



The Corporation of the TOWN OF MILTON

Report To: Mayor G.A. Krantz & Members of Council

From: Barbara Koopmans, Acting Director of Planning and Development

Date: February 18, 2014

Report No: PD-014-14

Subject: Technical Report – Proposed amendment to the Local Official Plan (the “LOPA”) by the Milton Heights Landowners Group (the “MHLG”), applicable to lands legally described as Parts of Lot 1 and 2, Lot 3, and Parts of Lots 4 and 5, Concession 1, Esquesing, Town of Milton, (the “Lands”) to permit residential and mixed use developments within Milton Heights Neighbourhood (LOPA-01/07) (the “Application”)

Recommendation: **THAT Town of Milton Council supports the future closure of Peru Road in accordance with the addendum for the Environmental Assessment for Tremaine Road and James Snow Parkway (2008), except for that portion of Peru Road in line with Third Sideroad to the Granite lands property line;**

THAT Town of Milton Council’s support for such closure is subject to the construction and conveyance, as a public right-of-way, of an alternate industrial collector road from Peru Road to new Tremaine Road, at no cost to the Town, and substantially in accordance with the Transportation Plan of the LOPA attached as Appendix 1 to PD-014-2014, prior to the closure, temporary or permanent, of any portions of Peru Road or Third Sideroad;

THAT Town of Milton Council supports granting Granite an access to Third Sideroad over that portion of Peru Road that is not closed, subject to the Town not incurring any additional costs associated with the construction or maintenance of this access;

THAT Town of Milton Council supports application LOPA-01/07 for an amendment to the Town of Milton Official Plan to amend the policies and schedules of the Official Plan and the policies and schedules of the Sherwood Survey Secondary Plan on lands legally described as Parts of Lot 1, 2, 3, 4 and 5, Concession 1, Esquesing, Town of Milton,



Regional Municipality of Halton, substantially in accordance with the Official Plan Amendment and By-law attached as Appendix 1, conditional upon the resolution of the outstanding technical matters set out in this report, including the entering into of minutes of settlement between Milton Meadows, the Town, Magna, Granite and the Stronach Trust and between Andrin, the Town, Magna, Granite and the Stronach Trust dealing with matters of land use compatibility and the formulation and securing of appropriate noise mitigation measures;

AND THAT that the Acting Director of Planning and Development is authorized to make minor changes to the LOPA as a result of further discussions with the parties to the Ontario Municipal Board hearing prior to the completion of the hearing;

AND THAT staff and legal counsel be authorized to attend the Ontario Municipal Board hearing to present evidence in support of Council's position.

EXECUTIVE SUMMARY

Requested Amendments

In 2007, the MHLG submitted a tertiary plan in accordance with the requirements outlined in the policies of the Sherwood Survey Secondary Plan and requested an amendment to the Town's Official Plan to revise the maximum residential density for the Milton Heights Neighbourhood to 45 units per net hectare. The increase in density was requested to permit townhouse development adjacent to transportation corridors. The Application also proposed to add a Secondary Mixed Use Node along both sides of Third Sideroad with associated new policies.

The tertiary plan and later concept plans for the Milton Heights Neighbourhood reflect the outcome of the 2008 Environmental Assessment for Tremaine Road and James Snow Parkway (Tremaine EA), as agreed upon between Halton Region, various agencies and the MHLG. Consistent with the Tremaine EA, the alignment of the NW-2-G1 corridor is placed over portions of the Business Park and Community Park designations. The alignment requires the closure of a portion of Peru Road, a collector road intended to service the existing industrial and proposed business park lands.

Revisions to the Application

Following the initial Application, the MHLG substantially revised their development



proposals, and a revised tertiary plan was presented at the June 2010 public meeting. Subsequently, a further revision of the tertiary plan was presented at the June 2012 public meeting. The revised development proposals also resulted in additional changes to proposed land use designations and policies as part of the LOPA. In March 2012, the MHLG further the Application to delete the requirement for a Council approved tertiary plan for the Milton Heights.

The LOPA, as currently contemplated and addressed in this report, proposes: (i) changes in land use designations to reflect the Tremaine EA; (ii) to delete the requirement from Policy C.8.4.5.2 a) for Council approval of a tertiary plan for the Milton Heights Neighbourhood; (iii) to revise the maximum residential density; and (iv) a number of policy refinements. The LOPA also adds policies that require development within the Neighbourhood to be considered in a comprehensive manner, through individual plans of subdivision, and provides for appropriate transitions.

The LOPA includes policies for the Business Park Area in Milton Heights with respect to noise mitigation and sensitive land uses and for the Residential Area within Milton Heights with respect to noise mitigation, phasing and height restrictions. Policies allow for the refinement of the location and configuration of the community park in Milton Heights, the deletion and replacement of a portion of Peru Road as a collector road, and the refinement of the trails system. New policies are introduced for the Third Sideroad Character Area to allow for the development of a village main street.

Additional Revisions Required

The proposed LOPA has been informed by technical reports and studies for the individual plans of subdivision. For the Andrin and Milton Meadows North plan of subdivision applications, the technical issues have been or are close to being resolved.

With respect to the Century Grove lands, the plan of subdivision and zoning by-law amendment applications have not yet been finalized and without prejudice discussions are still on-going. Thus, for the Century Grove lands, the LOPA only deals with the land use changes resulting from the Tremaine EA (being the realignment of NW-2G-1 and the closure of Peru Road) and the relocation of the Community Park from the Milton Meadows lands to the Century Grove lands. All other matters relating to Century Grove with respect to the local official plan amendment are deferred until the plan of subdivision and the zoning amendment have been resolved between the parties. While the Century Grove matters are all before the Ontario Municipal Board, It is expected that hearing dates for its plan of subdivision, zoning by-law amendment and updated LOPA will be set for some time in the spring.

The Application and the zoning by-law amendments and plans of subdivision for Andrin and Milton Meadows are also currently before the Ontario Municipal Board. The hearing is scheduled to commence on February 18, 2014. The issue of whether draft plan



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approval and draft conditions can be granted for those lands that have not secured servicing allocation with Halton Region will be dealt with by the Board in the week of February 18. Any remaining unresolved technical issues relating to the LOPA and the Andrin and Milton Meadows applications will be dealt with in the following two weeks. In this latter part of the hearing the participants will also be making presentations to the Board.

Staff remains hopeful that any remaining technical and planning issues will be fully resolved. In preparation for the upcoming hearing, staff is requesting that a Council position be established to be presented to the Board.

The Century Grove portion of the hearing has been postponed. The Century Grove lands have been included as part of the local official plan amendment, at this time, only to the extent required for those matters relating to implementation of Tremaine EA as negotiated by the MHLG

Conclusions and Recommendations

With respect to density and housing mix, the proposed LOPA provides a vision for the community that is different than what was originally contemplated. The transportation corridors, which abut and bisect this Neighbourhood, and the existing industrial industries on the east side of Peru Road pose significant constraints on development and create a noise environment that requires mitigation through subdivision design, housing types and other mitigation measures.

Planning staff is satisfied that the proposed LOPA is consistent with the Provincial Policy Statement and conforms to the Regional and Town Official Plans. Subject to the resolution of the remaining issues, including satisfactory minutes of settlement between Andrin, the Town, Magna, Granite and the Stronach Trust and between Milton Meadows the Town, Magna, Granite and the Stronach Trust dealing with noise issues, staff is prepared to recommend approval of the LOPA by the Ontario Municipal Board and seeks Council's support for this position.

REPORT

Background

Agent

Rob Freeman
Freeman Planning Solutions Limited
6424 Edenwood Drive
Mississauga Ontario L5N 3H3

Applicants – collectively referred to as the Milton Heights Landowners Group



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Parcel 1: 35.4 ha

Parcel 2: 8.6 ha

Mr. Doug Skeffington
Milton Meadows Properties Inc.
c/o Royal Park Homes
65 Royalpark Way
Vaughan, ON L4H 1J5

Parcel 3: 24.8 ha

Mr. Albert Vitullo
1321387 Ontario Inc.
c/o Century Grove Homes
30 Moyal Court
Vaughan, ON L4K 4R8

Parcel 5: 19.4 ha

Ms. Joanne Barnett
Andrin (Milton) Properties Limited
c/o Kerbel Group Inc.
26 Lesmill Road Unit 3
Toronto, ON M3B 2T5

Location/Description

The Milton Heights Neighbourhood has an area of approximately 149.5 ha and is bounded by Highway 401 to the north, the CP Rail corridor to the south, Peru Road to the east and existing Tremaine Road to the west. The area is legally described as Parts of Lots 1 and 2, Lot 3 and Parts of Lots 4 and 5, Concession I, (former Township of Esquesing) Town of Milton. The location of the Lands is illustrated on Figure 1.

The Milton Heights Neighbourhood has a unique setting with its location at the foot of the Niagara Escarpment and its extensive environmental features. Sixteen Mile Creek with its valley, extensive floodplain and associated natural features separates the neighbourhood into a northern and southern area. The lands to the west and the south of the Lands fall within the Niagara Escarpment Plan Area and include Kelso Conservation Area, the Country Heritage Park and non-farm residential dwellings. South of the CP Rail corridor, the Lands include a former quarry and brickworks, and are to be conveyed to the Town as future passive park or open space lands.

The existing residential communities in the Milton Heights and Peru areas are identified as Character Areas in the Sherwood Survey Secondary Plan. Specific policies in the Secondary Plan require appropriate transitions in density, lot sizes and housing types based on proximity to the Niagara Escarpment Plan Area, natural heritage features and the existing residential areas.



The Lands north of Highway 401 are part of the Highway 401 Industrial and Business Park Secondary Plan and are intended to be developed for industrial and business park uses. On the east side of Peru Road, north of Sixteen Mile Creek, lands are designated, zoned, and largely developed as industrial lands. South of Sixteen Mile Creek, the lands on the east side of Peru Road are designated and developed as residential uses, separated by Sixteen Mile Creek from the industrial lands to the east.

