

March 23, 2017

Mr. Aaron Raymond  
Senior Planner - Development Review  
Planning and Development Department  
Town of Milton  
150 Mary Street  
Milton, ON  
L9T 6Z5

Dear Mr. Raymond:

**Re: Planning Justification  
Application to Amend Zoning By-law 016-2014  
Pine-Ontario Development Ltd. c/o Valour Management Inc.  
70 Pine Street  
Town of Milton  
Our File No.: 2016/49**

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Wellings Planning Consultants Inc. has been retained by Pine-Ontario Development Ltd. to provide planning justification for a rezoning of the lands known as 72 Ontario Street South and 446 Pine Street ("subject lands"). 446 Pine Street is currently vacant and 72 Ontario Street contains a single detached dwelling to be demolished. 72 Ontario Street South is not on Milton's Heritage List. The new address for the subject lands will be 70 Pine Street.

The purpose of the rezoning application is to rezone the subject lands from the current Residential Low Density (RLD) Zone to a modified Residential Medium Density II (RMD2) Zone to facilitate the construction of a three (3) storey, nineteen (19) unit rental apartment building. In 2007 the subject lands were re-designated from Central Business District "Low Density Residential Sub-Area" to Central Business District "Residential/Office Sub-Area" in the Milton Official Plan which permits the proposed redevelopment.

#### **Property Location/Description**

The subject lands are approximately 0.18 hectares (0.44 acres) in size and are located at the southwest corner of Ontario Street South and Pine Street. A Site Plan showing the subject lands and the proposed three (3) storey, nineteen (19) unit apartment building is attached as **Appendix 1**.

The subject lands have approximately 38.79 metres (127.3 feet) of frontage on Ontario Street South. All parking will be provided at grade (30 spaces), including two (2) accessible parking spaces (one Type A and one Type B parking space).

## **Surrounding Land Uses**

At the northwest corner of Pine Street and Ontario Street South there is a five (5) storey apartment building (40 Ontario Street South) with 88 apartments for seniors (Halton Community Housing). To the west of the seniors apartment building is Milton Christian School, located at 45 Bruce Street (former library building). Milton Christian School will be re-locating to a property at Tremaine Road and Main Street in the next three to four years.

On the east side of Ontario Street South is the Milton Mall (55 Ontario Street South) and the Milton Seniors Activity Centre (500 Childs Drive).

To the west, on the south side of Pine Street there is a 6 unit apartment building (426 Pine Street). 426 Pine Street, 446 Pine Street and 72 Ontario Street South were all re-designated from Central Business District "Low Density Residential Sub-Area" to Central Business District "Residential/Office Sub-Area" by OPA No. 23 (By-law No. 073-2007) in 2007. However, only 426 Pine Street was rezoned from the Residential Low Density (RLD) Zone to a site-specific Residential Medium Density II Zone (RMD2\*101 - By-law No. 072-2007) to facilitate the construction of a 6-unit dwelling for seniors.

In 1998, the Official Plan was amended (OPA No. 2) to permit a 12-unit seniors dwelling at 86 Ontario Street South, directly to the south of the subject lands.

## **Planning Framework**

### **Provincial Policy Statement 2014**

The PPS contains a number of goals and objectives aimed at building strong, complete communities. The goal is to create efficient development patterns that take advantage of public investment in infrastructure and services. Efficient development patterns promote a mix of housing, employment and other uses.

The subject lands are within the built-up area of the Town of Milton. One property is currently vacant and the other property contains a small single-detached dwelling. The subject lands are located along a Multi-Purpose Arterial Road (Ontario Street South) and can accommodate a more intense and efficient development pattern.

In our opinion, the proposed rezoning is consistent with the PPS.

### **Growth Plan 2006**

The Growth Plan (2006) promotes complete communities, including infill and intensification in "built-up" areas. Some of the Guiding Principles of the Growth Plan include compact, vibrant and complete communities and optimizing the use

of existing infrastructure to support growth in a compact, efficient form. The proposed redevelopment to provide for 19 new housing units represents a compact, efficient form of growth.

In our opinion, the proposed rezoning conforms to the Growth Plan (2006).

#### Halton Region Official Plan 2009

The 2009 Halton Region Official Plan ("Regional Plan") was amended by Regional Official Plan Amendment No. 38 ("ROPA 38"). ROPA No. 38 was approved in large part by various Ontario Municipal Board decisions.

The subject lands are designated Urban Area on Map 1, Regional Structure of the Regional Plan. Part II, Table 2 of the Regional Plan targets 5,300 units as the minimum number of new housing units to be added to the built-up area of Milton to the year 2031. The planned 19 additional units will assist in meeting this goal while also meeting other Regional Urban Area objectives related to complete communities and intensification.

We have reviewed the Land Stewardship (Urban Area) Policies in Part III and Healthy Community Policies in Part IV of ROPA 38 and conclude that the proposed rezoning conforms thereto.

#### Town of Milton Official Plan ("OP")

The subject lands are designated Central Business District ("CBD") on Schedule B to the OP (Urban Area Land Use Plan). The CBD is composed of the historic downtown area and the Downtown Milton Urban Growth Centre ("UGC").

The subject lands are also designated Residential/Office Sub-Area on Schedule C to the OP (Urban Area Central Business District Land Use Plan). Subsection 3.5.3.36 of the OP contains policies for the Residential/Office Sub-Area and states:

"Development in the CBD Residential/Office Sub-Area shall be subject to the policies of Section 3.3 (Residential Office Area) and the policies associated with Schedule "C.7.A.CBD" Streets and Development Blocks, Schedule "C.7.B.CBD" Open Spaces, Linkages and Nodes and Schedule "C.7.C.CBD" Height Limits."

Section 3.3 (Residential Office Area) permits residential uses at a minimum density of 70 units per net hectare and a maximum density of 100 units per net hectare. Medium density development is subject to the policies of subsection 3.2.3.1 and 3.2.3.2 of the OP.

The proposed density is approximately 103 units per net hectare thus satisfying the intent of the OP. The proposed three (3) storey apartment building conforms to the site, location, height, and services policies in Subsection 3.2.3.2 a) – d) of the OP.

Development in the Residential Office Area designation is permitted subject to conformity with the community-wide policies of Section 2.0 including urban design policies of Section 2.8 and the availability of adequate water and wastewater treatment capacity. Development must also be integrated with existing and proposed uses of adjacent lands.

We have reviewed the community-wide goals, objectives and policies contained within Section 2.0 of the OP and conclude that the proposed three (3) storey apartment building conforms thereto.

There are no Council-approved Urban Design guidelines applicable to the subject lands. The proposed building is compatible in architectural form with the surrounding built form. We have reviewed Subsections 2.7.3.15 through 2.7.3.19 regarding residential intensification and Subsection 2.8.1 – 2.8.3 regarding urban design and conclude that the proposed development conforms thereto.

#### OPA No. 31

OPA No. 31, adopted by Town Council but not yet approved by the Region, amends Schedule C to the OP and proposes to re-designate the subject lands back to Central Business District Low Density Residential Sub-Area. The subject lands are also located within the Character Area shown on schedules to OPA No. 31.

Subsection 3.5.3.21 of OPA No. 31 states:

The permitted uses within the Central Business District Low Density Residential Sub-Area shall be single detached, semi-detached and duplex dwellings. Development shall conform to the Character Area policies in subsection 2.10.3.35 to 2.10.3.40 inclusive (Character Area Plans) and subsection 5.4.3.11 and 5.4.3.12 (Character Areas) and the residential policies of this Plan.

As mentioned above, the subject lands were re-designated from the Central Business District “Low Density Residential Sub-Area” to the Central Business District “Residential/Office Sub-Area” in 2007, allowing for additional density. However, Schedule 4 to OPA No. 31 shows the subject lands in the “Low Density Residential Sub-Area” removing the opportunity for higher density redevelopment on the subject lands. The proposal to “down designate” the subject lands does not make planning sense given the location of the subject lands and Provincial, Regional and Local Official Plan policies aimed at intensification.



This Schedule K to OPA No. 31 shows the subject lands are part of an Intensification Corridor (Regional Road 25 and Ontario Street between Steeles Avenue and Britannia Road). The subject lands are also part of the Urban Growth Centre (Downtown Milton Urban Growth Centre).

In our opinion, it makes planning sense to maintain the Central Business District Residential/Office Sub-Area designation on the subject lands.

#### Town of Milton Zoning By-law 016-2014

Town of Milton Zoning By-law 016-2014, as amended, presently zones the subject lands "Residential Medium Density I (RMD1) Zone". The RMD1 Zone does not permit apartment buildings whereas the RMD2 Zone does, to a maximum height of four (4) storeys (16.5 metres). It is proposed to rezone the subject lands RMD2, with modifications to some of the standard regulations.

#### Draft Zoning By-law Amendment

A draft Zoning By-law Amendment is attached as **Appendix 2**. The proposed modifications to the standard RMD2 Zone address: lot frontage; front yard setback; rear yard setback; landscaped open space and parking.

<b>Apartment Building</b>	<b>RMD 2 Zone</b>	<b>Proposal</b>	<b>Compliance</b>
Lot Frontage	54.0 m	38.79 m	No – Modification
Lot Depth	35.0 m	47.79 m	Yes
Front Yard Setback	6.0 m	2.22 m	No – Modification
Interior Yard Setback	6.0 m	7.01 m	Yes
Exterior Yard Setback	6.0 m	6.0 m	Yes
Rear Yard Setback	22.5 m	17.5 m	No – Modification
Building Height	4 storeys to a maximum of 16.5 m	3 storeys @10.5 m	Yes
Landscaped Open Space	35%	34.9%	No - Modification
Parking	1.5 parking spaces per unit plus 0.25 parking spaces for visitor in a designated visitor parking area  19 units x 1.5 = 29 spaces 19 x 0.25 = 5 spaces Total = 34	1.32 parking spaces per unit plus 0.25 parking spaces for visitor in a designated visitor parking area – 25 spaces for residents and 5 spaces for visitors  Total = 30	No – Modification

An apartment building is subject to Section 6.3 of the Zoning By-law – Special Residential Provisions. It appears that the only special provisions which apply to the apartment building are those pertaining to balconies. Subsection 6.3.2.2 states that balconies are permitted in the exterior side yard and front yard and may encroach a maximum of 2.5 metres into the required front yard. A modification is required to permit balconies within the interior side yard.

## **Technical Reports**

### **Servicing Strategy Brief and Preliminary Stormwater Management Brief**

The servicing briefs were prepared by Meritech and are dated December 15, 2016.

A 200mm diameter watermain is located in Ontario Street South and the Region of Halton is planning to upgrade this main in 2018. A 50mm diameter service line with water meter and backflow preventers will be provided.

A 250mm diameter sanitary sewer is located in Ontario Street South and a 150mm diameter connection will service the building through the utility room.

A 450mm diameter storm sewer exists in Ontario Street South. Storm water quantity control is provided by a 75mm diameter orifice plate and underground and parking lot storage. Quality control is provided by an oil and grit separator (Hydroworks model HG4).

Hydro, Bell, Rogers and Gas utilities are available to service the site.

### **Traffic Opinion Letter**

A Traffic Opinion Letter was prepared by Crozier & Associates, Consulting Engineers dated March 2017. The letter reviews the existing traffic operations at the intersection of Ontario Street South and Pine Street; trips generated by the proposed development; queuing analysis; traffic operations at the intersection to 2022; and safety at the site access.

Ontario Street South is a Multi-purpose Arterial with a four-lane cross-section with sidewalks on both sides of the road. Pine Street is a Collector Road. The intersection with Pine Street is signalized. The northbound and southbound approaches of Ontario Street South consist of an exclusive left-turn lane, one through lane and a shared through/right-turn lane. There is an exclusive left-turn lane and a shared through/right turn lane on Pine Street. The westbound approach (Shopping Centre access) consists of an exclusive left-turn lane and a shared through/right-turn lane.

The Pine Street at Ontario Street South intersection operates at a Level of Service "A" during the weekday p.m. and Saturday peak hours. Under 2022 total traffic conditions, the intersection is projected to operate at a Level of Service "A" and "B" during the weekday p.m. and Saturday peak hours, respectively. The proposed development is projected to generate a total of 12 trips during the weekday p.m. peak hour, and 10 trips during the Saturday peak hour.

The site access is located approximately 35.6 metres west of the intersection of Pine Street and Ontario Street South. The site access is projected to operate at a Level of Service "A" during the weekday p.m. and Saturday peak hour. It was also determined that the queue at the intersection will not obstruct the proposed site access during the peak hours.

No issues related to corner clearances, access conflicts, sightlines, heavy truck movements and transit operational conflicts were identified.

#### Parking Justification Study

C. F. Crozier & Associates Inc. ("Crozier") prepared a Parking Justification Study dated March 2017. A total of 30 parking spaces are proposed, whereas the Zoning By-law requires 34 parking spaces. The Institute of Transportation Engineers ("ITE") parking generation, Transportation Tomorrow Survey ("TTS") data and review of a similar site (155 Ontario Street North), it has been determined by Crozier that 30 parking spaces will be sufficient to meet the forecasted peak parking demand.

#### Phase One and Phase Two Environmental Site Assessments ("ESA")

Toronto Inspection Ltd. ("TIL") prepared a Phase One and Phase Two Environmental Site Assessment, both dated March 6, 2017. The Phase One ESA identified Potentially Contaminating Activities ("PCAs") on the subject lands, including potential sources of fuel, potential presence of fill of unknown quality and potential application of pesticides. Consequently, a Phase Two ESA was required.

The Phase Two ESA was conducted to evaluate the subsoil quality. Exceedances of lead in the fill at 446 Pine Street were identified. The Phase Two ESA concludes: "Additional delineation followed by soil remediation, will be required at the Site. The impacted soils will require disposal at a licensed facility."

#### Geotechnical Investigation

Toronto Inspection Ltd. ("TIL") prepared a Geotechnical Investigation dated February 28, 2017. The field work for the investigation was carried out in January 2017 and consisted of drilling six sampled boreholes. TIL provided

information on the subsurface conditions and provided recommendations for excavation and construction.

### **Planning Analysis/Opinion**

The rezoning of the subject property to a modified RMD 2 Zone to facilitate the construction of a new three (3) storey, 19 unit apartment building is appropriate and represents good planning.

The rezoning is consistent with the PPS and in conformity with the Provincial Growth Plan, Regional Plan and the Town of Milton OP.

From a technical perspective, the proposed apartment building does not raise any issues with respect to servicing, parking or traffic. A Phase One and Phase Two ESA were conducted and given exceedances in lead, soil remediation is required.

### **Recommendation/Conclusions**

It is recommended that Town Council approve the rezoning application. The rezoning application represents good planning; is consistent with the PPS; and is in conformity with the Provincial Growth Plan, the Regional Plan and the Milton OP.

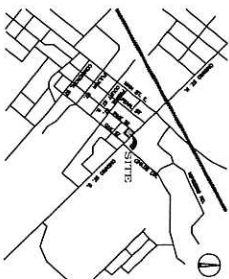
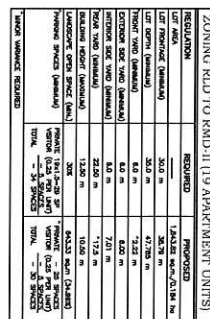
Yours truly,

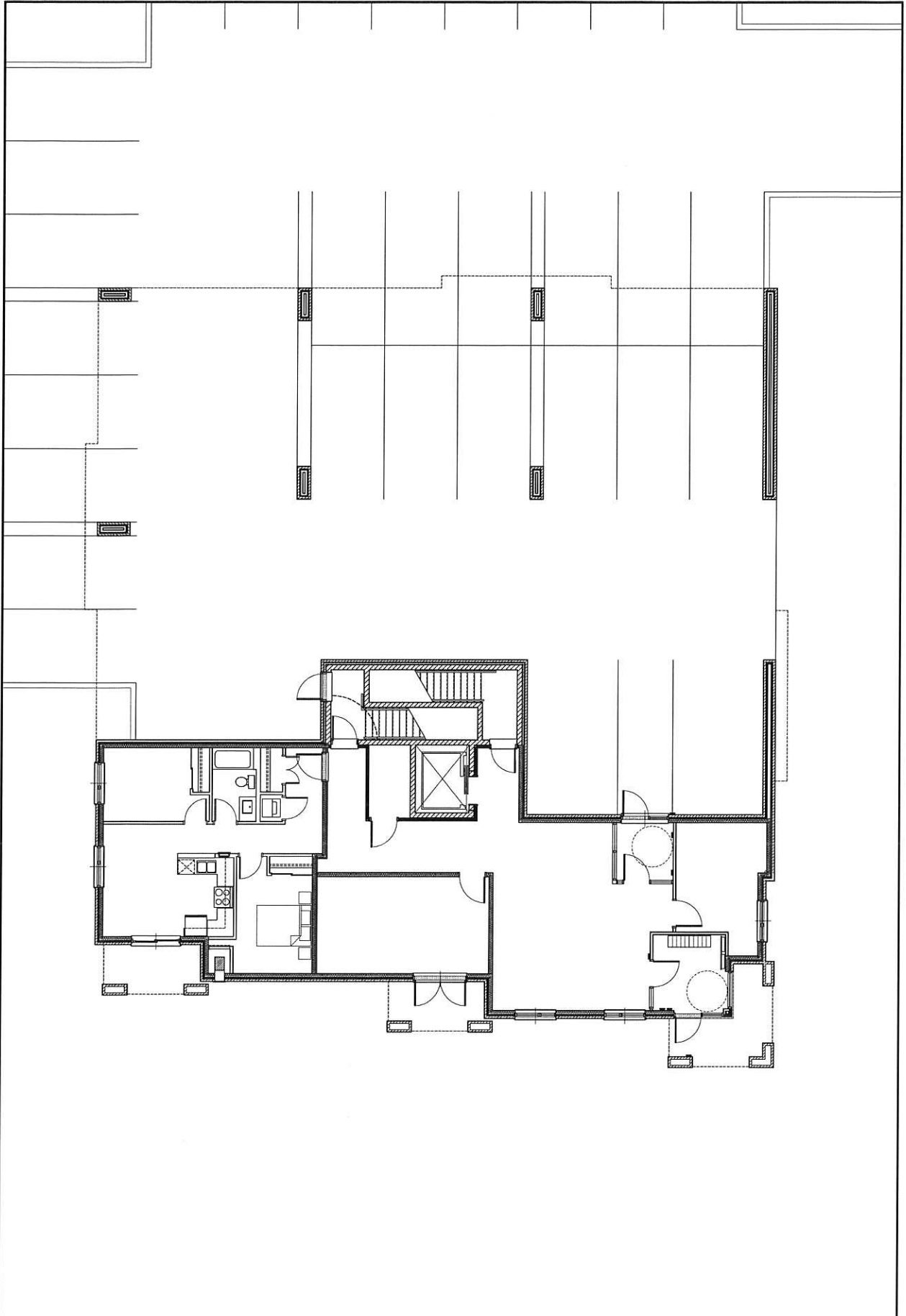
**WELLINGS PLANNING CONSULTANTS INC.**

  
Nancy Friday, MCIP RPP

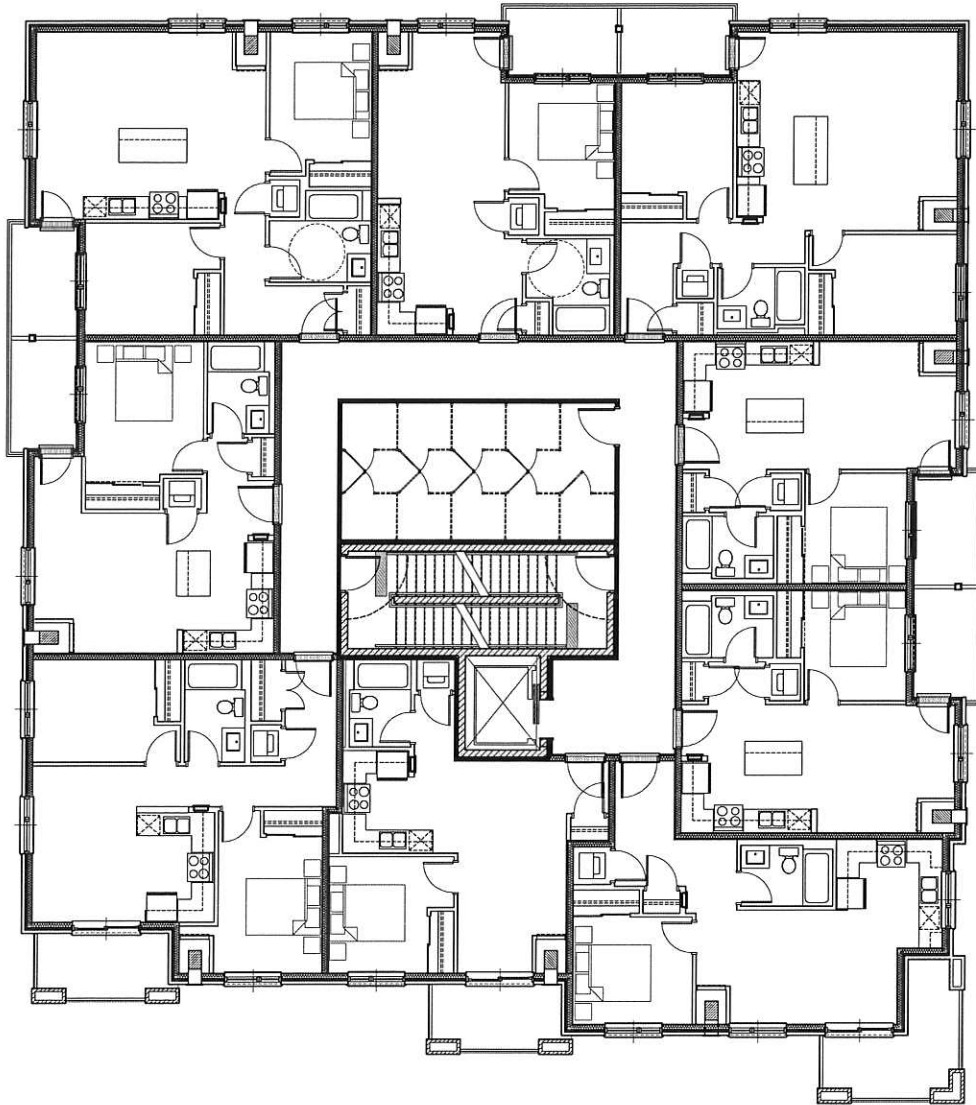
  
Glenn Wellings, MCIP RPP







<div style="writing-mode: vertical-rl; transform: rotate(180deg);">A2.1</div>	<b>PINE STREET APARTMENT</b> 70 PINE STREET ARLINGTON, ONTARIO		EDITION: 70 PINE FILE: 70 PINE - PLANS/REV SCALE: 3/16" = 1'-0" DRAWN BY: KCB DATE: JANUARY 2017 REVISION: 1 JOB NO.: 10880		1/27/17 3 ISSUED FOR ZONING AMENDMENT 8/16/14 1 SPA PRELIMINARY SUBMISSION DATE: 1/1/17 BY: KCB	North Arrow 	John R. Robinson, P. Eng., OAA, MRAC, Principal Architect of GB ARCHITECT INC. is the designer for this project with the exception of the work shown in the enclosed zoning amendment. The Ontario Association of Architects has assigned Gary B. Robinson, P. Eng., OAA, MRAC, as the Architect for this project. In per requirement of the Ministry of Municipal Affairs & Housing 610.114 The Architect above has exercised responsible control with respect to design and construction. The Architect's seal and no. are in this BCIN number.	<b>gb architect inc.</b> 438 ONTARIO STREET STRATHMORE, ONTARIO N5A 3J2 PHONE: (416) 737-4073 FAX: (416) 737-1433	725, 1, 1007 	
	<b>FIRST FLOOR PLAN</b>									



<div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold; font-size: 24px;">A2.2</div>	<b>PINE STREET APARTMENT</b> 70 PINE STREET MONTREAL, QUEBEC		PROJECT 2017	
	TYPICAL FLOOR PLAN		DRAWN BY: KCB	
	DATE: JANUARY 2017		REVISIONS:	
	JOB NO.: 10088		NO. REVISION	

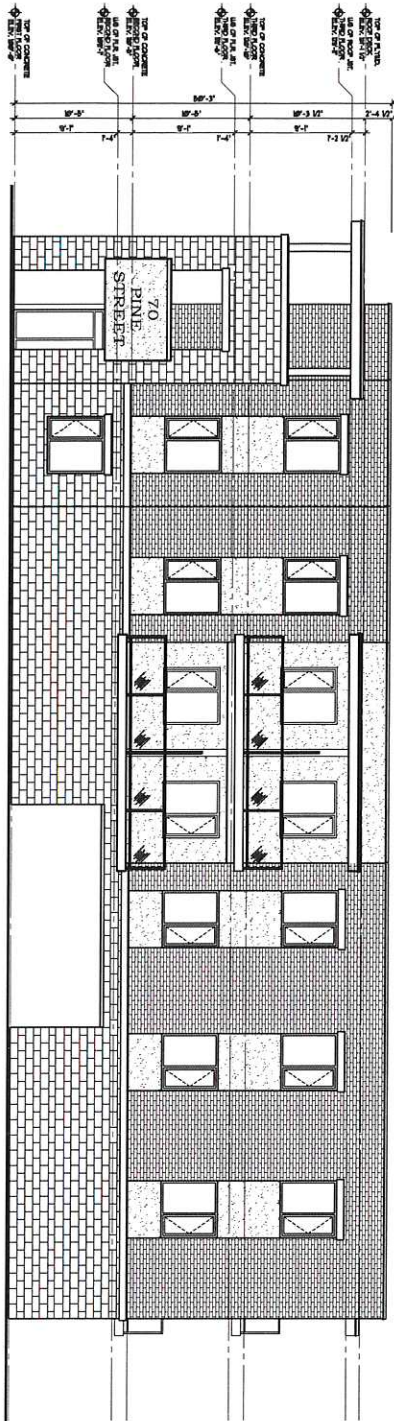
1/20/17 3 REVISED FOR ZONING AMENDMENT  
 2/16/17 1 SPA PRELIMINARY SUBMISSION  
 DATE NO. REVISION

"GUY R. BILLOREAU, B. ARCH., OAA, MRAIC,  
 Principal Architect of GCB ARCHITECT INC. is the  
 designer for this project with respect to all architectural  
 work shown on this drawing sheet. The Ontario  
 Association of Architects has designated  
 Guy R. Billoreau as the Architect of Record.  
**GCB ARCHITECT INC.**  
 in the presence of the Ministry of Municipal  
 Affairs & Housing B011214

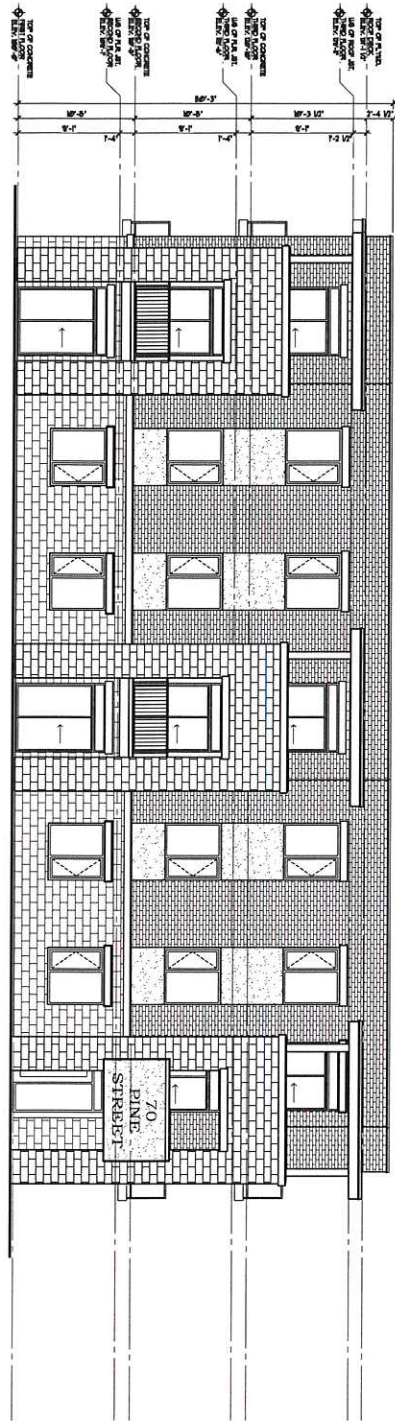
The Architect shows his intended responsibility, with  
 respect to the project, in the Architect's seal and signature in this  
 section of the drawing.

**gb architect inc.**  
 430 ONTARIO STREET  
 SHERBROOKE, ONTARIO J1A 3J2  
 PHONE: (819) 533-1873 FAX: (819) 533-1432

NORTH (PINE STREET) ELEVATION



EAST (ONTARIO STREET) ELEVATION



A3.1

**PINE STREET APARTMENT**  
70 PINE STREET  
MILTON, ONTARIO

**EAST AND NORTH EXTERIOR ELEVATIONS**

<b>EXCISE</b>	FOLDER 70 PINE
<b>FILE</b>	70 PINE - ELEVATIONS
<b>SCALE</b>	3/4"=1'-0"
<b>DRAWN BY</b>	MW / JAM
<b>DATE</b>	JANUARY 2017
<b>REVISION</b>	1 2017/01/21 2 2017/01/21 3 2017/01/21
<b>JOB No.</b>	10085
<b>DATE</b>	NO. 10085



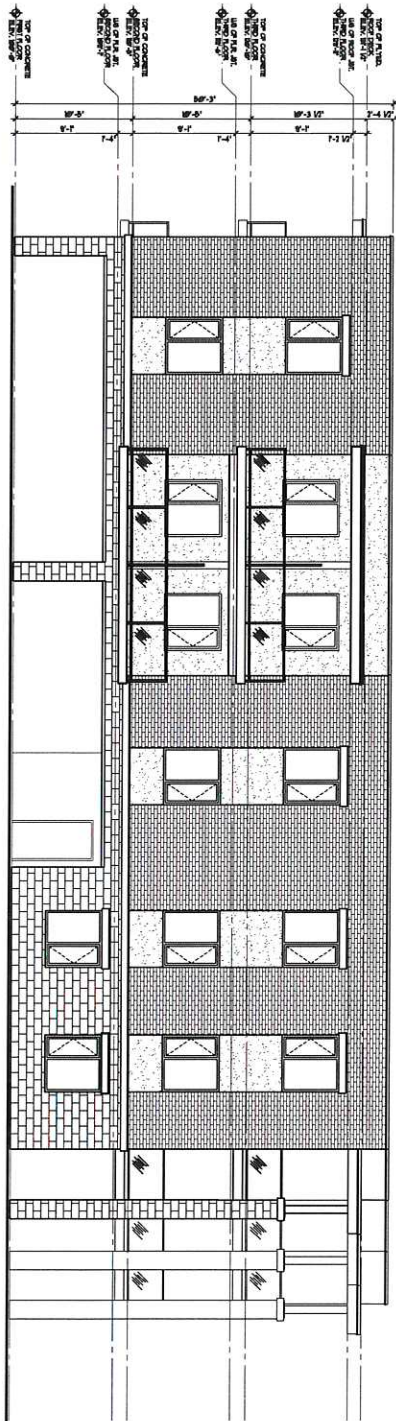
"GUY B. BULLIVANT, B. Arch., OAA, MRAC,  
Principal Architect of GB ARCHITECT INC. is the  
designer for this project with respect to all architectural  
work identified on the drawings. The Ontario  
Association of Architects has assigned  
Guy B. Bullivant & Co. ARCHITECT INC.  
as the representative of the Ministry of Municipal  
Affairs & Housing (MMAH)."  
The Architect above has exercised responsibility covered with  
respect to design activities. The Architect's seal number is 10085  
P/C/N number

**gb architect inc.**  
410 ONTARIO STREET  
STRAITFORD, ONTARIO N5A 3J2  
PHONE: 519-271-0075 FAX: 519-271-1031

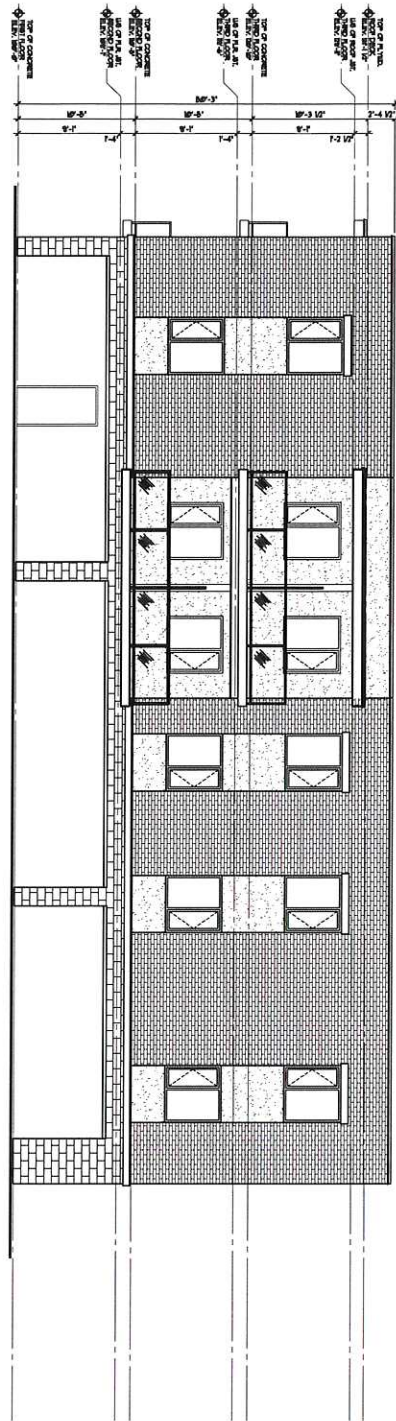




SOUTH ELEVATION



WEST ELEVATION



A3.2

**PINE STREET APARTMENT**  
70 PINE STREET  
MILTON, ONTARIO  
**WEST AND SOUTH EXTERIOR ELEVATIONS**

**STATUS**  
FOLDER 70 PINE  
FILE 70 PINE - ELEVATIONS  
SCALE 1/8"=1'-0"  
DRAWN BY M.W. / A.M.  
DATE JANUARY 2017  
REVISIONS  
REV. NO. 10000

REV. NO. 10000

REV. NO. 10000

"Guy R. Bollenbaum, B. Arch., OAA, MRAC"  
Principal Architect of GB ARCHITECT INC. is the  
designer for this project's architectural work identified on the drawing sheet. The Ontario  
Association of Architects has assigned  
Guy R. Bollenbaum, B. Arch., OAA, MRAC  
as per requirements of the Ministry of Municipal  
Affairs & Housing (M31 234)  
The Architect shall be deemed responsible for the  
design of the project. The Architect's seal number is 0001  
PCTN number

**gb architect inc.**  
410 DUNDAS ST. W. SUITE 101  
TORONTO, ONTARIO M5T 1A5  
PHONE: (416) 593-7777 FAX: (416) 593-7778





**DRAFT ZONING BY-LAW AMENDMENT**  
**THE CORPORATION OF THE TOWN OF MILTON**  
**BY-LAW NUMBER XXX-2016**

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, AS AMENDED, IN RESPECT OF THE LANDS DESCRIBED AS 446 PINE STREET AND 72 ONTARIO STREET SOUTH, FILE; Z-xx/17

**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. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Residential Low Density (RLD) Zone Symbol to a site-specific Residential Medium Density (RMD2\*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 13.1.1.xxx to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Residential Medium Density (RMD2\*XXX), the following standards and provisions shall apply:

- a) Notwithstanding Section 6, Residential Zones, Subsection 6.2, Table 6D, the minimum lot frontage shall be 38.7 metres.
- b) Notwithstanding Section 6, Residential Zones, Subsection 6.2, Table 6D, the minimum front yard setback shall be 2.2 metres.

