



The Corporation of the Town of Milton

Report To: Council

From: Barbara Koopmans, Commissioner, Development Services

Date: March 22, 2021

Report No: DS-018-21

Subject: Public Meeting and Initial Report - Proposed Plan of Vacant Land Condominium and Zoning By-law amendment by 2300152 Ontario Inc. for lands located at 225 and 269 Campbell Avenue East, Campbellville (Town Files: 24CDM-20005/M and Z-20/20)

Recommendation: THAT Development Services Report DS-018-21, BE RECEIVED FOR INFORMATION.

EXECUTIVE SUMMARY

The applicant has requested an amendment to Town of Milton Zoning By-law 144-2003, as amended; to change the zoning applicable to the subject lands from the existing Village Residential (RV) and Greenlands A (GA) Zones to a site-specific Village Residential (RV*XXX) Zone. The Greenlands A (GA) Zone boundary is also proposed to be refined as part of the proposal. This amendment is requested in order to delineate the confirmed natural heritage and natural hazard boundaries as well as the associated buffers, and to provide appropriate building envelopes for six (6) single detached dwellings on private services. The condominium is proposed as a vacant land condominium with six (6) 1-acre (0.4 hectare) units (lots) and a common element which includes a private roadway to access the units (lots), the required Ministry of Transportation setback, as well as natural heritage and natural hazard features.

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 brought forward for consideration by Council. The technical report will address issues raised through the consultation and review process.

REPORT

Background

Owner: 2300152 Ontario Inc. (Anderson), Campbellville, Ontario

Applicant: Jansen Consulting, 70 Main Street North, P.O. Box 38, Campbellville, Ontario

Background

Location/Description:

The subject lands, made up of two existing parcels, are approximately 5.66 hectares (14 acres) in size and are situated on the north side of Campbell Avenue East, south of Highway 401, within the Hamlet of Campbellville. The two properties have now been amalgamated into a single ownership and are legally described as Part of Lot 6, Concession 4, Former Geographic Township of Nassagaweya, Town of Milton, and municipally known as 225 and 269 Campbell Avenue East. The location of the property is illustrated in Figure 1 attached to this report.

The property is bounded by Highway 401 to the north, existing residential dwellings and Campbell Avenue East to the south, and residential dwellings to the east and west. Sovereign Fusion, an existing welding company, is also located adjacent to the eastern property line. A tributary of Sixteen Mile Creek crosses the site along the western edge of the property, and a large portion of the lands are regulated by Conservation Halton. The majority of the lands are generally flat, with the exception of the west and south edges of the property, where there are steep changes in grade associated with the existing valley land and tributary.

The subject lands currently contain the following buildings, structures and features:

- 225 Campbellville Avenue East contains a single detached dwelling, a barn, small accessory structures, and a gravel horse track. The property is currently accessed by a shared driveway easement with 209 and 215 Campbell Avenue.
- 269 Campbell Avenue contains a single detached dwelling, a barn and a shed. The existing house is located at the top of a hill with the driveway extending down to Campbell Avenue.

Proposal:

As illustrated in Figure 2, the owner is proposing through an application for a Plan of Vacant Land Condominium, the development of six (6) 1-acre (0.4 hectare) condominium units (lots) that are each intended to contain a single detached dwelling, septic system and private well. The proposed common element contains the following components:

- a private roadway, which will enter the property from the existing driveway location at 269 Campbell Avenue, to provide access to all units (lots) within the development;
- the required 14 metre MTO setback from Highway 401; and,
- the identified natural heritage and natural hazard features, for which the condominium corporation will retain ownership and be responsible for the stewardship of these lands.



Background

The proposed roadway will also contain curb and gutter to collect stormwater, which will be treated on site through an oil-/grit separator and then discharged into the Campbellville Pond.

An application has also been made to amend the Town of Milton Zoning By-law 144-2003, as amended, to change the zoning applicable to the subject lands from the existing Village Residential (RV) and Greenlands A (GA) Zones to a site-specific Village Residential (RV* __) Zone and a revised Greenlands A (GA) Zone. This amendment is requested in order to provide appropriate building envelopes for the future single detached dwellings on the proposed units (lots) to be created through the Plan of Vacant Land Condominium and to reflect the boundary of the natural features and natural hazards along with their associated buffers. Figure 3 -Site Plan of Proposed Development, attached to this report, illustrates the potential development envelopes for each of the proposed units (lots).

