



The Corporation of the Town of Milton

Report To: Council

From: Christian Lupis, Acting Commissioner, Planning and Development

Date: June 24, 2019

Report No: PD-026-19

Subject: Technical Report: Proposed Plan of Subdivision and Zoning By-law Amendment by Mattamy (Brownridge) Limited - Martin East, Boyne Survey (Town Files: 24T-17002/M and Z-14/17)

Recommendation: THAT Town of Milton Council support application Z-14/17 for an amendment to Comprehensive Zoning By-law 016-2014, as amended, to change the current Future Development (FD) and Natural Heritage System (NHS) Zone Symbols to the Site-Specific Residential Medium Density 1 (RMD1*264) Zone, Site-Specific Residential Medium Density 2 (RMD2*265) Zone, Site-Specific Residential High Density (RHD*266) Zone, Institutional A (I-A) Zone, Site-Specific Institutional A (I-A*267) Zone, Future Development (FD) Zone, Natural Heritage System (NHS) Zone, Open Space (OS) Zone and Open Space 2 (OS-2) Zone symbols, along with Holding (H) symbols H18, H25, H34, H35 and H36, applicable to specific lots, on the subject lands to permit the development of a residential plan of subdivision, **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 FURTHER THAT staff be authorized to bring forward an amending Zoning By-law for Council adoption.

EXECUTIVE SUMMARY

Mattamy (Brownridge) Limited, referred to in this location as “Mattamy Martin East” is seeking approval of an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to implement a proposed residential plan of subdivision that was granted Draft Plan Approval on November 7, 2018, and modified through redlined revisions approved on May 31, 2019.



The subdivision proposes 854 residential lots (518 single detached dwelling units, 1 unit within a residential reserve block, 199 townhouse dwelling units and 136 back-to-back townhouse dwelling units), three future medium density residential blocks (dwelling units to be determined), a future medium-high density residential block (dwelling units to be determined), a portion of a Secondary Mixed Use Node, two elementary schools (1 full and 1 partial block), a neighbourhood park, four stormwater management ponds, various buffer and reserve blocks, a trail system, delineation of the natural heritage system in relation to the residential development to the east, a connection to the major bridge crossing over Sixteen Mile Creek, and an internal road system.

As such, the proposed zoning amendment seeks to replace the current Future Development (FD) and Natural Heritage System (NHS) Zone symbols with a Site-Specific Residential Medium Density 1 (RMD1*264) Zone, Site-Specific Residential Medium Density 2 (RMD2*265) Zone, Site-Specific Residential High Density (RHD*266) Zone, Institutional A (I-A) Zone, Site-Specific Institutional A (I-A*267) Zone, Future Development (FD) Zone, Natural Heritage System (NHS) Zone, Open Space (OS) Zone and Open Space 2 (OS-2) Zone symbols, along with Holding (H) symbols H18, H25, H34, H35 and H36, on specific lots, on the subject lands.

Conclusions and Recommendations

Staff is satisfied that the plan of subdivision processed under file 24T-17002/M and recently draft approved with red lined revisions, subject to standard and site-specific conditions, conforms to Provincial, Regional and Town planning policy and achieves acceptable engineering and design standards. In addition, Planning staff is satisfied that the proposed Zoning By-law amendment is consistent with the 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 attached as Appendix 2.

REPORT

Background

Owner

Mattamy (Brownridge) Limited, 433 Steeles Avenue East, Milton, ON, L9T 8Z4

Applicant

Korsiak Urban Planning, 206-277 Lakeshore Road East, Oakville ON L6J 1H9

Location/Description

The subject lands are located east of the Sixteen Mile Creek valley, south of Louis St. Laurent Avenue, north of Britannia Road West, and west of Thompson Road and are legally described as Part of Lots 6 and 7, Concession 3, NS, former Township of Trafalgar, and Part 4 on Plan 20R-18391. See Figure 1- Location Map. Mattamy owns



other lands within the concession block between Sixteen Mile Creek and Regional Road 25; the entire site is referred to as the Mattamy “Martin” lands. The portion west of the creek is referred to as Martin West (File 24T-15002/M), and the property subject to this report is referred to as Martin East.

Property

The property is approximately 84 hectares (208 acres) in size, with a frontage of approximately 1200 metres on Thompson Road. The majority of the property is vacant with the exception of an extensive natural heritage system, which includes a large woodlot and a portion of the Sixteen Mile Creek watercourse and valley system along the west side of the property. A narrow Union Gas line easement traverses the property from the north to the south, through the western portion of the plan.

Proposal

A public meeting relating to the initial submission of the Mattamy Martin East proposed plan of subdivision and zoning by-law amendment was held on February 26, 2018. As a result of a number of proposed revisions to the plan (which altered the overall design and the total number of units), a second public meeting was held on September 10, 2018. Following the resolution of a number of issues that were outlined in Report PD-048-19 (associated with the September 10, 2018 public meeting report), draft approval was granted for the Mattamy Martin East plan of subdivision on November 7, 2018 to reflect the revised plan.

Following draft approval, the applicant made several changes to the draft plan to implement a new stormwater management strategy that reflected the information provided in the Area 6 technical addendum to the approved Boyne Survey Area 5A, 5B and 6 Subwatershed Impact Study (SIS). The new stormwater strategy was necessary to address the riparian rights to the McCann lands, the farming operation located on the east side of Thompson Road, north of Britannia Road. A redlined draft plan, revised amending zoning by-law and background documentation to support the revisions, were submitted for staff and public review. Given the nature of the proposed revisions (i.e. stormwater pond resizing to achieve the new strategy, introduction of an additional future medium density residential block, changes to dwelling types, lot line adjustments, and technical revisions to road and roundabout design), a third public meeting was held on May 6, 2019. The redline revisions to the draft plan (i.e. draft plan of subdivision prepared by Korsiak Urban Planning, dated October 15, 2018, latest revisions May 16, 2019, Version G) along with revised draft plan conditions to reflect such revisions, were approved on May 31, 2019.

The draft approved plan including redline revisions, shown in Figure 2, proposes 854 residential lots (518 single detached dwelling units, 1 unit within a residential reserve block, 58 residential blocks containing 199 townhouse dwelling units and 136 back-to-back townhouse dwelling units), 3 future medium density residential blocks (dwelling



units to be determined), 1 future medium-high density residential block (dwelling units to be determined), 9 residential reserve blocks, 3 walkway blocks, 3 Union Gas pipeline blocks, 1 Secondary Mixed Use Node block, 2 elementary schools blocks (1 full and 1 partial block), 1 neighbourhood park, 4 stormwater management pond blocks, 3 stormwater management pond buffer blocks, 2 Sixteen Mile Creek Valley blocks, 3 environmental buffer blocks, 1 woodlot block, 1 woodlot buffer block, 2 trail blocks, 6 grading blocks, 3 servicing blocks, 16- 0.3 metre reserve blocks, 2 road widening blocks and an internal road system.

The proposal in front of Council at the current time is an amendment to Town of Milton Zoning By-law 016-2014, as amended, to implement the draft approved plan of subdivision attached as Figure 2. Accordingly, the proposal seeks to change the zoning applicable to the subject lands (referred to as "Mattamy Martin East") from the current Future Development (FD) and Natural Heritage System (NHS) Zone symbols to Site-Specific Residential Medium Density 1 (RMD1*264) Zone, Site-Specific Residential Medium Density 2 (RMD2*265) Zone, Site-Specific Residential High Density (RHD*266) Zone, Future Development (FD) Zone, Institutional A (I-A) Zone, Site Specific Institutional A (I-A*267) Zone, Natural Heritage System (NHS) Zone, Open Space (OS) Zone and Open Space 2 (OS-2) Zone symbols. In addition, Holding (H) symbols H18, H25, H34, H35, and H36 are proposed to be applied to specific lots within the subdivision which prohibits the sale of and issuance of any building permits on the identified lots until such time as the work required to be completed in the area of such lots (i.e. roundabout and intersection design, stormwater pond verification, necessary road connections extending to adjacent subdivisions to allow access to such lots, rain garden design, and residential reserves) have sufficiently advanced to satisfy the Commissioner of Engineering Services and Commissioner of Planning and Development.

The main access to the proposed development will be from Thompson Road through a new collector road, Whitlock Avenue, which will ultimately connect to the Martin West lands via a bridge crossing of Sixteen Mile Creek.

The following information has been submitted in support of the applications:

- Redlined Draft Approved Plan of Subdivision (Version G), prepared by Korsiak Urban Planning, dated October 15, 2018, latest revisions May 16, 2019.
- Planning Justification Report, prepared by Korsiak Urban Planning, dated December 2016, and revised August 2018.
- Planning Justification Update Letter, prepared by Korsiak Urban Planning, dated November 5, 2018.
- Redline Draft Plan & Zoning By-law Amendment Resubmission Letter, prepared by Korsiak Urban Planning, dated March 25, 2019.
- Draft Zoning By-law and Schedule A, prepared by Korsiak Urban Planning, dated March 15, 2019.



