THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 080-2020

BEING A BY-LAW OF THE TOWN OF MILTON TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTIONS 17 AND 21 OF THE *PLANNING ACT*, AS AMENDED, TO ADOPT AMENDMENT NO. 60 TO THE APPROVED OFFICIAL PLAN (TOWN FILE: LOPA-02/20)

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. **THAT** Amendment No. 60 to the Official Plan of the Corporation of the Town of Milton, attached hereto, is hereby adopted.
- 2. **THAT** 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or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Land Use Planning Appeals Tribunal.
- 3. **THAT** 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 60 to the Official Plan of the Town of Milton.

PASSED IN OPEN COUNCIL ON OCTOBER 19, 2020.

	Mayor
Gordon A. Krantz	•
	Deputy Clerk
Meaghen Reid	

AMENDMENT NUMBER 60 TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

Subject: Mature Neighbourhood Areas

The following text and schedules constitute

Amendment No. 60 to the Official Plan

Of the Town of Milton

OCTOBER 2020

AMENDMENT NUMBER 60 TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

PART I- THE PREAMBLE, does not constitute part of this

Amendment

PART II- THE AMENDMENT, consisting of the following text

constitutes Amendment No. 60 to the Official Plan of

the Town of Milton

PART I: THE PREAMBLE

THE TITLE

This amendment, being an amendment to the Official Plan to the Town of Milton shall be known as:

Amendment No. 60 to the Official Plan of the Town of Milton

PURPOSE OF THIS AMENDMENT

The purpose of the amendment is to incorporate revisions to various sections of the Town's Official Plan, related to Mature Neighbourhood Areas, Designation of Character Areas, and Character Area Plans, which are necessary to:

- Ensure the Town's planning policy framework with respect to Mature Neighbourhood Areas and Character Areas;
- Implement the recommendations from Phase 1 of the Mature Neighbourhoods Character Study conducted by Town Planning staff; and
- Support the approval of the Town's proposed amendments to the Comprehensive Zoning By-law 016-2014, as amended.

LOCATION OF THE AMENDMENT

The policies apply at a Town-wide and area-specific scale, as detailed in the specific policies.

The lands affected by this amendment generally include all lands within the Town of Milton, as the proposed amendment contains policies and definitions that apply to lands that may be subject to designation as Character Areas. However, policies and definitions in this amendment that are specific to Mature Neighbourhood Areas apply to certain areas within the Urban Area that are designated Residential Area or CBD Low Density Residential Sub Area.

EFFECT OF THE AMENDMENT

The effect of the amendment will be to modify various sections of the Official Plan to reflect the findings of the background research and analysis and implement the policy recommendations of Phase 1 of the Mature Neighbourhoods Character Study conducted by Town Planning staff.

This amendment has the effect of providing policy direction with respect to:

- 1. Strengthening policies to achieve the Official Plan objectives of mature neighbourhood areas:
- 2. Strengthening the policy framework for Character Areas and Character Area Plans:
- Expanding the Downtown Character Area boundary;

- 4. The integration of existing and new residential development within mature neighbourhood areas; and
- 5. The requirement of a scoped Site Plan Control process for residential development within areas designated as Character Areas.

Part II: THE AMENDMENT

Map Change:

- 1) Schedule "C Central Business District Land Use Plan" is hereby amended by replacing the text "Character Area" with the text "Downtown Character Area" in the legend, and amending the boundary of the Downtown Character Area, as shown on Schedule '1', attached hereto.
- 1) Schedule "C.7.C.CBD Central Business District Special Heritage Areas" is deleted.
- Schedule "D Urban Area Planning Districts, Character Area and Community Improvement Area" is hereby amended by expanding the Downtown Character Area Boundary to include the properties fronting onto Martin Street located between the current northern boundary of the Character Area and the properties municipally known as 383 Martin Street and 388 Martin Street inclusive, and the properties fronting onto the western side of Court Street North between the properties municipally known as 19 Court Street North and 51 Court Street North inclusive; as shown on Schedule '2', attached hereto.
- Schedule "D Urban Area Planning Districts, Character Area and Community Improvement Area" is hereby amended by replacing the text "Urban Expansion Area Boundary" with the text "HUSP Urban Area Boundary" in the legend; adding the Urban Area to the schedule; and adding the text and symbol for "Urban Area" to the legend, as shown on Schedule '2', attached hereto.
- 4) Schedule "D2 Urban Districts and Neighbourhoods" is hereby amended by adding the Character Areas and the SHP Urban Area to the Schedule, adding the text and symbol for "Character Areas" to the legend, and replacing the text "Existing Urban Area" with the text "SHP Urban Area" in the legend, as shown on Schedule '3', attached hereto.
- 2) New Schedule "F Downtown Character Area and Right-of-way Widening Requirements" is added, as shown on Schedule '4', attached hereto.