Proposal

The MHLG submitted an application for a local official plan amendment (LOPA 01/07), which seeks to amend the policies of the Sherwood Survey Secondary Plan. The particular amendments, which have been requested, are (i) the removal of the requirement for a Council approval of a tertiary plan and, (ii) changes in the land use designations, in part to implement the 2008 Environmental Assessment for Tremaine Road and James Snow Parkway Transportation Corridor Improvements (the "**Tremaine EA**"), (iii) an increase in density to 40 units per net hectare for lots situated abutting Provincial Freeways, Major Arterial Roads and Railway Corridors, and (iv) additional policies relating to the Residential Area in Milton Heights, the Business Park Area, the Community Park and its relocation, the collector roads, and Character Area policies for the Third Sideroad Character Area.

If approved, the LOPA would permit:

- 1) development to proceed by individual plans of subdivision provided the intent of the tertiary plan policies are maintained i.e. land use compatibility, transition of density, lot size and housing type are to be implemented in the individual plans of subdivision, based on consideration of the proximity of residential development to the Niagara Escarpment Plan Area and natural features, transportation corridors and employment lands and existing residential development;
- 2) changes in land use designations to implement the Tremaine EA and any additional changes to implement the individual plans of subdivision;
- 3) density to vary from a high of 40 units per net hectare with a low of 15 units per net hectare near the Niagara Escarpment Plan Area, existing residential development and natural heritage features.

The LOPA would also introduce additional policies relating to the Residential Area, the Business Park Area, Community Park, and the Third Sideroad Character Area.

Supporting Documentation

The MHLG has submitted a number of technical reports in support of the proposed



LOPA. Town staff and circulated agencies have reviewed these reports and provided extensive comments to which the MHLG have responded. The final reports provide sufficient basis to support the proposed LOPA..

The following is a list of the reports submitted:

- Subwatershed Impact Study for Areas 1, 2 and 4, volumes 1, 2 and 3, prepared by RAND Engineering Corporation et al., dated October 2013
- Traffic Impact Study prepared by HDR dated February 2013 and HDR response letter dated October 25, 2013
- Environmental Noise Feasibility Assessments prepared by Valcoustics Canada Ltd. for the associated plans of subdivisions
- Urban Design Guidelines prepared by MBTW Watchorn dated November 2013
- Architectural Design Guidelines prepared by Watchorn Architect, dated March 2007, revised November 2013
- Visual Impact Assessment prepared by Sitrine Research and MTBW Watchorn, dated November 20, 2013
- Planning Appraisal Report prepared by Freeman Planning Solutions Inc., dated February 27, 2013
- Report on the 2006 Stage 1-2 Archaeological Assessment prepared by Amick Consultants Limited, dated July 2006

Planning Policy

Staff has reviewed the Application with respect to policies contained in the Provincial Policy Statement (2005), the Growth Plan (2006), and the Regional and Local Official Plans. Staff has also reviewed the proposed LOPA in relation to the policies relating to Milton Heights contained in the Sherwood Survey Secondary Plan. While different than the original vision for the community, the proposed amendment conforms to Provincial, Town planning policy.

Discussion

Public Consultation

Public meetings were held on June 21, 2010 and June 18, 2012 with respect to the Milton Heights Tertiary Plan and associated LOPA. Density, traffic impacts, changes to the Third Sideroad Character Area, land use compatibility with Hunt Trucking and environmental considerations were raised. These issues are discussed below.

Agency Consultation

Extensive agency consultation has occurred through formal circulation of resubmissions



and through formal Board mediation and ongoing without prejudice discussions among all the parties. Conservation Halton staff and Halton Region staff have confirmed that they have no objection to the amendment, as currently proposed. The policies proposed in the LOPA address their concerns.

Engineering Services staff has no objection to the approval of the LOPA, provided that Peru Road, and its function as a collector road, is replaced to their satisfaction. Staff is satisfied that the alternate collector roads shown on the schedules address their concerns.

Comments from the Niagara Escarpment Commission staff have been incorporated. A policy requiring a berm and landscaping adjacent to the Niagara Plan Area has been included in the LOPA.

The School Boards and the utilities have either offered no comment and/or no objection to the Application.

Summary of Issues

Implementation of the Tremaine EA

The addendum to the Tremaine EA places the NW-2-G1 creek along the eastern boundary of the Milton Heights Neighbourhood. The proposed realignment of NW-2-G1 places the watercourse over the road allowance of Peru Road, Business Park Area and Community Park Area designations. This alignment requires the closure of Peru Road and a portion of Third Sideroad, which in turn affects several industrial land owners and has not been previously considered by Council.

Industrial properties, south of the proposed road closure, only have access onto Peru Road and require a direct industrial collector road access to new Tremaine Road. A direct link is proposed and a policy has been included to allow for the closure of Peru Road, provided it is replaced with an alternate industrial collector road that provides access from the Industrial and Business Park Areas to new Tremaine Road.

The proposed alignment of the NW-2-G1 creek corridor eliminates road frontage on Peru Road for the Modatek lands. Granite, the owner of these lands, has made a formal request to the Town to maintain road frontage for the portion of Peru Road in line with Third Sideroad. This road connection would permit future access across the NW-2-G1 creek corridor to the Highway 401 interchange with new Tremaine Road, subject to approvals. Staff is of the opinion that the requested extension of Third Sideroad to the Modatek property line enhances the long term viability of the industrial lands and has been included in the schedules with a collector road designation.

The NW-2-G1 watercourse is considered to be habitat for Red-side Dace, an



endangered fish species. The Regulated Habitat for Red-side Dace consists of the meander belt of the watercourse plus 30 metre buffers. Consistent with this, the Tremaine EA includes a 90 metre wide creek corridor and appears to place part of the buffers on the Modatek lands. Granite is opposed to additional buffers and/or regulated habitat placed on its lands. The final corridor width and placement are close to being finalized with input from the Ministry of Natural Resources. The outcome of these discussions may result in minor changes to the plans of subdivision, but will not affect the proposed LOPA.

The proposed alignment of the NW-2-G1 watercourse requires the relocation of the Community Park as shown in the Sherwood Survey Secondary Plan schedules. Century Grove has agreed to accommodate the Community Park Area on its lands, subject to working out the location through the plan of subdivision process, and this is reflected in the latest draft plan. The LOPA includes a policy that permits refinement of the location and configuration on the Century Grove lands through the plan of subdivision process.

Environmental Constraints and Limits of Development

The lands within the Milton Heights Neighbourhood are subject to extensive environmental constraints, including a number of creek tributaries, wetlands and wooded areas. These natural heritage features have been studied as part of the Subwatershed Impact Study (the "SIS") Over the last few years, the MHLG has done significant additional work for SIS Areas 1, 2 and 4 and the SIS has therefore been substantially revised on resubmission. The final resubmission has been accepted by the agencies, with ongoing discussions with the MHLG with respect to a few outstanding matters. Staff notes that SIS Area 3 is entirely owned by non-participating landowners. Additional detail will have to be provided for SIS Area 3 when development is proposed for these lands.

Conservation Halton is prepared to recommend the realignment of the NW-1-D watercourse and the engineering of the NW-1-E watercourse within Milton Heights. The LOPA identifies a corridor for these creeks. Two options for the realignment of the NW-1-D corridor are under consideration by Andrin on either the north side or the south side of the Canadian Pacific Rail corridor. Both options are acceptable to the agencies, subject to certain further work. In accordance with Official Plan policies, the Greenlands A Area associated with the creek can be adjusted without amendment to the Plan. An addendum to the SIS will be required for the alignment as shown in the LOPA.

Noise and Land Use Compatibility

Other constraints on development in Milton Heights include existing industry and industrially zoned lands east of Peru Road, as well as existing and proposed transportation corridors. The Canadian Pacific Rail corridor is located at the south end.



Realigned Tremaine Road, a major regional arterial road, is to be located through the middle of Milton Heights with a future interchange and Highway 401 at the north end of the area. An existing industrial area is situated east of Peru Road containing several major industries, including the Modatek and Karmax Magna plants. Some of the industrial properties front directly onto Peru Road and require access to realigned Tremaine Road.

Noise and vibration associated with these existing and future anticipated industries and infrastructure pose certain constraints to development. These issues have been the subject technical studies and have implications for the planning of the MHLG lands with respect to land use compatibility, phasing of development, massing and height of structures and mitigation measures. There has been an ongoing exchange of technical information that has informed the noise impact studies and peer reviews and the affected parties – the MHLG, Magna, Granite, the Stronach Trust and the Town – are near to a resolution of the issues for the Andrin and Milton Meadows lands, with minutes of settlement pending. The mitigation measures and further agreements and restrictive covenants contemplated in the minutes of settlement are reflected in the LOPA, all with a view to minimizing land use compatibility issues for both future residents of Milton Heights and the industries and to ensure that those industries and industrial lands remain viable in the long term. In the absence of minutes of settlement that secure the matters sought by the industries and the Town, staff would be unable to recommend the LOPA with the current land use designations.

To reflect the noise impact studies, the LOPA includes additional policies with respect to noise for the Business Park Area and Residential Area north of Third Sideroad. A Local Commercial Block is included at the northwest corner of new Tremaine Road and Third Sideroad, with the built form on this block providing noise mitigation for the Residential Area.

Hunt Trucking

The owner of the Hunt properties is of the opinion that residential uses are incompatible with his business and has requested that a large buffer be included around the property. The Residential Area designation of the Hunt Trucking property was established through the Official Plan in 1996 and was confirmed through the Sherwood Survey Secondary Plan approved in December, 2004. The land use designation applicable to the lands and the surrounding lands is not proposed to be changed through the LOPA .