- Stage 1 and 2 Archaeological Assessment (Part of Lot 7, Concession 3, NS), prepared by Golder Associates, dated May 28, 2013.
- Stage 3 Archaeological Assessment (AiGw-549), Part of Lot 7, Concession 3, NS, Trafalgar), prepared by Golder Associates, dated May 28, 2013.
- Stage 1 and 2 Archaeological Assessment, (Part of Lot 6, Concession 3, NS, Trafalgar), prepared by Archaeological Services Inc., dated August 27, 2013.
- Stage 3 Archaeological Assessment of The Robinson Site (AJGW-533), Part of Lot 6, Concession 3, NS, Trafalgar, prepared by ASI, dated August 27, 2015.
- Heritage Impact Assessment, prepared by Golder Associates Ltd., dated May 2, 2017 and revised January 10, 2018.
- Stable Top of Bank Assessment, “Martin Property”, Regional Road 25, North of Britannia, prepared by Shad & Associates Inc., dated July 29, 2016.
- Tree Inventory and Preservation Plan, prepared by LGL Limited, dated October 2017, and revised August 8, 2018.
- Phase 1 Environmental Site Assessment - 6281-6311 Highway 25, prepared by Pinchin, dated October 18, 2016.
- Phase 1 Environmental Site Assessments - 1944 Thompson Road South, prepared by Pinchin dated October 18, 2016.
- Transportation Assessment, prepared by GHD, dated September 25, 2017.
- Traffic Impact Study Update, prepared by GHD, dated March 22, 2019.
- Noise Feasibility Study, prepared by HGC Engineering, dated March 20, 2019.
- Geotechnical Investigation Report, prepared by Shad & Associates Inc., dated February 12, 2016.
- Geotechnical Supplementary Report, prepared by Shad & Associates Inc., dated September 27, 2018.
- Functional Servicing and Stormwater Management Report, prepared by DSEL, dated September 2017, and revised September 27, 2018.
- Pedestrian Routing Masterplan (Drawing PRP1), prepared by NAKL Design Strategies, dated July 2018.
- Facility Fit Plan (Drawings P1 and P2), prepared by NAKL Design Strategies, dated March 29, 2019.
- Secondary Mixed-Use Node Preliminary Concept, prepared by Korsiak Urban Planning, dated October 26, 2017.
- Built Form Guidelines Report, prepared by NAKL Design Strategies, dated March 2019 (Third Submission).
- First Submission Comment Response Letter, prepared by Korsiak Urban Planning, dated August 10, 2018.
- Preliminary Sitings for Lots 202, 214, 452, prepared by Q4 Architects Inc., dated February 28, 2019.
- Preliminary Concepts for the Secondary Mixed Use Node (Block 583) and all Future Medium Density Residential Blocks (i.e. Blocks 575, 583, 584 and 585), prepared by Korsiak Urban Planning, dated March 21 and 22, 2019.

Planning Policy

Staff has reviewed the applications in relation to the policies of the Provincial Policy Statement (2014), the Growth Plan (2019), the Regional and Town Official Plans and the Boyne Survey Secondary Plan including the Boyne Survey Tertiary Plan (July 2017) and the relevant Subwatershed Impact Study (SIS). Staff is satisfied that the application for the Zoning By-law Amendment conforms to the Provincial, Regional, and Town policies with respect to subdivision and zoning matters. See Appendix 1 for the Planning Policy Review.

Zoning By-law 016-2014, as amended

The subject lands are currently zoned Future Development (FD) and Natural Heritage System (NHS), which does not permit a new residential plan of subdivision. An amendment to the Zoning By-law is required in order to allow the implementation of the proposed residential plan of subdivision as described above and to refine the NHS in accordance with the detailed studies undertaken as part of the Boyne Survey Secondary Plan and the subject application. The draft amending Zoning By-law is attached as Appendix 2 to this report.

Site Plan Control

Should the application be approved, site plan approval will be required for the future medium density residential blocks, the future medium-high residential block, the Secondary Mixed Use Node, the school blocks and potentially the neighbourhood park block, prior to the commencement of any development.

It should be noted that based on the information provided to date, Staff is satisfied that the size and configuration of the future medium and high density residential blocks are appropriate for the scale and form of development envisioned.

Discussion

Public Consultation and Review Process

Three public meetings were held in regards to the subject application on February 26, 2018 (initial submission), September 10, 2018 (revised submission), and May 6, 2019 (redlined draft plan submission to accommodate a new stormwater management strategy to address riparian rights on the adjacent lands). Notice for the public meetings were provided pursuant to the requirements of the Planning Act.

Members of public did speak at the latter two meetings with respect to the lack of park locations within the Town, potential on-street parking, water/riparian rights, acceptable

standards to address increases in water flows due to new weather patterns, required Thompson Road and Britannia Road improvements and the status of the associated Subwatershed Impact Study (SIS).

Staff clarified at these meetings that on-street parking is subject to the regulations of the Town's parking by-laws and exceptions to the standards may be applied for. Further the provision of parkland is set out in the Town's Official Plan (i.e. hectares per population distributed through a parkland hierarchy) and as part of the comprehensive review of secondary and tertiary plans, parkland and recreation facility needs are considered for population growth within the context of the Town-wide park system. New parks may be located within the limits of a proposed plan area, or external to it. With respect to the Boyne Survey Secondary Plan, the distribution of the Town's parkland hierarchy within the limits of the plan area is 105 acres distributed among the Town's District, Neighbourhood and Village square classifications.

One written submission was received from a solicitor on behalf of Mr. McCann noting his clients concerns regarding drainage and maintenance of the existing farm pond which supports his cattle operation, specifically in relation to the impact of the proposed development and the Town's proposed reconstruction of Thompson Road. The written submission is attached as Appendix 3 to this report.

Agency Consultation

Planning and Development Report PD-048-18, which provided details on a revised plan of subdivision to be reviewed as part of the September 10, 2018 public meeting, also outlined a number of issues raised by various Town departments and agencies that required resolution prior to draft approval of the plan of subdivision. The following issues were most notable:

- noise mitigation;
- stormwater management and grading;
- school and park block facility fits (south of Whitlock);
- transportation requirements and standards;
- riparian rights of the McCann property east of Thompson Road;
- infrastructure and lands required to accommodate it;
- pedestrian connections within or beside Union Gas easement that meet AODA standards; and,
- overall layout of the plan of subdivision (including road design and lotting) and traffic.

Since staff anticipated that the issues noted above had the potential to be resolved during the Council hiatus, due to the Fall 2018 elections, staff felt it was prudent as part of the report to request Council's support to draft approve the plan following the



resolution of the above noted issues to the satisfaction of the agencies and the Town. Council approved staff's recommendation to draft approve the plan of subdivision subject to the resolution of the issues.

Summary of Issues

Noise Mitigation

Halton Region is transferring to the Town, the long term maintenance and ownership of any noise wall that is not directly adjacent to a regional road, even if the noise wall mitigates noise from traffic on regional roads. The Town has indicated their disinterest in taking on the responsibility and long term maintenance costs for these noise walls. Through the technical review, all opportunities to reduce the requirements for noise walls were explored. As a result, a number residential lots were reoriented at the south end of the subdivision to ensure that noise mitigation was kept to a minimum. Noise mitigation that is still required within the Martin East subdivision will be privately constructed and maintained (i.e. within future medium density residential blocks).

Stormwater Management and Grading

Detailed engineering submissions for three phases of the Martin East subdivision is currently under review. The technical review of the first phase of development, which includes key stormwater management ponds and the western edge of Thompson Road has progressed significantly. The sizing of the stormwater management ponds within Phase 1 have been peer reviewed and verified to the Town's satisfaction, and engineering staff has no concerns with respect to the proposed grading provided through engineering submissions. The review of Phases 2 and 3 will continue and any matters relating to stormwater management and/or grading, if any, will be raised with the applicant at the appropriate time.

It should be noted that calculations used for water flows, water balance, and water storage are in accordance with the Town's engineering standards as well as Industry standards throughout the Province. Staff anticipates that in the years to come, the effects of climate change will be assessed and standards may change as a result.

School and Park Block Facility Fits (south of Whitlock)

To ensure that the school block and park block located south of Whitlock were sufficient for the intended development, Town staff and the Halton Catholic District School Board (HCDSB) reviewed a series of concepts to ensure that potential facility designs, individual and shared accesses, and parking could be accommodated. In addition, these concepts aided staff in the review of the proposed zoning by-law amendment, and was a basis for minor site-specific provisions required to accommodate proposed arrangements on the school site.

Transportation Requirements and Standards

Early on in the review staff noted concerns regarding land requirements for roundabouts, road allowances that could not accommodate bike lanes (i.e. Kennedy Circle West, south of Whitlock Avenue) and intersection alignments and designs that did not meet Town standards. As a result of receiving on-going technical background information, and continuing detailed discussions with the applicant on these matters, staff is confident that all of the aforementioned concerns can be addressed to the Town's satisfaction.

Status of the Subwatershed Impact Study (SIS)

The Boyne Area 5A, 5B & 6 Subwatershed Impact Study (SIS) was approved in November 2018. As part of this approval, an addendum is required for Area 6, located within the approved SIS area. The Mattamy Martin East subdivision is located within this area. The Town, Halton Region and Conservation Halton have provided minor comments on the second submission of this document and anticipate the submission of the third and final document in the near future.