Text Change:

The various sections of the Town of Milton Official Plan, as referenced below, are amended as follows:

3) Subsection 1.1.1 is amended by adding the phase "D" and deleting the phrase "C.7.C.CBD" from the list of Official Plan Components.

- 4) Subsection 1.1.3 is amended by deleting "Schedule C.7.C.CBD: Central Business District Special Heritage Area" from the list of Official Plan Schedules and adding "Schedule F: Right-of-way Widening Requirements in the Downtown Character Area" to the list.
- Subsection 2.1.3.2 "Urban Area" is amended by replacing the text "The Central Business District is surrounded by both established and developing residential areas. The established residential neighbourhoods, located around the Central Business District, are planned to remain relatively stable, and suburban in character, over the life of this Plan. Only modest redevelopment is planned to occur, largely taking the form of modest infill projects. Residential greenfield development will continue to occur however will be characterized by higher, urban densities within the HUSP and Sustainable Halton urban expansion areas in accordance with approved secondary plans" with the following text:

"Milton's residential neighbourhood areas make up a significant proportion of the Urban Area. These areas comprise *Mature Neighbourhoods Areas*, developing *residential areas*, and planned *residential areas* that are intended to accommodate a wide range of residential uses and forms.

The Mature Neighbourhood Areas, located around the Central Business District, will remain relatively stable, and able to adapt to changing social, economic and physical considerations, over the life of this Plan. In these areas, infill and development that is compatible with and respectful of the existing neighbourhood character is expected to occur.

Planned residential *development* in *greenfield areas* will continue to occur however will be characterized by higher, urban densities within the Halton Urban Structure Plan (HUSP) and Sustainable Halton Plan (SHP) urban areas in accordance with approved secondary plans."

- 6) Subsection 2.3.3.9 is amended by replacing the cross reference to subsections 2.6.3.34 through 2.6.3.36 with a cross reference to subsections 2.6.3.37 through 2.6.3.39.
- 7) Subsection 2.3.3.10 is amended by replacing the cross reference to subsections 2.6.3.34 through 2.6.3.36 with a cross reference to subsections 2.6.3.37 through 2.6.3.39.
- 8) Table 2A Right-of-way Widths of Specific Transportation Facilities is amended by:
 - a) adding Mill Street between Bronte Street and Martin Street, to the list of Urban Town Roads with a 20 metre right-of-way requirement and classifying it as collector;

- b) adding Millside Drive between Martin Street and Main Street E., to the list of Urban Town Roads with a 20 metre right-of-way requirement and classifying it as collector;
- adding Mary Street between Hugh Street and Charles Street, to the list of Urban Town Roads with a 20 metre rightof-way requirement and classifying it as collector; and
- d) replacing the 23 metre right-of-way requirement for Pine Street with a 20 metre right-of-way requirement.
- 9) Subsection 2.6.3.8 is amended by replacing the word "will" with the word "may" and deleting the phrase "and protect for future Regional requirements" from the body of the policy.
- 10) Subsection 2.6.3.9 is deleted in its entirety and replaced with the following:
 - 2.6.3.9 The *Town* shall require the conveyance of lands at intersections to provide for exclusive turning lanes, daylighting and other special treatments including the construction of roundabouts, bridges, overpasses and depressed sections of roads. Such additional right-of-way requirements shall be determined at the time of the design of the road facilities and will become part of the total required right-of-way. Such requirements shall be based on the following:
 - a) 5 metre radius: Laneway to Local Road;
 - b) 5 metre radius: Local Road to Local Road:
 - c) 7.5 metre triangle: Local Road to Collector Road;
 - d) 15 metre triangle: Local Road to Arterial Road;
 - e) 10 metre triangle: Collector Road to Collector Road;
 - f) 15 metre triangle: Collector Road to Arterial Road; and
 - g) 15 metre triangle: Arterial Road to Arterial Road.
- 11) Figure D Right-of-way Requirements for Future Railway grade Separators is deleted.
- 12) Section 2.6.3 is amended by adding the following new policies for Roads as follows, and renumbering the subsequent subsections accordingly:
 - 2.6.3.10 Public right-of-way allowance widths and daylighting requirements may be increased to accommodate additional requirements associated with a planned public works project, such as a Municipal Class Environmental Assessment or Detailed Design. This may include, but not limited to, noise walls, additional turning lanes at intersections, landscaped medians, elements required to address pedestrian comfort, safety or accessibility, separated bicycle paths, wider roadway cuts or embankments.