Tertiary Plan and Development Policies

The LOPA proposes to delete the requirement for Council approval of a tertiary plan for the Milton Heights Neighbourhood. Staff supports this deletion as the purpose of a tertiary plan is to put in place the primary building blocks of a development area to which plans of subdivision can then easily conform. Because of the lengthy and



detailed processing which the developments proposed by Andrin, Milton Meadows and Century Grove have undergone, the need to establish building blocks is no longer necessary. However, the LOPA continues to incorporate policies to ensure that development proposals are dealt with in a comprehensive manner through the integrated review of the plans of subdivision. For instance, while the maximum residential density in Milton Heights is proposed to be increased from 30 to 40 units per net hectare, the LOPA includes policies to ensure appropriate transitions and consideration for the unique location of the lands to which it applies - in close proximity to the Niagara Escarpment, a number of natural features and the existing community.

The LOPA also proposes to amend the existing policies applicable to the Third Sideroad Character Area. New policies are proposed which would permit the development of a village main street with live-work units having limited office and commercial uses on the ground floor. A policy is included requiring that development of this area may only proceed by plan of subdivision.

These policies result in a vision which is different than the larger lot and lower density development originally contemplated in the Sherwood Survey Secondary Plan, but still address the intent of its policies with respect to transitions and lower density development adjacent to the Niagara Escarpment, natural features and the existing community. The deletion of the requirement for a Council approved tertiary plan will allow existing residents to proceed with development proposals for their lands through individual applications.

Relationship to the Strategic Plan

This application relates to all of the goals of the Strategic Plan: “A responsible, cost effective and accountable local government”, “Well managed growth, well planned spaces”, “A safe, liveable and healthy community”, “A diverse and sustainable economy” and “A thriving natural environment that is a valued community asset to be protected, maintained and enjoyed.”

Financial Impact

The Town is currently incurring the costs of an Ontario Municipal Board appeal and peer review of the technical reports.

Respectfully submitted,
Barbara Koopmans, BES, MCIP, RPP, CMO
Acting Director, Planning and Development

For questions, please contact: Barbara Koopmans and 905-878-7252 ext. 2304
Maria Smith and ext. 2311

Attachments



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Figure 1 – Location Map

Figure 2 – Schedule from Update on Special Study Area, dated April 7, 2008, included in the Environmental Assessment for realigned Tremaine Road (2008)

Figure 3 – Milton Heights Concept Plan

Appendix 1 – Draft local official plan amendment

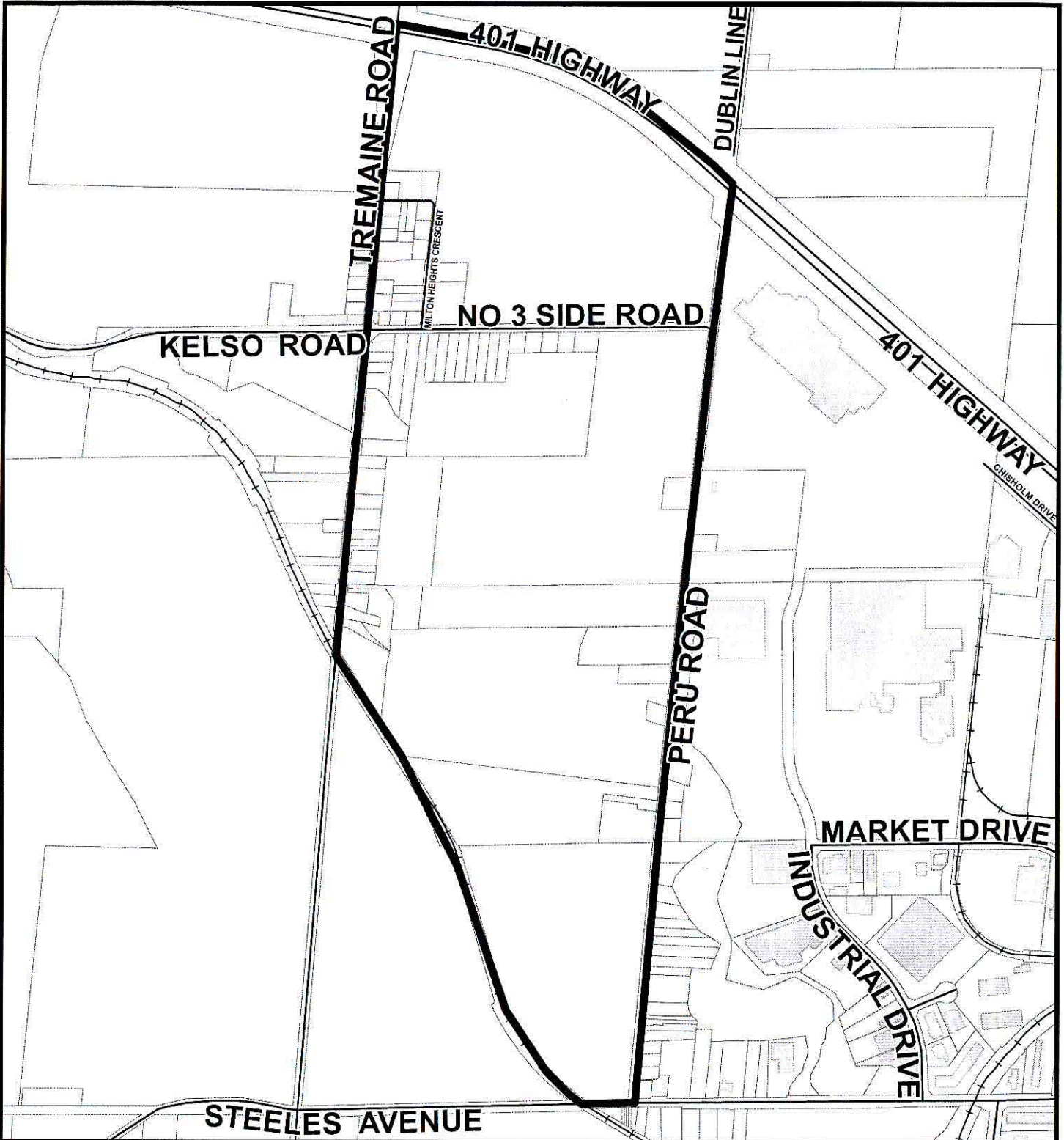
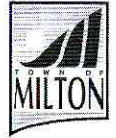
CAO Approval

William Mann, MCIP, RPP, OALA, CSLA, MCIF, RPF

Acting Chief Administrative Officer



FIGURE 1 LOCATION MAP



A+P Meeting Date: June 21, 2010	Scale: 1:12,500	File: LOPA-01/07	Planning & Development Department
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Subject Property

Figure 2 - Schedule from Update on Special Study Area, dated April 7, 2008, included in the Environmental Assessment for Realigned Tremaine Road (2008) PD-014-2014