Riparian rights of the McCann property east of Thompson Road:

The Town has completed hydrologic verification on ponds S6-3 and S6-2-1 (i.e. the two larger ponds along Thompson Road) within the Mattamy Martin East Subdivision to ensure that the stormwater management (SWM) strategy proposed meets the requirements of the overarching Boyne Area 5A, 5B & 6 Subwatershed Impact Study (SIS) and the Area 6 SIS addendum. Verification has also concluded that riparian rights of the non-participating landowner (McCann) have been satisfied through the SWM strategy detailed in the Martin East SWM design. Monitoring required through the Boyne Area 6 SIS Addendum will further monitor the ponds to ensure riparian rights are maintained and allow for adaptive management strategies if necessary.

Road Infrastructure and Lands Required to Accommodate It

The Municipal Class Environmental Assessment process relating to Thompson Road is nearing completion. It is anticipated that the final Environmental Study Report (ESR), will be filed for the statutory review period some time in Summer 2019. Thompson Road requires a widening of the existing 20 metre road allowance to a 35 metre road allowance to accommodate the proposed design. The majority of the land required for the widening will be acquired through conveyances from the developers in the vicinity, through the Boyne financial agreement.

The preferred alternative was reviewed with adjacent landowners and as a result of concerns raised by 1487 Thompson Road (an active farm) regarding the impacts to the

property at the same location, the preferred design was modified to widen the road to the west only (i.e. within the Martin East plan) from Britannia Road to a point approximately 800m north of the Britannia Road and Thompson Road intersection. In addition, the proposed roundabout at Logan Drive will be built to a signalized T-intersection in the interim. The property required to build the ultimate roundabout will be secured from the owner to the west, while the lands required from the east property (i.e. 1487 Thompson Road) will be acquired when/if this property develops.

It is anticipated that detailed design of Thompson Road will be complete in 2019, with construction tender in early 2020. Ongoing coordination will be required with both the adjacent development community, to ensure access is maintained to all new and existing residents, as well as the Region of Halton, as the Region will be widening and urbanizing Britannia Road to 6 lanes.

While significantly advanced, the technical review relating to land requirements to accommodate the ultimate roundabout and intersection designs are still on-going. If any modifications are required, they will be addressed accordingly prior to registration of the applicable phase of the plan.

Pedestrian Connections Adjacent/Within Union Gas Easement

The applicant had proposed a reduced road allowance (i.e. by removing a sidewalk on the west side) along the eastern edge of the gas line easement north of Whitlock Avenue, as there was several discussion amongst Town departments, the applicant and Union Gas regarding a trail connection within the Union Gas easement. While having two walkways side by side was not sensible from an infrastructure perspective, Town Engineering staff requested the applicant to widen the road allowance back to the Town standard so that the boulevard was large enough to accommodate trees and light standards that would service the adjacent trail within the Union Gas easement. Town staff also required the trail to be paved to ensure that Accessibility for Ontarians with Disabilities Act (AODA) standards could be met.

Amending Zoning By-law

In order to permit the proposed development, a zoning amendment containing a revised NHS boundary, Open Space Zones (i.e. park and stormwater management blocks), Minor Institutional Zones (i.e. school blocks, one with site specific provisions), as well as existing residential zone classifications with site-specific provisions is required.

The partial Secondary Mixed Use Node block located in the very northeast corner of the subject lands, will remain Future Development (FD) for the time being as a comprehensive development plan for the entire node, some of which is located on adjacent lands in separate ownership, is required, demonstrating how all portions of the node will function. By leaving the block FD, it provides the applicant with an opportunity



to review the node holistically and bring forward a zoning by-law for that portion of the node within the Martin East subdivision for Council's consideration at the appropriate time.

Residential Medium Density 1 (RMD1) and 2 (RMD2) Site-Specific Zones

The amending by-law includes site-specific provisions relating to grade-related dwelling units including single detached dwellings, rear lane townhouse, street townhouse, and back-to-back townhouse dwellings, within the RMD1 and RMD2 Zones, with a portion of the units (townhouses only) being located within three future medium density residential blocks and one medium-high residential block. Elements of these future residential blocks have also been addressed through site specific provisions, where sufficient information was provided.

Variations in frontage and depth requirements, along with setbacks and allowable encroachments have been proposed in certain instances to accommodate urban design features, sitings of proposed dwellings created and marketed by the developer, and in some cases, the relationship to the street of lots that are irregular due to their proximity to roundabouts or located on a private street within a future residential block.

More specifically relating to the future medium density residential blocks, which will likely be of a condominium tenure, a provision was added to clarify that a "unit" within a condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering Zoning By-law. In addition, parking rates to be applied to the condominium as well as how setbacks will be measured where the Town has added a reserve block to control access has been set out.

Residential High Density (RHD) Site Specific Zone

A number of concepts for the valley block nestled along the east side of the Sixteen Mile Creek Valley, north of the woodlot and south of Whitlock Avenue, were reviewed by Town staff and affected agencies. Given the grades in this block along the edges of the valley and the woodlot, a variety of dwelling types, including an apartment building(s) have been contemplated as the built form, parking areas and amenity areas can assist in absorbing the existing grades. Given that a full site plan application has not been received as of yet for this block, and only high level concepts were provided for review, staff is only able to recognize the types of uses contemplated, what provisions apply to certain dwelling types and how, in a condominium arrangement the zoning provisions will be applied.

Minor Institutional (I-A) Site Specific Zone

In order to assist in advancing the elementary school on Block 588 (southwest corner of Whitlock Avenue and Kennedy Circle West) as soon as funding and other



development triggers have been achieved, the HCDSB provided detailed site plan drawings for their proposed school facility to the Town for review with a request to consider site-specific provisions based on this plan if required. Given that the school board decreased the site size to accommodate more school sites within the Boyne Survey Secondary Plan area, there were a few zoning provisions that would be compromised. These provisions have been recognized within the proposed zoning by-law based on the detailed drawings that were provided and reviewed.

Holding Provisions

Planning and Engineering staff have required through conditions of draft plan approval that specific lots in proximity to roundabouts, intersections and stormwater management ponds where designs have not been fully finalized; where road connections to adjacent subdivisions are not yet available; where lots may be affected by a preferred engineering solution (i.e. rain garden); and, where residential lots that do not comply with the zoning by-law are located (i.e. residential reserves that must be assembled with lands in the adjacent subdivision), be subject to holding provisions within the implementing by-law. These holding provisions would remain on these specific lots until such time as the works required to be completed in these areas have significantly advanced to the satisfaction of both the Planning and Engineering Departments. Lots subject to the holding provisions are also subject to a no sales agreement and cannot obtain a building permit until the applicable holding provision is lifted. The Commissioner of Planning and Development has the delegated authority to approve the applications to lift the holding provision, subject to a by-law being adopted by Council.

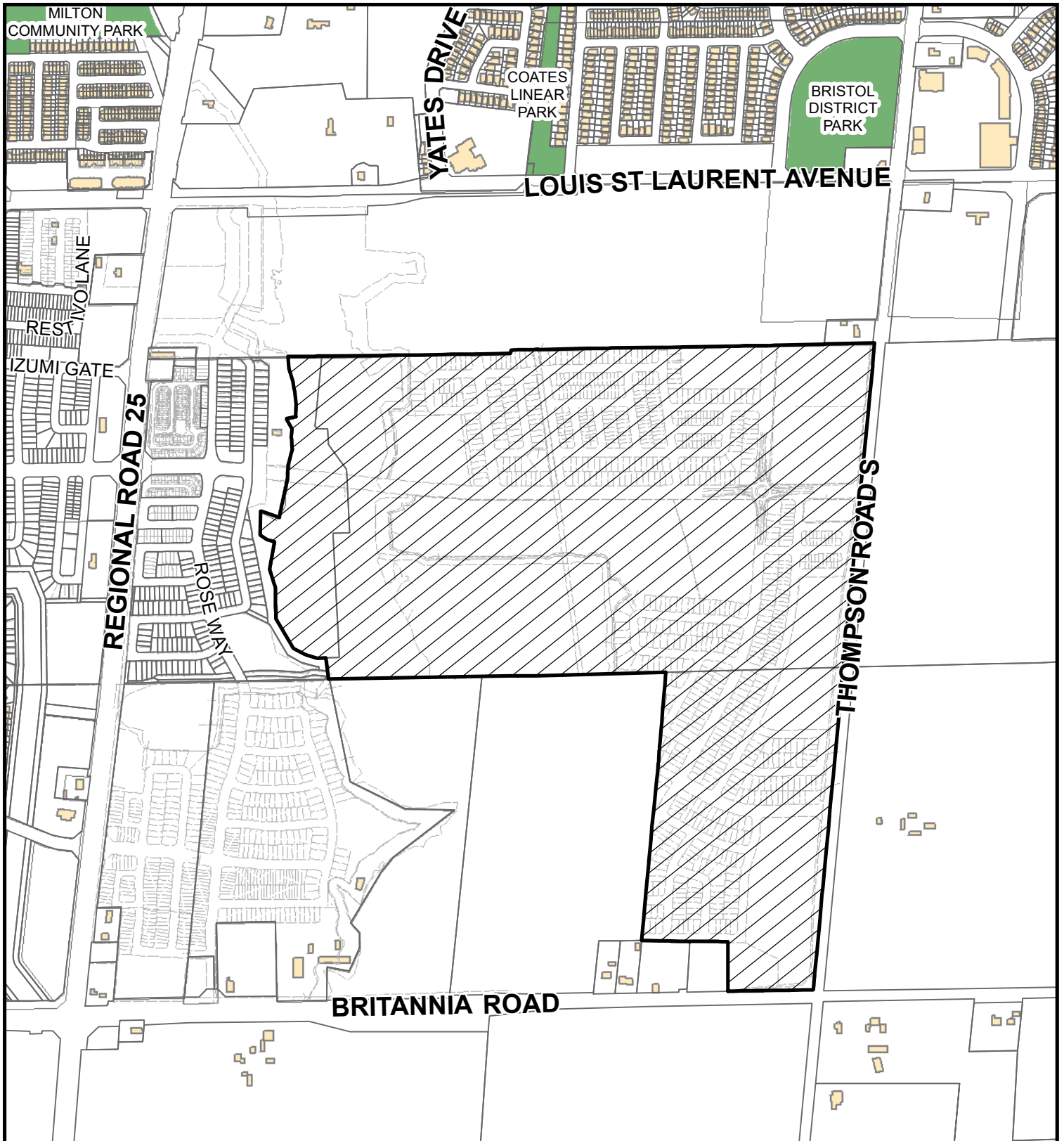
It should be noted that conditions associated with the approved redlined draft plan requires the amending Zoning By-law related to this subdivision application be approved by Council prior to subdivision registration. In order to move forward with the zoning by-law, and keep the review process in motion, the holding provisions have been implemented.

