



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: July 18, 2022

Report No: DS-075-22

Subject: Public Meeting and Technical Report: Town-Initiated Housekeeping Amendment to Official Plan Schedule C.7.A.CBD - Central Business District Height Limits, Zoning By-law 016-2014 Schedule A - Zoning Map, and Zoning By-law 016-2014 Schedule D - Central Business District Building Heights (Town File: HKA 02/22 and HKA 03/22)

Recommendation: THAT Development Services Report outlining Town-Initiated Housekeeping Amendment to Official Plan Schedule C.7.A.CBD - Central Business District Height Limits, BE APPROVED;

AND THAT, Development Services Report outlining Town-Initiated Housekeeping Amendments to Schedule A - Zoning Map and Schedule D - Central Business Height Limits of By-law 016-2014, 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 to the amended schedules to this report may be made;

AND THAT staff be authorized to bring forward Official Plan Amendment No. 75 in accordance with the draft Official Plan Amendment Attached as Appendix 1 to this report for Council Adoption;

AND THAT staff be authorized to bring forward an amending By-law in accordance with the Draft By-law attached as Appendix 2 to this report for Council Approval.

EXECUTIVE SUMMARY

The purpose of the proposed applications is to correct mapping errors that have been identified by Town Staff, as it relates to Official Plan Schedule C.7.A.CBD Central

EXECUTIVE SUMMARY

Business District Height Limits, as well as Schedule A - Zoning and Schedule D - Central Business District - Building Heights of Zoning By-law 016-2014. The mapping errors have been identified as errors that were incorrectly included on the Schedule or errors that were not applied to properties, as was intended through the Downtown Study, the Mature Neighbourhoods Character Study and the Major Transit Station Area Study. A detailed review of each of the changes is provided below.

Conclusion and Recommendations

Staff are satisfied that the proposed housekeeping amendments, attached as Appendix 1 and Appendix 2, conform to Provincial, Regional and Town planning policies. Staff are also of the opinion that these changes are technical in nature and represent changes that reflect the intent of the Downtown Study, the Mature Neighbourhoods Character Study and the Major Transit Station Area Study. Therefore, staff recommends approval of the Official Plan Housekeeping Amendment and the Zoning By-law Housekeeping Amendment, as presented through this report.

REPORT

Background

Through an ongoing review of inquiries related to properties in the Downtown Area, staff have identified a number of mapping errors which do not accurately reflect the intention of previous studies, including the Downtown Study, the Mature Neighbourhoods Character Study and the Major Transit Station Area Study.

The Town has initiated a Housekeeping Amendment to address these errors. Rectifying these mapping errors will ensure that any future development of these lands in accordance with the completed studies which encompass significant public and Council input.

The specific properties and the proposed amendments are discussed below.

Discussion

Proposed Amendments

Housekeeping Amendment HKA 02/22 proposes the following amendments:

Official Plan Schedule C.7.A.CBD - Downtown Business District Height Limits

- The height schedule for lands at the rear of 320 Main Street fronting Pearl Street, 15, 16, 21 and 22 Court Street South, 359, 365, 369, 389, 395, 399, 405 and 409 Pearl Street, as well as 17, 20, and 26 Prince Street are proposed to be amended to permit a maximum height of 1-2 storeys. The current schedule identifies these lands as having maximum permitted heights of 3-4 storeys. The amendment to 1-2 storeys is required to conform to the recommendations of the Downtown Study,

Discussion

Mature Neighbourhoods Character Study and MTSA study. Each of these lands are zoned low density residential which only permits a maximum height of 2 storeys. Rectifying this error will ensure that should any redevelopment of these lands be proposed, the height of the structure permitted will be in accordance with the recommendations of the Downtown Study, Mature Neighbourhoods Character Study and MTSA study.

- The height schedule for the lands at 99, 107, 111 and 117 Mary Street is proposed to be amended to permit a maximum height of 1-2 storeys. The current schedule identifies these lands as having maximum permitted heights of 3-4 storeys. These lands are zoned low density residential which only permits a maximum height of 2 storeys. Rectifying this error will ensure that should any redevelopment of these lands be proposed, the height of the structure permitted will be in accordance with the recommendations of the Downtown Study and Mature Neighbourhoods Character Study.
- The height schedule for the lands at 28, 60, and 104 Bronte Street North is proposed to be amended to permit a maximum height of 3-4 storeys. The height schedule currently permits 18 storeys. This mapping error reflects the height proposed through OPA 64 which is currently under appeal to the Ontario Lands Tribunal (OLT). The maximum height on the schedule should be reflective of the current maximum permitted height which is 3-4 storeys. There are no implications on the OLT hearing for these lands as the hearing will discuss the proposed development.

Official Plan Amendment No. 75 outlining amendments to Schedule C.7.A.CBD Downtown Business District Height Schedule is attached to this report as Appendix 1.

