



The Corporation of the Town of Milton

Report To: Council

From: Barbara Koopmans, Commissioner, Development Services

Date: October 19, 2020

Report No: DS-041-20

Subject: Public Meeting and Initial Report: Proposed Draft Plan of Subdivision and Zoning By-law Amendment by Milton Thompson Road Development Group for lands known municipally as 981 and 995 Thompson Road and 0 Kennedy Circle (Town Files: 24T-20003 and Z-05/20)

Recommendation: THAT Report DS-041-20 be received for information.

EXECUTIVE SUMMARY

The purpose of the application is to amend the Zoning By-law from the current site-specific Residential Low Density (RLD*144), Residential Medium Density 1 (RMD1), Future Development (FD) and Natural Heritage (NHS) Zones to a site-specific Residential High Density Zone (RHD*XXX) and a Natural Heritage Zone (NHS) to permit a six-storey apartment building. The proposed plan of subdivision, if approved, would create blocks for the proposed residential development, the natural heritage system, road widening and a daylight triangle.

The application is complete pursuant to the requirements of the Planning Act and is being processed accordingly. Upon completion of the consultation and review process, a Technical Report, including recommendations, will be prepared and brought forward for consideration by Council. The Technical Report will address any issues raised through the consultation and review process, including comments received at the Public Meeting.

REPORT

Background

Owner:

Milton Thompson Road Development Group Inc. and 2536546 Ontario Inc., 1100 Burloak Drive, Suite 300, Burlington, ON L7L 6B2

Applicant:

Mr. Oz Kemal, MHBC Planning, 442 Brant Street, Suite 204, Burlington, ON L7R 2G4

Location:

The subject lands consist of three individual properties, municipally known as 981 and 995 Thompson Road and 0 Kennedy Circle, on the east side of Thompson Road, north of Louis St. Laurent Avenue (see Figure 1 - Location Map).

Site Description:

The subject lands are approximately 1.3 hectares in size with approximately 98 metres of frontage on Thompson Road and approximately 113 metres of frontage on Kennedy Circle. Two existing residential dwellings are located at 981 and 995 Thompson Road and 0 Kennedy Circle is vacant.

A small watercourse traverses the rear of 995 Thompson Road. Associated with the creek are natural features, consisting of a wetland and woodland. These extend onto both 981 and 995 Thompson Road. A hedgerow with mature Bur Oak is located within the subject lands along the boundary between 995 Thompson Road and 0 Kennedy Circle. In addition, a number of trees are located within and along the perimeter of the site.

To the north of the subject lands is an existing residential property with a detached dwelling. To the east are lands with natural features owned by the Town of Milton. Along Kennedy Circle are four residential properties, one of which abuts the lands. South of Kennedy Circle is an existing residential property and an existing commercial plaza.

Proposal:

The application seeks to rezone the subject lands site-specific Residential High Density (RHD*XXX) and Natural Heritage System (NHS) to permit a residential plan of subdivision, which creates a block for the development of a six-storey apartment building, as proposed. A Draft Zoning By-law is attached to this report as Appendix 1.

Figure 2 shows the concept plan for the proposed plan of subdivision. The proposed draft plan of subdivision includes one block for the proposed apartment building, a natural heritage block, which includes the wetland, the woodland and the associated buffers for these features, and a road widening block and a daylighting block along Thompson Road.

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

- Draft Plan of Subdivision prepared by MHBC Planning, dated February 13, 2020
- Planning Justification Report prepared by MHBC Planning, dated February 2020
- Draft Zoning By-law prepared by MHBC Planning, January 30, 2020
- Stage 1 and 2 Archaeological Assessment of 0 Kennedy Circle and 981-995 Thompson Road South, prepared by ASI Archaeological and Cultural Heritage Services, dated 10 December 2019