Conclusion:

Staff is satisfied that the plan of subdivision subject to conditions, conforms to Provincial, Regional and local planning policy and achieves acceptable engineering and design standards. As a result, the Commissioner of Planning and Development granted draft approval of the proposed plan of subdivision processed under File 24T-17002/M, on November 7, 2018, subject to conditions, which have been modified through redlined revisions approved on May 31, 2019.

The applicant has submitted all of the necessary reports in support of the Draft Approved Plan of Subdivision. Town staff and circulated agencies have reviewed these reports and through the received comments, the plan has been finalized. Although

FIGURE 1 LOCATION MAP



Council Meeting Date:
June 24, 2019

Scale: 1: 10,000

File: Z-14/17
24T-17002/M

Planning & Development Department



Subject Property

**DRAFT PLAN OF SUBDIVISION
FILE 24T - 17002/M REVISED**

PART OF LOT 6 & 7,
CONCESSION 3, NEW SURVEY

(GEOGRAPHIC TOWNSHIP OF TRAFALGAR)
TOWN OF MILTON
REGIONAL MUNICIPALITY OF HALTON

**MATTAMY - MARTIN EAST
COBBAN NEIGHBOURHOOD**

OWNER'S AUTHORIZATION

I HEREBY AUTHORIZE KORSIAK URBAN PLANNING TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF MILTON FOR APPROVAL.

SIGNED *Michael Vernooij* DATE *December 21, 2016*
 Michael Vernooij
 Mattamy (Brownridge) Limited
 433 Steeles Avenue East, Suite 110
 Milton, Ontario L9T 8Z4
 Tel: (905) 203-3972 Fax: (905) 203-3901
 Gary Gregoris, A.S.O.
 May 14, 2019

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE CORRECTLY AND ACCURATELY SHOWN.

SIGNED *Ross DenBroeder* DATE *December 21, 2016*
 Ross DenBroeder, Ontario Land Surveyor
 RPE RODY-PENYK & EDWARD SURVEYING LTD.
 ONTARIO LAND SURVEYORS
 645 CHRISLEA ROAD, SUITE 7, WOODBRIDGE, ONTARIO L4L 8A3
 Tel: (416) 935-5000 Fax: (416) 935-5001

ADDITIONAL INFORMATION (UNDER SECTION 51 (17) OF THE PLANNING ACT)

- A) SHOWN ON PLAN
- B) SHOWN ON PLAN
- C) SHOWN ON PLAN
- D) SHOWN ON PLAN
- E) SHOWN ON PLAN
- F) SHOWN ON PLAN
- G) SHOWN ON PLAN
- H) MUNICIPAL AND PIPED WATER TO BE PROVIDED
- I) CLAY LOAM
- J) SHOWN ON PLAN
- K) SANITARY AND STORM SEWERS TO BE PROVIDED
- L) SHOWN ON PLAN

LAND USE SCHEDULE

Land Use	Blocks	Block Total	Area (ha)	Units
Detached Residential	1-558 1-166, 191-399, 398-402, 422-558, 562-572, 621	558 518	174.1 162.5	558 518
Townhouse	559-609 167-190, 390-397, 403-410, 561	149 149	265.4 104.1	149 149
Back to Back Townhouse	570-676 411-421, 559, 560, 573, 574, 576, 615, 570-576	178 136	163.1 148.1	178 136
Walkway	577-579	3	0.03	
Union Gas Pipeline	580-582	3	0.31	
SMU Node Block	583	1	2.04	TBD
Medium Density Residential	575, 584, 585	3 3	3.4 3.4	TBD
Medium-High Density Residential	586	1	3.23	TBD
Elementary School	587, 588	2	3.55	
Neighbourhood Park	589	1	3.56	
SWM Pond	590-593	4	7.0 7.0	
16 Mile Creek Valley	594, 595	2	11.74	
Environmental Buffer	596-598	3	0.99	
Woodlot	599	1	7.91	
Woodlot Buffer	600	1	0.69	
Trail Buffer Block	639, 640	2	0.28	
Grading Block	601-607 601, 602, 605-608	6 6	0.28 0.28	
Servicing Block	608-611 609-611	3 3	0.8 0.8	
SWM Pond Buffer Block	612-615 612-614	3 3	0.24 0.24	
Residential Reserve	616-624	9	0.32	1
0.3m Reserve	603, 604, 625-636, 641, 642	16 16	0.00	
Road Widening	637, 638	2	1.48 1.48	
16.0m ROW (546m) 5382m			8.89 8.89	
20.0m ROW (899m)			1.84 1.84	
24.0m ROW (573m)			0.89 0.89	
24.5m ROW (254m)			0.63	
26.0m ROW (1078m)			2.86 2.86	
Total	340 1-642	640 642	84.31	856 854

DATE [D.M.Y]	REVISION	DWG	BY
16/05/19	Redline	G	SE
15/10/18	Resubmission	E	SP
12/10/18	General Revisions	D	SP
21/09/18	Resubmission	D	SP
08/08/18	Resubmission	C	SP
26/10/17	Resubmission	B	LC
11/08/17	General Revisions	B	SP
20/12/16	Original Submission	A	LC

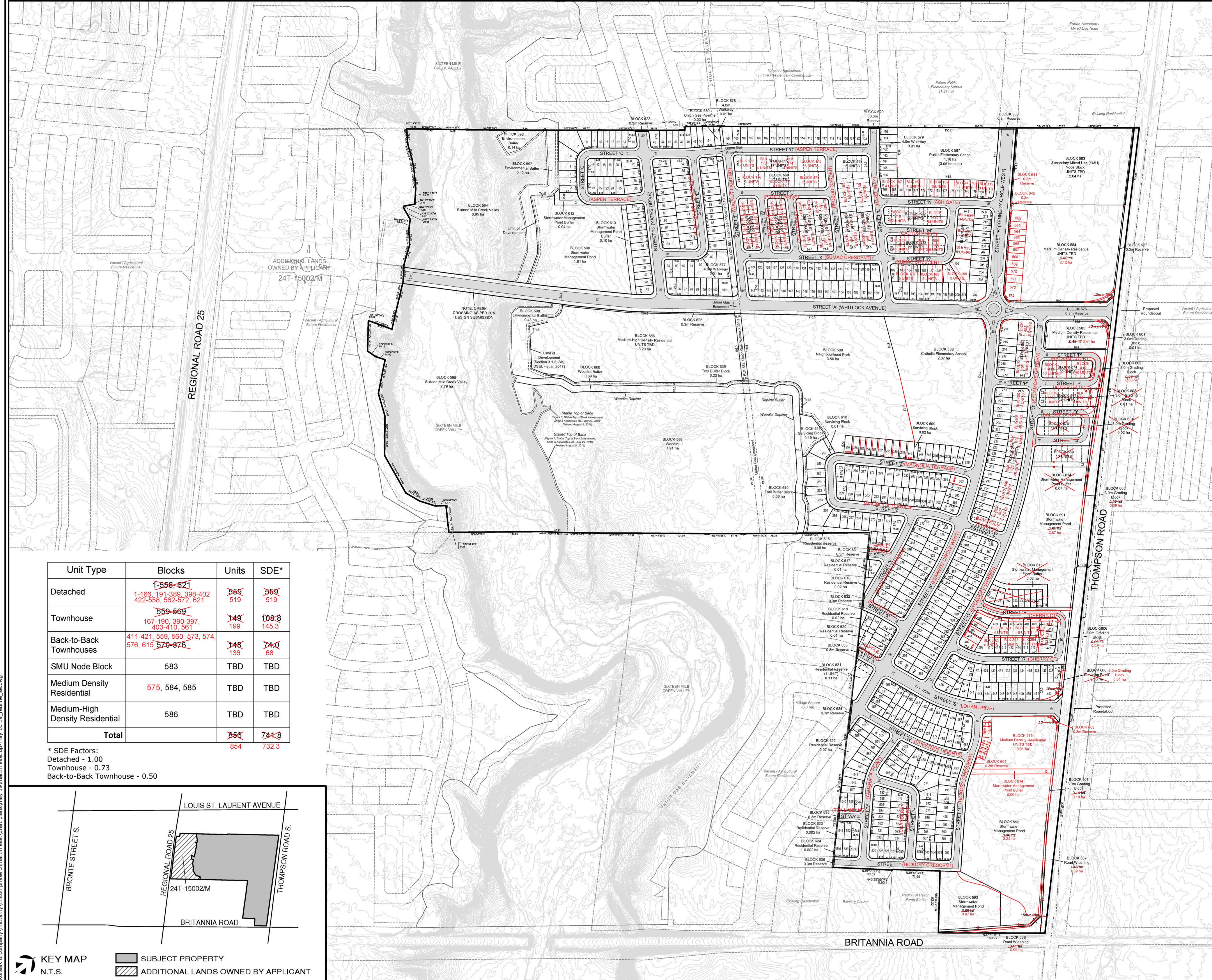
NOTES:
 * Local/Local corner radii = 5m
 * Local/Collector corner radii = 7m
 * Collector/Collector corner radii = 10m
 * Collector/Arterial corner triangle = 10m
 * Pavement illustration is diagrammatic



