

Report To: Council

From: Barbara Koopmans, Commissioner, Development Services

Date: May 31, 2021

Report No: DS-037-21

Subject: Technical Report: Proposed Plan of Subdivision and Zoning By-

law Amendment by Fieldgate Developments (1045502 Ontario Limited and 1046805 Ontario Limited) to permit the development of a residential plan of subdivision (Files: 24T-14013/M and Z-

18/14)

**Recommendation:** THAT Town of Milton Council support the granting of Draft Plan

Approval by the Commissioner of Development Services for the proposed plan of subdivision (24T-14013/M - Fieldgate Developments - 1045502 Ontario Limited and 1046805 Ontario

Limited);

AND THAT Zoning Application Z-18/14 - for an amendment to the Town of Milton Comprehensive Zoning By-law 016-2014, As Amended, to change the current Future Development (FD) and Natural Heritage System (NHS) Zones to site a specific Residential Medium Density I - Site Specific (RMDI\*286), Residential Medium Density II - Site Specific (RMDII\*287), Open Space (OS), and Natural Heritage System (NHS) and holding zones 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 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

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

Report #: DS-037-21 Page 2 of 8

#### **EXECUTIVE SUMMARY**

The applicant, Fieldgate Developments (1045502 Ontario Limited and 1046805 Ontario Limited), has modified its applications for the Fieldgate West plan of subdivision and the associated amendment to the Town of Milton Comprehensive Zoning By-law No. 016-2014, as amended in response to staff and agency comments. The applicant has revised the proposed draft plan of subdivision to accommodate staff and agency comments related to road layouts, the Village Square and trail orientation and locations, the Active Transportation Link western landing area among other things. The application was originally submitted and included lands located on both sides of the CN Rail. The lands on the east side of the tracks will now form part of a new application that will be submitted later in 2021 and the File No. 24T-14013/M and Z 18/14 will now only represent the Fieldgate lands located west of the CN tracks.

The plan of subdivision proposes a total of 685 units consisting of 359 single-detached dwelling units, 146 street townhouse units and 180 back-to-back townhouse units. In addition, the plan includes a village square block, an active transportation link block, NHS blocks, buffer blocks, a rail berm and buffer block, 6.0-metre trail blocks, several roads ranging from 16 to 24 metres in right of way width and residential reserves, which will be used to create lots with similar small remnant pieces of land in the adjacent plans of subdivision.

Although a public meeting was held on July 23, 2014, an additional public meeting was held on September 21, 2020 due to the changes to the proposed development and the length of time that has elapsed since the initial public meeting was held. No members of the public spoke at either meeting nor have staff received any written or oral submissions from members of the public on the applications being considered through this report.

In order to permit the development as proposed, the zoning currently applicable to the subject lands needs to be changed from the Future Development (FD) Zone and Natural Heritage System (NHS) Zone to various site-specific medium density residential, natural heritage system and open space zones in accordance with the draft zoning by-law presented in Appendix 1 to this report.

All internal Town of Milton departments and responding external agencies have provided correspondence to Town planning staff indicating their support for the applications as currently presented. They have also provided the appropriate conditions of draft plan approval necessary for the Town to consider the approval of these applications. Staff has reviewed all of the documentation, plans and comments provided to date and is of the opinion that the application, plans and reports as submitted are prepared in a manner that would allow them to be considered by Town Council for approval.

#### **Conclusions and Recommendations**



Report #: DS-037-21 Page 3 of 8

Staff is satisfied that the plan of subdivision, subject to the requested and required conditions of draft plan approval and the site specific zoning provisions attached as Appendix 1, will conform to Provincial, Regional and Town planning policies and Conservation Halton regulations and achieves acceptable engineering and design standards. Planning staff is also satisfied that the proposed Zoning By-law Amendment is consistent with the land use 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 and the draft approval of the plan of subdivisions as presented through this Report.

#### **REPORT**

#### **Background**

Owner: Fieldgate Developments (1045502 and 1046805 Ontario Limited), 5400 Yonge Street, Toronto

Agent: Glen Schnarr & Associates, 700-10 Kingsbridge Garden Circle, Mississauga

**Location:** The subject lands are located south of Louis St. Laurent Avenue and west of the CN Railway. The lands are legally described as parts of Lot 7 and 8, Concession 1, New Survey, Former Geographic Survey of Trafalgar. The location of the property is illustrated in Figure 1 attached to this report.