Housekeeping Amendment HKA 03/22 proposes the following amendments:

Zoning By-law Schedule A - Zoning Map

- The Zoning Map for the lands at the rear of 320 Main Street fronting Pearl Street and 376 Pearl Street is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density (RLD) zone and rezoning the lands as Residential Low Density I (RLD1) to conform to the Mature Neighbourhoods Character Study.
- The Zoning Map for the lands at 351 Highside Drive between the southerly boundary of the lands zoned Greelands A and Highside Drive is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density (RLD) zone and rezoning the lands as Residential Low Density II (RLD2) zone to conform to the Mature Neighbourhoods Character Study.
- The Zoning Map for the lands at 243 Caves Court is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density

Discussion

(RLD) zone and rezoning the lands as Residential Low Density IV (RLD4) zone to conform to the Mature Neighbourhoods Character Study.

- The Zoning Map for the lands at 161 Fulton Street (sewage treatment plant) is proposed to be amended by revising the schedule that currently zones these lands as site-specific Residential Low Density (RLD*7) and rezoning the lands as site-specific Residential Low Density I (RLD1*7) to conform to the recommendations of the Mature Neighbourhoods Character Study. The site specific zoning exceptions and approved variances that apply to the property are carried forward and not impacted.
- The Zoning Map for the lands at 79 Martin Street is proposed to be amended by revising the schedule that currently zones these lands as site-specific Residential Low Density (RLD*282) and rezoning the lands as site specific Residential Low Density I (RLD1*282) to conform to the recommendations of the Mature Neighbourhoods Character Study. The site specific zoning and any approved variances that apply to the property are carried forward and not impacted.
- The Zoning Map for the lands at 245 Commercial Street is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density III (RLD3) and rezoning the lands as site specific Residential Low Density III (RLD3*120) to restore the existing approved special provisions which were not carried forward in the zoning schedule.
- The Zoning Map for the lands at 350 Ontario Street South is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density III (RLD3) and rezoning the lands as site specific Residential Low Density III (RLD3*134) to restore the existing approved special provisions which were not carried forward in the zoning schedule.

Zoning By-law Schedule D - Central Business District Building Heights

- The Central Business District Building Height Schedule for the lands at the rear of 320 Main Street fronting Pearl Street, 15, 16, 21 and 22 Court Street South, 359, 365, 369, 389, 395, 399, 405 and 409 Pearl Street and 17, 20 and 26 Prince Street is proposed to be amended by revising the schedule that currently permits a minimum height of 3 storeys and 10.5 metres and a maximum height of 4 storeys and 16.5 metres to permit a maximum 2 storeys height in accordance with the provisions of Table 6B. This mapping error resolution is required to conform to the recommendations of the Downtown Study, the Mature Neighbourhoods Character Study and the MTSA Study.
- The Central Business District Building Height Schedule for the lands at 680, 700, 720, 0, 800, 810, 820, 842, 860, 886, and 900 Nipissing Road is proposed to be amended by revising the schedule that currently permits a maximum 2 storeys height in accordance with the provisions of Table 6B to permit a maximum height

Discussion

of 2 storeys and 9.5 metres. This mapping error resolution is required to restore the height permission established in Zoning By-law 016-2014 mapping dated February 24, 2014.

- The Central Business District Building Height Schedule for the lands at 145 and 151 Nipissing Road is proposed to be amended by revising the schedule that currently permits a minimum height of 19 storeys and a maximum height of 23 storeys to a maximum of 23 storeys (with no minimum). This mapping error resolution is required to correct the label in the legend.
- The Central Business District Building Height Schedule for the lands at 21 James Street and 36 Charles Street is proposed to be amended by revising the schedule that currently permits a minimum 3 storeys and 10.5 metres and a maximum 4 storeys and 16.5 metres to a maximum 2 storeys and 9.5 metres. This mapping error resolution is required to restore the height permission established in Zoning By-law 016-2014 mapping dated February 24, 2014 and to conform to the recommendations of the Downtown Study.

The Zoning By-law and associated Schedule A - Zoning map and Schedule D - Central Business District Heights map is attached to this report as Appendix 2.

The moratorium for lands described in this housekeeping amendment is proposed to be waived as it relates specifically to the amendments considered in the attached Zoning Amendment. Any moratoriums in effect for these lands associated with previously approved studies will continue to apply until the expiry date established at the time these moratoriums were approved by Council.

Public Consultation and Review Process

In accordance with the *Planning Act* requirements and Town policies, notice for the Statutory Public Meeting for Town-initiated applications was provided on June 16, 2022 through an ad in the Milton Canadian Champion. As of the writing of this report, no written submissions have been provided.

Agency Consultation

The proposed housekeeping amendments were circulated to both internal departments and external commenting agencies who offered no objection to the applications.