- 2.6.3.11 Where appropriate and public safety is not affected, a required public right-of-way allowance width and/or daylighting requirements may be reduced on a site specific basis by the *Town* in order to address one or more of the following site-specific circumstances:
 - a) A public need arising from the design and alignment of a planned public works project;
 - b) Accommodation of existing or planned streetscape elements;
 - c) Accommodation of existing built form and buildings;
 - d) The presence of the Natural Heritage System or other sensitive environmental features; and/or
 - e) The presence of a cultural heritage resource.
- 2.6.3.12 Notwithstanding the policies of Subsections 2.6.3.9, as a condition of Site Plan Approval, the following policies shall apply on lands designated Residential Area or CBD Low Density Residential Sub-Area within *Character Areas*:
 - The Town will not require the conveyance of any identified future public right-of-way widening and associated additional daylighting;
 - b) No building or structure shall be permitted in the identified future right-of-way widening and any required setbacks shall be measured from the edge of the deemed width of the allowance identified by the *Town*;
 - No building, structure or obstructive vegetation shall be permitted in the identified daylighting and any required setbacks shall be measured from the edge of the daylighting identified by the *Town*;
 - d) A Site Plan Agreement shall be registered on title as a condition of Site Plan Approval showing the area of the identified future right-of-way widening and associated additional daylighting, and prohibiting any building or structure within the area to be widened; and
 - e) Should the identified future right-of-way widening and/or associated additional daylighting be required, the *Town* will purchase the land from the property owner.
- 13) Subsection 2.6.3.35 is renumbered as subsection 2.6.3.38 and amended by replacing the cross reference to subsection 2.6.3.34 with a cross reference to subsection 2.6.3.37.

- 14) Subsection 2.6.3.50 is renumbered as subsection 2.6.3.53 and amended by replacing the cross reference to subsection 2.6.3.49 with cross reference to subsection 2.6.3.52 in the body of the policy and clauses a) and b), and replacing the cross reference to subsections 2.6.3.45 and 2.6.3.48 with a cross reference to subsections 2.6.3.48 and 2.6.3.51 in clause c).
- 15) Subsection 2.6.3.51 is renumbered as subsection 2.6.3.54 and amended by replacing the cross reference to subsection 2.6.3.50 with a cross reference to subsection 2.6.3.53.
- 16) Subsection 2.8.2.13 is amended by deleting the phrase ", based on an analysis of their identifiable architectural characteristics".
- 17) Subsection 2.8.3.8 is amended by deleting the word "existing" and replacing the word "neighbourhood" with the phrase "*Mature Neighbourhood Area*".
- 18) Section 2.8.3.10 is amended by replacing the word "buildings" with the phrase "buildings, additions and alterations to existing buildings" and "replacing the phrase "street relationship" with the phrase "existing *character* of the neighbourhood or district".
- 19) Section 2.10.2 is amended by adding a new objective for Cultural Heritage Resources as follows, and renumbering the subsequent subsections accordingly:
 - 2.10.2.5 To recognize areas of the *Town* as *Character Areas*, whose unique, identifiable *character* contributes to a sense of place and local identity where *compatible* development, respectful of the *character* of the area, is anticipated.
- 20) Section 2.10 is amended by replacing the title heading "CHARACTER AREA PLANS" with the title heading "DESIGNATION OF CHARACTER AREAS".
- 21) Subsections 2.10.3.35 to 2.10.3.40 inclusive are deleted in its entirety and replaced with new subsections 2.10.3.35 to 2.10.3.42 as follows:
 - 2.10.3.35 The *Town* may designate as *Character Areas mature* neighbourhood areas, core areas of villages, cultural landscapes or other areas in both the urban and rural areas, where designation under the *Ontario Heritage Act* may or may not be appropriate.
 - 2.10.3.36 The *Town* shall require that *Character Area* Plans be developed for *Character Areas* as identified on Schedule D, in accordance with the policies of subsections 5.4.3.11 and 5.4.3.12 of this Plan.
 - 2.10.3.37 In the absence of a *Character Area* Plan, the *Town* shall ensure to the degree possible that:

- a) all new *development* is *compatible* with and sympathetic to existing building forms including heights, setbacks, scale, architectural features, and complies with the policies of Section 2.8 of this Plan; and
- b) disruption to the natural environment, topography or vegetation will be minimized.
- 2.10.3.38 The *Town* may require agreements as conditions of approval to secure the *Character Area* features deemed appropriate, in accordance with the policies of subsections 5.4.3.11 and 5.4.3.12, of this Plan.
- 2.10.3.39 Proposed development in the form of new housing, replacement housing, additions and alterations within *Character Areas* shall be subject to the policies of subsections 3.2.1.8 to 3.2.1.12 inclusive, where applicable, and subsection 5.6.3 of this Plan.
- 2.10.3.40 The *Town* will encourage landowners to protect, maintain and enhance existing *development* in areas designated *Character Areas* and, where appropriate and feasible, to apply for designation of their properties under the *Ontario Heritage Act*.
- 2.10.3.41 The *Town* may prepare design guidelines for specific *Character Areas* to help private and public landowners construct new buildings, additions and renovations to existing buildings that enhance and contribute to the overall *Character* of the area.
- 2.10.3.42 The *Town* will promote and reinforce community recognition of the sense of place in *Character Areas* by incorporating enhanced street signage and lighting features, where feasible.
- 22) Section 3.2.1.3 is amended by replacing the phrase "to maintain and protect" with the phrase "that is compatible with and respectful of the existing" and replacing the phrase "established neighbourhoods" with the phrase "the residential neighbourhood areas".
- Section 3.2 Residential Area is amended by adding the following title heading and new subsections 3.2.1.8 to 3.2.1.12, as follows:

MATURE NEIGHBOURHOOD AREAS

3.2.1.8 Proposed *development* in the form of new housing, replacement housing, and additions and alterations within *Mature Neighbourhood Areas* may be permitted provided they are *compatible* and respectful of the *character* of the neighbourhood by incorporating scale, massing, building height, and other characteristics that are prevalent in the *Mature Neighbourhood Area*.

- 3.2.1.9 Proposed *development* should be generally consistent with the setbacks, orientation and building separation distances within the *Mature Neighbourhood Area.* Landscaping and fencing is encouraged to maintain established aesthetics and privacy.
- 3.2.1.10 *Mature Neighbourhood Areas* shall be identified in the Town's Zoning By-law. The implementing Zoning By-law shall further detail appropriate standards for new *development* within *Mature Neighbourhood Areas*, including lot coverage, lot frontage, and building height and setbacks, among other standards.
- 3.2.1.11 The Town may add or delete *Mature Neighbourhood Areas* or alter the boundaries of existing *Mature Neighbourhood Areas* through further amendments to the Zoning By-law, without the need for an amendment to this Plan.
- 3.2.1.12 Proposed *development* within *Mature Neighbourhood Areas* shall also be subject to the policies of Subsection 5.8.3.
- 24) Subsection 3.5.3.8 is amended by replacing the phrase "established residential neighbourhoods" with the phrase "land uses, especially *Mature Neighbourhood Areas*".
- Subsection 3.5.3.21 is amended by replacing the phrase "conform to the Character Area policies in subsections 2.10.3.35 to 2.10.3.40 inclusive (Character Area Plans) and subsections 5.4.3.11 and 5.4.3.12 (Character Areas) and the residential policies of this Plan" with the phrase "be subject to the policies of subsections 2.10.3.35 to 2.10.3.41 inclusive, subsections 5.4.3.11 and 5.4.3.12, and Section 3.2 of this Plan".
- Subsections 3.5.3.49 is amended by deleting subsections 3.5.3.49 a) and 3.5.3.49 b), and renumbering the subsequent subsections accordingly.
- 27) Subsection 3.5.3.49 f) is deleted in its entirety and replaced with the following:
 - f) the Town will implement an enhanced street signage program to promote and reinforce community recognition of the sense of place in the Central Business District.
- Subsection 3.9.2.1 is amended by replacing the cross reference to subsections 2.6.3.43 through 2.6.3.50 with a cross reference to subsections 2.6.3.46 through 2.6.3.53.
- Subsection 4.1.1.4 is amended by replacing the cross reference to subsection 5.7.3.11 with a cross reference to subsection 5.7.3.12.
- 30) Section 5.4 is amended by replacing the title heading "CHARACTER AREAS" with the title heading "CHARACTER AREA PLANS".