The property is 31.26 hectare in size and includes part of a woodlot/ wetland and associated buffer, which is approximately 2.03 hectares in size. The lands are vacant with a frontage along Louis St. Laurent Avenue of approximately 640 metres. Furthermore, the lands abut Louis St. Laurent Avenue and then residential lands to the north of Louis St. Laurent Avenue. To the east is the CN Railway and additional lands owned by the applicant for a future Secondary Mixed Use Node, District Park, Active Transportation Link and a Stormwater Management Pond. To the south, the subject lands abut two properties owned by Mattamy Homes and Great Gulf. Both properties are within draft approved residential plans of subdivision and the corresponding zoning amendments have also been approved. To the west, the subject lands abut the two properties owned by Mattamy and Great Gulf and a third property owned by Milton Main Street Homes. All three properties are subject to applications for residential plans of subdivision and all three have been draft approved. The zoning amendments have also been approved by Town Council.

#### **Proposal**

As currently proposed, the draft plan of subdivision includes a total of 685 dwelling units consisting of 359 single-detached dwelling units, 146 street townhouse units and 180 back-to-back townhouse units. In addition, the plan includes a village square block, an active transportation link block, NHS blocks, buffer blocks, a rail berm and buffer block,



Report #: DS-037-21 Page 4 of 8

6.0-metre trail blocks, several roads ranging from 16 to 24 metres in right of way width and residential reserves where the lands abut the adjacent plans of subdivision. Drainage from the subdivision is proposed to be directed to the stormwater management pond within the Mattamy Varga subdivision to the south.

The zoning by-law amendment application seeks to rezone the subject property from the Future Development (FD) Zone and the Natural Heritage System (NHS) Zone to a site specific Residential Medium Density I - Site Specific (RMDI\*286), Residential Medium Density II - Site Specific (RMDII\*287), Open Space (OS), Natural Heritage System (NHS) and holding zones. The draft Zoning By-law is attached to this report as Appendix 1.

The plans and documents that were submitted in support of the applications are listed below:

- Draft Plan of Subdivision prepared by Glen Schnarr and Associates;
- Urban Design Brief prepared by MBTW Group;
- Planning Justification Report prepared by Glen Schnarr and Associates dated January 12, 2021;
- Environmental Noise and Vibration Study prepared by Jade Acoustics Inc., dated November 23, 2020;
- Transportation Impact Assessment prepared by TMIG, dated November 16, 2020;
- Functional Servicing Report, prepared by TMIG, dated November 2020;
- Stormwater Management Report, prepared by TMIG, dated October 2020;
- Tree Inventory and Preservation Plan Report, prepared by Kuntz Forestry Consulting Inc., dated January 8, 2021;
- Hydrogeological Assessment, prepared by R.J. Burnside & Associates, dated November 2020
- Soils/Geotechnical Investigation Report, prepared by Soil Engineers Ltd., dated January 2020;
- Architectural Design Guidelines, prepared by the MBTW Group, dated November 2020:
- Legal Survey prepared by Schaeffer Dzaldov Bennett Ltd., dated June 25,2018;
- Phase 1 Environmental Site Assessment, prepared by Soil Engineers Ltd., dated March 9, 2018;
- Phase 2 Environmental Site Assessment, prepared by Soil Engineers Ltd., dated February 24, 2020;
- Stage 1 & 2 Archaeological Assessment and Ministry correspondence for 1200 Bronte Street, University of Western Ontario Institute for Research in Ontario Archaeology at the London Museum of Archaeology, July 2004,
- Addendum to Stage 1 & 2 Archaeological Assessment for 1200 Bronte Street, University of Western Ontario Institute for Research in Ontario Archaeology at the London Museum of Archaeology, June 2007,



Report #: DS-037-21 Page 5 of 8

- Stage 1 & 2 Archaeological Assessment for 0 Louis St. Laurent University of Western Ontario Institute for Research in Ontario Archaeology at the London Museum of Archaeology, July 2004,
- Archaeological Clearance for 0 Louis St. Laurent, University of Western Ontario Institute for Research in Ontario Archaeology at the London Museum of Archaeology, November 10, 2006,

#### **Planning Policy:**

The subject property is designated Urban Area and Natural Heritage System in the Halton Region Official Plan. Regional staff have confirmed that the uses being proposed on the attached draft plan of subdivision conform to the Regional Official Plan and all Provincial land use policy.