Conclusion

Staff is satisfied that the proposed Official Plan Amendment as attached in Appendix 1 and the proposed Zoning By-law Amendment as attached in Appendix 2 conforms to Provincial, Regional and Town land use planning policy. Therefore, staff recommends approval of the proposed Official Plan and Zoning By-law Amendments for the purpose of addressing mapping errors in these schedules as noted above.



Financial Impact

None arising from this report.

Respectfully submitted,

Jill Hogan, MCIP, RPP
Commissioner, Community Services

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

Attachments

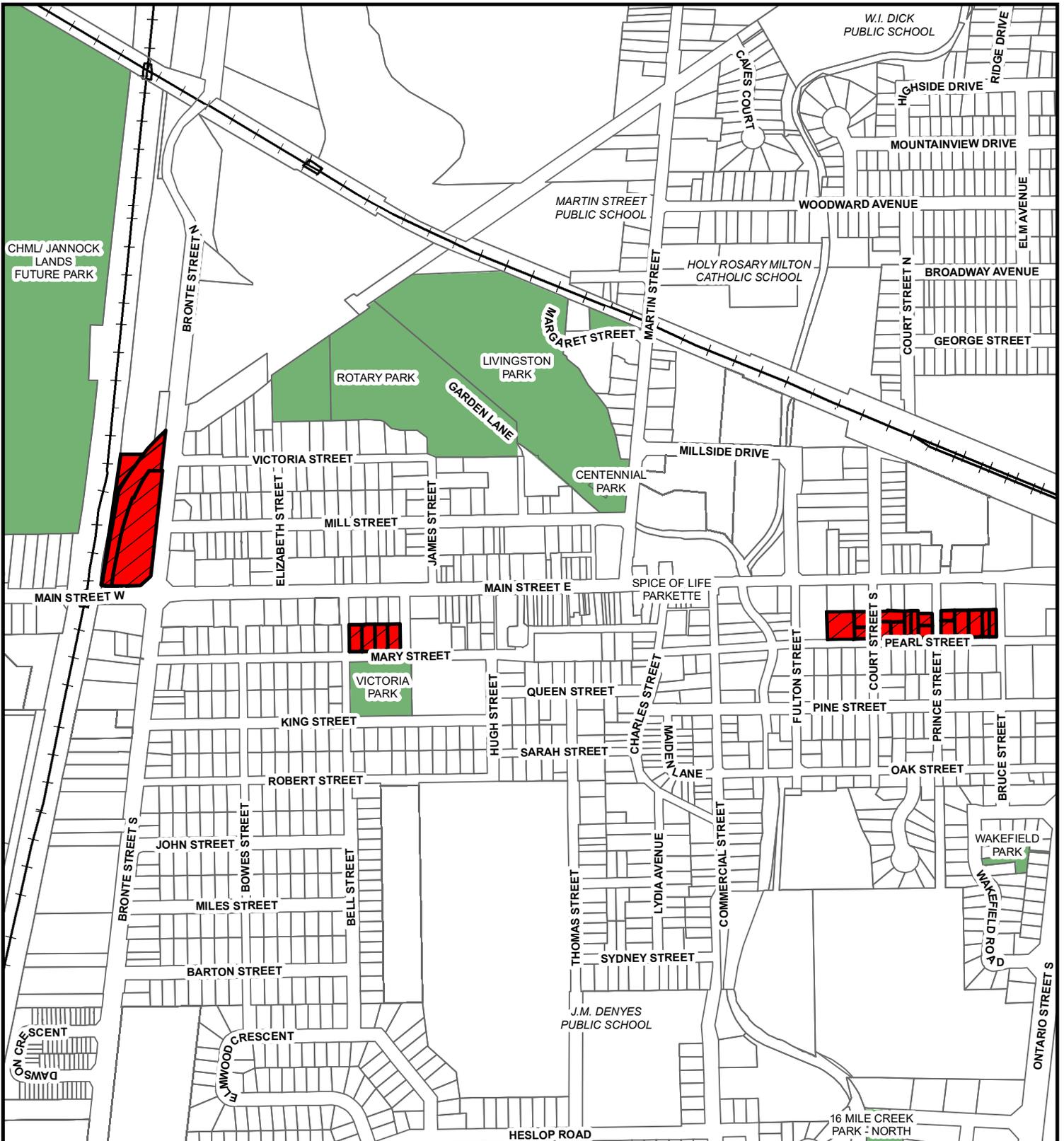
Figure 1 - Official Plan Amendment Location Map
Figure 2 - Zoning By-law Amendment Location Map
Appendix 1 - Official Plan Amendment & Schedule C.7.A.CBD
Appendix 2 - Zoning By-law Amendment, Schedule A & Schedule D

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.

