that a new capital project be created in order to provide additional transparency on the costs that are attributed to this Funding Agreement and related recovery from the landowner group.

It is also expected that the landowners will be responsible for paying the Town's Legal & Administration Fee in accordance with the prevailing User Fee By-law.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact: Jill Hogan

Phone: Ext. 2304

Attachments

None

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.