The subject lands are designated Residential Area and Natural Heritage System Area as shown on Schedule B - Urban Area Land Use Plan of the Town of Milton Official Plan. The Residential Area designation means that the uses shall be primarily low to medium density residential dwellings which includes both single detached and townhouse dwelling units. The purpose of the Natural Heritage System is to protect areas, which have been identified as having environmental significance and to establish a Natural Heritage System that achieves an enhanced natural habitat and ecological functions that is resilient to the impacts of the adjacent urban development.

The subject lands are also located within the Boyne Survey Secondary Plan and are designated Residential Area and Natural Heritage System with a village square, as shown on Schedule C.10.C - Boyne Survey Secondary Plan Land Use Plan. The Residential Area permits a variety of housing types and forms including Medium Density Residential I and II uses, High Density Residential uses and Local Institutional uses and Coach houses. The purpose of the Natural Heritage System is to protect areas, which have been identified as having environmental significance and to establish a Natural Heritage System that achieves an enhanced natural habitat and ecological functions and will be resilient to the impacts of the adjacent urban development. The village square represents the general locations of primarily passive open space areas, which are intended to serve as focal points for a sub-neighbourhood. These sites will generally include tot lots and other passive recreation features such as gazebos and seating areas.

Section C.10.2.1 e) of the Secondary Plan identifies that overall residential density of at least 40 units per net hectare and an overall density of at least 70 residents and jobs combined per gross hectare exclusive of lands within the Natural Heritage System is required. Upon completion of the entire Plan of Subdivision, the development will accommodate approximately 41 units per hectare and 131 residents and jobs per gross hectare.

Staff reviewed the applications against the policies of the Provincial Policy Statement (2020), the Growth Plan (2019), 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), and the Boyne Survey Area 1 Subwatershed Impact Study (SIS). Town

Report #: DS-037-21 Page 6 of 8

staff and our agency partners are satisfied that the draft plan of subdivision and the application for the zoning by-law amendment as presented through this report, will now 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) and Natural Heritage System (NHS), which do not permit the lands uses being proposed on the subject property. The current Zoning By-law Amendment application proposes to rezone the subject lands from the current Future Development (FD) Zone and Natural Heritage System (NHS) Zone to a site specific Residential Medium Density I - Site Specific (RMDI\*286), Residential Medium Density II - Site Specific (RMDII\*287), Open Space (OS), Natural Heritage System (NHS) and holding zones. A number of site-specific provisions are required to facilitate the proposed plan of subdivision. A draft zoning bylaw is attached as Appendix 1.

#### Discussion

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

Notice for the public meeting was provided pursuant to the requirements of the Planning Act on August 27, 2020 and the statutory public meeting was held September 21, 2020. No members of the public spoke at the public meeting and staff have not received any written or oral submissions from any members of the public on these application since the applications were filed in 2014.

#### **Agency Consultation**

The revised draft plan of subdivision, zoning by-law amendment and all supportive documents were circulated and revised at least two times to both internal and external commenting agencies. Halton Region, Conservation Halton, Town Departments, School Boards and other agencies in their latest comments offered no objection to the applications and requested standard conditions of draft plan approval be applied. Agencies will continue to work with the applicants through the detailed draft approval and engineering drawing review processes to ensure that Town Councils approved vision for the area as illustrated in the Boyne Secondary Plan is implemented in accordance with Councils direction.

#### Summary of Issues

#### Regional Servicing Allocation

Halton Region has confirmed that the applicant has now secured sufficient Regional Servicing Allocation for the whole development as proposed.



Report #: DS-037-21 Page 7 of 8

#### Refinement of Active Transportation Link, Village Square and Trail Location

Fieldgate Homes has consistently worked well with Town staff throughout the development of the Active Transportation Link (ATL) EA. They have accommodated Town staff's visual and the technical requirements to accommodate the ATL on both sides of the CN Tracks. Staff will continue to work with Fieldgate to refine the ATL on both sides of the CN Tracks to ensure the community feature is visually attractive, functions in accordance with its intended purpose and is harmoniously integrated into the adjacent community fabric.

#### Roads and Pedestrian Connection

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. Staff had some minor concern with pedestrian connections and the internal sidewalk network, within the development and the interface of the active transportation link (ATL) and how the pedestrian and cycling traffic will disperse when exiting the ATL. The use of 6-metre wide trail blocks connecting the ATL to the adjacent street, sidewalks, on-street cycling lanes achieves an efficient and safe transition to the adjacent active transportation community linkages. All other concerns have been resolved to staff's satisfaction.