If these applications are approved, the existing dwellings, barn and all accessory structures at both 225 and 269 Campbell Avenue East will be demolished, and the easement and access to 225 Campbell Avenue East will be abandoned.

The following information has been submitted in support of the Official Plan Amendment and Zoning By-law Amendment applications, and are currently under review:

- Plan of Survey, prepared by J.D. Barnes Limited, dated October 8, 2015;
- Topographic Survey, prepared by A.T. McLaren Limited, dated June 27, 2012;
- Draft Plan of Vacant Land Condominium, prepared by J.D. Barnes Limited, dated October 6, 2020;
- Site Plan of Proposed Development, Drawing S1, prepared by Jansen Consulting, dated October 22, 2018;
- Public Engagement Strategy, prepared by Upper Canada Consultants, dated December 2020;
- Planning Justification Report, prepared by Upper Canada Consultants, dated November 2020;
- Draft Zoning By-law Amendment, prepared by Upper Canada Consultants, undated;
- Stage 1 and 2 Archeological Assessment, prepared by Archaeological Research Associates, dated September 28, 2016 and associated Ministry Letter;
- Environmental Features Plan, prepared by Azimuth Environmental Consulting Inc., dated May 2014;
- Top of Bank Sketch, prepared by J.D. Barnes Limited, dated March 28, 2018;

Background

- Environmental Impact Assessment - 225 and 269 Campbell Avenue East, prepared by Azimuth Environmental Consulting Inc., dated October 2020;
- Phase One Environmental Site Assessment, prepared by DS Consultants Ltd., dated September 2, 2020;
- Functional Servicing and Preliminary Stormwater Management Report prepared by Crozier Consulting Engineers, dated May 2020;
- Hydrogeological Assessment Review, prepared by Peto MacCallum Ltd, dated March 2019;
- Hydrogeological Investigation - 225 Campbell Avenue East, prepared by Peto MacCallum Ltd., dated June 2020;
- Preliminary Slope Stability Analysis - 225 and 269 Campbell Avenue East, prepared by DS Consultants Ltd., dated October 16, 2020;
- Natural Hazards Study, prepared by Crozier Consulting Engineers, dated May 2020;
- Arborist Report and Tree Preservation Plan, prepared by Azimuth Environmental Consulting Inc., dated June, 2020;
- Noise Feasibility Study, prepared by HGC Engineering, dated July 2, 2020;
- Traffic Brief, prepared by Crozier Consulting Engineers, dated May 2020 and revised October 2020;
- Septic System Investigation, prepared by Peto MacCallum Ltd., dated November 6, 2018;
- Draft Reference Plan - Road Widening, prepared by J.D. Barnes Limited, dated October 6, 2020; and,
- Garbage Truck Turnaround, prepared by Upper Canada Consultants, dated September 22, 2020.

Planning Policy

The subject lands are designated “Hamlet Area” on Schedule A-Land Use Plan of the Official Plan. Section 4.5 contains policy direction for development within Milton’s Hamlets, including the Hamlet of Campbellville. As set out in Section 4.5.2.1, the permitted uses within the Hamlet Area designation shall be low density residential uses and small scale industrial, commercial and institutional uses in accordance with specific policies. In addition, Section 4.5.3.1 states that all proposed development must be in conformity with the applicable secondary plan, other policies of the Official Plan, the Regional Plan, as well as any other applicable provincial plans.

Background

The subject lands are also designated as “Hamlet Residential Area” on Schedule C.3.A - Hamlet of Campbellville Land Use Plan. As outlined in Section 4.5.3.3 of the Official Plan, the permitted uses in the Hamlet Residential Area designation shall be single detached dwellings and existing semi-detached and duplex dwellings subject to the zoning by-law of the Town. In addition, home occupation and cottage industry uses and assisted and special needs housing are permitted in conformity with the relevant policies of subsection 3.2.3.4, Assisted, Affordable and Special Needs Housing, and subsection 3.2.3.8, Home Occupations and Cottage Industries.