SCALE 1:2500
 DRAWN BY: SP
 CHECKED BY: KC
 October 15, 2018
 May 16, 2019

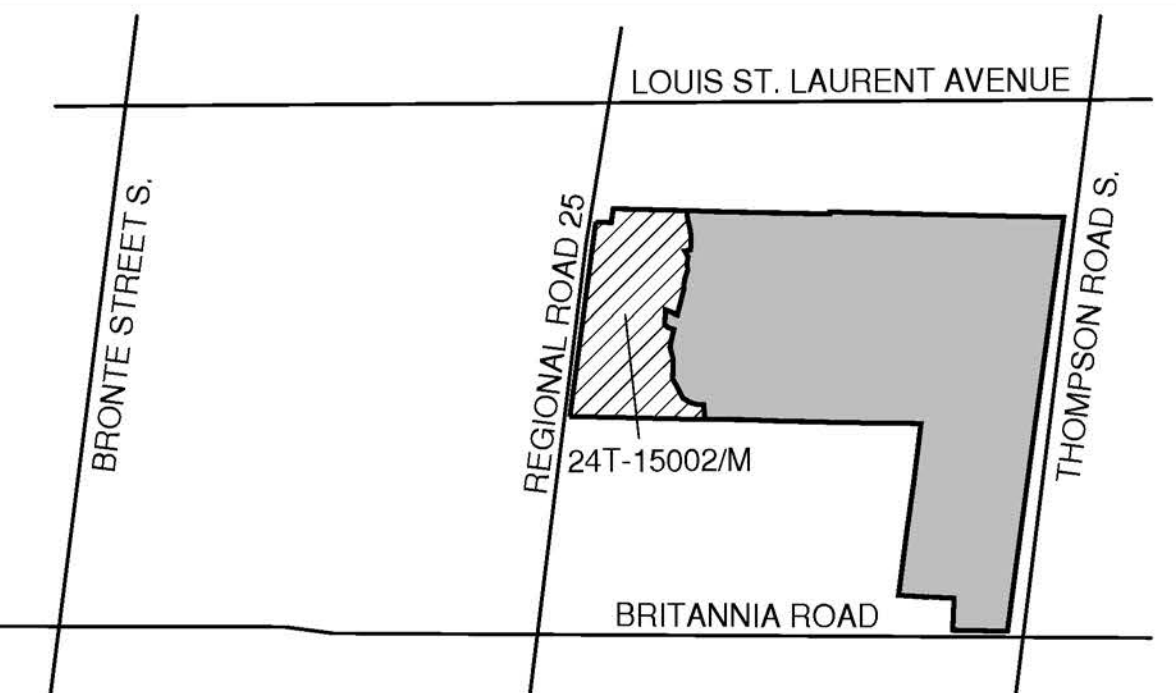


206-277 Lakeshore Road East
 Oakville, Ontario L6J 1H9
 T: 905-257-0227
 info@korsiak.com



Unit Type	Blocks	Units	SDE*
Detached	1-558-621	559	559
	1-166, 191-399, 398-402, 422-558, 562-572, 621		
	519		
Townhouse	559-609	149	108.8
	167-190, 390-397, 403-410, 561		
	199		
Back-to-Back Townhouses	411-421, 559, 560, 573, 574, 576, 615, 570-576	148	74.0
	136		
	68		
SMU Node Block	583	TBD	TBD
Medium Density Residential	575, 584, 585	TBD	TBD
Medium-High Density Residential	586	TBD	TBD
Total		856 854	741.8 732.3

* SDE Factors:
 Detached - 1.00
 Townhouse - 0.73
 Back-to-Back Townhouse - 0.50



KEY MAP
 N.T.S.
 ■ SUBJECT PROPERTY
 ■ ADDITIONAL LANDS OWNED BY APPLICANT

**Planning Policy Review
Mattamy Martin East Plan of Subdivision Application**

Staff has reviewed the proposal against provincial policies and plans, the Halton Region Official Plan and local planning policies as outlined below.

Provincial Policy Statement, 2014 (PPS)

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the PPS sets the policy foundation for regulating the development and use of land. Section 1.1.1 of the PPS outlines specific policies that sustain healthy, liveable and safe communities. The policies applicable to this application direct to promote efficient development and land use patterns which sustain the financial well-being of the Province and the municipalities over the long term, accommodate an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs, avoid development and land use patterns which may cause environmental or public health and safety concerns, and promote cost effective development patterns and standards to minimize land consumption and servicing costs.

The subject lands are located within a "settlement area", as defined by the PPS (see Section 1.1.3 Settlement Areas). The policies outline that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources; support active transportation; and are transit-supportive, and are appropriate for, and efficiently use, the infrastructure and public service facilities, which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion.

Appropriate development standards should be promoted to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The Boyne Survey Secondary Plan adjoins the existing built up area of the Town and outlines policies to achieve a compact form for development and a mix of uses. The density targets for Boyne allow for the efficient use of land, infrastructure and public services facilities.

Section 1.4.3 requires that planning authorities provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future

residents of the regional market area by permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

Section 1.5 outlines that healthy active communities should be promoted by planning public streets, spaces and facilities to a safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity, planning for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages.

Section 1.6 outlines that planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning so that they are financially viable over their life cycle. Planning for stormwater management shall not increase risks to human health and safety and property damage. A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation. Transportation and land use considerations shall be integrated at all stages of the planning process. Efficient use shall be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

Section 4.9 provides that the policies of the PPS represent minimum standards. The PPS does not prevent planning authorities and decision-makers from going beyond the minimum standards established in specific policies, unless doing so would conflict with any policy of the PPS.

Development standards for the public and private realm were evaluated in detail as part of the overall review of the Built Form Guidelines and proposed amending zoning by-law.

As the Town of Milton is in an area where there is an upper-tier municipality (i.e. Halton Region), Section 1.2.4 applies. This section directs that the upper-tier municipality in consultation with lower-tier municipalities shall identify, coordinate and allocate population, housing and employment projections for lower-tier municipalities, and identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes.

The Boyne Survey Secondary Plan sets out density and housing mix targets, which were approved by Halton Region. Based on staff's review of the proposed applications, these targets are being met.

Section 2.0, the Wise Use and Management of Resources states that Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage,

water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.

In particular, Section 2.1.1 directs that natural features and areas shall be protected for the long term. Section 2.1.2 directs that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features. In accordance with Section 2.1.4 development and site alteration shall not be permitted in significant wetlands in Southern Ontario. Sections 2.1.5 and 2.1.8 further limit development and site alteration unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

The proposed plan of subdivision is consistent with the Natural Heritage policies of the PPS, as the natural features, including the Sixteen Mile Creek Valley, the woodlot located in the east-central portion of the valley, and the wetland within the woodlot, are being protected.

In addition, with respect to water resources, the quality and quantity of water, currently supplying the agricultural operation on the McCann's lands, east of Thompson Road, continues to be monitored and the proposed subdivision has incorporated a design that ensures that the McCann's riparian rights have been met.

Places to Grow Plan, 2019 (PTG)

Places to Grow is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The Places to Grow Act, 2005 enables the development of regional growth plans that guide government investments and land use planning policies.