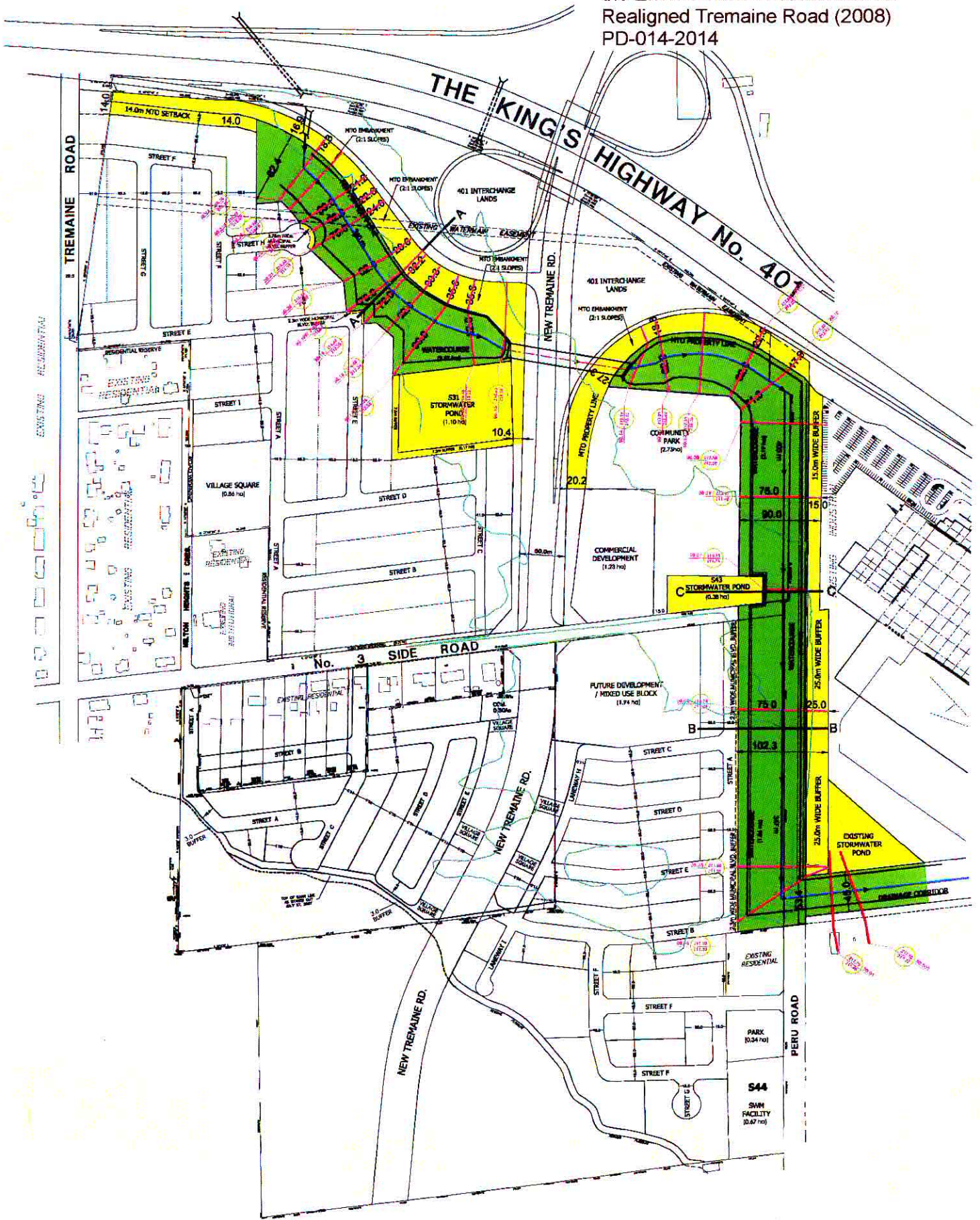
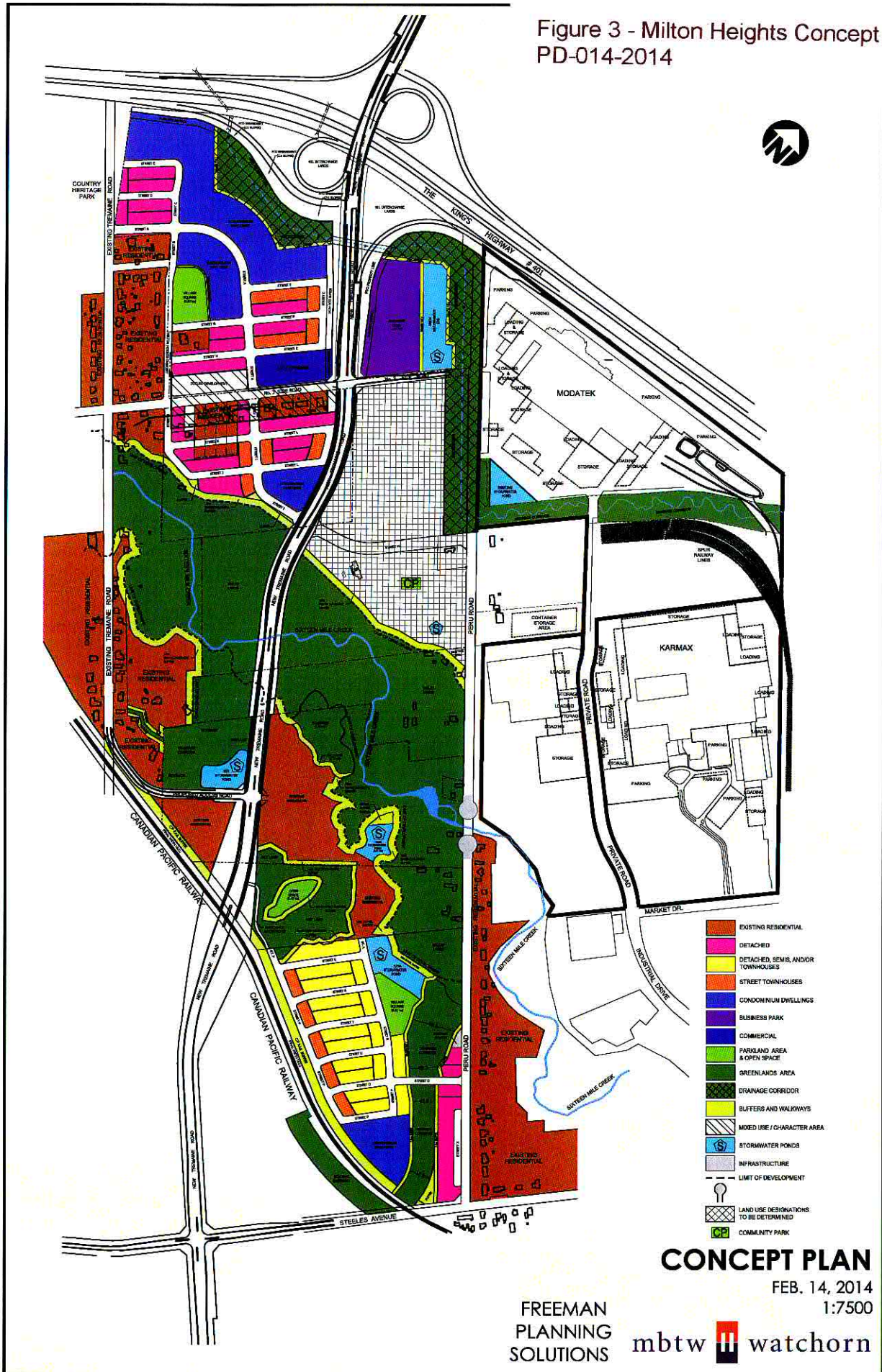


Figure 3 - Milton Heights Concept Plan
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CONCEPT PLAN

FEB. 14, 2014
1:7500

FREEMAN
PLANNING
SOLUTIONS

mbtw  watchorn

AMENDMENT NUMBER XX
TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

MILTON HEIGHTS NEIGHBOURHOOD
PART OF LOTS 1 and 2, LOT 3, PART OF LOTS 4 AND 5
CONCESSION 1

GEOGRAPHIC TOWNSHIP OF ESQUESING
(Town of Milton)

MILTON MEADOWS PROPERTIES INC.
1321387 ONTARIO INC.
ANDRIN (MILTON) PROPERTIES LIMITED
(LOPA 01/07)

PREPARED BY
THE TOWN OF MILTON PLANNING AND DEVELOPMENT
DEPARTMENT

13 February 2014

**AMENDMENT NUMBER XX TO THE OFFICIAL PLAN
OF THE TOWN OF MILTON**

PART I - THE PREAMBLE, does not constitute part of this Amendment

**PART II - THE AMENDMENT, consisting of the following text constitutes
Amendment No. XX to the Official Plan of the Town of Milton**

PART I: THE PREAMBLE

THE TITLE

This amendment, being an amendment to the Official Plan of the Town of Milton shall be known as:

Amendment No. XX
To the Official Plan of the Town of Milton

Milton Heights Neighbourhood
(Part of Lots 1 and 2, Lot 3, and Part of Lots 4 and 5, Concession 1, Township of Esquesing, Town of Milton)

(Town of Milton)
(LOPA 01/07)

PURPOSE OF THIS AMENDMENT

The purpose of this amendment is to:

- i) delete the requirement for Council approval of a Tertiary Plan for the Milton Heights Neighbourhood prior to any development occurring from Policy C.8.4.5.2 a) and add that development within the Neighbourhood shall be considered in a comprehensive manner, through the integrated review of individual plans of subdivision.
- ii) revise the maximum residential density in Milton Heights and add policies with respect to appropriate transitions.
- iii) add policy to allow the refinement of the location and configuration of the community park in Milton Heights.
- iv) add policy to allow the deletion and replacement of a portion of Peru Road as a collector road.
- v) add policy for the Business Park Area in Milton Heights with respect to noise mitigation and sensitive land uses for the lands north of Third Sideroad.
- vi) add policies for the Residential Area within Milton Heights with respect to noise mitigation, phasing and height restrictions.
- vii) add development policies for the Third Sideroad Character Area.

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- viii) add policy to allow the refinement of the trails system.
- ix) revise schedules.

LOCATION OF THE AMENDMENT

The subject lands have an area of approximately 157 hectare (388 acres) in size and are bounded by Highway 401 on the north side, Peru Road on the east side, Steeles Avenue and the Canadian Pacific Railways on the south side and existing Tremaine Road on the west side. The lands are legally described as Part of Lots 1 and 2, Lot 3 and Part of Lots 4 and 5, Concession 1, Former Township of Esquesing, Town of Milton. The location of the property is illustrated in Figure 1.

BASIS OF THE AMENDMENT

The proposed amendment addresses the land use implications resulting from the Environmental Assessment for Tremaine Road and James Snow Parkway Transportation Corridor Improvements (2008), which proposes the realignment of the watercourse NW-2-G1, the closure of a portion of Peru Road and impacts the location of the Community Park.

The proposed amendment addresses the requirement for a Council approved Tertiary Plan prior to development proceeding in the Milton Heights Neighbourhood and recognizes that notwithstanding the deletion of this requirement, development within the Neighbourhood is being considered in a comprehensive manner through the integrated review of individual plans of subdivision.

The proposed amendment increases the density for the Residential Area allowing for smaller lot sizes. Policies clarify appropriate transitions and urban design.

The proposed amendment modifies the community vision for the northwest quadrant (north of Sixteen Mile Creek and west of new Tremaine Road) of the Milton Heights Neighbourhood. Character Area policies are added for the Third Sideroad Character Area to implement a village "main street". Section 2.10.3.32 indicates that the Town may designate areas of the Town to be developed as "character areas: provided that the Secondary Plan clearly expresses a theme for development which is readily identifiable."

The proposed amendment includes policies for the Business Park and Residential Areas to address the issues with respect to the long term land use compatibility

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between new residential uses located west of new Tremaine Road and existing major industry, located east of existing Peru Road (and/or the proposed NW-2-G1 creek corridor). However, for the lands south of Third Sideroad and east of new Tremaine Road only three matters have been addressed, i.e. the relocation of the Community Park to these lands, the location of the realignment of the creek corridor NW-2-G1 and an alternate east west collector road from Peru Road to new Tremaine Road. Land use designations and associated policies have been deferred at this time.

PART II: THE AMENDMENT

All of this part of the document entitled Part II: THE AMENDMENT consisting of the following text and schedules constitutes Amendment no. XX to the Town of Milton Official Plan and Sherwood Survey Secondary Plan.

