



# The Corporation of the TOWN OF MILTON

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Report to: Mayor and Members of Council  
From: E. Iovio, M.C.I.P., R.P.P., Director of Planning and Development  
Date: December 15, 2003  
Report No. PD-109-03 (File 24T-03004/M & Z-10/03)

Subject: PUBLIC MEETING AND INITIAL REPORT – PROPOSED RESIDENTIAL PLAN OF SUBDIVISION AND AMENDMENT TO THE ZONING BY-LAW BY MATTAMY (BROWNRIDGE) LIMITED. APPLICABLE TO LANDS LEGALLY DESCRIBED AS PART OF LOTS 10, CONCESSION III, N.S. (TRAFALGAR) , TOWN OF MILTON TO PERMIT THE DEVELOPMENT OF A RESIDENTIAL PLAN OF SUBDIVISION

**RECOMMENDATION:** That Planning and Development Department Report PD-109-03 outlining an application for a draft plan of subdivision and amendments to the Town of Milton Zoning By-law 61-85, as amended, to change the Agricultural Belt Parkway Zone to the Residential Medium Density I and Residential Medium Density 2, Local Commercial and Greenlands A Zones, where applicable to permit the development of a mixed use residential plan of subdivision on lands legally described as Part of Lot 10, Concession III, N.S. Town of Milton (former township of Trafalgar), Regional Municipality of Halton, BE RECEIVED FOR INFORMATION;

**AND THAT** once all comments have been received and reviewed and the application has been evaluated, a Technical Report, including



**recommendations respecting the application, be brought forward by the Planning and Development Department for consideration.**

## **EXECUTIVE SUMMARY**

### **Requested Amendment**

The applicant has requested amendments to the Town of Milton Zoning By-law 61-85, as amended, to change the zoning applicable to the subject lands from the Agricultural Parkway Belt (APB) Zone to the Residential Medium Density 1 (RMD1), Residential Medium Density 2 (RMD2) Local Commercial (C5) and Greenlands 'A' (GA) Zones. These amendments are requested in order to permit the development of a residential plan of subdivision on the subject lands.

The application is complete pursuant to the requirements of the Planning Act and is being processed in accordance with the Planning Act. Staff recommends that, upon completion of the consultation and review process, a Technical Report, including recommendations, be prepared and brought forward for consideration by Town of Milton Council.

## **REPORT**

### **Background**

#### **Agent**

The Planning Partnership,  
1255 Bay Street, Suite 201,  
TORONTO ON M5R 2A9

#### **Owner**

Mattamy (Brownridge) Limited,  
2360 Bristol Circle,  
OAKVILLE ON L6H 6M5

### **Location/Description**

The subject property has an area of 49.21 hectares and is located immediately south of Derry Road, between Thompson Road (formerly Third Line) and Highway 25. It is legally described as Part of Lot



10, Concession III, N.S. (Trafalgar), Town of Milton, Regional Municipality of Halton. The location of the property is shown on Figure 1.

The property is flat, cultivated agricultural land with a portion of Sixteen Mile Creek valley lands along the westerly edge. A 5.0-hectare marsh is located in the centre of the property. This marsh was evaluated as part of the Sixteen Mile Creek Subwatershed study, which determined that it is not Provincially Significant. Further engineering studies will provide details with respect to the ultimate treatment of the marshlands. The developer has agreed to provide compensatory plantings within the Sixteen Mile Creek valley to compensate for the removal of the treed marsh area. There are no significant watercourses transversing the property. A stormwater management pond is proposed to be located within the Neighbourhood Centre Area in the south sector of the plan.

Surrounding land uses are as follows:

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Site</b>	Vacant Agricultural	Agricultural Parkway Belt (APB) Zone
<b>Surrounding Lands</b>		
▪ to the north	Existing Urban Residential	Residential (R5) Zone in 61-85 Residential Low Density (RLD) in 144-2003
▪ to the west	Agricultural (Future Urban Residential Development-Sherwood Survey)) Rural Residential dwellings Commercial	Agricultural Parkway Belt (APB) Zone and Open Space Conservation (OSC) in 61-85 Future Development (FD) and Greenlands A (GA) in 144-2003
▪ to the south	Agricultural (Future Urban Residential Development) Golf Course (Future Urban Residential Development) Union Gas Pipeline	Agricultural Parkway Belt (APB) Zone in 61-85 Future Development (FD) in 144-2003



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| ▪ to the east | Urban Residential Area-Mattamy<br>“Klein” Subdivision<br>Rural Residential dwellings<br>(Future Urban Residential<br>Development) | Medium Density Residential (MD1-E,<br>MDI-E-2) in 61-85<br>Medium Density Residential Special<br>(RMD1-35) in 144-2003 |
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### Proposal

The applicant proposes to amend the Town of Milton Zoning By-law 61-85, as amended, by replacing the Agricultural Parkway Belt (APB) Zone with the Residential Medium Density Zones—(RMD1) and (RMD2) Zones. A Local Commercial (C5) Zone is proposed on the lands at the southwest corner of Derry and Thompson Roads to permit a Service Station. The Greenlands A (GA) zoning will be placed on the areas where watercourses occur. The general purpose of the requested amendment is to allow the development of a residential plan of subdivision on the subject property (see Figure 2). The plan of subdivision (Figure2) is proposed to consist of the following:

- TOTAL UNITS 1049 yielding a density of approximately 35 units per hectare
- 50 residential blocks of approximately 594 single and semi-detached units with a variety of frontage widths from 9.5 metre conventional lots to 17.0 meter wide shallow lots, 255 townhouse units and 150 medium density units
- six buffer blocks
- two village square blocks
- one church block
- one gas station block (SW corner Derry and Thompson)
- five walkway blocks
- two stormwater management pond blocks
- four road widening and/or access blocks
- 12.78 hectares of new public roads

### Supporting Documentation

A technical report will be brought forward at a later date, after the submission and evaluation of the requested supporting studies and documentation. The following documentation, which represents the opinion of the developer’s consultants has been submitted in support of the application:



- Draft Plan of Subdivision prepared by The Planning Partnership dated October 10, 2003
- Planning Justification Report prepared by The Planning Partnership dated October 15, 2003 amended November 28, 2003.
- Functional Servicing Report and Environmental Impact Assessment prepared by Stantec Consulting dated October 2003.
- Archaeological Assessments prepared by Archaeological Services Inc. dated March 2002 and September 2003.
- Transportation Impact Study BA Consulting Group Ltd. Prepared November 2003.

### Study Synopsis

#### Planning Justification Report

The Planning Justification Report outlines the parameters by which the proposed subdivision conforms to the Town's Official Plan. The proposed plan for the subject property is in compliance with the land use plan as set out in Schedule C.6.D

A variety of housing forms are proposed including single detached, semi-detached and street town houses with a density range of 29 to 45 units per hectare. A 2.12 ha. medium density block would allow up to 150 residential units at a proposed density of 70 units per hectare. The subdivision plan locates two mixed-use blocks adjacent to the main entry point to the subdivision from Derry Road. These are in keeping with the Residential/Office designation in the Bristol Survey Secondary Plan. A service station is proposed on a 0.6 ha. site at the southwest corner of Derry and Thompson Roads. Schedule C.6.D Land Use requires one village square in the area of this subdivision. The plan includes the portion of an additional "Village Square" to that which is shown on Schedule C.6.D Land Use Plan. A portion of the required Neighbourhood Centre is located within this plan. Currently the developer has shown this area of the Neighbourhood Centre as an area for stormwater management ponds.



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## Subwatershed Impact Study (SIS) Report

- Environmental Impact Assessment

In accordance with the Subwatershed Study and the overall fisheries habitat compensation plan for the Milton Urban Expansion Area the Omagh tributary will be removed. The 5.0 ha treed marsh is not an identified environmental constraint in the Bristol Survey Secondary Plan. It has been determined that due to the disturbed character of the marsh area and the future requirement to enclose the watercourse, this area is not considered to be a constraint to future urban development and should be removed. Tree saving opportunities are limited and it is proposed that future street landscaping and parks will increase the tree cover within the proposed subdivision.

The proposed development of the Mattamy (Brownridge) Limited property and the balance of the study area is compatible with the goals and objectives of the Sixteen Mile Creek Subwatershed Planning Study, as it relates to environmental protection and enhancement.

- Stormwater Management

A north south ridge splits the drainage areas for this site. An area of 41.7 ha. will be directed west toward the main tributary of the Sixteen Mile Creek and a 8.5 ha. area is drained via the subdivision right of ways to Thompson Road and to the Omagh Tributary.

- SWM Pond Design

The Subwatershed Impact Study and the Functional Servicing Report identify one stormwater management facility within the subject lands, which is to be located on the southern portion of the study area which will outlet to the main Sixteen Mile Creek. The proposed pond location and configuration have been modified from the previous studies, however, the unit storage volumes and unit release rates as recommended will be maintained.

- Municipal Servicing

Municipal services for the subdivision will be designed to comply with the most recent standards and criteria prepared by the Town and the Region of Halton. The site is flat and as a consequence existing grade conditions of both the road and the design grades for the storm sewers are low. All SWM facilities will be designed to the satisfaction of the Town, Conservation Halton and the MOE.



As part of the Milton HUSP servicing strategy, a community watermain and sanitary sewer will service this subdivision.

- Sanitary Sewer System

The internal sanitary sewer design will be generally conventional in nature. All lands east of the north south gas easement will drain to an existing pipe that was provided as part of the Hawthorne Village South (Klein) works to the east. Lands to the west of the gas easement will be serviced by a connection to the East-West sanitary trunk south of the Union Gas Easement.

- Water Distribution System

An internal water distribution system is proposed within the subdivision road allowances to service the subject site.

#### Roadways/Traffic Access

The traffic forecasts prepared by BA Group and outlined in the Transportation Impact Study for this subdivision reflect the built out conditions of the adjacent subdivisions in addition to those to the north of Derry Road. In conjunction with the Mattamy-Lai Jensen draft plan of subdivision this would represent the addition of 10,000 new residential units in southeast Milton, representing an annual growth rate of 1,200 units per year to 2008. The Mattamy-Lai Jensen draft plan includes 1049 residential units. A near time horizon of year 2008 has been identified as a planning benchmark. Base traffic volumes were factored by 1.10, reflecting a general corridor growth allowance of 2 percent per year to 2008.

Significant road improvements are programmed for implementation by 2008. These include: the extension of James Snow Parkway south to Louis St. Laurent Blvd., the widening of Thompson Road to a four lane cross section between Louis St. Laurent Blvd. and Main Street, the widening of Derry Road to a five lane cross section and the widening of Regional Road 25 to four lanes.

A conceptual local transit service plan has been included in the report. Transit services will be routed on the planned collector road network. A new southeast looped system is contemplated, similar to the existing municipal services.



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## Noise Feasibility Study

Daytime sound levels in the outside living areas of the flanking lots adjacent to Thompson Road and Derry Road will exceed MOE guidelines. Acoustical barriers will be required at specific points along these roads as identified by the analysis.

The MOE guidelines recommend that warning clauses be included in the agreements of purchase and sale for all lots with anticipated traffic sound level excesses. Further it is recommended that air conditioning be installed for dwellings adjacent to Thompson Road and Derry Road. The location, installation and sound rating of outdoor condensing units must comply with MOSAE Guidelines.

## Planning Policy

- Provincial Policy

This application is being processed pursuant to the provisions of the Planning Act, as amended by Bill 20. Accordingly, staff must have regard for the pertinent policies of the Provincial Policy Statement, particularly those policies relating to the development of strong communities through the promotion of efficient, cost-effective development and land use patterns. The Provincial Policy Statement advocates densities which use land, resources, infrastructure and public service facilities efficiently and are supportive of public transit. It is Provincial Policy to promote development standards, which minimize land consumption and reduce servicing costs.

- Region of Halton Official Plan

The subject property is located within the “Urban Area” designation of the Region of Halton Official Plan as amended by Official Plan Amendment No. 8. Amendment No. 8 incorporates into the Regional Plan the Halton Urban Structure Plan and implements the recommendations of the Halton Urban Structure Plan, which provides for the expansion of the Milton Urban Area Boundary. Objectives of the “Urban Area” designation relate predominately to the delineation of urban development boundaries and the timing of growth within those boundaries. Policy B2d states that “the range of permitted uses and the creation of new lots in the Urban Areas will be in accordance with Local Official Plans and Zoning By-laws.” All development, however, shall be subject to the policies of the Regional Official Plan.



The Regional Official Plan also contains policies which are intended to ensure that residential densities contemplated within new Urban Areas addressed by local Official Plans and Secondary Plans are consistent with those utilized through the HUSP Review. These residential policies encourage the achievement of the maximum permissible densities contemplated by local policies.

- Sixteen Mile Creek Subwatershed Planning Study - Areas 2 and 7

The Subwatershed Planning Study is intended to build upon the Sixteen Mile Creek Watershed Plan, 1996 which identified the cumulative impacts on a watershed scale of the proposed HUSP expansion in Halton.

This Subwatershed Plan has developed environmental management strategies for the existing developed and new developing areas. The Subwatershed Plan outlines management strategies relating to stormwater management, watercourse systems and natural heritage systems. In addition, it speaks to phasing, financing, operations and maintenance, monitoring and future study.

All applicants within the Milton East/Southeast development area are required to submit studies relating to stormwater management and outline how their proposal impacts the overall goals and objectives of the Subwatershed Plan.

- Town of Milton Official Plan/ Bristol Survey Secondary Plan

The subject lands are designated Residential Area, Residential Office, Neighbourhood Center Area and Greenlands B by the Bristol Survey Secondary Plan-Land Use Plan. The Residential Area designation provides for a mix of low and medium density residential development as well as a variety of special needs housing, local institutional, local commercial and park uses. The policies contain specific site, locational, servicing and development criteria to assist in the evaluation of development proposals. Within the Residential Area, the Official Plan contemplates densities of 35 units per net hectare or less in accordance with the Medium Density Residential I policies and 70 units per hectare or less with the Medium Density Residential II Policies. Section 3.2.1.4 of the Official Plan sets out policies relating to the mix and distribution of housing types and densities in the urban expansion area.

The Greenlands 'A' area along the westerly edge of the proposed subdivision applies to lands associated with the main branch of Sixteen Mile Creek. The land use designation is intended to delineate lands and water areas including regulated flood plains and significant valley lands . Within



this designation a limited range of land uses are contemplated including non-intensive recreational uses, essential transportation facilities, utilities, and uses permitted in Park or Open Space Master Plans subject to additional criteria.

The Neighbourhood Center Area designation is intended primarily for community uses and facilities, which serve the neighbourhood as a whole, including elementary schools, neighbourhood parks. One village square is located within the Residential Area designation of this subdivision, which is intended for passive open space, such as a tot lot with gazebos and seating areas, serving as a focal points for sub-neighbourhoods. The location and configuration of the Village Square will be addressed in greater detail through the subdivision review process.

- Zoning By-law 61-85, as amended

The subject lands are presently within the Agricultural Parkway Belt (APB) classification and Open Space Conservation (OSC) Zones. The APB zone classification was originally intended to implement the policies of the Provincial Parkway Belt West Plan to assist in maintaining an urban separator and to secure the open space character of the area. As the Agricultural Parkway Belt (APB) Zone does not contemplate the type of urban development proposed, an amendment to the Zoning By-law is required in order to implement the proposed draft plan of subdivision.

- Site Plan Control

Pursuant to By-law, 82-93, as amended, should the proposal be approved, site plan control would apply to the development of any non-residential areas, which would include the proposed elementary school site to the south of this submission. The proponent would be required to submit detailed site plan drawings addressing such matters as building elevations, lot grading and drainage, parking and landscaping for review and approval and enter into a site plan agreement with the Town.

## Discussion

### Public/Department/Agency Consultation

Notice of a Public Meeting was circulated to all persons assessed within 120 m of the subject property on November 24, 2003. No comments from the public have been received to date in response to the written notice.



The application was circulated to external agencies on November 4, 2003 with comments requested within forty-five days from the date of circulation.

#### Planning and Development Department Comments

A draft amending Zoning By-law is attached to this report to illustrate how this property could be rezoned should this application be approved (see Appendix 1). It is proposed that the Agricultural Parkway Belt (APB) Zone be changed to the Medium Density I and II Residential Zones (RMD1 and RMD2), a Site Specific Commercial Zone (C5-Special) and a Greenlands 'A' (GA) zone as identified on the Bristol Survey Secondary plan. The proposed zoning has also addressed the notion of "lay by roads" which will require a site specific zone, similar to that, previously implemented in the "Klein" subdivision to the east of the subject lands.

Planning staff recommends that the Zoning By-law proceed for the subject land in accordance with the application. However, staff recommends that the subdivision proceed to Draft Approval only in accordance with the phasing outlined in the Bristol Survey Secondary Plan.

#### Issues for review

- Development shall only proceed when landowners within the Secondary Plan area have entered into an agreement or agreements amongst themselves, which are satisfactory to Council. These agreements will address the distribution of all costs of development including those which may not be recoverable by the Town under the Development Charges Act, 1997, particularly the provision of community and infrastructure facilities such as parks, roads, road improvements, external services, storm water management facilities and schools, all in accordance with the *Town of Milton Financial Plan for the Bristol Survey Secondary Plan and Related Official Plan Amendments* prepared by C. N. Watson and Associates.
- Location and configuration of Storm Water Management Ponds and facilities planning for the Neighbourhood Centre will need to be reviewed prior to recommending the plan for Draft Plan approval

These technical matters relate largely to the evaluation of the application relative to the objectives of the Official Plan, the East/Southeast Planning District Secondary Plan (OPA No. 3) and the Sixteen Mile Creek Subwatershed Planning Study – Areas 2 and 7, subdivision design and conditions of draft approval.



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**Financial Impact**

Should the development proceed, it is anticipated that the Town will realize an increase in the assessed value of the subject lands for property tax purposes. In addition, development charges will be payable upon building permit issuance.

Respectfully submitted,

E. Iovio, M.C.I.P., R.P.P.

Director of Planning and Development

Prepared by: Susan M. R. O'Brien, MCIP, RPP  
Senior Planner – Development Review

CAO Approval: \_\_\_\_\_

Attachments    Figure 1 -Location/Zoning  
                      Figure 2 -Concept Sketch  
                      Figure 3 -Bristol Survey Secondary Land Use Plan  
                      Appendix 1-Draft Zoning By-law Amendment