Section 2.2.1.4 outlines that implementing the policies of this Plan will support the achievement of complete communities that:

- a. feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- c. provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d. expand convenient access to a range of transportation options, including options for the safe, comfortable and convenient use of active transportation, and to an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities;
- e. provide for a more compact built form, and a vibrant public realm, including public open spaces; and,
- g. integrate green infrastructure and appropriate low impact development.

The policies of the Urban Area designation support residential intensification and the development of vibrant and healthy mixed use communities. Sections 77, 78 and 81 of the ROP further supports providing appropriate mix and densities of housing, promoting active transportation and public transit use and achieving densities higher than the surrounding areas and as high as permissible under the Local Plan policies. Section 173 outlines road right-of-way requirements.

Regional staff, in their evaluation of the first submission of the draft plan of subdivision, identified concerns with respect to the grade differentials between the proposed design of the future upgraded Britannia Road (as proposed through the associated Environmental Assessment) and the adjacent lands. As a result, the Region required that another look at the design was necessary and a workable solution was to be determined for the conveyance of the drainage associated with the updated Britannia Road to the SWM ponds located within the area to be developed north of Britannia Road in accordance with the Boyne Secondary Plan, FSEMS and the Boyne SIS for Areas 5a, 5b and 6 to the satisfaction of the Town, Region and Conservation Halton prior to moving forward with the plan. A solution has been accepted by the Region, Town and Conservation Halton and has been incorporated into the draft plan of subdivision.

With respect to the overall design of the plan, Regional staff did not identify any significant issues. Regional staff worked closely with the Town to evaluate the Martin east draft plan of subdivision in relation to the design, the natural heritage system and the impacts from/on Britannia Road. Overall, the proposed plan conforms to the policies of the Regional Official Plan.

Local Official Plan, 1997 (Consolidated August 2008)

The subject lands are located within the Boyne Survey and are designated Residential Area, Greenlands A Area and Parkway Belt West Plan Area on Schedule B – Urban Area Land Use Plan of the Town’s Official Plan. The Residential Area designation means that uses shall be primarily low to medium density residential dwellings. The Greenlands A designation is applied to land and water areas that are included in Regulatory Flood Plains, as determined by the applicable Conservation Authority, are determined to be a Provincially Significant Wetland, and significant valley lands or significant portions of the habitat of endangered and threatened species. The Parkway Belt West Plan area designation not only reserves lands for future transportation, communication and utility facilities, but also protects major natural features, such as streams and valleys (e.g. the Sixteen Mile Creek Branch that traverses the subject lands) for open space linkage opportunities through communities.

Additionally, the lands are located within the Boyne Survey Secondary Plan and are designated Residential Area, Natural Heritage System, Secondary Mixed Use Node, Minor Sub-Node Area and Neighbourhood Centre Area as shown on Schedule C.10.C – Boyne Survey Secondary Plan Land Use Plan. This schedule also highlights that the community connector (bridge crossing) is located on the subject lands.

Similar to the general Official Plan policies, a mix of residential dwelling units and densities are permitted with the Residential Area Designation. The proposed Secondary Mixed Use Nodes provide a range of commercial uses to serve the surrounding residential areas, including a major food store, as well as a location for office, and institutional uses and a full range of medium to high residential uses. The Minor Sub-Node Area designation is typically for concentrations of mixed uses and higher residential densities at key intersection locations. The Neighbourhood Centre Area designation is intended primarily for community uses and public/private facilities which serve the neighbourhood as a whole, including elementary schools and parks. The Natural Heritage System designation applies to the Sixteen Mile Creek valley and woodlands ensuring the protection, preservation and enhancements of the key features, buffers and linkages of which it is composed. Public facilities such stormwater management ponds are permitted in any designation.

It should also be noted that the proposed elementary school block at the north east corner of the plan forms part of a larger block shown on the plan of subdivision to the north within the residential designation and reflects the July 2017 Tertiary Plan endorsed by Council. Elementary schools are also a permitted use in the Residential Area designation, applicable to the Martin East lands.

Schedule C.10.D – Boyne Survey Secondary Plan Phasing Plan, shows the subject lands within Phase 3B (the second phase of development in the Boyne Survey area). As with other secondary plans within the Urban Expansion Area, the Boyne Survey Secondary Plan contains phasing policies. Section C.10.6.1.1 states that prior to the approval of any applications for development in Phase 3B, building permits must have been issued for a minimum of 4,000 dwelling units in Phase 3A. Despite this, Section 10.6.1.2 provides Council with the discretion to accept and approve, on an application by application basis, development within the second phase prior to the issuance of the required number of building permits in the first phase. In order to make this determination, Council must be satisfied that any such applications meet the general purpose and intent of the secondary plan and that there are no negative impacts on both the Town and Region from land use planning, infrastructure, fiscal and servicing perspectives.

Staff authored a report on October 30, 2017 (PD-052-17), outlining a number of development applications that could proceed out of phase as they did not compromise the orderly progression of development within the Boyne Survey or the Regional Infrastructure Program. This application was included within that report and it was ultimately approved by Council.

The density for the Residential Area in the Martin East plan of subdivision, as proposed, is approximately 40 dwelling units per net hectare (upnh) which is in keeping with the policies of the Boyne Survey Secondary Plan. Staff acknowledges that the Secondary Mixed Use Node lands, which are permitted to develop at a density of 100 to 200 upnh, could result in a density range of 44 to 49 upnh. However, based on the current concept provided within the draft plan of subdivision application, being on the lower end of the permitted density for the node, the proposal meets the intent of and contributes to the

Boyne Survey Secondary Plan as a whole meeting the overall density target of policy C.10.2.1 e).

The Town's Official Plan has been updated to bring it into conformity with the Provincial Plans, the Places to Grow, and the Regional Official Plan. Local Official Plan Amendment No. 31 (LOPA 31), the Official Plan Review – Conformity Exercise, was endorsed by Council on June 14, 2010. Due to the appeal of the amendments to Halton Region's Official Plan, no. 37 and no. 38, the approval of LOPA 31 was delayed. Upon approval of the Region's Official Plan, except for site-specific appeals, Town staff was able to work with regional staff to finalize the Town's Official Plan amendment No. 31. On June 18, 2018, Town Council endorsed the proposed changes to LOPA 31, and in November 2018, the Region approved OPA 31, with a series of modifications. Appeals to OPA 31 have been received. It should be noted that OPA 31 did not propose changes to the Boyne Survey Secondary Plan. Modified policies set out in the Regional approval of OPA 31 have been considered in relation to the review of this application.

Based on the foregoing, staff is of the opinion that the proposed development for the plan of subdivision is in conformity with Provincial, Regional and Local Planning policies.

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XXX-2019

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 6 AND 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - MATTAMY (BROWNRIDGE) LIMITED - (TOWN FILE: Z-14/17)

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:

- 1.0 **THAT** Schedule A to Comprehensive Zoning By-law 016-2014 is hereby further amended by changing the existing Future Development (FD) and Natural Heritage System (NHS) Zone symbols to the Residential Medium Density 1 - Special Section (RMD1*264) Zone, Residential Medium Density 2 - Special Section (RMD2*265) Zone, Residential High Density - Special Section (RHD*266) Zone, Future Development (FD) Zone, Institutional A (I-A) Zone, Institutional A - Special Section (I-A*267) Zone, Natural Heritage System (NHS) Zone, Open Space (OS) Zone and Open Space 2 (OS-2) Zone symbols on the land and adding the Holding (H) symbols H18, H25, H34, H35, and H36, to each of the zone symbols on this property as shown on Schedule A attached hereto.
- 2.0 **THAT** Section 13.2 of By-law 016-2014, is amended by adding the following conditions for removal of this H34 Holding Provision:

“H34” shall not be removed until:

 - a) Roundabout and/or intersection design is approved, or earlier if progressed to a stage acceptable to the Town of Milton.
- 3.0 **THAT** Section 13.2 of By-law 016-2014, is amended by adding the following conditions for removal of this H35 Holding Provision:

“H35” -shall not be removed until:

 - a) the subject lots/blocks have been consolidated with lots/blocks on adjacent plan(s) of subdivision and each of the resulting consolidated parcels is in compliance with the minimum lot frontage, depth and area (where applicable) requirements of the applicable zoning by-law.

- 4.0 THAT Section 13.2 of By-law 016-2014, is amended by adding the following conditions for removal of this H36 Holding Provision:

“H36” - shall not be removed until:

- a) a permit has been issued by Conservation Halton for the design and/or construction of the rain garden and any associated works necessary to achieve an appropriate water balance for the adjacent wetland located within woodlot Block 599.