- Phase One Environmental Site Assessment 981, 995 Thompson Road South and 0 Kennedy Circle, prepared by DS Consultants Ltd., dated November 5, 2019
- Phase Two Environmental Site Assessment, 981, 995 Thompson Road South and 0 Kennedy Circle, prepared by DS Consultants Ltd., dated December 13, 2020
- Scoped Environmental Impact Study 981 & 995 Thompson Road South and 0 Kennedy Circle, prepared by Stantec, dated February 18, 2020
- Tree Inventory and Preservation Plan, prepared by Terrastory Environmental Consulting Inc., dated January 2020
- Geotechnical Investigation Proposed Residential Building 981 and 995 Thompson Road South, prepared by DS Consultants Ltd., dated November 15, 2019
- Hydrogeological Investigation 981 and 995 Thompson Road, prepared by DS Consultants Ltd., dated November 20, 2019
- Functional Servicing and Stormwater Management Report 995 Thompson Road, prepared by C.F. Crozier & Associates Inc., dated February 2020
- Transportation and Parking Study for Milton Residential Development 981 and 995 Thompson Road South, prepared by Salvini Consulting, dated January 2020
- Noise Feasibility Proposed Residential Development 981 & 995 Thompson Road South, prepared by HGC Engineering, dated February 12, 2020
- Shadow Impact Analysis Proposed Development 981-995 Thompson Rd. S., prepared by KNYMH, dated March 4, 2020
- Urban Design Brief, 981-995 Thompson Road, prepared by MHBC Planning, dated March 2020
- Floor plans, Elevations and 3 D View, prepared by KNYMH, dated February 21, 2020
- Survey and topographic survey

Planning Policy

The subject lands are within the Urban Area in the Bristol Survey Planning District.

Official Plan Amendment No. 31 (OPA #31) is an amendment to the Town's Official Plan, which was adopted by the Town of Milton on June 14, 2010 and approved by Halton Region with modifications on November 22, 2018. While some appeals are still outstanding, the appeals do not affect the policies for the Urban Area.

On Schedule B of OPA #31, the lands are designated Residential Area and Natural Heritage System Area. The Official Plan, as amended by OPA #31, permits a full range of residential uses and densities in the Residential Area designation on Schedule B. As identified in policy 3.2.2 d), high density residential uses are permitted within a density range of 86 to 150 dwelling units per net hectare in the Residential Area. The Natural Heritage System Area is based on a systems approach to protecting and enhancing



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

On Schedule C.6.D Land Use Plan of the Bristol Survey Secondary Plan, the lands are designated Residential Area and Greenlands B Area. The Secondary Plan specifies that the permitted uses in the Residential Area designation shall be in accordance with the policies of Section 3.2.2 of the Official Plan. In accordance with OPA #31, the Residential High Density use is therefore permitted.

A full review of the applicable planning policies will be undertaken as part of the review of the application; however, it is our opinion that an Official Plan Amendment is not required.

Zoning By-law 016-2014, as amended

The subject lands are currently zoned site-specific Residential Low Density (RLD*144), Residential Medium Density 1 (RMD1), Future Development (FD) and Natural Heritage System (NHS) Zones, which do not permit the development, as proposed. Approval of the Zoning By-law Amendment is required to permit the plan of subdivision and the proposed six-storey apartment building.

Site Plan Control

Should the application be approved, a site plan application and site plan approval will be required prior to the development of the proposed six-storey apartment building.

Discussion

Notice of a complete application was provided on April 8, 2020. A virtual public information session was held by the applicant on September 15, 2020. Several members of the public participated and asked questions about traffic, the building form and tenure, on-site amenities, construction related matters and timing of the development.

Notice for the public meeting has been provided pursuant to the requirements of the Planning Act on September 24, 2020. The application was circulated to the internal departments and external agencies on April 1, 2020. Technical comments were issued to the applicant on June 17, 2020. A resubmission is required to address the comments.

Staff have identified the following issues to be reviewed:

- Natural Heritage System and its boundaries
- Urban design
- Setbacks and other site-specific zone provisions
- Traffic and parking



The Corporation of the Town of Milton

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A technical report will be brought forward to Council at a later date, responding to issues raised both at the Public Meeting and through the circulation and planning review process.

Financial Impact

None arising from this Report.