#### Amending Zoning By-law

In order to facilitate the proposed Plan of Subdivision, a Zoning By-law Amendment is required. The applicant and the Town have developed a draft by-law (Appendix 1) that will implement the development as illustrated in the draft plan of subdivision. The amending by-law includes site-specific provisions relating to the grade-related dwelling units including single detached dwellings, street townhouse, and back-to-back townhouse dwellings within the RMDI and RMDII Zones along with other appropriate zones for the open space, village square and natural heritage features.

#### Holding Provisions

Holding provisions will be placed on a number of blocks within the proposed Plan of Subdivision. Holding provisions H30 has been applied to accommodate for the merging of part lots on the Fieldgate plan with part lots on the adjacent Mattamy Homes and Great Gulf draft approved plans of subdivision to ensure the parcels once merged will form lots that will meet the minimum lot area and frontage requirements of the Town Zoning Bylaw.

#### Conclusion

Staff is satisfied that the plan of subdivision (Figure 2), subject to the required conditions of draft plan approval and the site specific Zoning By-law and associated provisions attached as Appendix 1, will conform to Provincial, Regional and Town land use planning



Report #: DS-037-21 Page 8 of 8

policy and achieves acceptable engineering and design standards. Staff recommends approval of the draft Zoning By-law Amendment and the granting of draft plan approval to the plan of subdivisions as identified in this report.

#### **Financial Impact**

None arising from this Report

Respectfully submitted,

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

For questions, please contact: Stirling Todd, MES MCIP, RPP, Phone: Ext. 2272

Senior Planner

#### **Attachments**

Figure 1 - Location Map

Figure 2 - Draft Plan of Subdivision

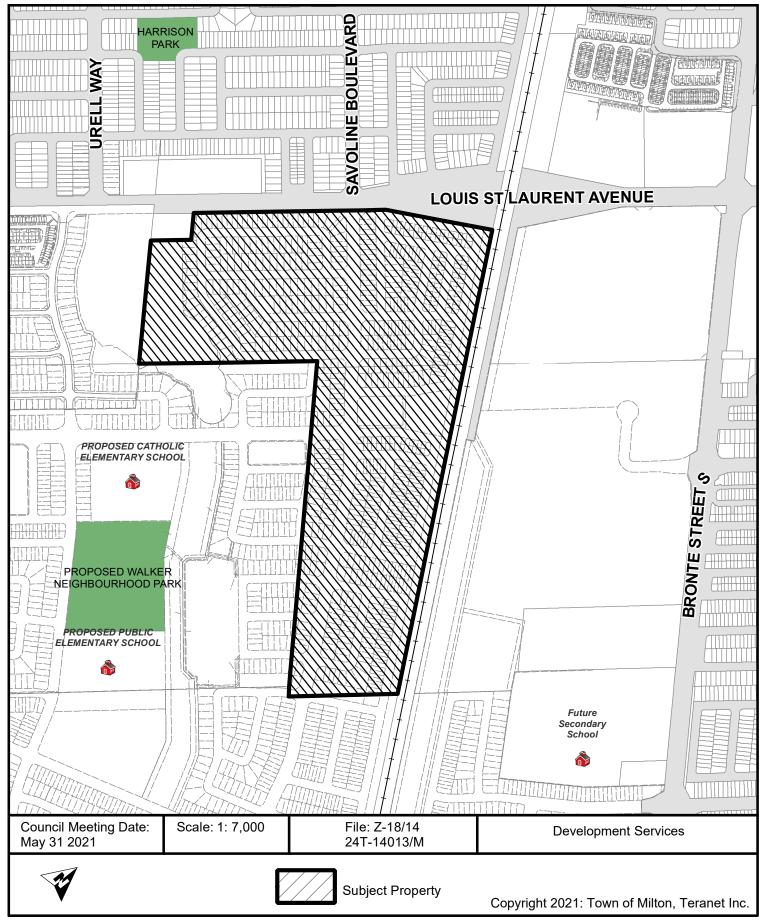
Appendix 1 - Zoning By-law and Schedule

CAO Approval Andrew M. Siltala Chief Administrative Officer



### FIGURE 1 LOCATION MAP







#### 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 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 7 AND 8, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (1045502 ONTARIO LIMITED AND 1048605 ONTARTIO LIMITED) – TOWN FILE: Z-18/14

**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 Residential Medium Density I Site Specific 286 (RMDI\*286), Residential Medium Density II Site Specific 287 (RMDII-287), Open Space (OS), and Natural Heritage System (NHS) zone symbols and adding the Holding (H) symbols H30 to the zone symbols as shown on Schedule A.
- **2.0 THAT** Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.286 as follows:

#### Residential Medium Density 1 - Special Section 286 (RMDI\*286) Zone

Notwithstanding any provisions of the By-Law to the contrary, for lands zoned Residential Medium Density 1\*286 (RMD1\*286) the following standards and provisions also apply:

- Special Residential Provisions under Section 6.3 only apply to Detached Dwellings;
- ii) Special Zone Standards:
  - a. The minimum interior lot frontage shall be 9.15 metres;
  - b. Air Conditioners and Heat Pumps:

On a corner lot, where an attached garage is accessed over the exterior side lot line, 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) Special Zone Standards for "Through Lots":
  - a) The minimum interior lot frontage shall be 9.4 metres;
  - b) For lots located in between the Village Square and/ or the Active Transportation Link Blocks and Street "R", in between Louis St. Laurent and Street "C", in between Savoline Boulevard and Street "R" and in between Savoline Boulevard and Street 'C", the yard adjacent to Street "R" and Street "C" shall be considered the rear yard;
  - c) The maximum Front Yard setback shall be 3.0 metres to the main wall of the dwelling;
  - d) The maximum height will be 12.5 metres;
  - e) A residential driveway may extend into the rear yard.
- **3.0 THAT** Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.287 as follows:

#### Residential Medium Density 2 Special Section 287 (RMDII\*287) Zone

Notwithstanding any provisions of the By-Law to the contrary, for lands zoned Residential Medium Density 2\*287 (RMD2\*287) the following standards and provisions also apply:

- i). Special Zone Standards for 'Back to Back' Townhouse Dwellings:
  - a) The minimum lot depth for a back-to-back townhouse dwelling shall be 12.5 metres;
  - b) The minimum front yard setback to building shall be 2.0 metres;
  - c) The minimum exterior yard setback to building shall be 2.0 metres if the yard abuts a right-of-way of less than 18.0 metres wide.
- **4.0 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 of finally disposed of in accordance with the direction of the Local Planning Appeal Tribunal.

#### PASSED IN OPEN COUNCIL ON MAY 31 2021.

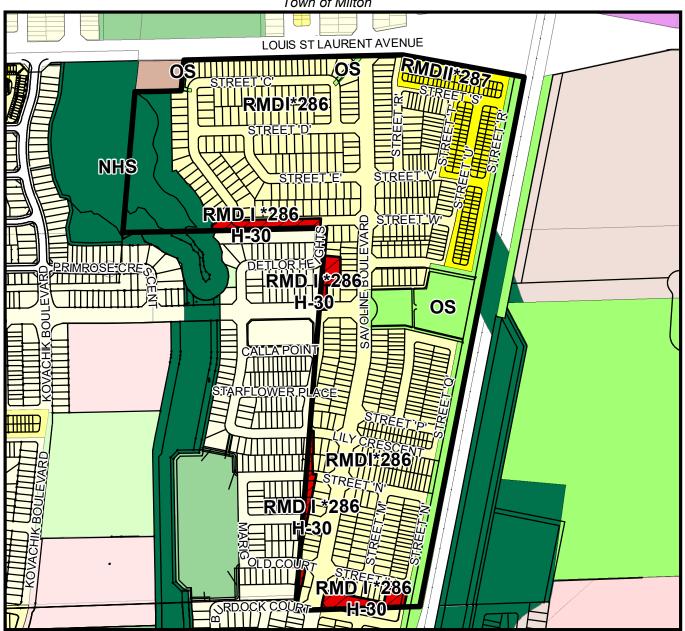
Gordon A. Krantz	Mayor
 Meaghen Reid	Town Clerk

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

#### TOWN OF MILTON

Part of Lots 7-8, Concession 1 Tafalgar New Survey TOWN OF MILTON

Town of Milton



THIS IS SCHEDULE A TO BY-LAW NO PASSED THIS DAY OF, 2021.	
MAYOR - Gordon A. Krantz	
CLERK- Meaghen Reid	