- 5.0 THAT Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.264 as follows:

Residential Medium Density 1 - Special Section 264 (RMD1*264) Zone

- i) Special Site Provisions Applicable to All Dwelling Types
- a. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.
 - b. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3 m or less that has been established by the Town to restrict or control access to an abutting public street, the reserve shall be deemed to constitute part of the lot for the purposes of calculating required setbacks only. Reserves used for such purposes must remain clear and unencumbered.
 - c. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.
 - d. Within a plan of condominium, visitor parking shall be provided at a rate of 0.25 parking spaces per unit.
 - e. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.
 - f. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area shall be setback 1.2 metres from a lot line, except where a parking area abuts:
 - i. a sidewalk, the setback shall be a minimum of 1.5 metres; and,
 - ii. a lot line adjacent to Thompson Road, the setback shall be a minimum of 2.4 metres.
- ii) Notwithstanding any provisions to the contrary, for Detached Dwelling - Street Access (All Types) the following shall apply:
- a. In the case of a staggered double car garage:
 - i. One garage is permitted to have a minimum setback of 2.0 metres to the front lot line providing that the second garage has a minimum setback of 5.5 metres to the front lot line.
 - ii. On lots having frontage less than or equal to 11.5 metres the

driveway width shall not exceed 6.6 metres.

- b. Notwithstanding Section 4.19.5, Table 4H, porches/verandas encroaching into the required interior side yard are permitted to be located 0.9 metres to the interior side lot line.
 - c. Where located on top of a porch/veranda, balconies are permitted to encroach into the required interior side yard and shall be provided in accordance with b) above.
 - d. Notwithstanding any regulation of this By-law to the contrary, on any lot where a residential driveway enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the street line, the residential driveway edge and the line connecting them at points 1.0 metres from their intersection.
 - e. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
- iii) Notwithstanding any provisions to the contrary, for Detached Dwelling - Street Access, Interior Lot:
- a. Lot frontage (minimum), interior lot - 9.15 metres
 - b. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 60% of the building face is used for the garage portion of the elevation.
 - c. Notwithstanding Section 6.3.1.1, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, provided the garage face does not project further than 1.83m beyond the porch.
 - d. Second storey boxed/bay windows shall be permitted in a required interior side yard for interior lots adjacent to a corner lot on a roundabout.
- iv) Notwithstanding any provisions to the contrary, for Detached Dwelling - Street Access, Corner Lot, the following shall apply:
- a. For the purposes of this By-law, lots abutting a roundabout shall be considered a Corner Lot.
 - b. Where a garage is accessed by a residential driveway crossing the exterior side lot line:
 - i. An attached garage may be located no closer than 0.6 metres from the rear lot line.
 - ii. Air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however such units are not permitted to encroach into the exterior side yard.
 - iii. Fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the yard bounded by the dwelling unit, the exterior side lot line, and the residential driveway.

- c. At the intersection of two local public or private streets:
 - i. The outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
 - ii. No part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
- d. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 62% of the building face is used for the garage portion of the elevation.
- e. Notwithstanding Section 6.3.1.1, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, and the garage portion of the elevation may project no further than 1.83 metres beyond the dwelling face or porch/veranda portion of the elevation.
- f. For the detached dwelling units that are located at the corner of Whitlock Avenue and the roundabout, the following additional provisions shall apply:
 - i. The yard abutting Whitlock Avenue shall be deemed to be the front yard;
 - ii. Minimum lot depth shall be measured along the interior lot line.
 - iii. Minimum Interior Side Yard Setback: 7.0 metres
 - iv. Minimum Rear Yard Setback to the dwelling (excluding the garage): 6.5 metres
 - v. A residential driveway can extend into a rear yard or interior side yard to access an attached garage, provided that the driveway does not extend beyond the garage face.
- g. For the detached dwelling unit that is located at the northwest corner of Logan Drive and Thompson Road, the following additional provisions shall apply:
 - i. The yard abutting Logan Drive shall be deemed to be the front yard;
 - ii. Minimum lot depth shall be measured along the west interior lot line.
 - iii. Minimum Interior Side Yard Setback: 6.5 metres
 - iv. Minimum Rear Yard Setback to the dwelling (excluding the garage): 5.5 metres
 - v. A residential driveway can extend into an interior side yard to access an attached garage.
 - vi. The maximum driveway width, measured parallel to the garage face: 10.5 m.
- v) Notwithstanding any provisions to the contrary, for Townhouse Dwelling - Street Access, the following shall apply:
 - a. Minimum Exterior Side Yard (corner unit): 2.0 metres to building if

- b. the yard abuts a right-of-way of less than 18.0 metres wide
 - b. At the intersection of two local public or private streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
 - c. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
- vi) Notwithstanding any provisions to the contrary, for Townhouse Dwelling - Private Street, Rear Access, the following shall apply:
- a. For all lane-based townhouses, the yard where the driveway is located is deemed to be the rear yard.
 - b. Minimum Lot depth (all unit types): 18.0 metres
 - c. Minimum Exterior Side Yard (corner unit): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide
 - d. Rear yard setback (minimum), all unit types - 1.0 metre
 - e. Notwithstanding Section vii) d. above, units with driveways abutting the inside or outside of a rounding or curve shall have a minimum rear yard setback of 0.6 metres.
 - f. The minimum required outdoor amenity area per unit is 10 m², to be provided on a balcony.
 - g. Notwithstanding any provisions of the By-law to the contrary, in those instances where the front yard is included as part of a common element of a condominium, the minimum required front yard setback between a condominium dwelling unit and a common element shall be 0.0 metres.
 - h. Section 4.19.1 i) does not apply to a unit fronting on to a common element of a condominium.
 - i. For the corner lots at the intersection of Sycamore Garden and the private lane accessing Medium Density Residential Block 585 only, no part of any residential driveway shall be located closer than 4.5 metres from the point of intersection of the two street lines.
 - j. A maximum driveway width of 6.2 metres shall be permitted for lots with frontage less than or equal to 11.5 metres.
 - k. Section 5.6.2 viii b) shall not apply.
 - l. Notwithstanding any provisions to the contrary, only 2 visitor parking spaces shall be required for a condominium block consisting entirely of rear access townhouse dwelling units, and only where each dwelling unit has frontage on a public street.

6.0 THAT Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.265 as follows:

Residential Medium Density 2 - Special Section 265 (RMD2*265) Zone

- i) Special Site Provisions

- a. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.
- b. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3 m or less that has been established by the Town to restrict or control access to an abutting public street, the reserve shall be deemed to constitute part of the lot for the purposes of calculating required setbacks only. Reserves used for such purposes must remain clear and unencumbered.
- c. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.
- d. Within a plan of condominium, visitor parking shall be provided at a rate of 0.25 parking spaces per unit.
- e. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.
- f. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area shall be setback a minimum of 1.2 metres from a lot line, except where a parking area abuts:
 - i. a sidewalk, the setback shall be a minimum of 1.5 metres; and,
 - ii. a lot line adjacent to Thompson Road, the setback shall be a minimum of 2.4 metres.

ii) Notwithstanding any provisions to the contrary, for Back to Back Townhouse Dwellings, the following shall apply:

- a. Minimum Lot frontage (corner unit): 8.0 metres
- b. Minimum Front yard setback (all unit types): 2.0 metres to building
- c. Minimum Exterior yard setback (corner lot): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide.
- d. The minimum required outdoor amenity area per unit is 6 m², to be provided on a balcony.
- e. Porches/verandas and balconies are permitted to be located no closer than 1.0 metre to a street line.
- f. For a corner unit at the intersection of two local public or private streets:
 - i. the outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
 - ii. no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
- g. Notwithstanding Section 5.6.2 iv) d) A), a maximum driveway width of 3.5 metres shall be permitted for lots with frontage less than or equal to 6.5 metres.
- h. For units that do not have an interior side yard, air conditioning and heat exchange units may be located in a required front or exterior

side yard and are permitted to be located no closer than 0.6 metres to a front or exterior side lot line.

- i. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres..

7.0 THAT Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.266 as follows:

Residential High Density - Special Section 266 (RHD*266) Zone

Notwithstanding any provisions to the contrary, the following shall apply:

- i) Additional Permitted Uses
 - a. Dwelling, Townhouse,
 - b. Dwelling, Back-to-Back Townhouse
 - c. Dwelling, Multiple
- ii) Zone Standards for Apartment Buildings:
 - a. Minimum Height: 4 storeys
 - b. Maximum Height: 8 storeys to a maximum of 29 metres
 - c. Front Yard Setback (minimum): 6 metres
- iii) Zone Standards for Townhouse Dwellings:
 - a. Shall be subject to the RMD1*264 zone provisions.
- iv) Zone Standards for Back-to-Back Townhouse:
 - a. Shall be subject to the RMD2*265 zone provisions.
- v) Special Site Provisions
 - a. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.
 - b. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.
 - c. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.
 - d. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback a minimum of 1.2 metres from a lot line, except where a parking area abuts a sidewalk, the setback shall be a minimum of 1.5 metres.

8.0 THAT Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.267 as follows:

Minor Institutional - Special Section 267 (I-A*267) Zone

Notwithstanding Section 4.19.4, 4.20.4 and Section 9.2, Table 9B to the contrary, for an elementary school in the Minor Institutional (I-A*267) Zone, the following provisions shall apply:

- i) Zone Standards:
 - a. Maximum Total Building Height: 16.5 metres
 - b. Landscape Buffer Abutting a Street: 2.5 metres

- ii) Special Site Provisions:
 - a. Notwithstanding Section 5.11 to the contrary, no more than one (1) loading space shall be required.
 - b. Notwithstanding Section 5.1 ii) to the contrary, parking spaces required by this by-law for the elementary school are permitted to be located on the adjacent neighbourhood park block in accordance with the terms of an agreement executed by the Town of Milton and the applicable School Board.