DETAILS OF THE AMENDMENT

A. The Official Plan of the Town of Milton is hereby amended by Official Plan Amendment No. XX pursuant to Sections 17 and 21 of the Planning Act, as amended, as follows:

1.0 Map Change

1.1 Amending Schedule A – “Land Use Plan” as follows:

1.1.1 delete the “D4” deferral symbol and outline

1.2 Amending Schedule B – “Urban Area Land Use Plan” as follows:

1.2.1 delete the “D4” deferral symbol and outline

1.2.2 replace designations for Milton Heights with designations used in insert

1.3 Amending Schedule D – “Urban Area Planning Districts, Character Area and Community Improvement Area” as follows:

1.3.1 delete the “D4” deferral symbol and outline

1.4 Amending Schedule F – “Urban Area Transportation Plan” as follows:

1.4.1 delete the “D4” deferral symbol and outline

1.4.2 replace collector road symbols with collector road symbols in insert

1.5 Amending Schedule G1 – “Urban Area Sites of Potential Contamination” as follows:

1.5.1 delete the “D4” deferral symbol and outline

1.6 Amending Schedule I1 – “Urban Area Specific Policy Areas” as follows:

1.6.1 delete the “D4” deferral symbol and outline

2.0 Text Change

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- 2.1 In Table 2A, add under TOWN ROADS – Urban: Third Sideroad between new Tremaine Road and existing Tremaine Road with a functional classification of collector road and a 24 m right-of-way.
- 2.2 Amend Holding Zones, Section 5.5.3.4, by deleting “and,” at the end of subsection d) and adding the following subsections:
 - f) when the development of land proposes the realignment of a creek, as contemplated in an approved Subwatershed Impact Study, and subject to completion of the realignment in accordance with detailed studies and required permits;
 - g) when the development of land will affect significant habitat for endangered species, as authorized by an approved Environmental Assessment for a public infrastructure project, and subject to completion of the alteration and/or creek realignment in accordance with detailed studies and required permits;
 - h) when the development of land introduces new sensitive land uses within the zone of influence of existing industries and (i) mitigation works are to be completed prior to development of the sensitive land uses; (ii) agreements with the Town or other agencies are required; (iii) private agreements are required; and/or (iv) restrictive covenants, easements or other interests in land are required.

B. The Sherwood Survey Secondary Plan is hereby amended by Official Plan Amendment No. XX pursuant to Sections 17 and 21 of the Planning Act, as amended, as follows:

3.0 Map Change

- 3.1 By amending Schedule C-8-A – Community Structure Plan as follows:
 - 3.1.1 replace designations for Milton Heights with designations used in insert
- 3.2 By amending Schedule C-8-A1 – Residential Density Distribution Plan as follows:
 - 3.2.1 delete “15 units per net hectare (upnh) average” and replace with “15 to 40 units per net hectare (upnh)”.
- 3.3 By amending Schedule C-8-B – Transportation Plan as follows:
 - 3.3.1 replace collector road symbols with collector road symbols in insert
- 3.4 By amending Schedule C-8-C Greenlands/Open Space and Pedestrian/Bike Path Plan as follows:
 - 3.4.1 replace designations for Milton Heights with designations used in insert

- 3.5 By amending Schedule C-8-D Land Use Plan as follows:
3.5.1 replace designations for Milton Heights with designations used in insert

4.0 Text Change

- 4.1 Amend Section C.8.4.1 Transportation Facilities: Classification, Function and Design Requirements by adding Section C.8.4.1.5 Collector Roads as follows:

The collector road system, which provides access from the existing Industrial and proposed Business Park Areas to new Tremaine Road, consists of Peru Road and Third Sideroad east of new Tremaine Road. Peru Road may, in part, be closed, subject to Council approval, provided it is replaced with an alternate industrial collector road that provides access from the Industrial and Business Park Areas to new Tremaine Road.

- 4.2 Amend Section C.8.4.2 Trail System by adding the following paragraph at the end of the existing text:

The trail system as shown for Milton Heights on Schedule C-8-C is conceptual in nature and will be adjusted to reflect the natural heritage system and road patterns, as refined through individual plans of subdivision.

- 4.3 Amend Section C.8.4.3 by adding Section C.8.4.3.1 Milton Heights Restoration and Enhancement as follows:

Restoration and enhancement of natural features within the Milton Heights Neighbourhood, as identified in an approved Subwatershed Impact Study (SIS), shall be restored concurrently with the development of the lands which include these restoration and enhancement areas.

Where development on lands within Milton Heights would result in a net loss of terrestrial habitat features, as shown in the net gain analysis in an approved Subwatershed Impact Study, off-site compensation must be undertaken concurrent with the development of these lands to compensate for the total net loss in area and function. The lands identified in the Subwatershed Impact Study for the off-site compensation shall be within the general vicinity where the loss will occur, on lands owned or to be owned by a public agency. The final location and details of the off-site compensation proposal shall be provided in an Addendum to the Subwatershed Impact Study subject to the requirements of this policy. The area of the off-site compensation shall be equal to the total net loss in area identified in the SIS, and it must be implemented in a manner that is

contiguous with other natural habitats. The off-site compensation shall represent not only a compensation for area lost but also enhanced function of natural heritage features and functions.

- 4.4 Amend Section C.8.4.5.2 Residential Density Distribution by replacing Section C.8.4.5.2 a) with the following:

Section C.8.4.5.2 a):

Milton Heights Neighbourhood 15 units per net hectare, although lots situated abutting Provincial Freeways, Major Arterial Roads and Railway Corridors may be developed at 40 units per net hectare;

Development proposals and plans of subdivision within the Milton Heights Neighbourhood shall be coordinated with existing or proposed development on the adjacent lands and within the sub-neighbourhood. Development proposals and plans of subdivision shall reflect the policies of this plan and address such issues as compatibility of land use and transition of density, lot sizes and housing type based on consideration of the proximity of new development to:

- i) the Niagara Escarpment Plan Area and natural heritage features;
- ii) arterial roads, employment lands, railways and provincial highways and employment areas; and,
- iii) existing residential development.

with a principle overall objective of maintaining a significant degree of larger lot development adjacent to the Niagara Escarpment Plan Area.

The density of development in the Milton Heights Neighbourhood may vary from a high of 40 units per net hectare near arterial roads, employment lands, provincial highways, railways and employment areas to a low of 15 units per net hectare near the Niagara Escarpment Plan Area, existing residential development and natural heritage features subject to the following policies.

Development must reflect the unique setting adjacent to the Niagara Escarpment and the character of the existing residential communities. In order to achieve appropriate transitions to the existing residential

communities, the Niagara Escarpment Plan Area and natural heritage features, consideration must be given to locating village squares in transition areas and increasing the landscaped open space on the lot through the implementation of appropriate setbacks. In addition, the maximum height and massing of dwellings will be limited.

- 4.5 Amend Section 8.5.1 Residential Area by adding Section C.8.5.1.4 Site-specific Policies as follows:

Section C.8.5.1.4:

The following additional policies apply to the Residential Area in Milton Heights:

- a) Development of the lands, consisting of the development block north of Third Sideroad, generally between Milton Heights Crescent and the subdivision road to the east may only proceed by plan of subdivision.
- b) Development of the lands, south of Third Sideroad, generally between new Tremaine Road and Milton Heights Crescent, may only proceed, by plan of subdivision, subject to land assembly and dedication of a local road right-of-way parallel with Third Sideroad.
- c) Multi-unit residential developments shall provide adequate on-site parking and outdoor amenity area(s).
- d) Development proposals shall incorporate a landscape buffer along Highway 401 outside of the required Ministry of Transportation setback and/or adjacent to the Niagara Escarpment Plan Area.
- e) The maximum height of new residential development west of new Tremaine Road shall be two-storeys, except for the development block abutting Highway 401, where the maximum height shall be three-storeys.
- f) All development in the new Residential Area shall be subject to a comprehensive noise assessment, in consultation with the industrial land owner(s) and operator(s) to the east, to the satisfaction of the approval authorities in accordance with the following:
 - i) The noise assessment shall take into account the separation distance required between the General Industrial Area and the Residential Area designations in accordance with the applicable Ministry of Environment regulations and guidelines.
 - ii) The implementing Zoning By-law shall establish regulations to secure the necessary land use compatibility between the new residential development and the existing industries to the east, including noise mitigation.

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- iii) The use of a holding provision shall be established in the implementing Zoning By-law to ensure the implementation of adequate noise mitigation necessary to secure land use compatibility between the Residential Area, which include new sensitive land uses, and the industrial landowner(s) and operator(s).
- iv) Appropriate private agreements, easements and/or restrictive covenants shall be entered into between the industrial land owner(s) and operator(s) and the relevant landowners of the residential development.

4.6 Amend Section C.8.5.9 Community Park Area by adding the following paragraph at the end of the existing text:

The location and configuration of the Community Park in the Milton Heights Neighbourhood shall be further refined when the plans of subdivision are prepared. The Community Park in Milton Heights shall be relocated within the Milton Heights Neighbourhood, within the lands that are south of Third Sideroad and east of new Tremaine Road. This alternative area for the location of the park is consistent with the goals, objectives and policies of this Secondary Plan. The final site, as detailed in the plan of subdivision for the lands, must have significant frontage and access on an arterial and/or collector road.

4.7 Amend Section C.8.5.12 Business Park Area subsection as follows:

4.7.1 Add Section C.8.5.12 f) as follows:

- f) The Business Park Area designation north of Third Sideroad shall provide a land use and a noise mitigation buffer between the new residential area and the existing major industries located to the east, subject to the following:
 - i) Permanent noise mitigation shall be provided within the Business Park lands as a buffer between the existing major industries to the east and the new residential area to the west, in accordance with a noise study, that is compliant with the applicable Ministry of Environment regulations and guidelines, prepared in consultation with the affected industrial land owner(s) and operator(s), and to the satisfaction of the Town. The noise mitigation measures shall include non-residential buildings of specific heights and configurations, and/or a sound barrier consisting of a berm/fence combination.

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- ii) Noise sensitive land uses, which involve sleeping accommodation or facilities for worship or prayer, such as hotels, daycares, funeral homes, or places of worship, are not permitted, unless a noise study is provided, in accordance with the applicable Ministry of Environment regulations and guidelines, in consultation with the affected industrial land owner(s) and operator(s), in consideration of the Town's Noise By-law, and to the satisfaction of the Town.
- iii) The use of a holding provision shall be established in the implementing Zoning By-law to ensure the implementation of adequate noise mitigation necessary to secure land use compatibility between new sensitive land uses and the industrial landowner(s) and operator(s).
- iv) Appropriate private agreements, easements and/or restrictive covenants shall be entered into between the industrial land owner(s) and operator(s) and the relevant landowners of the residential development, and the Town where necessary or desirable.