The following sections of the Hamlet of Campbellville Secondary Plan are also applicable:

- Section C.3.1.2 states that limited infilling or strip development that is a logical, continuous extension of existing development is permitted in order to complete the growth potential of the Hamlet.
- Section C.3.1.4 states that the minimum net lot size for new development shall be in accordance with the Region of Halton Hydrogeological Study for the Hamlet of Campbellville and a site-specific hydrogeological study which shall be the satisfaction of the Town and the Region of Halton.
- Section C.3.1.8 states that the Town shall ensure that through the development process, the necessary road allowance widths for municipal and regional roads are secured.
- Section C.3.1.10 states that development in Campbellville, where applicable, shall meet the objectives and development and growth objectives of the Niagara Escarpment Plan Minor Urban Centre designation, and where applicable, the Escarpment Natural Area policies.

The subject lands do fall within the Minor Urban Centre designation of the Niagara Escarpment Plan Area.

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

Zoning By-law 144-2003, as amended

The subject lands are currently zoned Village Residential (RV) and Greenlands A (GA) under Comprehensive Zoning By-law 144-2003, as amended. The RV Zone permits single detached dwellings, and supplementary uses within or associated with the residential use including a home daycare, home occupation, and cottage industry. The Greenlands A Zone does not permit development.

A zoning by-law amendment is required to refine the Greenlands A (GA) Zone to delineate the significant natural heritage features on the property along with the appropriate buffers, as well as to include site-specific provisions in the Village Residential (RV*XX) Zone to ensure some uniformity in design and that the units (lots) to be created through the

Background

condominium application are sized in accordance with the hydrogeological recommendations. Provisions that regulate the size of units (lots), frontage of units along the private roadway, as well as minimum setbacks from certain Unit boundaries are also proposed. Attached to this report as Appendix 1 is the Draft Site-Specific Zoning By-law Amendment.

Site Plan Control

Section 4 of the Town's Site Plan Control By-law, states that certain classes of development may be exempt from Site Plan Control. One such class of development relates to grade-related residential buildings containing eight (8) or fewer dwelling units. Staff has reviewed the submission in light of the exemption criteria and the technical information provided in support of the vacant land condominium and zoning by-law amendment applications, and is of the opinion that Site Plan approval is not required in this instance

Staff is of the opinion that all site plan related matters can be adequately addressed through the active planning applications and the condominium agreement. It is anticipated that the standard condominium agreement format will need to be revised, to address site works, financial obligations and other matters typically covered by a site plan agreement.

Discussion

Public Consultation

Notice of a complete application was provided on December 20, 2020. A virtual public information session was held by the applicant on February 11, 2021. Several members of the public participated and asked questions about lot sizes, septic design and water supply, impact of development on existing wells in the area, drainage, noise attenuation, preservation of natural heritage features, sightline visibility at the proposed access to the site, the built form and orientation of buildings, construction related matters, and timing of the development.

Notice for the Statutory Public Meeting was provided pursuant to the requirements of the Planning Act on February 25, 2021 via a mail out to all property owners within 200 metres of the subject lands and an ad in the Milton Canadian Champion newspaper on February 25, 2021.

Agency Consultation

The application was circulated to internal departments and external agencies on January 8, 2021. Staff has identified the following items to be reviewed and addressed:

- Minimum lot size (hydrogeological verification)
- Sightline visibility at access
- Septic Designs and Water Supply (including for firefighting purposes)



Discussion

- Drainage and Stormwater Management Design
- Grading transitions
- Phase 2 Environmental Site Assessment
- Subdivision/condominium design
- Natural Heritage System / Tree Preservation
- Noise and Vibration (Highway 401 and CP Rail)
- Noise attenuation on private property
- Site-specific zone provisions

A technical report with recommendations will be brought forward for Council consideration upon completion of the evaluation of the application at a future meeting.

Financial Impact

None arising from this Report.