Respectfully submitted,

Barbara Koopmans, MPA, MCIP, RPP, CMO
Commissioner, Development Services

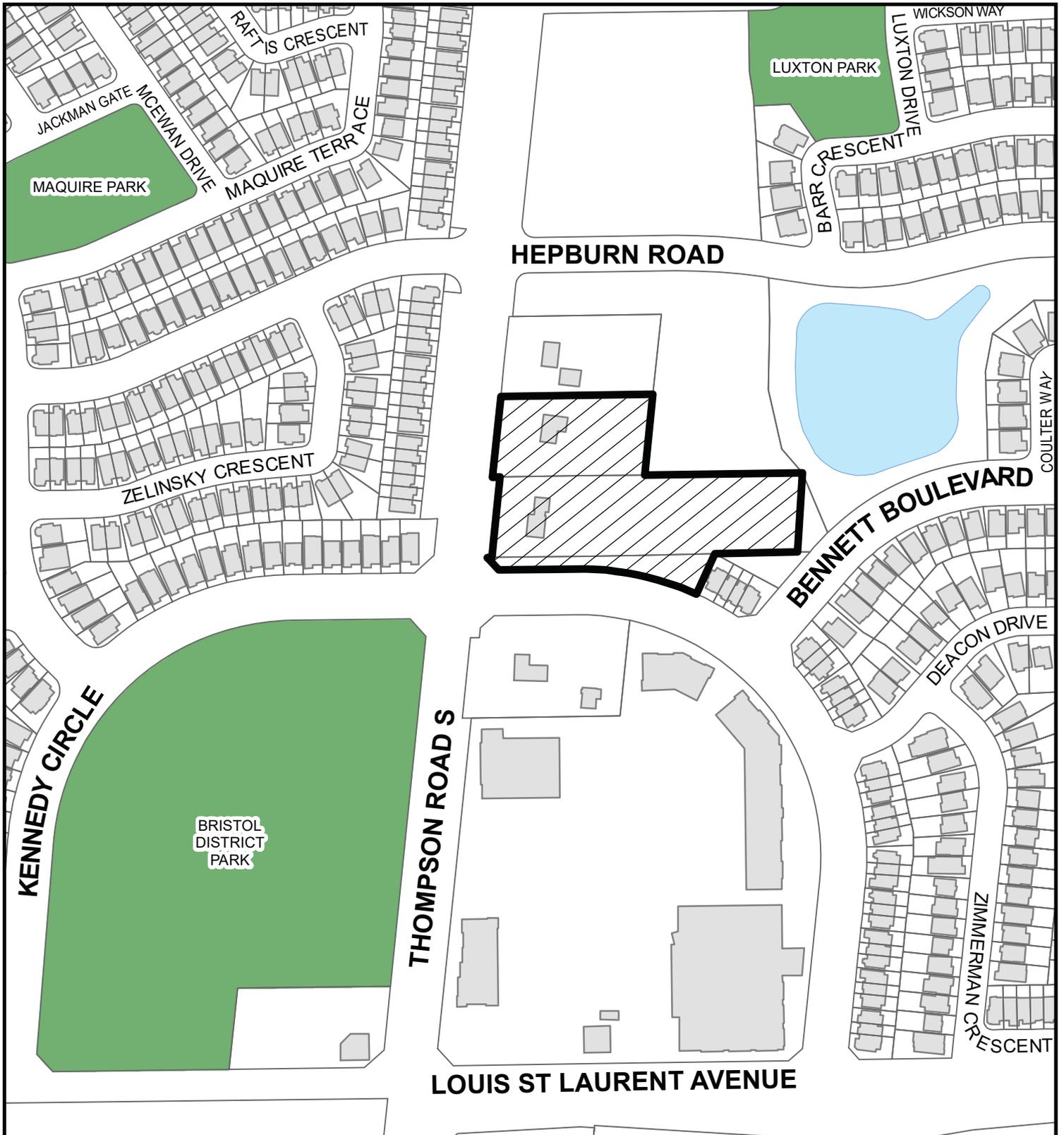
For questions, please contact: Mollie Kuchma, MSc, MPA, MCIP, RPP Ext. 2312
Planner, Development Review

Attachments

Figure 1 – Location Map
Figure 2 – Concept Plan for the Subdivision
Figure 3 – Site Concept for Development Proposal
Figure 4 – View from Thompson Road and Kennedy Circle
Appendix 1 – Draft Zoning By-law

CAO Approval
Andrew M. Siltala
Chief Administrative Officer

FIGURE 1 LOCATION MAP



Council Meeting Date: October 19, 2020	Scale: 1: 3,000	Files: Z-05/20 24T-20003/M	Development Services Department
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Subject Property

Copyright 2020: Town of Milton, Teranet Inc.

DRAFT PLAN OF SUBDIVISION

Legal Description
Part of Lot 9
Concession 4, New Survey
Geographic Township of Trafalgar
Block 228 Registered Plan 20M-804
Town of Milton
Regional Municipality of Halton

Owner's Certificate
I HEREBY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED TO SUBMIT THIS PLAN FOR APPROVAL.

DATE: February 14, 2020
Milton Thompon Road Development G.P. Inc.
c/o Allison Williams

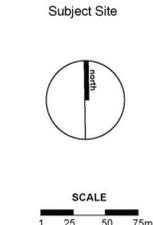
Surveyor's Certificate
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE: Feb 14 / 20
Brian Campbell, O.L.S.