FIGURE 1 LOCATION MAP - OPA



Council Meeting Date:
July 18, 2022

Scale: 1: 6,500

File: HKA 02/22

Development Services Department



Properties subject
to Official Plan



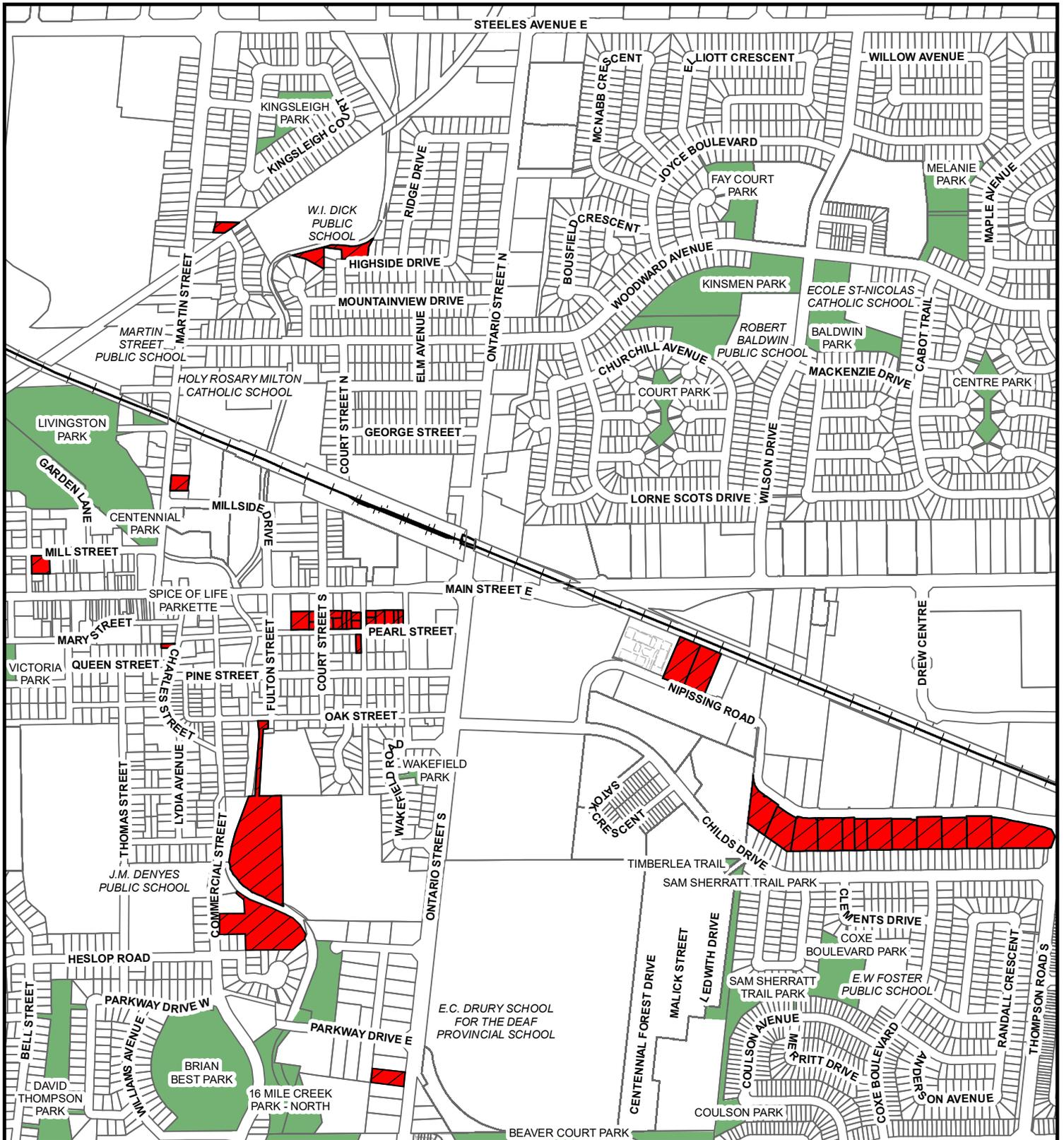
MILTON

FIGURE 2

LOCATION MAP - ZBLA



MILTON



Council Meeting Date: July 18, 2022	Scale: 1: 8,500	File: HKA 03/22	Development Services Department
--	-----------------	-----------------	---------------------------------



Properties subject to
Zoning By-law
Page 137 of 459

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2022

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 VARIOUS LANDS OF THE DOWNTOWN AREA, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (FILE NO. HKA 02/22).

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

1. Amendment No. 75 to the Official Plan of the Town of Milton, to amend Schedule C.7.A Central Business District Height Limits of the Town of Milton Official Plan to address mapping errors in which amendments are needed to conform to the recommendations of the Downtown Study, Mature Neighbourhoods Character Study and MTSA Study, consisting of the attached map 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 Ontario Land 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 75 to the Official Plan of the Town of Milton.