- 31) Subsection 5.4.3.11 is amended by deleting the word "physical" from the body of the policy.
- 32) Subsection 5.4.3.12 is amended by adding a new subsection 5.4.3.12 a) as follows, and renumbering the subsequent subsections accordingly:
 - a) delineate the boundary of a proposed *Character Area*.
- 33) Subsection 5.4.3.12 a) is renumbered as subsection 5.4.3.12 b) and amended by replacing the phrase "characteristics such as" with "including, but not limited to" and replacing the phase "land marks" with "landmarks.
- 34) Subsection 5.4.3.12 d) is renumbered as subsection 5.4.3.12 e) and amended by replacing the word "characteristics" with the word "character".
- 35) Subsection 5.6.3.2 is amended by replacing the phrase "sight triangles" with the phrase "daylighting".
- 36) Section 5.6.3 is amended by adding a new subsection 5.6.3.4 as follows:
 - A scoped Site Plan control process, as specified in the Site Plan Control By-law, may apply to new or replacement single-detached, semi-detached or duplex dwellings and building additions to single-detached, semi-detached or duplex dwellings within areas designated *Character Areas* to the extent that the review and approval will apply only to:
 - a) Building massing, scale, siting, height, coverage, setback and architecture features;
 - b) Right-of-way requirements, as identified on Schedule F, and daylighting, in accordance to policies of Section 2.6.3 of this Plan: and
 - c) Stormwater management.
- 37) Section 5.7 is amended by adding a new subsection as follows, and renumbering the subsequent subsections accordingly:

LOT CREATION IN MATURE NEIGHBOURHOOD AREAS

- 5.7.3.9 Applications for consent within *Mature Neighbourhood Areas* shall achieve consistency with the *character* of the *Mature Neighbourhood Area*.
- 38) Subsection 5.7.3.14 is renumbered as subsection 5.7.3.15 and amended by replacing the cross reference to subsection 5.7.3.9 with a cross reference to subsection 5.7.3.10.

- 39) Section 5.8.3 is amended by adding a new subsection 5.8.3.2 as follows, and renumbering the subsequent subsections accordingly:
 - 5.8.3.2 Minor variance applications for *development* within *Mature Neighbourhood Areas* shall be evaluated based on the following additional criteria:
 - that the scale, massing, building height, built form features and coverage are compatible with and respectful of the existing character of the Mature Neighbourhood Area; and
 - b) that the impacts on adjacent properties are minimized.
- 40) Subsection 5.8.3.6 is renumbered as subsection 5.8.3.7 and amended by replacing the cross reference to subsection 5.8.3.4 with a cross reference to subsection 5.8.3.5.
- 41) Subsection 5.10.2.1 is amended by deleting Schedule C.7.C.CBD from the schedules listed in the body of the policy.
- The existing definition of "Character" in section 5.10.6 is amended by replacing the phrase "the physical and natural attributes of an area" with the phrase "built and natural attributes of an area such as: scale and massing, vegetation, topography, lotting pattern, colour, texture, material and the relation between buildings, spaces, and landforms".
- 43) Section 5.10.6 is amended by adding "Character Area" as a defined term as follows:
 - **CHARACTER AREA** means an existing developed or planned area within the Town, which has distinct land use functions and a unique, identifiable *character* that is different from surrounding areas.
- 44) Section 5.10.6 is amended by adding "Mature Neighbourhood Area" as a defined term as follows:
 - **MATURE NEIGHBOURHOOD AREA** means an older residential area within the Residential Area designation, as identified in the implementing Zoning-Bylaw, characterized by predominantly single-detached dwellings generally on large lots, and other built and natural qualities that collectively provide a distinct and recognizable *character*.
- 45) Subsection C.6.5.11.1 is amended by replacing the cross reference to subsection 2.10.3.36 with a cross reference to subsection 2.10.3.35 and replacing the cross reference to subsection 2.10.3.38 a cross reference to subsection 2.10.3.37.
- 46) Subsection C.6.5.11.2 is amended by replacing the cross reference to subsection 2.10.3.36 with a cross reference to subsection 2.10.3.35 and

- replacing the cross reference to subsection 2.10.3.38 with a cross reference to subsection 2.10.3.37.
- 47) Subsection C.8.4.1.2 is amended by replacing the cross reference to subsections 2.6.3.19 and 2.6.3.20 with a cross reference to subsections 2.6.3.22 and 2.6.3.23.
- 48) Subsection C.8.5.14.1 is amended by replacing the cross reference to subsection 2.10.3.36 with a cross reference to subsection 2.10.3.35 and replacing the cross reference to subsection 2.10.3.38 with a cross reference to subsection 2.10.3.37.
- 49) Subsection C.8.5.14.2 is amended by replacing the cross reference to subsection 2.10.3.36 with a cross reference to subsection 2.10.3.35 and replacing the cross reference to subsection 2.10.3.38 with a cross reference to subsection 2.10.3.37.
- Section C7 is amended by deleting the phrase "C.7.C.CBD Central Business District Special Heritage Areas" from the body of the policy.