- c) Notwithstanding Section 6, Residential Zones, Subsection 6.2, Table 6D, the minimum rear yard setback shall be 17.5 metres.
- d) Notwithstanding Section 6, Residential Zones, Subsection 6.2, Table 6D, the minimum landscaped open space shall be 34.9%.
- e) Notwithstanding Section 5, Parking & Loading Provisions, Subsection 5.8.1, Table 5E the parking spaces shall be 1.3 per unit plus 0.25 parking spaces for visitors in a designated visitor parking area.
- f) Notwithstanding Section 6, Residential Zones, Subsection 6.3, Special Residential Provisions, Subsection 6.3.2.2, balconies are permitted in all yards and may encroach to a maximum of 2.0 metres into the required front yard and a maximum of 2.5 metres into all other yards.

3. **AND THAT** 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 Ontario Municipal Board dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Municipal Board amends the by-law pursuant to Section 34 (26) of the *Planning Act*, as amended, the part of parts so amended come into force upon the day the Board's Order is issued directing the amendment or amendments.

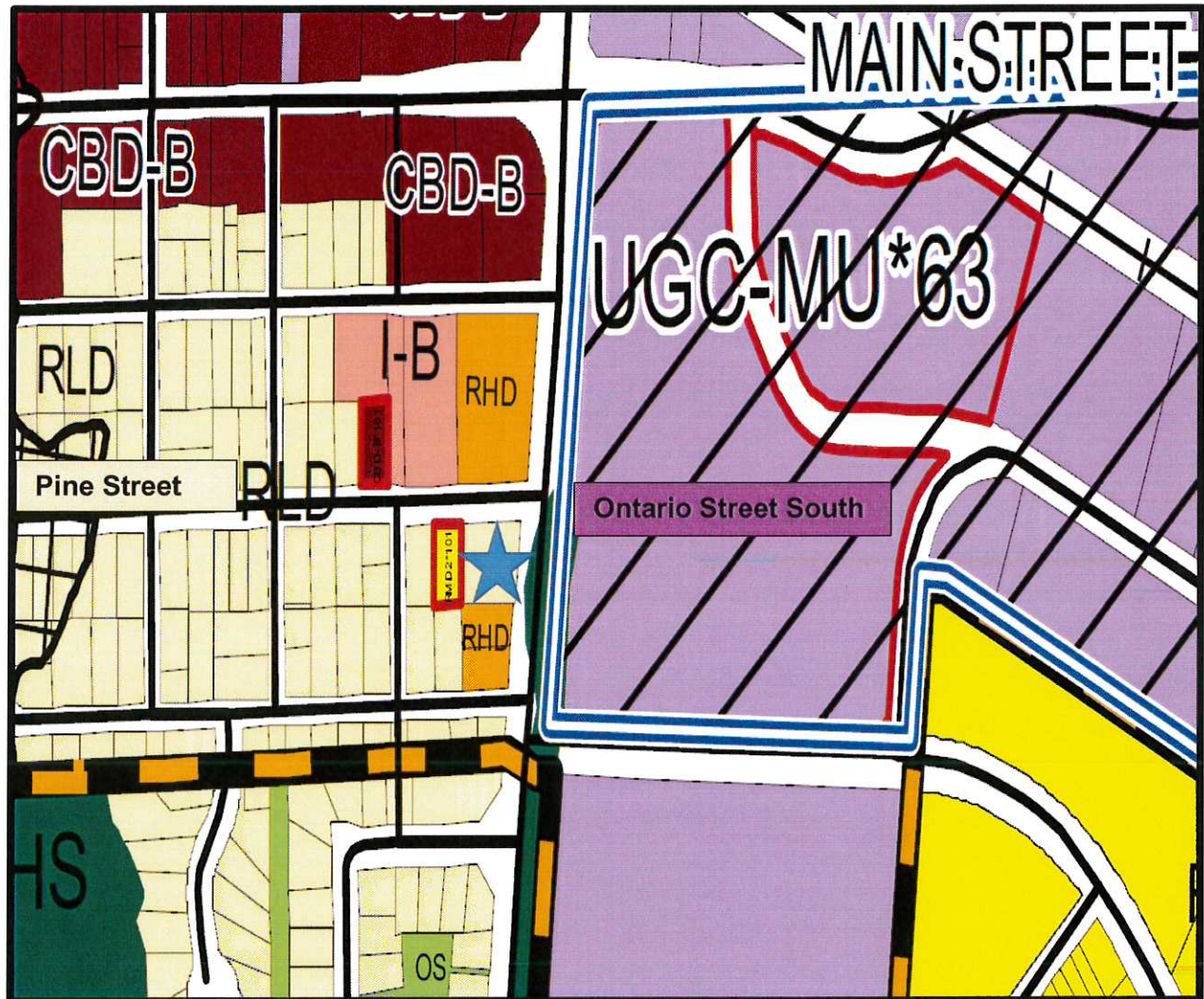
**PASSED IN OPEN COUNCIL ON \_\_\_\_\_, 2017**

\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Troy McHarg Town Clerk

SCHEDULE A  
TO BY-LAW No. XXX-2017  
TOWN OF MILTON

446 PINE STREET AND 72 ONTARIO STREET SOUTH



THIS IS SCHEDULE A  
TO BY-LAW NO. XXX-2017 PASSED  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR – Gordon A. Krantz



RMD2\*XXX – Residential Medium Density 2 Special

\_\_\_\_\_  
CLERK – Troy McHarg