Respectfully submitted,

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

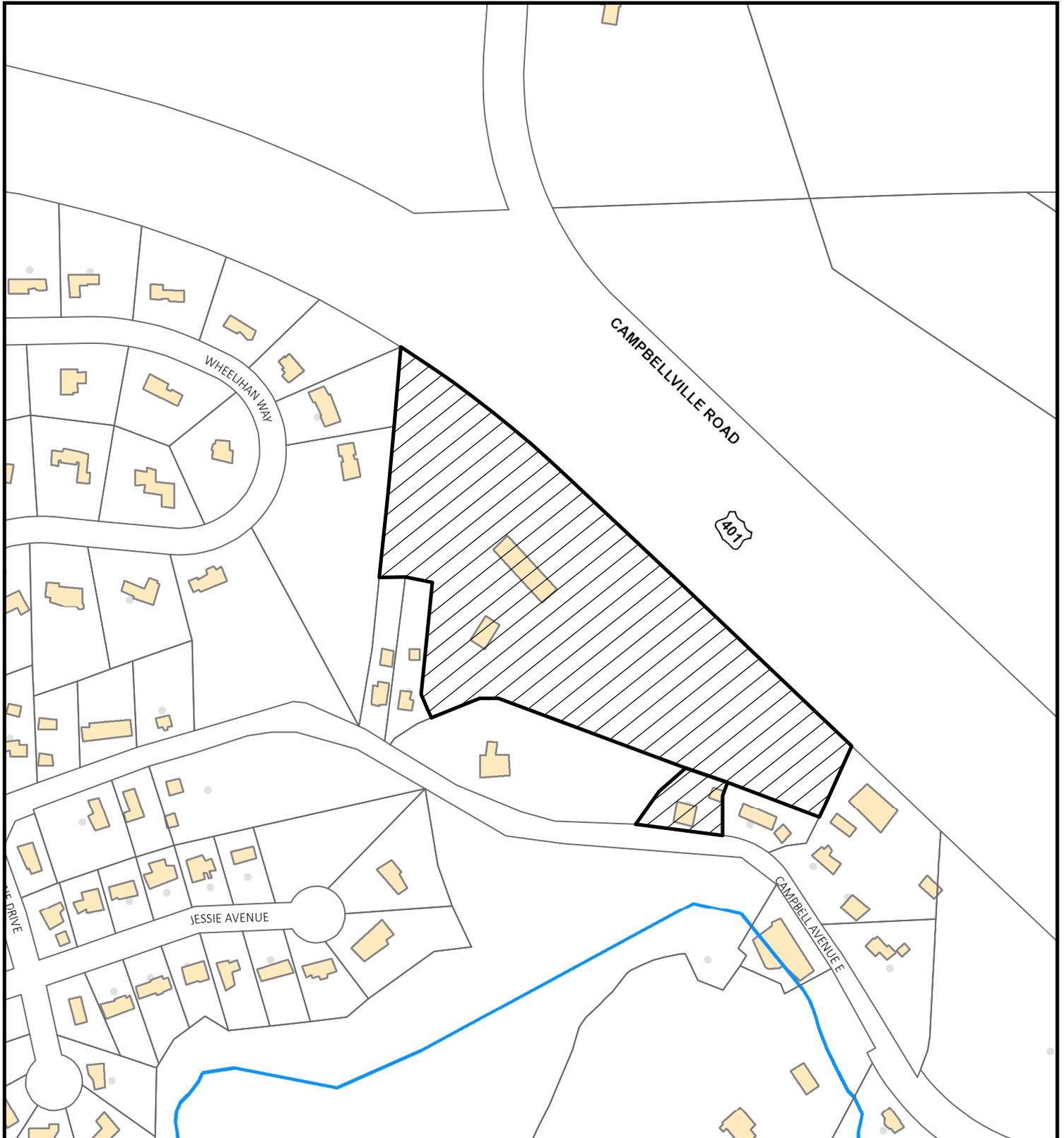
For questions, please contact: Angela Janzen, MCIP, RPP, Phone: Ext. 2310
Development Planner

Attachments

Figure 1 - Location Map
Figure 2 - Draft Plan of Vacant Land Condominium
Figure 3 - Site Plan of Proposed Development
Appendix 1 - Draft Site-Specific Zoning By-law Amendment