Key Plan



Subject Site



2.	February 13, 2020	For Draft Plan Approval	EL
1.	February 04, 2020	For Draft Plan Approval	EL



Additional Information Required Under Section 51(17) of the Planning Act R.S.O. 1990, c.P.13 as Amended

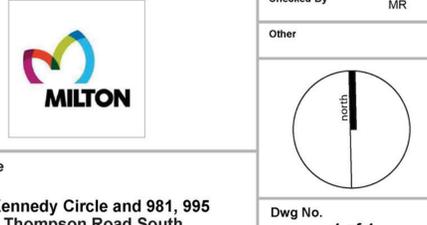
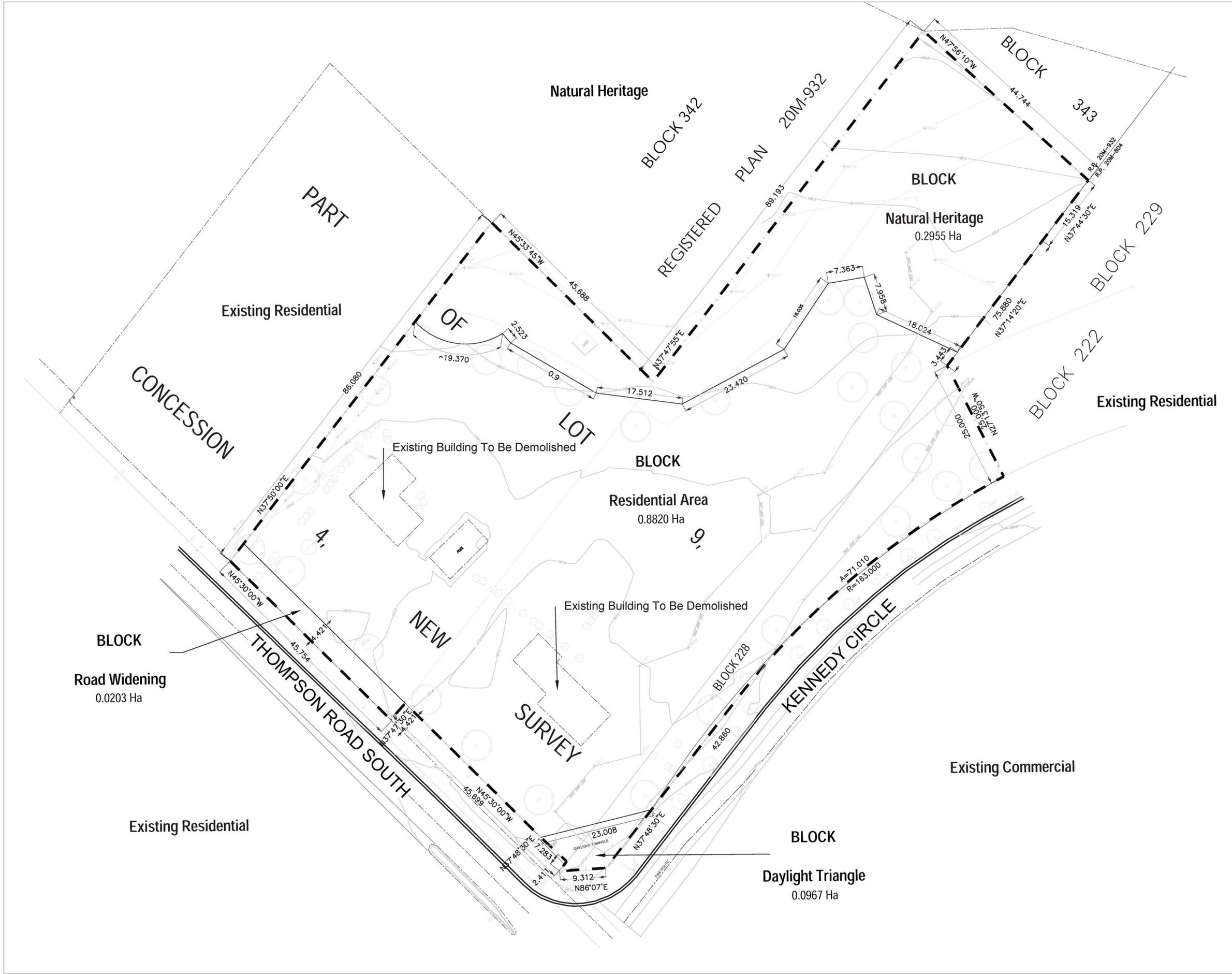
A. As Shown	B. As Shown	C. As Shown
D. As Shown	F. As Shown	H. Municipal Water Supply
E. As Shown	G. As Shown	I. Clayey Silt/Silty Clay
J. As Shown	J. All Services As Required	L. As Shown

Land use Schedule

Description	Blocks	Area (Ha)
Natural Heritage	1	0.2955
Residential Area	2	0.8820
Road Widening	3	0.0203
Daylight Triangles	4	0.0967
Total	4	1.2945 HA

Notes
1. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE SHOWN.
2. SITE BOUNDARY AND TOPOGRAPHIC INFORMATION FROM SKETCH PLAN PREPARED BY STANTEC GEOMATICS LTD. DATED SEPTEMBER 05, 2019 AND TOPOGRAPHIC SKETCH PREPARED BY STANTEC GEOMATICS LTD. DATED SEPTEMBER 04, 2019.

Stamp	Date	February 13, 2020
	File No.	16180D
	Plan Scale	1:350 (24x36)
	Drawn By	EL
	Checked By	MR
	Other	
File Name	0 Kennedy Circle and 981, 995 Thompson Road South	
Dwg No.	1 of 1	

**THE CORPORATION OF THE TOWN OF MILTON
BY-LAW NO. XXX-2020**

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 24 OF THE PLANNING ACT, AS AMENDED, IN RESPECT TO THE LANDS DESCRIBED AS PART OF LOT 9, CONCESSION 4, NEW SURVEY, GEOGRAPHIC TOWNSHIP OF TRAFALGAR, AND MUNICIPALLY IDENTIFIED AS 981 AND 995 THOMPSON ROAD SOUTH AND 0 KENNEDY CIRCLE, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON – TOWN FILE: Z-XX/20

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend the Comprehensive Zoning By-law 016-2014, as amended;

AND WHEREAS the Town of Milton Official Plan, as amended by Official Plan Amendment No. 44, provides for the lands affected by this by-law to be zoned as set forth in this by-law;

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

- 1) **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD), Residential Low Density Exception 144 (RLD*144), Residential Medium Density 1 (RMD1), and Natural Heritage System (NHS) Zone symbols to a site-specific Residential High Density (RHD*xxx) Zone symbol on the Lands shown on Schedule A attached hereto.
- 2) **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection Section 13.1.1.xxx to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Residential High Density*xxx (RHD*xxx), the following standards and provisions shall apply:

A. Special Site Provisions

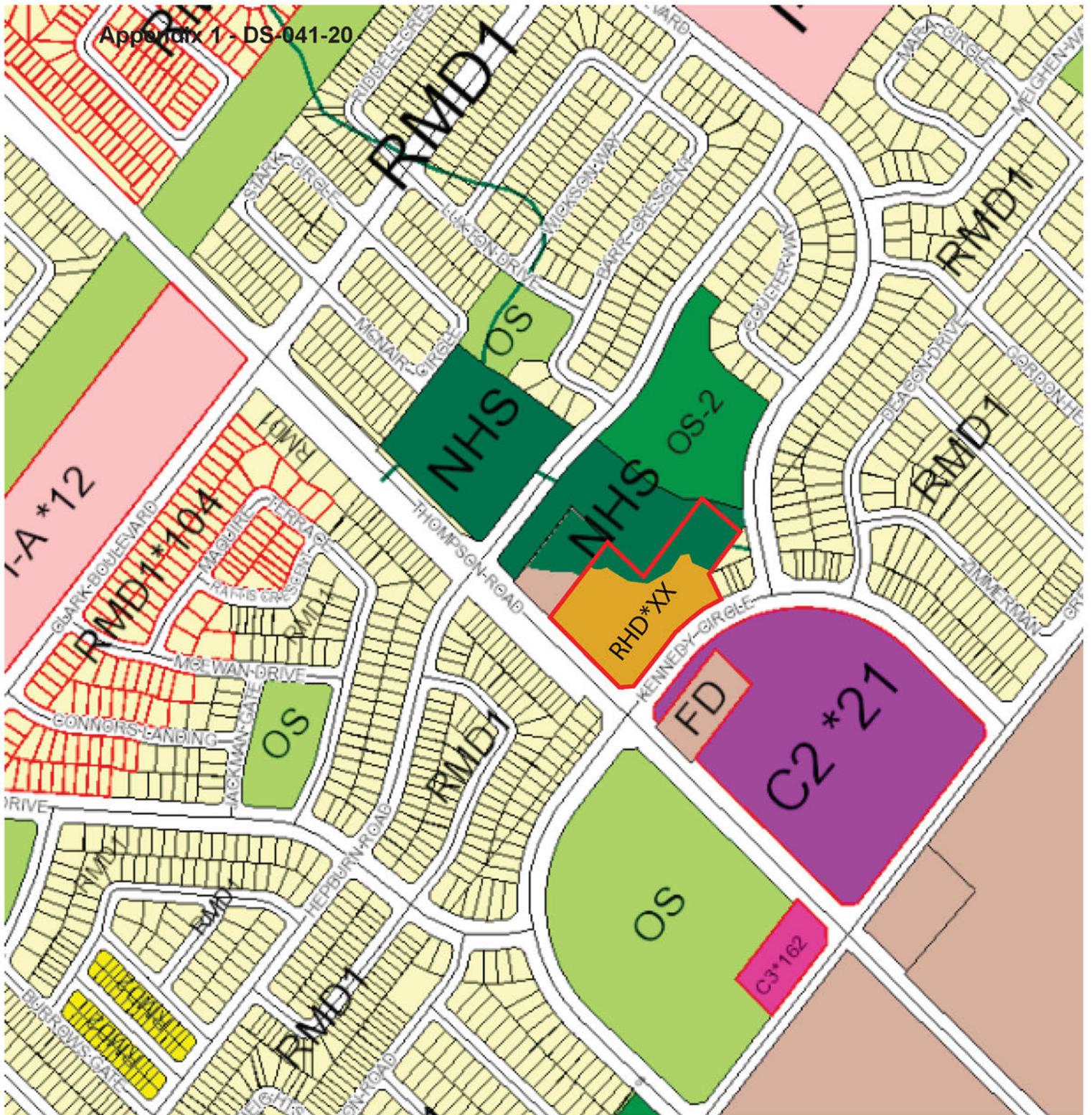
- 1) For the purposes of this by-law, the lands zoned Residential High Density*xxx (RHD*xxx) are to be considered one lot.
- 2) For the purposes of this by-law, Thompson Road South shall be deemed the front lot line.
- 3) For the lands zoned Residential High Density*xxx (RHD*xxx) the following additional special site provisions shall apply:

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- a) Notwithstanding Section 6.2, Table 6E, the minimum front yard setback shall be 4.5 m.
 - b) Notwithstanding Section 6.2, Table 6E, the minimum interior side yard setback shall be 8.6 m.
 - c) Notwithstanding Section 6.2, Table 6E, the minimum exterior side yard setback shall be 5.8 m.
 - d) Notwithstanding Section 5.12, Table 5L, the minimum parking area setback to all other lot lines shall be 1.14 m.
 - e) Notwithstanding Section 5.8.1, Table 5E, the minimum off-street parking requirement for apartment buildings shall be 1.22 spaces per unit, plus 0.25 spaces per unit for visitor parking.
- 3) **THAT** if no appeal is filed pursuant to Section 34 (19) of the Planning act, RSO 1990, c. P13, as amended, or if an appeal is filed and the Local Planning Appeal Tribunal dismisses the appeal, this By-law shall come into force upon the day which the Local Planning Appeal Tribunal amends the By-law pursuant to Section 34 (26) of the Planning Act, as amended, the part or parts so amended come into force upon the day of the Tribunal's Order is issued directing the amendment or amendments.
- 4) **THAT**, notwithstanding Section 45 (1)(3) and in accordance with Section 45(1)(4) of the Planning Act, a minor variance application will be permitted during the two (2) year period after the Zoning By-law Amendment ('ZBA') has been passed, provided that the variances are not related to building height, density or parking provisions.

Gordon A. Krantz Mayor

Troy McHarg Town Clerk



Data Source: Town of Milton Zoning By-law 016-2014

Schedule A

**Proposed Zoning
By-law Amendment**
Milton Zoning
By-Law 016-2014

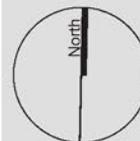
0 Kennedy Circle & 981, 995
Thompson Road South
Milton, Ontario

LEGEND

 Subject Lands

DATE: January 30, 2020

SCALE: NOT TO SCALE



MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
442 BRANT STREET, SUITE 204, BURLINGTON, ON L7R 2G4
P: 905-639-8686 F: 905-761-5589 | WWW.MHBCPLAN.COM