PASSED IN OPEN COUNCIL ON JULY 18, 2022

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

AMENDMENT NUMBER 75

TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

Various Lands in the Downtown Area
Town of Milton
(Town File: HKA 02/22)

AMENDMENT NUMBER 75

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. 75 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. 75
To the Official Plan of the Town of Milton
Various Lands in the Downtown Area
Town of Milton
Town File: HKA 02/22

PURPOSE OF THE AMENDMENT

The purpose of this amendment is to address mapping errors on Schedule C.7.A – Central Business District Height Limits in which amendments are required to conform to the recommendations of the Downtown Study, Mature Neighbourhoods Character Study and MTSA Study.

LOCATION OF THE AMENDMENT

The lands subject to the amendment are located in various areas throughout the downtown area including:

- 320 Main St (southern portion, facing Pearl Street)
- 15, 16, 21 and 22 Court Street South
- 365 and 369 Pearl Street
- 17, 20 and 26 Prince Street
- 389, 395, 399, 405 and 409 Pearl Street
- 99, 107, 111 and 117 Mary Street
- 28, 60 and 104 Bronte Street North

BASIS OF THE AMENDMENT

The proposed amendment would address errors in which the height permission currently allowed on the above-noted properties does not conform to the recommendations of the Downtown Study, Mature Neighbourhoods Character Study and MTSA Study. Additionally, the amendment would address the error in which the proposed maximum height of the development proposed at 28, 60, and 104 Bronte Street North is incorrectly permitted, and amend the height schedule to return the height to the intended maximum building height.

PART II: THE AMENDMENT

All of this part of the document entitled Part II: THE AMENDMENT consisting of the following text constitutes Amendment No. 75 to the Town of Milton Official Plan.

DETAILS OF THE AMENDMENT

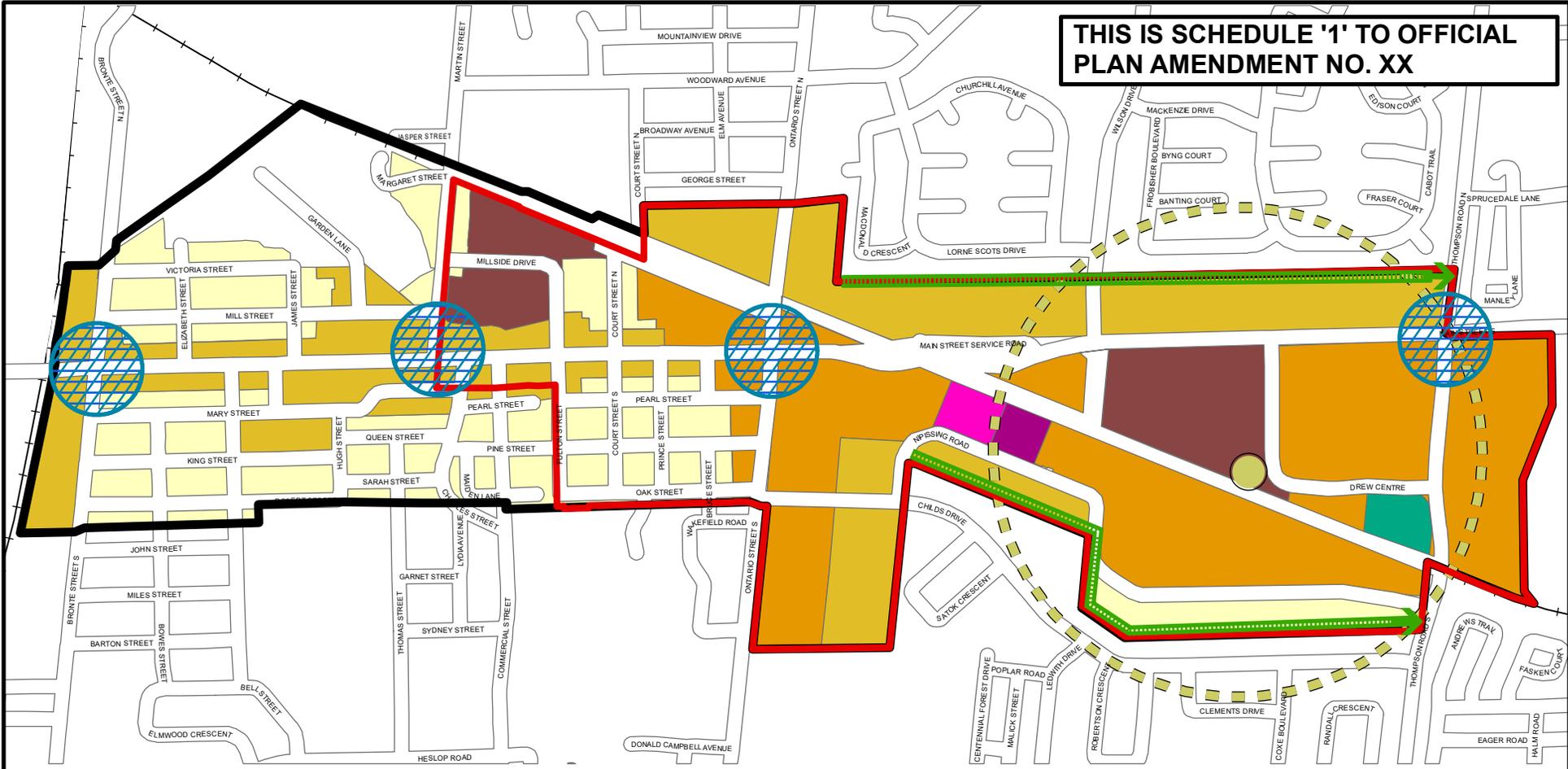
The Official Plan of the Town of Milton is hereby amended by Official Plan Amendment no. 75 pursuant to Section 17 and 21 of the Planning Act, as amended, as follows:

1.0 Map Change

- 1.1 Amending Schedule C.7.A – “Central Business District Height Limits” by addressing mapping errors that require amendments to conform to the recommendations of the Downtown Study, Mature Neighbourhoods Character Study and MTSA Study, and to address the error in which the *proposed* height of a development is incorrectly shown as the current height permission.

End of text

THIS IS SCHEDULE '1' TO OFFICIAL PLAN AMENDMENT NO. XX



-  URBAN GROWTH CENTRE
-  CENTRAL BUSINESS DISTRICT
-  MAJOR TRANSIT STATION
-  MAJOR TRANSIT STATION AREA

-  GATEWAY
-  TRANSITION AREAS

MAXIMUM HEIGHTS

-  1-2 STOREYS
-  3-4 STOREYS
-  6-8 STOREYS
-  10-14 STOREYS
-  19 STOREYS
-  23 STOREYS
-  31 STOREYS

**TOWN OF MILTON
OFFICIAL PLAN
CENTRAL BUSINESS DISTRICT
SECONDARY PLAN
Schedule C.7.A.CBD
Central Business District
Height Limits**



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

Copyright 2022: Town of Milton, Terenet Inc.

July, 2022

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO.XXX.2022

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 LOCATED AT VARIOUS ADDRESSES IN THE DOWNTOWN AREA – TOWN FILE – HKA 03/22

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 will provide for the lands affected by this By-law to be zoned as set forth in this By-law upon the approval of Official Plan Amendment Number 75.

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 further amended by applying the following changes on Schedule A attached hereto;
 - a. The lands at the rear of 320 Main Street fronting Pearl Street and 376 Pearl Street is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density (RLD) zone and rezoning the lands as Residential Low Density I (RLD1) zone.
 - b. The lands at 351 Highside Drive between the southerly boundary of the lands zoned Greelands A and Highside Drive is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density (RLD) zone and rezoning the lands as Residential Low Density II (RLD2) zone.
 - c. The lands at 243 Caves Court is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density (RLD) zone and rezoning the lands as Residential Low Density IV (RLD4) zone.
 - d. The lands at 161 Fulton Street is proposed to be amended by revising the schedule that currently zones these lands as site-specific Residential Low Density (RLD*7) and rezoning the lands as site-specific Residential Low Density I (RLD1*7) zone.
 - e. The lands at 79 Martin Street is proposed to be amended by revising the schedule that currently zones these lands as site-specific Residential Low Density (RLD*282) and rezoning the zone.

- f. The lands at 245 Commercial Street is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density III (RLD3) and rezoning the lands as site specific Residential Low Density III (RLD3*120) zone.
 - g. The lands at 350 Ontario Street South is proposed to be amended by revising the schedule that currently zones these lands as Residential Low Density III (RLD3) and rezoning the lands as site specific Residential Low Density III (RLD3*134) zone.
2. **THAT** Schedule D to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by applying the following changes on Schedule D attached hereto;
- a. The lands at the rear of 320 Main Street fronting Pearl Street, 15, 16, 21 and 22 Court Street South, 359, 365, 369, 389, 395, 399, 405 and 409 Pearl Street and 17, 20 and 26 Prince Street is proposed to be amended by revising the schedule that currently permits a minimum height of 3 storeys and 10.5 metres and a maximum height of 4 storeys and 16.5 metres to permit a maximum 2 storeys height in accordance with the provisions of Table 6B.
 - b. The lands at 680, 700, 720, 0, 800, 810, 820, 842, 860, 886, and 900 Nipissing Road is proposed to be amended by revising the schedule that currently permits a maximum 2 storeys height in accordance with the provisions of Table 6B to permit a maximum height of 2 storeys and 9.5 metres.
 - c. The lands at 145 and 151 Nipissing Road is proposed to be amended by revising the schedule that currently permits a minimum height of 19 storeys and a maximum height of 23 storeys to a maximum of 23 storeys.
 - d. The lands at 21 James Street and 36 Charles Street is proposed to be amended by revising the schedule that currently permits a minimum 3 storeys and 10.5 metres and a maximum 4 storeys and 16.5 metres to a maximum 2 storeys and 9.5 metres.
3. **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 Ontario Land Tribunal dismisses the appeal, this by-law shall come into force on the day of the 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 July 18, 2022.