CAO Approval
Andrew M. Siltala
Chief Administrative Officer

FIGURE 1 LOCATION MAP



Council Meeting Date:
March 22, 2021

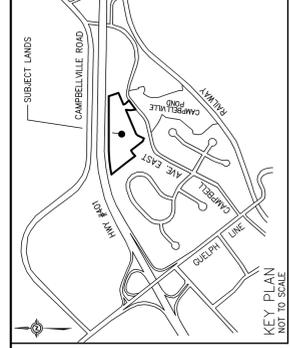
Scale: 1: 1,700

Files: 24CDM-20005/M &
Z-20/20

Development Services Department



Subject Property



KEY PLAN
LOT TO SCALE

DRAFT PLAN OF VACANT LAND CONDOMINIUM OF
PART OF LOT 6
CONCESSION 4
(GEOGRAPHIC TOWNSHIP OF MASSAGUETTA)
TOWN OF MILTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 500

J.D. BARNES LIMITED
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRIC METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

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

D EACH UNIT IS SINGLE RESIDENTIAL CONDOMINIUM UNIT.
H PRIVATE WELLS
I PRIVATE SEPTIC SYSTEMS
K CLAY LOAM
L ALLEASMENTS AFFECTING THE SUBJECT SITE ARE SHOWN ON THE FACE OF THIS PLAN.

SITE STATISTICS

SITE AREA
2,000.00 Sq.m.
774.00 Sq.ft.

No. OF RESIDENTIAL VACANT LAND UNITS: 6

DENOTES COMMON ELEMENT AREA

BENCHMARK NOTE

DDP898002B
128-66 CONCRETE BRIDGE CARRYING HWY 401 OVER HALTON REG. ROAD 9, 6.8M WEST OF INTERCHANGE 39 (CT OF HWY 25 AND HWY 401) AT THE N.E. CORNER AND 15cm BELOW WEST OF THE N.E. CORNER AND 15cm BELOW BOTTOM OF COPING.
ELEV = 270.936

SURVEYOR'S CERTIFICATE

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

DATE: OCTOBER 08, 2020

Grant T. Stummel
GRANT T. STUMMEL
ONTARIO LAND SURVEYOR

OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE SUBMISSION OF THIS PLAN FOR APPROVAL.

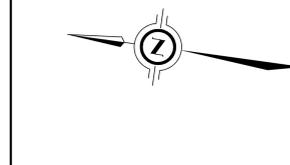
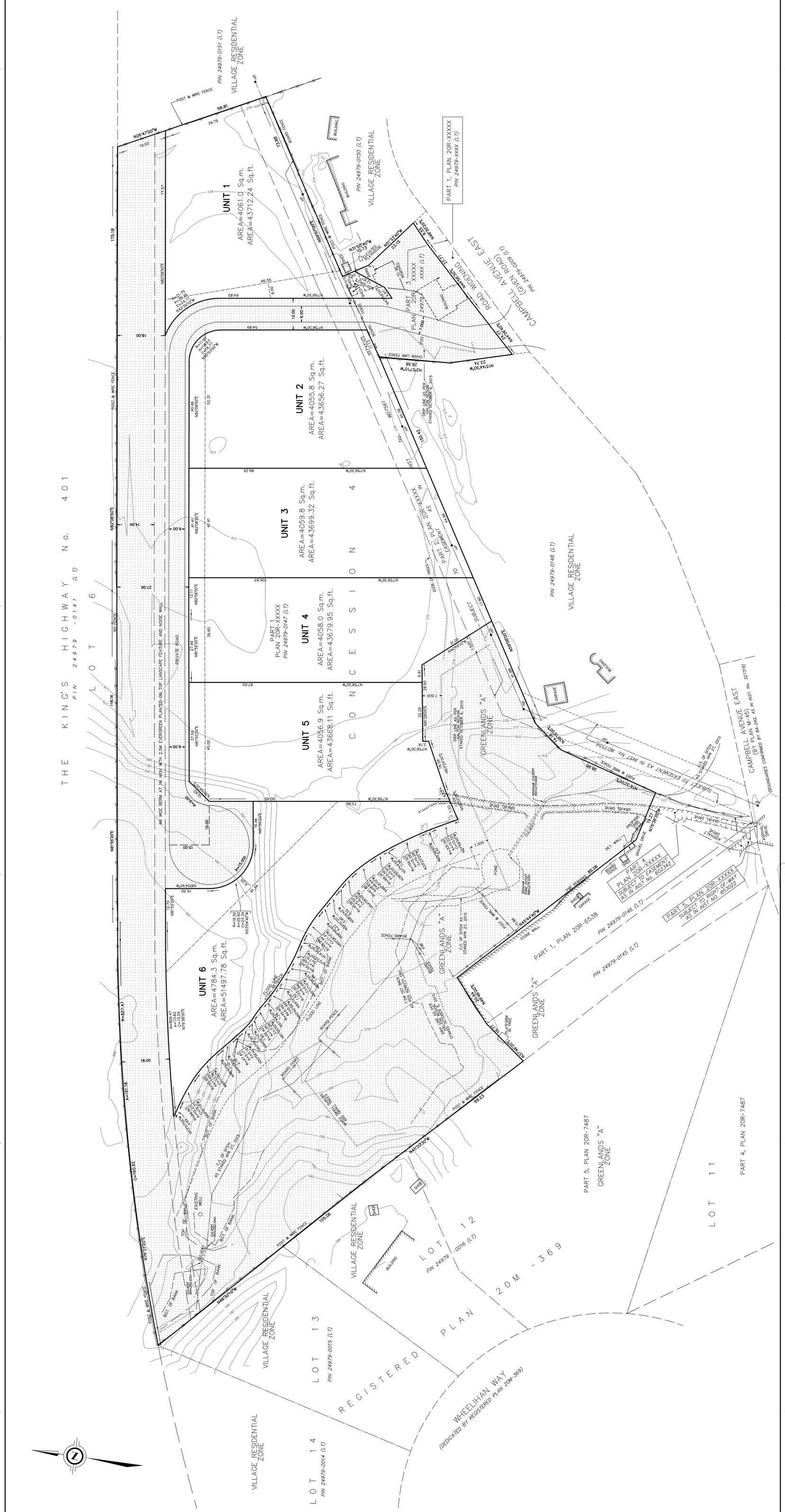
2300152 ONTARIO INC.