4.8 Amend Section C.8.5.14 Character Area as follows:

- 4.8.1 Delete "and 3rd Line," from Section C.8.5.14.1 a) and add "Third Sideroad west of Milton Heights Crescent";
- 4.8.2 Delete the text of policy C.8.5.14.1.e) and add "deleted"
- 4.8.3 Add Section C.8.5.14.3 Third Sideroad Character Area as follows:

In accordance with subsection 2.10.3.32 of this Plan, Third Side Road between Milton Heights Crescent and new Tremaine Road as designated on Schedule "C-8-D" shall be developed as a "Character Area". The Third Sideroad Character Area shall be developed in a manner to create a traditional "village main street" character. In particular:

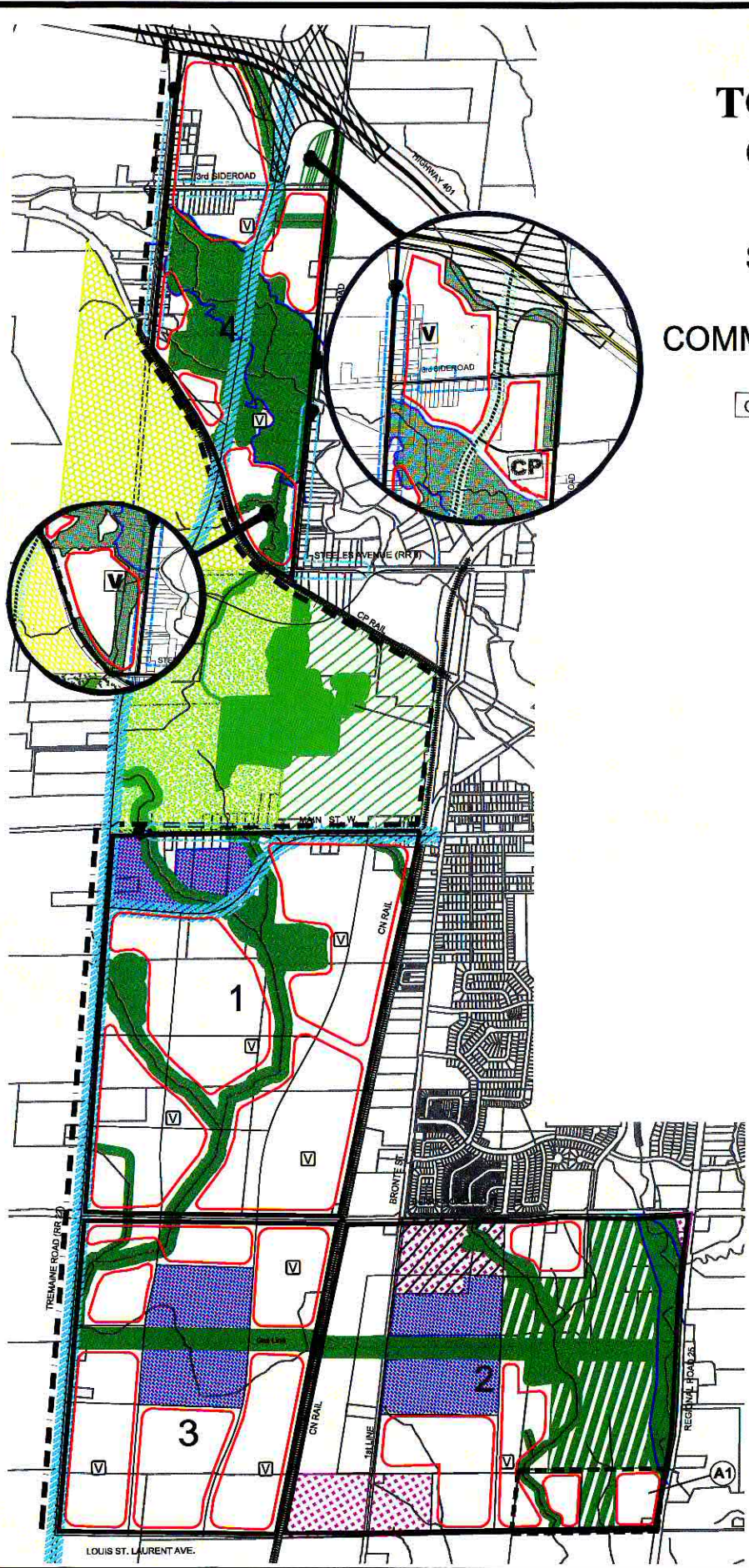
- a) to mitigate the concerns with traffic impacts experienced by existing residents, an alternate road connection is to be provided linking the residential area to the north of Third Sideroad with new Tremaine Road and existing Third Sideroad is to be retained as a "village main street" with on-street parking;
- b) new development abutting Third Sideroad shall be designed in a manner which is compatible with, and sympathetic in design to, the Niagara Escarpment setting, the natural environment and rural nature of the existing streetscape and with existing character buildings, as well as in conformity with the Residential Area designation;

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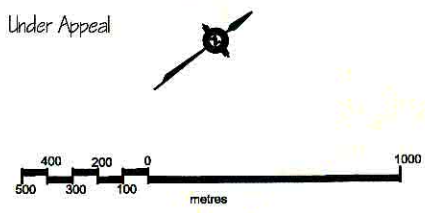
- c) new development shall create a transition to the Milton Heights Character Area and the existing character buildings it contains along Third Sideroad between Milton Heights Crescent and existing Tremaine Road; this transition shall include, but not be limited to restrictions of massing and height and increased building setbacks and landscape open space;
- d) subject to the requirements of a noise study, satisfactory to the Town, new development shall consist of low density residential uses, and may include detached dwellings and/or live-work units with limited office and commercial uses permitted on the ground floor, including specialty retail, service commercial, personal service and office uses in accordance with Section 3.2.3.6 and 3.2.3.7 a) and b);
- e) the maximum height of new development shall be two storeys. The massing of the roof shall be minimized with the objective of lowering the overall height of the dwelling;
- f) garages and parking are to be accommodated in the rear yard and, where possible, shared driveways to common parking areas and/or driveways paired between dwellings are encouraged; and,
- g) opportunities for on-street parking are to be maximized through the subdivision design, including consideration of lot size and alternate provisions to access rear yard parking areas. The provision of significant on-street parking on Third Sideroad in front of the lot(s) may be considered in determining the parking requirements for commercial and/or office uses within the Third Sideroad Character Area in the implementing Zoning By-law.
- h) Development of Block 85, north of Third Sideroad, generally between new Tremaine Road and Milton Heights Crescent, may only proceed, by plan of subdivision.

TOWN OF MILTON OFFICIAL PLAN

Schedule C-8-A SHERWOOD SURVEY SECONDARY PLAN COMMUNITY STRUCTURE PLAN



- CP** COMMUNITY PARK- FINAL LOCATION AND CONFIGURATION TO BE DETERMINED
- DISTRICT NODE
- INSTITUTIONAL NODE
- COMMUNITY PARK
- NEIGHBOURHOOD CENTRE
- 1** SCOTT NEIGHBOURHOOD
- 2** WILLMOTT NEIGHBOURHOOD
- 3** HARRISON NEIGHBOURHOOD
- 4** MILTON HEIGHTS NEIGHBOURHOOD
- SUB-NEIGHBOURHOODS
- CHARACTER AREA
- GATEWAY STREET/ ENHANCED STREETScape DESIGN
- VILLAGE SQUARE
- GREENLANDS/ OPEN SPACE SYSTEM
- ESCARPMENT PROTECTION AREA
- ESCARPMENT PROTECTION AREA - PASSIVE OPEN SPACE
- ESCARPMENT PROTECTION AREA - GREENLANDS B AREA
- ESCARPMENT RURAL AREA / SPECIFIC POLICY AREA 13
- PLANNED HWY 401 INTERCHANGE
- URBAN EXPANSION BOUNDARY
- CUL-DE SAC
- 16 MILE CREEK FLOODPLAIN
- Under Appeal



Consolidated August 2008

TOWN OF MILTON OFFICIAL PLAN

Schedule C-8-B SHERWOOD SURVEY SECONDARY PLAN TRANSPORTATION PLAN



-  PROVINCIAL FREEWAY
-  MAJOR ARTERIAL ROAD
-  MINOR ARTERIAL ROAD
-  COLLECTOR ROAD
-  LOCAL ROAD
-  RAIL
-  PLANNED HWY 401 INTERCHANGE
-  CHARACTER ROAD
-  GATEWAY STREET
-  URBAN EXPANSION AREA BOUNDARY
-  POTENTIAL OR EXISTING GRADE SEPARATION
-  CUL-DE SAC
-  UNDER APPEAL