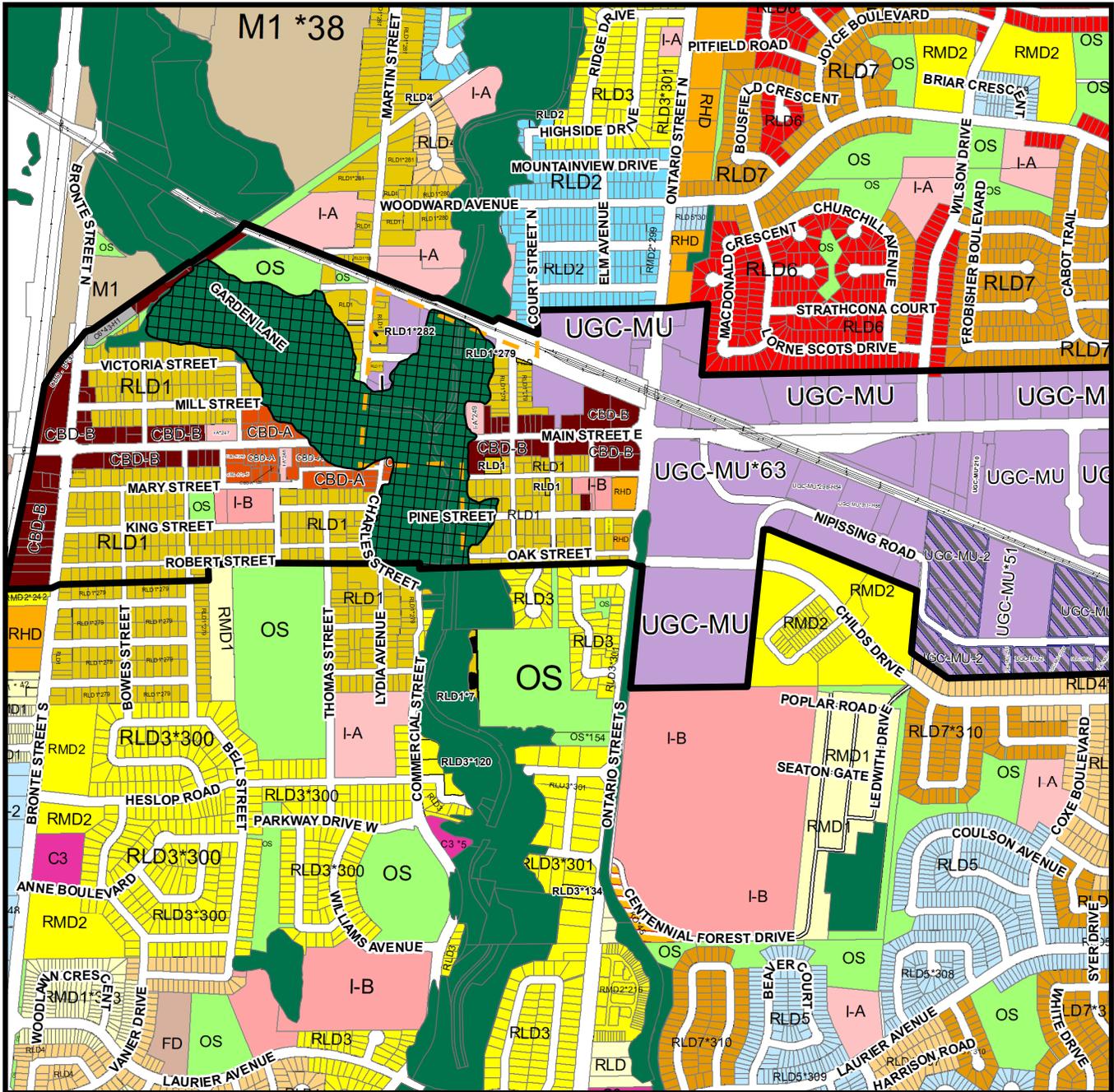
Gordon A. Krantz

Mayor

Meaghen Reid

Town Clerk

SCHEDULE A
TO BY-LAW No. -2022
TOWN OF MILTON



THIS IS SCHEDULE A
 TO BY-LAW NO. _____ PASSED
 THIS ___ DAY OF _____, 2022.

 MAYOR - Gordon A. Krantz

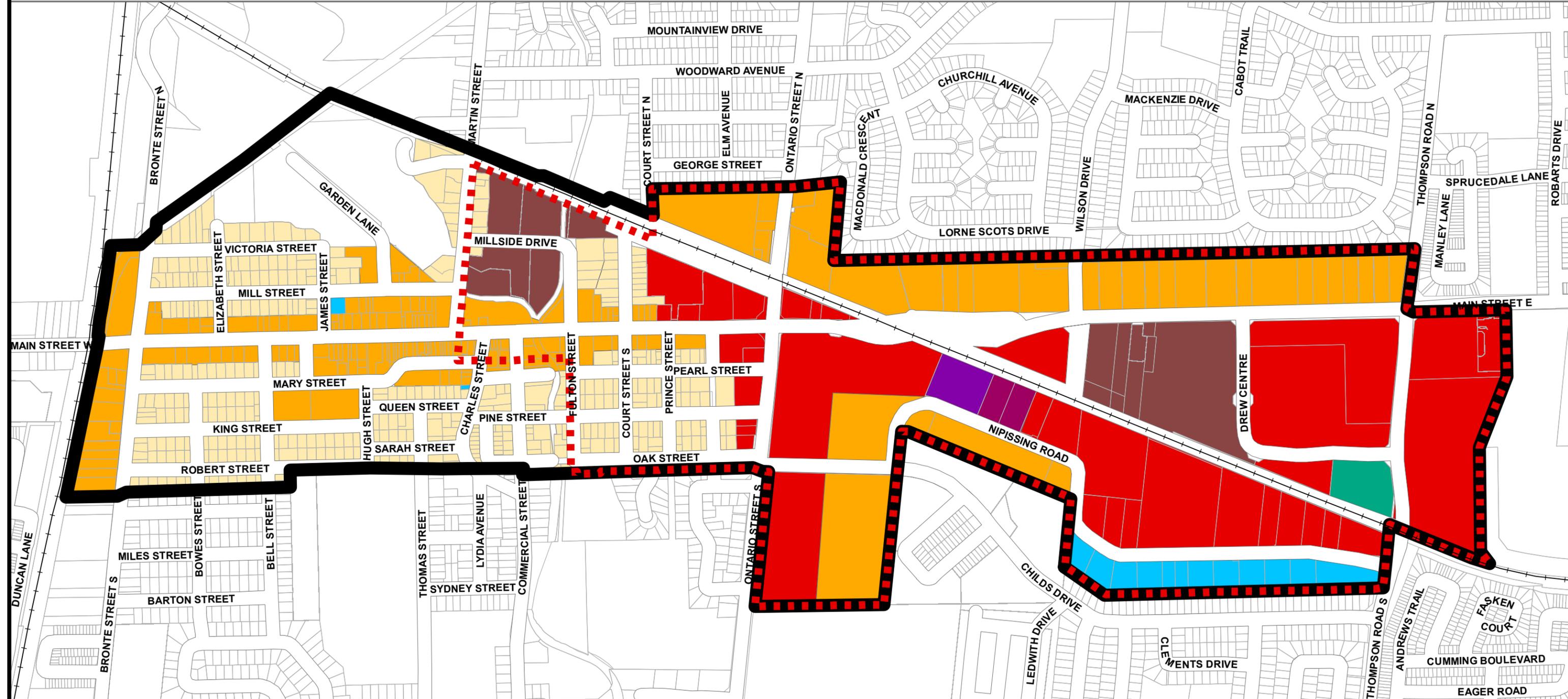
 DEPUTY CLERK- Meaghen Reid

- RLD1 - Residential Low Density V (RLD1) Zone
- RLD1*282 - Residential Low Density V (RLD1) Zone Special
- RLD1*7 - Residential Low Density V (RLD1) Zone Special
- RLD3 - Residential Low Density V (RLD3) Zone
- RLD4 - Residential Low Density V (RLD4) Zone



SCHEDULE D

Central Business District - Building Heights



Town of Milton
Zoning By-law 016-2014
(HUSP Urban Area)

Date: July, 2022

- Max 2 Storeys; height in accordance with the provisions of Table 6B
- 2 Storeys and 9.5m
- Min 3 Storeys and 10.5m
Max 4 Storeys and 16.5m

- Min 6 Storeys and 19.5m
Max 8 Storeys and 29m
- Min 10 Storeys and 31.5m
Max 14 Storeys and 42m
- Max 18 Storeys
- Max 19 Storeys

- Max 23 Storeys
- Max 31 Storeys
- Central Business District
- Urban Growth Centre