DATE: _____

I HAVE THE AUTHORITY TO SIGN THE CORPORATION.

DRAWN BY: RPA / ML
CHECKED BY: GS
REFERENCE NO.: 15-30-734
FILE: ES-15-30-734/015-20-748-49-59
DATED: OCTOBER 08, 2020
PLOTED: 10/09/2020

J.D. BARNES
LAND INFORMATION SPECIALISTS
1000 SHEPPARD AVENUE EAST, SUITE 100
M1S 1T5, ONTARIO, CANADA
TEL: (905) 851-9995 FAX: (905) 851-9996
WWW.JDBARNES.COM



LOT 11
PART 4, PLAN 20R-7487

LOT 14
PIN 24979-0014 (LT)

LOT 13
PIN 24979-0015 (LT)

LOT 12
PIN 24979-0006 (LT)

LOT 11
PIN 24979-0145 (LT)

LOT 10
PIN 24979-0146 (LT)

LOT 9
PIN 24979-0148 (LT)

LOT 8
PIN 24979-0150 (LT)

LOT 7
PIN 24979-0151 (LT)

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XXX-2021

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 144-2003, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT, AS AMENDED, IN RESPECT OF THE LANDS AVENUE EAST AND LEGALLY DESCRIBED AS PART OF LOT 6, CONCESSION 4, GEOGRAPHIC TOWNSHIP OF NASSAGAWEYA AND MUNICIPALLY IDENTIFIED AS 225 AND 269 CAMPBELL AVENUE IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (2300152 ONTARIO INC.) FILE: Z-20/20)

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 144-2003, 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 144-2003 is hereby further amended by changing the existing Greenlands A (GA) and Village Residential (RV) Zone symbols to the Greenlands A (GA) and site-specific Village Residential (RV*XX) Zone Symbols as shown on Schedule A attached hereto.
- 2.0 THAT** Section 13.1 of Comprehensive By-law 144-2003, is hereby further amended by adding Subsection 13.1.1.XX as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Village Residential (RV-XX), the following standards and provisions shall apply:

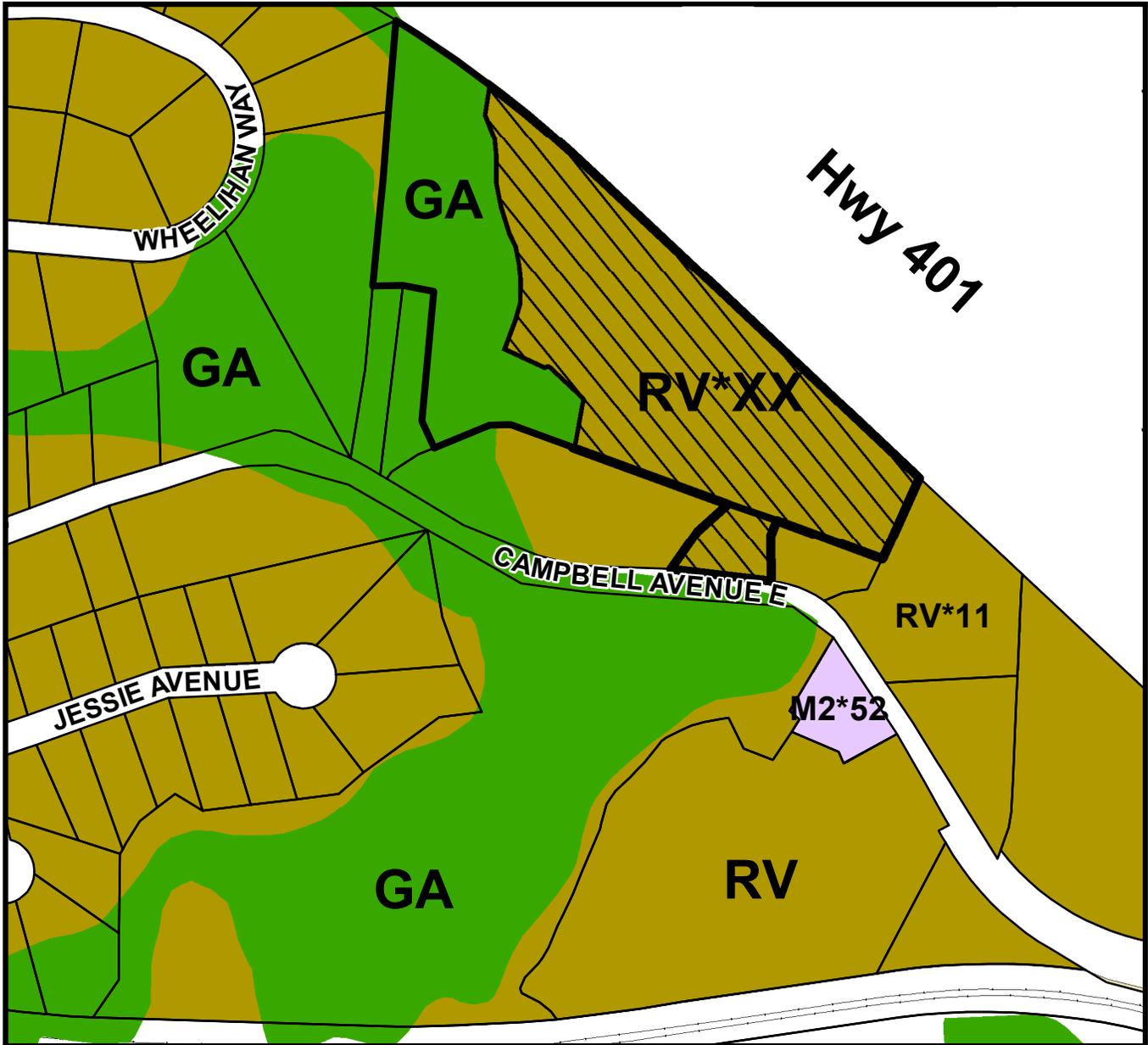
i) Special Site Provisions

- a. Minimum Condominium Unit Area: 4,047 square metres;
- b. Maximum Condominium Unit Coverage: 20%
- c. Minimum Front Yard Setback from a Private Road: 6.0 metres from a dwelling to Private Road
- d. Minimum Interior Side Yard setback from Condominium Unit Boundary: 1.2 metres
- e. Minimum Privacy Yard Setback: 10.5 metres from the rear wall of a dwelling to the Condominium Unit Line

SCHEDULE A
TO BY-LAW No. -2021

TOWN OF MILTON
PART LOT 6 CONCESSION 4
TOWN OF MILTON

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. _____ PASSED
THIS ___ DAY OF _____, 2021.

-  GA - Greenlands A Zone
-  RV*XX - Village Residential Zone Special



MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid