



# The Corporation of the Town of Milton

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Report To: Council

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From: Barbara Koopmans, Commissioner, Development Services

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Date: June 21, 2021

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Report No: DS-038-21

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Subject: Technical Report: Proposed and Zoning By-law Amendment by Gulfbeck Development Inc. to permit a six-storey apartment building (Town File: Z-11/20)

**Recommendation:** **THAT** Zoning Application Z-11/20 - for an amendment to the Town of Milton Comprehensive Zoning By-law 016-2014, as amended, to change the current Future Development (FD) zone to a site specific Residential Office (RO\*289) zone symbol, to permit the development of a 6 storey apartment building **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 THAT** the Provincial Ministers of Health, Education, Transportation and Infrastructure and Metrolinx receive a copy of this report with a request to review and plan for future Milton District Hospital, school and transportation expansions;

**AND FURTHER THAT** staff be authorized to bring forward an amending Zoning By-law for Council adoption.

## EXECUTIVE SUMMARY

The applicant has applied to amend the Town's Comprehensive Zoning By-law for the lands located south of Whitlock Avenue, east of Clarridge Court and west of Regional Road #25. The proposed development consists of a six-storey apartment building with associated parking. The building is proposed to have 103 apartment dwelling units with an underground parking garage. The proposed amendment would change the Future Development (FD) Zone applicable to the lands to a site-specific Residential Office (RO\*289) Zone to permit the development as proposed.

All internal Town of Milton departments and responding external agencies have provided correspondence to Town Planning staff indicating their support for the application as currently presented. Staff has reviewed all of the documentation, plans and comments

## EXECUTIVE SUMMARY

provided to date and is of the opinion that the applications as submitted are prepared in a manner that would allow them to be considered by Town Council for approval.

### Conclusions and Recommendations

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 1.

## REPORT

### Background

**Owner:** Gulfbeck Development Inc., 501-3751 Victoria Park Avenue, Toronto, ON

**Location/Description:** The subject lands are located west of Regional Road #25, south of Whitlock Avenue and east of Clarrriage Court. The lands are legally described as Block 155, Plan 20M-1191, Part of Lot 7, Concession 2, New Survey, Former Geographic Township of Trafalgar. The location of the property is illustrated in Figure 1 attached to this Report.

The property is 0.41 ha in size, but is constrained on the south property line by a sewer easement in favour of Halton Region. The property contains the former location of the sales office for the Gulfbeck subdivision. Along the west side of Clarrriage Court are 3-storey back-to-back townhouses. To the south and to the north are development blocks designated Residential Office Area (currently vacant) with Residential Medium Density development west of these blocks.

### Proposal

The proposed building is 6-storeys in height with 103 apartment dwelling units. Two levels of underground parking are proposed with 165 tenant parking spaces and 26 visitor parking spaces. The main entrance to the building is accessed from Clarrriage Court. A driveway serves as a fire route and provides access to the underground parking area, a loading space and garbage pick-up area along the side of the building. A concept plan and a rendering are attached as Figures 2 and 3 to this report.

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

- Architectural Plans, prepared by Quadrangle Architects, dated February 12, 2021;
- Archaeological Assessment Reports and Ministry clearances;
- Environmental Site Assessment prepared by exp., dated February 1, 2016;



## Background

- Functional Servicing and Stormwater Management Report, prepared by The Municipal Infrastructure Group, dated December 2020;
- Geotechnical Investigation, prepared by exp., dated April 10, 2019;
- Hydrogeological Investigation and Water Balance Assessment, prepared by exp., dated October 15, 2019;
- Landscape Plan, prepared by the MBTW Group, dated February 19, 2021;
- Environmental Noise Assessment, prepared by Valcoustics, dated May 6, 2020;
- Phase 1 ESA Update Letter, prepared by exp., dated September 11, 2020;
- Planning Justification Report, prepared by Glen Schnarr and Associates, dated May 2020 & Addendum, dated February 2021;
- Shadow Study, prepared by Quadrangle Architects, dated April 2020;
- Traffic Impact Study, prepared by GHD, dated February 17, 2021;
- Urban Design Brief, prepared by The Planning Partnership, dated January 18, 2021;
- Waste Collection Plan, prepared by GHD, dated Feb 25, 2020;

## Planning Policy

The subject lands are designated Residential Area as shown on Schedule B - Urban Land Use Plan of the Town of Milton Official Plan. The Residential Area permits a full range of residential uses and densities such as low, mid-rise and high rise apartment residential uses, as well as local institutional and local commercial uses. Additionally, the subject property is located along Regional Road 25, an intensification corridor, as shown on Schedule K- Intensification Areas. Intensification Corridors are defined as "Intensification Areas identified along major roads, arterials or higher order transit corridors that have the potential to provide a focus for high density mixed use development consistent with planned transit service levels".

The lands are located within the Boyne Survey Secondary Plan and are designated Residential/Office Area, as shown on Schedule C.10.C - Boyne Survey Secondary Plan Land Use Plan. The main permitted uses in the Residential Office Area shall be office uses, high density residential uses, medium density residential II, as well as local institutional and local commercial uses as described under Sections C.10.5.2.2 and B.3.3.2. Section C.10.5.2.2 indicates a maximum height of 15 stories and a maximum Floor Space Index (FSI) of 3.0. The current application proposes a maximum height of 6 stories and an FSI of 2.2. Furthermore, Section 10.5.2.2 c) states that development fronting on Regional Road 25 will reflect the significance of this gateway location in accordance with the policies of Section C.10.4.5 - Urban Design. In support of the proposed development, the applicant had an Urban Design Brief prepared to address not

## **Background**

only the relevant policies of the Boyne Survey Secondary Plan but also the Town's Mid-rise Design Guidelines. The Town's Urban Design section has reviewed the submitted Brief and are of the opinion that the proposed development is in line with the urban design direction of the secondary plan.

Staff reviewed the application in relation to the policies of the Provincial Policy Statement (2017), the Growth Plan (2017), the Halton Region Official Plan and the Town of Milton Official Plan, the Boyne Survey Secondary Plan including the Boyne Survey Tertiary Plan (July 2017). Town staff and our agency partners are satisfied that the application for the zoning by-law amendment as presented through this report, conform to the applicable Provincial, Regional and Town land use planning policies and regulations.

### **Zoning By-law 016-2014, as amended**

The subject lands are currently zoned Future Development (FD) which does not permit the proposed land use. The current Zoning By-law Amendment application proposes to rezone the subject lands from the current Future Development (FD) Zone to a site specific Residential Office (RO\*289) Zone to accommodate the proposed 6 storey apartment building. The site specific zoning addresses an increase in the FSI to 2.2 whereas the Residential Office provisions permit a maximum of 2.0, allowance for tandem parking for excess parking spaces and setbacks and other provisions required to accommodate the proposal.

### **Site Plan Control**

Should the applications be approved, the applicant will require site plan approval prior to the issuance of a building permit and commencement of any development. The applicant has submitted a site plan application (SP-01/21) and detailed site plan drawings to the Town to address such matters as access, site design (including parking, pedestrian circulation, accessibility, fire truck access, and garbage disposal), lot grading and drainage, lighting and landscaping. The applicant will be required to enter into a site plan agreement with the Town and provide securities to guarantee the completion of works in accordance with the approved drawings.

## **Discussion**

### **Public Consultation and Review Process**

Notice for the public meeting was provided pursuant to the requirements of the Planning Act on October 22, 2020 and the statutory public meeting was held November 16, 2020. No members of the public spoke at the public meeting, nor have staff received any written correspondence received regarding the proposal. Additionally, the applicant held a Public Information Centre on November 5, 2020.

### **Agency Consultation**

## Discussion

The concept plan, zoning by-law amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region, Town Departments, School Boards and other agencies offered no objection to the application. Agencies will continue to work with the applicants through the detailed draft approval process.

### Summary of Issues

#### Urban Design and Transition to Surrounding Neighbourhood

Staff had noted a potential issue with the overall development and how it related to the Urban Design policies of the Boyne Survey Secondary Plan and the Town's Mid-rise Design Guidelines. To address these matters, the applicant submitted an Urban Design Brief, prepared by The Planning Partnership which has been reviewed and deemed satisfactory by the Town's Urban Design section. In particular, with regard to transition to the surrounding neighbourhood, the proposed mid-rise building has been designed to focus the massing along the Whitlock Road/Regional Road 25 intersection and provides a gradual transition in scale from mid-rise building at Regional Road 25 down to adjacent townhouse dwellings and low-rise buildings. Additionally, the proposal meets the angular plane requirements outlined in the Mid-Rise Design Guidelines and the submitted Shadow Study illustrates no adverse shadow impacts on the adjacent residential uses.

#### Proposed Stand Alone Residential Building

The application proposes a stand-alone purpose designed residential apartment building, which is permitted through the Residential/Office designation within the Boyne Survey Secondary Plan. While office uses are permitted as well, the applicant's proposal is within the permissions of the plan and satisfies the criteria thereof. Potential for mixed use buildings exist for lands located within the Major Node designations at the nearby intersections of Louis St. Laurent Avenue/Regional Road 25 and Britannia Road/Regional Road 25.

#### Access and Pedestrian Circulation

All roads have been provided in accordance with Town and Regional requirements and the required traffic impact study has been approved in principle by both agencies. With access to Regional Road 25 being prohibited and any access directly on to Whitlock Avenue not achieving the required technical distance from the intersection with Regional Road 25, access is proposed from Clarrriage Court. Pedestrian circulation is provided within the site to the multi-use path located along Regional Road 25 and to the sidewalks along Whitlock Avenue and Clarrriage Court.

### Conclusion

Planning staff is satisfied that the proposed zoning by-law amendment is consistent with the Provincial Policy and conforms to the Region of Halton and Town of Milton Official Plan and staff recommends approval of the draft zoning by-law amendment.



**Financial Impact**

None arising from this report

Respectfully submitted,

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

For questions, please contact: Aaron Raymond, MCIP, RPP, Phone: Ext. 2313  
Senior Planner

**Attachments**

Figure 1 - Location Map  
Figure 2 - Concept Plan  
Figure 3 - Rendering  
Appendix 1 -Zoning By-law

CAO Approval  
Andrew M. Siltala  
Chief Administrative Officer

# FIGURE 1 LOCATION MAP



Council Meeting Date:  
May 31, 2021

Scale: 1: 1,100

Files: Z-11/20

Development Services Department



Subject Property

**PLAN OF SUBDIVISION OF PART OF LOTS 7 AND 8 CONVESSION 2, NEW SURVEY (GEOGRAPHIC TOWNSHIP OF TRAFALGAR) TOWN OF MILTON REGIONAL MUNICIPALITY OF HALTON**

SCALE: 1:1000  
 RADCO-GENIE & EDWARDS SURVEYING LTD., O.E.S.  
 BEARINGS AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**OWNER'S CERTIFICATE**  
 THIS IS TO CERTIFY THAT THE PLANNING ACT, R.S.O. 1990, CHAPTER P.3, AS AMENDED, AND THE SUBDIVISION ACT, R.S.O. 1990, CHAPTER S.5, AS AMENDED, HAVE BEEN COMPLIED WITH IN CONNECTION WITH THE SUBDIVISION OF THE LAND SHOWN ON THIS PLAN AND THAT THE SUBDIVISION IS IN ACCORDANCE WITH THE SUBDIVISION ACT, R.S.O. 1990, CHAPTER S.5, AS AMENDED.

2. THE DISTRICT AND REGIONAL MUNICIPALITY OF HALTON ARE NOT PROVIDING PUBLIC UTILITIES OR SERVICES TO THE LAND SHOWN ON THIS PLAN.  
 3. THE DISTRICT AND REGIONAL MUNICIPALITY OF HALTON ARE NOT PROVIDING PUBLIC SERVICES TO THE LAND SHOWN ON THIS PLAN.  
 4. THE DISTRICT AND REGIONAL MUNICIPALITY OF HALTON ARE NOT PROVIDING PUBLIC SERVICES TO THE LAND SHOWN ON THIS PLAN.

DATED THIS 31<sup>ST</sup> DAY OF MAY, 2023.  
 GULFBRICK DEVELOPMENTS INC.

*[Signature]*  
 I HAVE THE AUTHORITY TO SIGN THE COMPANION PLAN TO THIS PLAN.

**BEARING NOTE**  
 BEARING AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
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**MUNICIPAL APPROVAL**  
 APPROVED UNDER SECTION 37 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER P.3, AS AMENDED, AND THE SUBDIVISION ACT, R.S.O. 1990, CHAPTER S.5, AS AMENDED, FOR THE CONVESSION OF THE TOWN OF MILTON.  
 THE 31<sup>ST</sup> DAY OF MAY, 2023.

**SURVEY INFORMATION**  
 SURVEYED AND PLANNED BY: RADCO-GENIE & EDWARDS SURVEYING LTD., O.E.S.  
 THE COMPANION PLAN OF THE TOWN OF MILTON (AUTHORITY GRANTED BY BY-LAW 2023-02-02).

**STATISTICS**  
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 A101

**REVISION RECORD**

2023-02-26	Issue for Tender
2023-09-15	Issue for Pricing
2023-01-15	Issue for Preliminary Pricing
	Issue For
	ISSUE RECORD

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**CLARRIAGE COURT**

**WHITLOCK AVENUE**

**REGIONAL ROAD NO 25**

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## Perspectives



FIGURE 3  
DS-038-21



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 0XX-2021

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 BLOCK 155, REGISTERED PLAN 20M-1191 IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (GULFBECK DEVELOPMENTS INC) - TOWN FILE Z-11/20

**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, as amended, is hereby further amended by changing the existing zoning from Future Development (FD) Zone Symbol to a site-specific Residential Office (RO-289) Zone Symbol on the lands shown on Schedule A attached hereto.
- 2.0 **THAT** Section 13.1 is amended by adding Section 13.1.1.289 to read as follows:

For lands zoned Residential Office (RO\*289) the following provisions also apply:

1. Special Zone Provisions:
  - a) Notwithstanding Table 6E, minimum lot frontage for an apartment building within the RO zone shall be 45 metres;
  - b) Notwithstanding Table 6E, maximum lot coverage for an apartment building within the RO zone shall be 37%;
  - c) Notwithstanding Table 6E, minimum front yard setback for an apartment building within the RO zone shall be 2.3 metres;
  - d) Notwithstanding Table 6E, minimum rear yard setback shall be 10.5 metres;

- e) Notwithstanding Table 6E, maximum floor space index for apartment building within the RO zone shall be 2.2 floor space index;
- f) Notwithstanding Table 5L, the minimum parking area setback from a street line shall be 2.4 metres;
- g) Notwithstanding Table 5L, the minimum parking area setback from a lot line shall be 2.0 metres;
- h) Notwithstanding Table 5L, the minimum parking area setback from a building shall be 1.8 metres;
- i) Notwithstanding Section 5.14.1 and Section 5.12 (Table 5L) the underground parking structure may be setback a minimum of 0.1 metre to any street line and shall encroach into the landscape buffer;
- j) Notwithstanding Section 5.1 iv), vii) and Section 5.7, 14 Tandem parking spaces are permitted in the underground parking structure and shall be counted toward required amount of resident parking for the site;
- k) Notwithstanding Section 5.10 and Table 5D, Stacked Bicycle Parking Spaces are permitted and shall be counted toward the required amount of resident bicycle parking spaces and have a minimum vertical clearance of 1.2 metres;
- l) Notwithstanding Section 5.11.1, a loading space shall be located min 2.0 metres from the abutting residential zone and min 3.6 metres from a street line.

**3.0** If no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the LPAT dismisses the appeal, this by-law shall come into force on the day of its passing. If the LPAT amends the by-law pursuant to Section 34 (26) of the *Planning Act*, as amended, the part or parts so amended come into force upon the day the LPAT's Order is issued directing the amendment or amendments.

**PASSED IN OPEN COUNCIL ON MAY 31, 2021**

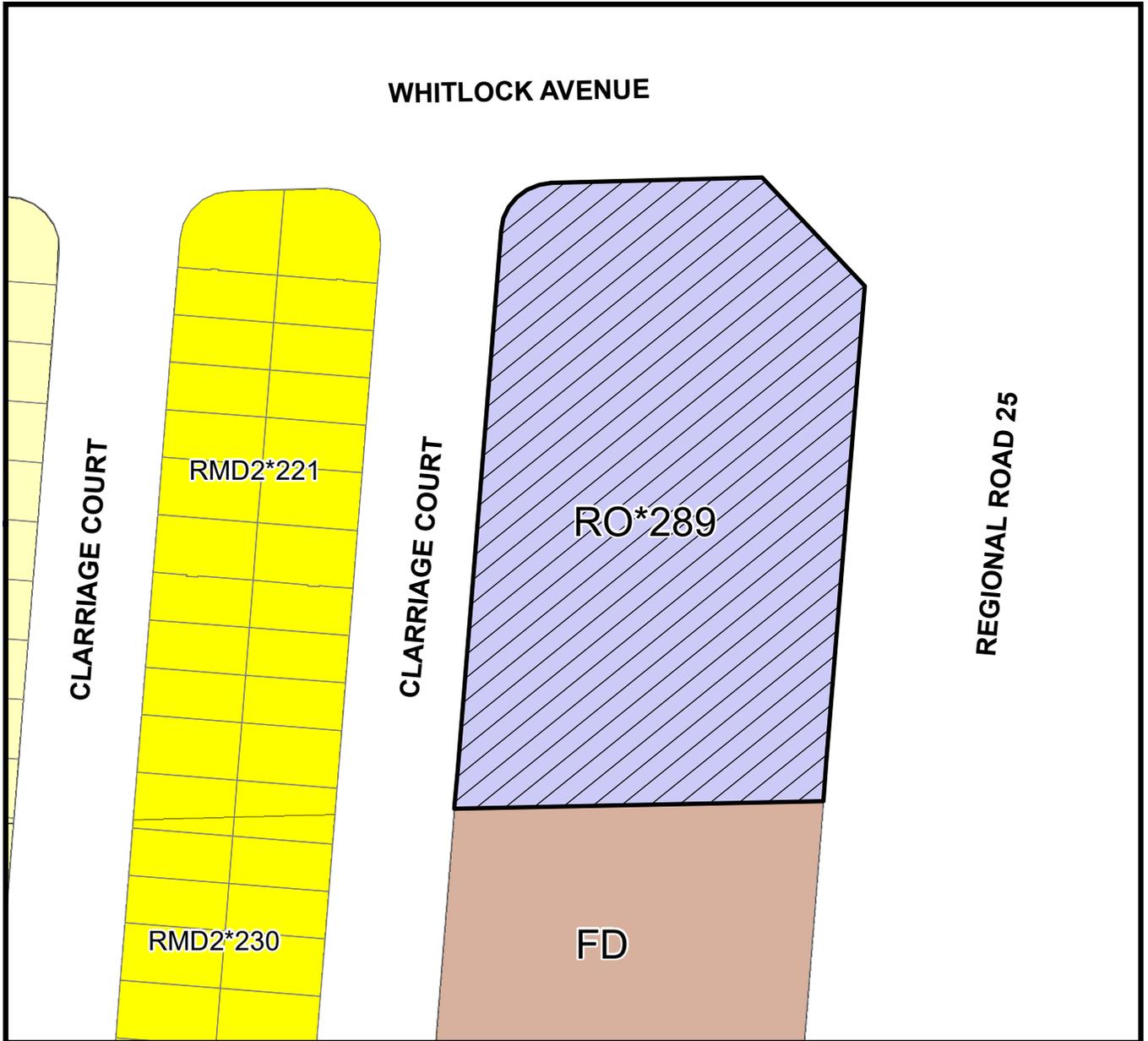
\_\_\_\_\_  
G.A. Krantz Mayor

\_\_\_\_\_  
Meaghen Reid Town Clerk

**SCHEDULE A  
TO BY-LAW No. -2021**

**TOWN OF MILTON  
PLAN 20M1191 BLK 155  
TOWN OF MILTON**

*Town of Milton*



THIS IS SCHEDULE A  
TO BY-LAW NO. \_\_\_\_\_ PASSED  
THIS \_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR - Gordon A. Krantz

\_\_\_\_\_  
DEPUTY CLERK- Meaghen Reid



RO\*289 - Residential Office Zone Special



RMD2 Special - Various existing Medium Density Residential 2 zones



FD - Future Development Zone



Z-11/20