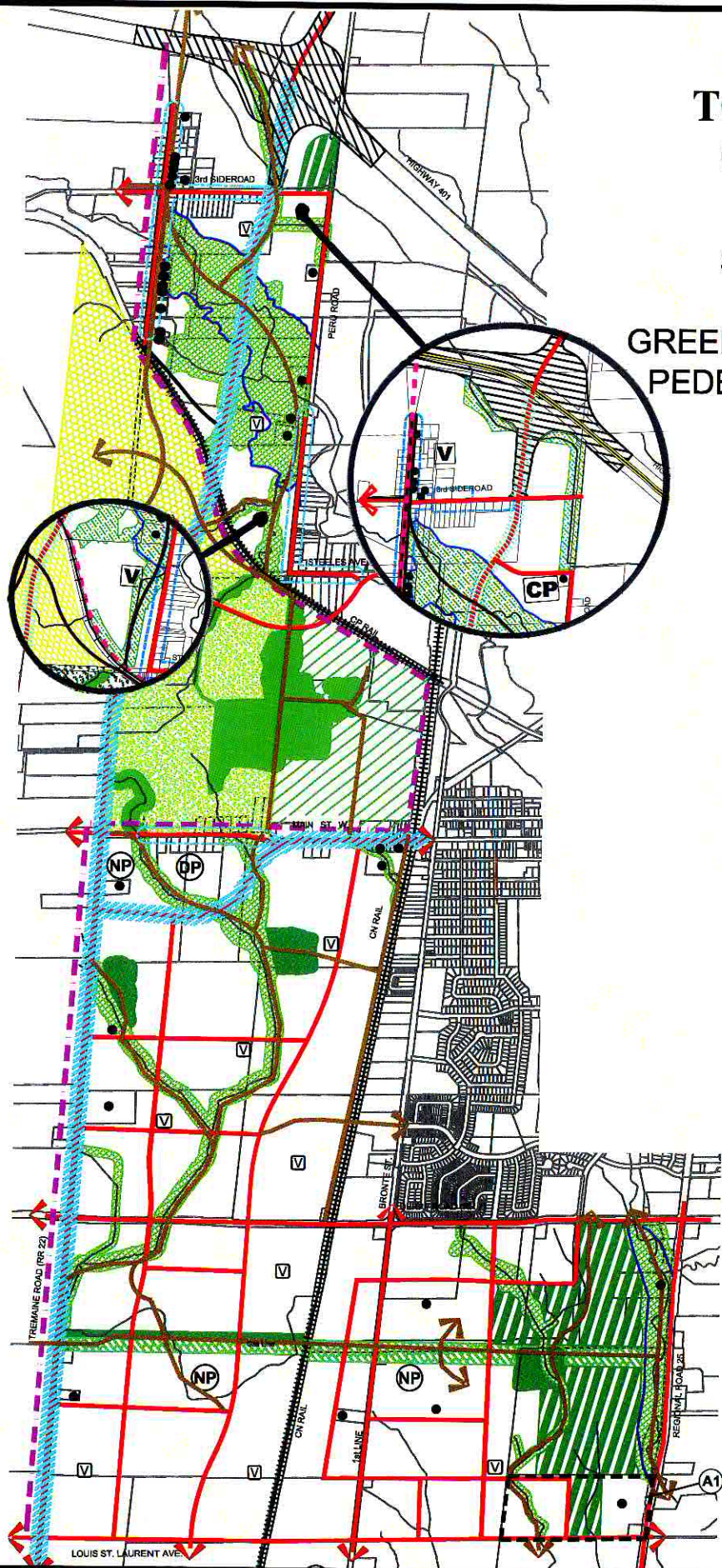
Note: All arterial and collector roads are potential transit routes.



Consolidated August 2008

TOWN OF MILTON OFFICIAL PLAN

Schedule C-8-C SHERWOOD SURVEY SECONDARY PLAN GREENLANDS/OPEN SPACE AND PEDESTRIAN/BIKE PATH PLAN



- GREENLANDS A AREA
- GREENLANDS B AREA
- ENVIRONMENTAL LINKAGE AREA
- ESCARPMENT PROTECTION AREA
- ESCARPMENT PROTECTION AREA - PASSIVE OPEN SPACE
- ESCARPMENT PROTECTION AREA - GREENLANDS B AREA
- ESCARPMENT RURAL AREA / SPECIFIC POLICY AREA 13
- COMMUNITY PARK
- DISTRICT PARK
- NEIGHBOURHOOD PARK
- VILLAGE SQUARE
- CHARACTER AREA
- ENHANCED STREETSCAPE DESIGN
- TRAIL SYSTEM
- ON-STREET BIKE SYSTEM
- URBAN EXPANSION AREA BOUNDARY
- CHARACTER BUILDING
- PLANNED HWY 401 INTERCHANGE
- 16 MILE CREEK FLOODPLAIN
- Under Appeal

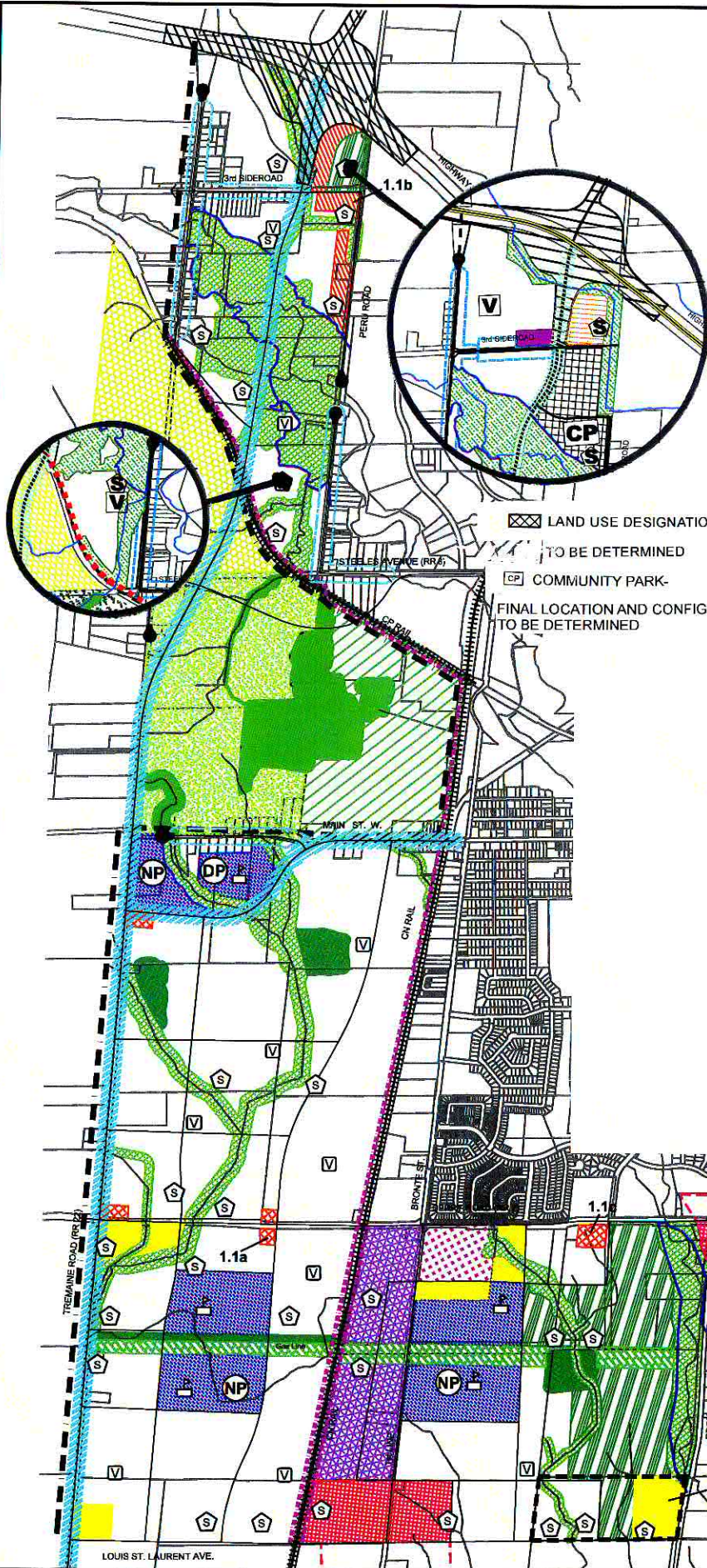
CP COMMUNITY PARK- FINAL LOCATION AND CONFIGURATION TO BE DETERMINED



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TOWN OF MILTON OFFICIAL PLAN

Schedule C-8-D SHERWOOD SURVEY SECONDARY PLAN LAND USE PLAN



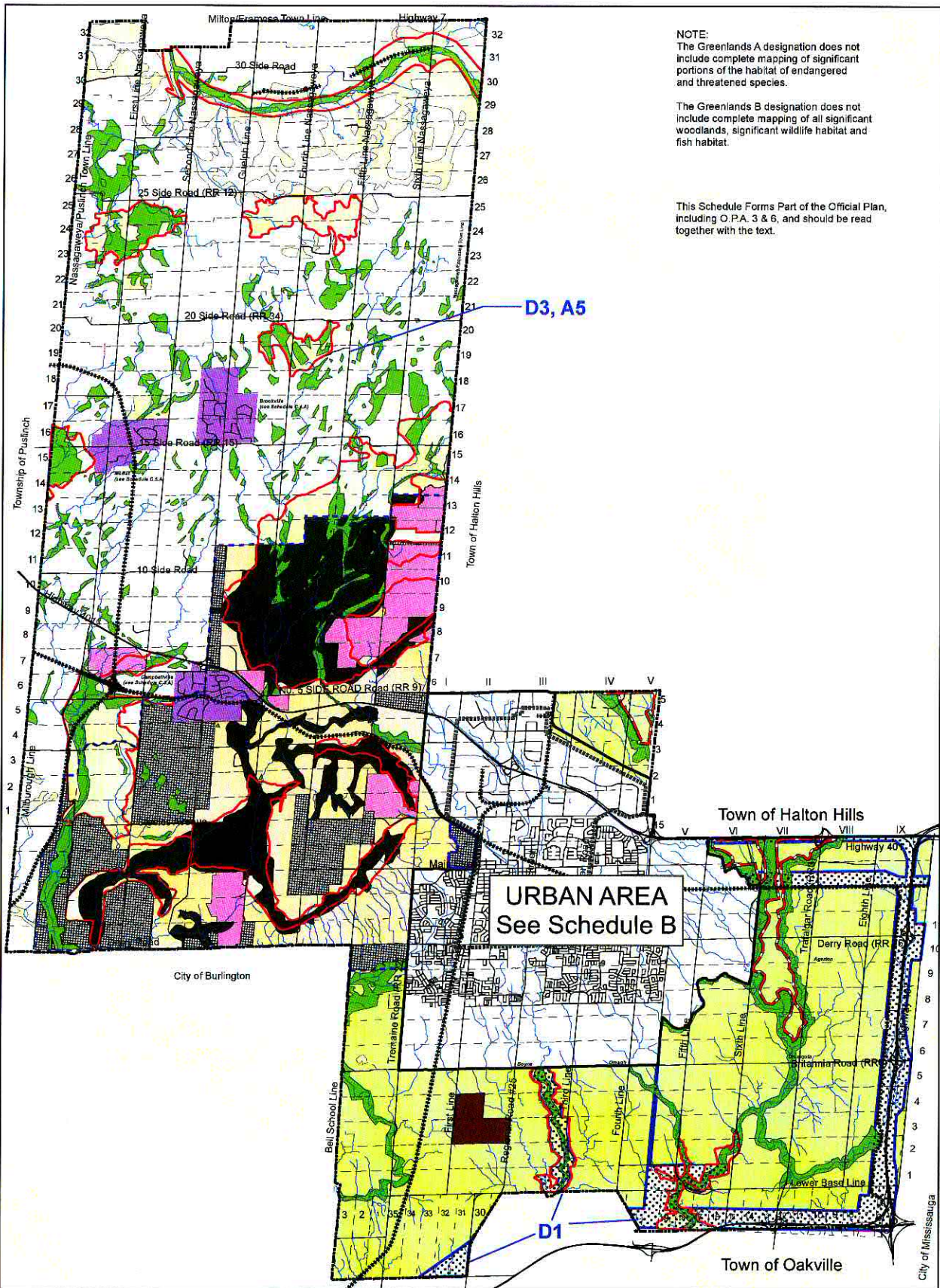
- RESIDENTIAL AREA
- ESCARPMENT RURAL AREA / SPECIFIC POLICY AREA 13
- RESIDENTIAL / OFFICE AREA
- NEIGHBOURHOOD CENTRE AREA
- INSTITUTIONAL AREA
- SECONDARY MIXED USE AREA
- GREENLANDS A AREA
- GREENLANDS B AREA
- ENVIRONMENTAL LINKAGE AREA
- ESCARPMENT PROTECTION AREA
- ESCARPMENT PROTECTION AREA - GREENLANDS A AREA
- ESCARPMENT PROTECTION AREA - PASSIVE OPEN SPACE
- COMMUNITY PARK
- DISTRICT PARK
- NEIGHBOURHOOD PARK
- VILLAGE SQUARE
- RESIDENTIAL / EMPLOYMENT AREA
- BUSINESS PARK AREA
- LOCAL COMMERCIAL AREA
- CHARACTER AREA
- ENHANCED STREETSCAPE DESIGN
- STORMWATER MANAGEMENT FACILITY
- SCHOOL
- PLANNED HWY 401 INTERCHANGE
- NOISE, VIBRATION AND VISUAL BLUFFER
- URBAN EXPANSION AREA
- 16 MILE CREEK FLOODPLAIN
- CUL-DE SAC
- Under Appeal