9.0 THAT Section 13.2 is amended by adding subsection 13.2.1.168 as follows:

For the lands zoned a site-specific Residential Medium Density 1 (RMD1*264) on the property legally described as Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H18” Holding provision are satisfied.

10.0 THAT Section 13.2 is amended by adding subsection 13.2.1.169 as follows:

For the lands zoned a site-specific Residential Medium Density 1 (RMD1*264) on the property legally described as Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H25” Holding provision are satisfied.

11.0 THAT Section 13.2 is amended by adding subsection 13.2.1.170 as follows:

For the lands zoned a site-specific Residential Medium Density 1 (RMD1*264) and a site-specific Residential High Density (RHD*266) on the property legally described as Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H34” Holding provision are satisfied.

12.0 THAT Section 13.2 is amended by adding subsection 13.2.1.171 as follows:

For the lands zoned a site-specific Residential Medium Density 1 (RMD1*264) on the property legally described as Part of Lots 6 and 7, Concession 3, N.S.

(Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H35” Holding provision are satisfied.

13.0 THAT Section 13.2 is amended by adding subsection 13.2.1.172 as follows:

For the lands zoned a site-specific Residential Medium Density 1 (RMD1*264) on the property legally described as Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H36” Holding provision are satisfied.

14.0 THAT pursuant to Section 34(21) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, this by-law comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsection 34(19) of the *Planning Act*, as amended. Where one or more appeals have been filed under Subsection 34(19) of the said Act, as amended, this Zoning By-law Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Local Planning Appeal Tribunal.

PASSED IN OPEN COUNCIL ON JUNE 24, 2019.

Gordon A. Krantz

Mayor

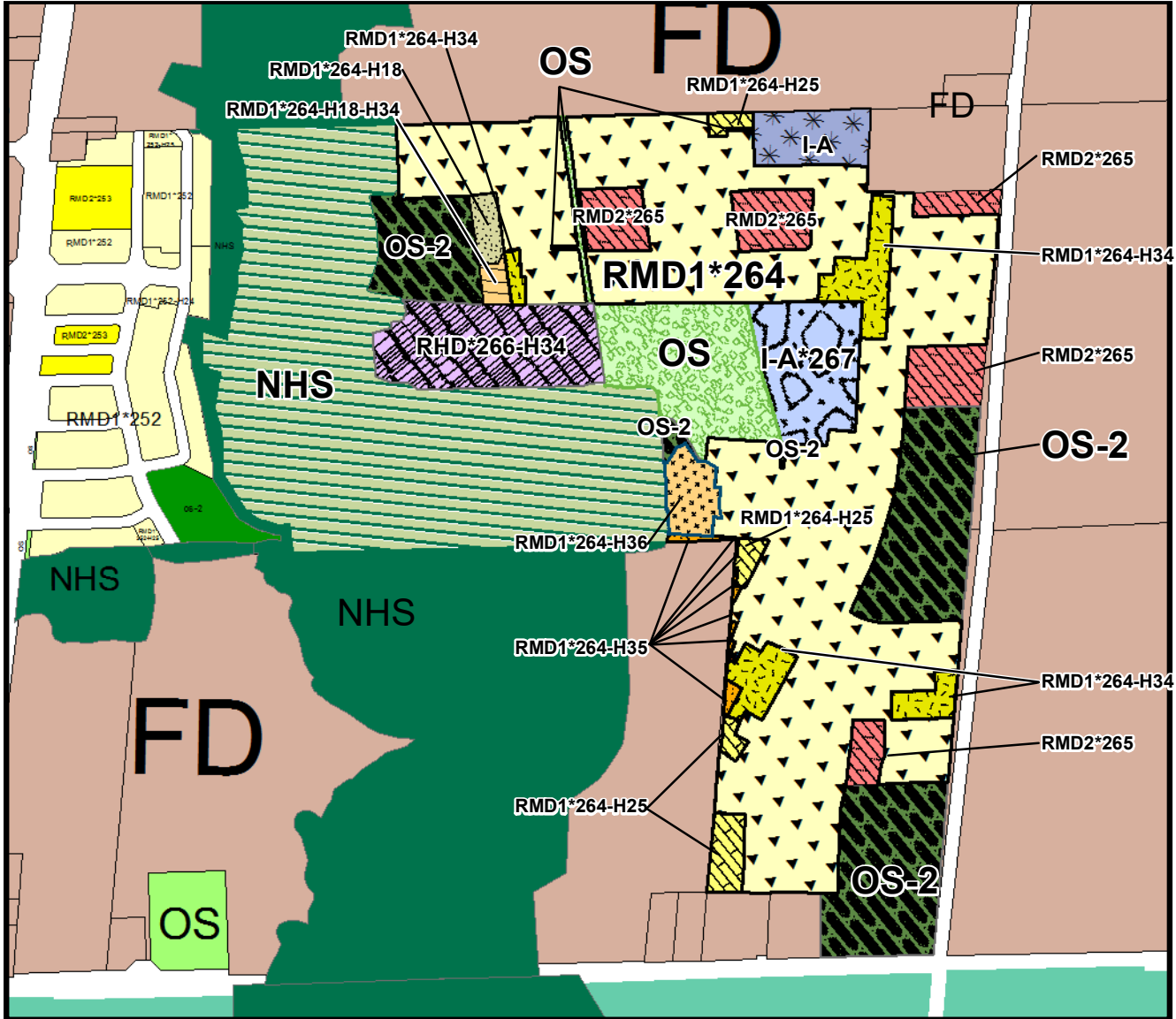
William Roberts

Acting Clerk

SCHEDULE A
TO BY-LAW No. -2019

TOWN OF MILTON

PART OF LOT 6 & 7, CONCESSION 3 NS
PART OF PART 1 ON 20R17348 AND PART OF PARTS 2-4 20R17642
AND PART OF PARTS 1-4 ON RP 20R18391 EXCEPT PART 1 ON RP 20R18033
Town of Milton

















THIS IS SCHEDULE A
TO BY-LAW NO. -2019 PASSED
THIS ___ DAY OF _____, 2019.



MAYOR - Gordon A. Krantz

ACTING CLERK - William Roberts

-  I-A - Minor Institutional Zone
-  I-A*267 - Minor Institutional Zone Special
-  NHS - Natural Heritage System Zone
-  RMD1*264 - Medium Density Residential 1 Zone Special
-  RMD1*264 -H18- Medium Density Residential 1 Zone Special with Holding Provision 18
-  RMD1*264 -H25- Medium Density Residential 1 Zone Special with Holding Provision 25
-  RMD1*264-H34- Medium Density Residential 1 Zone Special with Holding Provision 34
-  RMD1*264 -H35- Medium Density Residential 1 Zone Special with Holding Provision 35
-  RMD1*264 -H18-H34- Medium Density Residential 1 Zone Special with Holding Provision 18 & 34
-  RMD1*264 -H36- Medium Density Residential 1 Zone Special with Holding Provision 36
-  RMD2*265 - Medium Density Residential 2 Zone Special
-  RHD*266-H34 - Residential High Density Zone Special with Holding Provision 34
-  OS - Open Space Zone
-  OS-2 - Open Space 2 Zone

HERBERT T. ARNOLD B.A. L.L.B.
STEVEN C. FOSTER B.A. L.L.B.
THOMAS M. ARNOLD B.Com. L.L.B.



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Facsimile: (905) 873-4962
www.arnold-foster.com

September 7, 2018

Via Email and Regular Mail

Town of Milton
150 Mary Street
Milton, Ontario
L9E 6Z5

Attention: Town Clerk

Dear Sir:

Re: Proposed Mattamy Brownridge Ltd. Development
Town Files: 24T-17002/M and Z-14/17

Please be advised that we act for Mr. David McCann, an owner of lands in the vicinity of the above proposed development. Mr. McCann will be addressing the Committee of the whole on Monday evening at the public meeting being held on this proposed development.

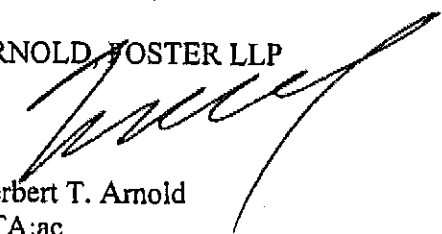
As a downstream owner, our client has concerns regarding drainage and the maintenance of the existing farm pond which supports his cattle operation. The concerns relate to the impact of this development as well as the Town's proposed reconstruction of Thompson Road.

We are requesting that we be given notice of any Committee or Council meeting at which these subjects may be discussed and notice of any decision regarding the Draft Plan Approval or Zoning Amendment, including any change of Draft Plan conditions.

Kindly acknowledge receipt of this letter.

Yours very truly,

ARNOLD FOSTER LLP



Herbert T. Arnold
HTA:ac
cc: David McCann