LAND USE DESIGNATIONS TO BE DETERMINED

COMMUNITY PARK - FINAL LOCATION AND CONFIGURATION TO BE DETERMINED



Consolidated August 2008



NOTE:
The Greenlands A designation does not include complete mapping of significant portions of the habitat of endangered and threatened species.

The Greenlands B designation does not include complete mapping of all significant woodlands, significant wildlife habitat and fish habitat.

This Schedule Forms Part of the Official Plan, including O.P.A. 3 & 6, and should be read together with the text.

URBAN AREA
See Schedule B

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> — LOTS & CONCESSIONS — MUNICIPAL BOUNDARY — RAILWAY — WATERCOURSE — PERMANENT URBAN SEPARATOR — SPECIFIC POLICY AREA 13 — URBAN EXPANSION AREA BOUNDARY — EXISTING URBAN AREA BOUNDARY | <ul style="list-style-type: none"> — AGRICULTURAL AREA — DEFERRED AND APPEALED AREAS — ENVIRONMENTALLY SENSITIVE AREA — ESCARPMENT NATURAL AREA — ESCARPMENT PROTECTION AREA — ESCARPMENT RURAL AREA — GREENLANDS A AREA | <ul style="list-style-type: none"> — GREENLANDS B AREA — HALTON WASTE MANAGEMENT SITE — HAMLET AREA — MINERAL RESOURCE EXTRACTION AREA — NIAGARA ESCARPMENT PLAN BOUNDARY — PARKWAY BELT WEST PLAN AREA — RURAL AREA |
|---|---|---|

TOWN OF MILTON
OFFICIAL PLAN
Schedule A
Land Use Plan

NAD 83 - UTM Zone 17N
This Schedule Forms Part Of The Official Plan And Should Be Read Together With The Text.
February 2014

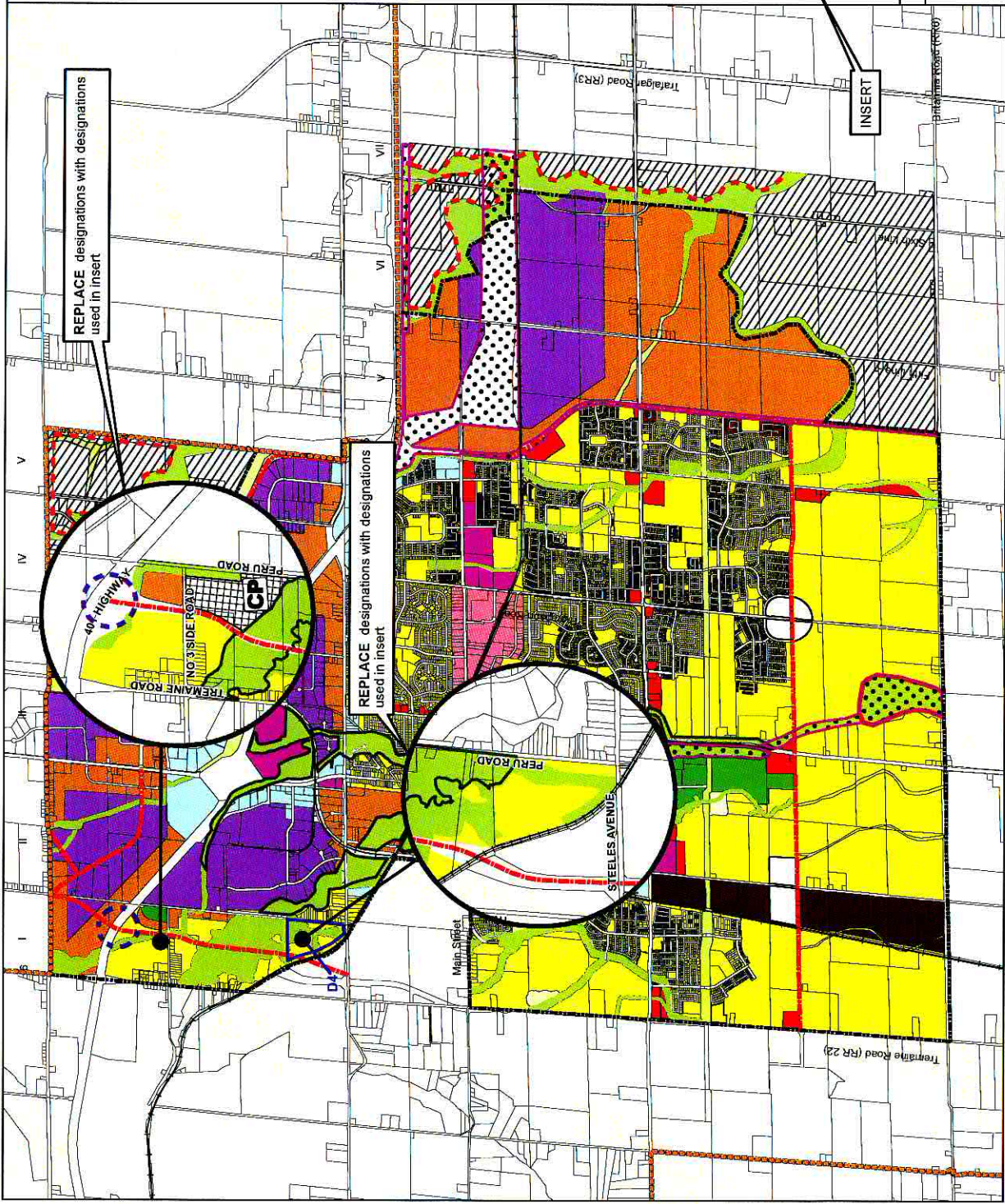
TOWN OF MILTON OFFICIAL PLAN

Schedule B

Urban Area Land Use Plan

- PLANNED 401 INTERCHANGE RAILWAY
- URBAN EXPANSION AREA BOUNDARY
- PARKWAY BELT WEST PLAN AREA
- DEFERRED AREAS
- ENVIRONMENTALLY SENSITIVE AREA
- EXISTING URBAN AREA
- PERMANENT URBAN SEPARATOR
- PROPOSED MAJOR ROADS
- REGULATORY FLOOD PLAIN BOUNDARY (in existing Urban Area)
- GREENLANDS A AREA (see subsection 2.2.3 b)
- AGRICULTURAL
- BUSINESS PARK AREA
- CENTRAL BUSINESS DISTRICT
- COMMUNITY PARK AREA
- EMPLOYMENT AREA
- ENVIRONMENTAL LINKAGE AREA (exact locations to be determined)
- GREENLANDS B AREA
- INDUSTRIAL AREA
- INSTITUTIONAL AREA
- RESIDENTIAL AREA
- RESIDENTIAL EMPLOYMENT AREA
- RESIDENTIAL OFFICE AREA
- SECONDARY MIXED USE NODE
- TOWN OF MILTON BOUNDARY

- LAND USE DESIGNATIONS TO BE DETERMINED
- CP COMMUNITY PARK- FINAL LOCATION AND CONFIGURATION TO BE DETERMINED



MWD 1983 - UTM Zone 17N 8 01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60

This Schedule Forms Part Of The
Official Plan And Should Be Read
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TOWN OF MILTON OFFICIAL PLAN

Schedule F Urban Area Transportation Plan

- TOWN OF MILTON BOUNDARY
- URBAN EXPANSION AREA
- EXISTING URBAN AREA
- COLLECTOR
- LOCAL
- MAJOR ARTERIAL
- MINOR ARTERIAL
- MULTI-PURPOSE ARTERIAL
- PLANNED 401 INTERCHANGE
- PROVINCIAL FREEWAY
- RAILWAY
- COMMUTER RAIL STATION



This Schedule Forms Part Of The
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February 2014

