



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-015-2014

Subject: Technical Report – Proposed plan of subdivision and amendment to the Zoning By-law (the “**Applications**”) by Andrin Properties Limited (“**Andrin**”) to lands legally described as Part of Lot 1, Concession 1, Esquesing, Town of Milton, (the “**Lands**”) to permit development of a residential plan of subdivision (24T-12002/M and Z-11/12).

Recommendation: **THAT Town of Milton Council, as the delegated approval authority for plans of subdivision, ratify the Town’s support for the position of Halton Region that draft approval cannot be granted for the Lands until such time as Andrin has secured servicing allocation from Halton Region;**

AND THAT Town of Milton Council supports the approval by the Ontario Municipal Board of Application Z-11/12 for an amendment to the Town of Milton Zoning By-law to change the Future Development and Greenlands A Zones to site-specific Residential Low Density, site-specific Residential Medium Density 1, site-specific Residential Medium Density 2, Greenlands A, Greenlands B and Open Space Zones to permit the development of a residential plan of subdivision and imposition of the Holding Symbol H8 to each of the residential zone symbols, substantially in accordance with the draft zoning by-law amendment attached as Appendix 1 to PD-015-2014, conditional upon the resolution of the outstanding technical matters set out in this report, including the entering into of minutes of settlement 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 the Mayor and Clerk are hereby authorized to execute such minutes of settlement, upon the advice of the



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Acting Director of Planning and legal counsel;

AND THAT that the Acting Director of Planning and Development is authorized to make minor changes to the draft zoning by-law amendment 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 Zoning By-law Amendment

Andrin has requested an amendment to the Town of Milton Zoning By-law 144-2003, as amended, to change the zoning applicable to the Lands from the Future Development (FD) and Greenlands A (GA) zones to a site-specific Residential Low Density (RLD) zone, several site-specific Residential Medium Density 1 (RMD1), Greenlands A (GA), Greenlands B (GB), and Open Space (OS) zones ("the **ZBA**"). This amendment is requested in order to permit the development of a residential plan of subdivision on the Lands.

As the proposed densities for the Andrin development, as reflected in the draft ZBA, exceed the density contemplated by the policies of the Sherwood Survey Secondary Plan, approval of the ZBA requires the approval of the local official plan amendment made by the Milton Heights Landowners Group (the "**MHLG**"), of which Andrin is a participating member.

Revisions to the Plan of Subdivision

Although staff is recommending that Council not support the granting of draft plan approval at this time for the reasons discussed in this Report, the draft ZBA does reflect the most recent version of the plan of subdivision, dated May 14, 2012 and last revised on October 25, 2013. This plan proposes the creation of 238 to 265 residential dwelling units (25 single detached, 22 residential blocks with a mix of detached, semi-detached and townhouses, and one residential block for a condominium townhouse development), one village square, one stormwater management block, one pumping station block, two railway buffer blocks, one open space block, a number of greenlands and associated buffer blocks, one road widening block and an internal road system.

As noted above, the proposed densities for this plan of subdivision, as reflected in the



draft ZBA, exceed the density contemplated by the policies of the Sherwood Survey Secondary Plan. Therefore the application for the Andrin plan of subdivision requires the approval of the local official plan amendment made by the MHLG.

In response to issues identified through the circulation process, Andrin has made, at staff's request, a number of changes to the plan:

1. A proposed street, parallel to Peru Road, increases the setback of the dwellings to Peru Road and will provide parking opportunities without affecting existing residents on Peru Road.
2. Only detached dwellings are proposed on the east side of the NW-1-E creek and, except for those lots fronting onto Street A, the lots are proposed to be placed in a site-specific Residential Low Density zone.
3. An increase in the setbacks abutting Peru Road and Street I, a restriction on the height of the dwellings along Peru Road, and an increase in the minimum front yard setback along public roads in the remainder of the plan are all provided.
4. A village square and stormwater management pond are located adjacent to the creek corridor for NW-1-E and together form an extensive and inter-connected public open space system.
5. The density has been reduced from earlier proposals. The highest density is proposed for the condominium block adjacent to the railroad. The density along Peru Road is generally consistent with the policies of the Sherwood Survey Secondary Plan. Staff is of the opinion that a suitable transition to the Character Area is being proposed.

In addition to the foregoing revisions, staff has identified some additional issues, which will affect the draft plan. These issues, relating to the height of noise fencing and access to wetland blocks to be owned by the Town, will need to be addressed in the plan of subdivision prior to draft approval.

Issues Relating to the Applications

The Applications were appealed to the Ontario Municipal Board by Andrin in January 2013 and the appeal was consolidated with the other appeals for the Milton Heights Neighbourhood. Notwithstanding the appeal, Andrin has continued to work with staff to resolve the issues relating to the proposed development. Remaining technical issues include (i) the provision of a second access that is acceptable to the Town for emergency services purposes, (ii) resolution of the NW-1-D creek relocation and the associated issues this has raised on the Jannock lands, (iii) the proposed NW-1-D culvert underneath the CP right-of-way (iv) net gain and off-site compensation; and (iv) noise related matters, including agreements with the owners and operators of existing industrial lands.

While most of the outstanding technical issues are close to being resolved, servicing



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allocation has not been secured for the Lands. Halton Region has confirmed that the 2012 Allocation Program is fully subscribed and additional servicing allocation is not available. It is a requirement of Halton Region that servicing allocation is secured prior to the granting of draft plan approval. As such, Halton Region will oppose the granting of draft approval at the upcoming hearing, but has no objection to the zoning of the Lands. The Town, as the delegated approval authority for plans of subdivision will support the position of the Region at the OMB hearing.

The plan of subdivision is sufficiently advanced to allow the Lands to be zoned subject to a holding provision. Prior to the lifting of the holding provision, written confirmation will be required from Halton Region that servicing allocation has been secured. In addition, there are holding provisions relating to the realignment of the NW-1-D creek and off-site compensation.

The Ontario Municipal Board hearing is scheduled to commence on February 18, 2014. The issue of whether draft plan approval and draft conditions can be granted will be dealt with by the Board in the week of February 18. Any remaining unresolved technical issues relating to the Andrin and Milton Meadows applications and the related local official plan amendment application 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.

In preparation for the upcoming hearing, staff is requesting that a Council position be established to be presented to the OMB with respect to the ZBA and that Council ratify instructions provided to staff and legal counsel by the Acting CAO to support the Region in opposing the granting of draft plan approval to the Lands.

Conclusions and Recommendations

With the exception of the servicing allocation issue, staff is generally satisfied that the plan of subdivision design is sufficiently advanced to allow the Lands to be zoned in accordance with the draft plan. Staff is of the opinion that the proposed zone classifications and provisions, in conjunction with architectural design guidelines and site plan control, will implement the development standards contemplated by the Sherwood Survey Secondary Plan and provide appropriate land use controls.

Planning staff is satisfied that the proposed ZBA is consistent with the policies of the Provincial Policy Statement and conforms to the Regional and Town Official Plans, provided that the application for a local official plan amendment, processed under file LOPA-01/07, is first, or concurrently, approved. Subject to the resolution of the remaining issues, including satisfactory minutes of settlement between Andrin, the Town, Magna, Granite and the Stronach Trust dealing with land use compatibility/noise issues, and the approval of the local official plan amendment by the Board, staff is prepared to recommend approval of the ZBA 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

Owner

Andrin (Milton) Properties Limited
26 Lesmill Road, Unit #3
Toronto Ontario M3B 2T5

Location/Description

The Lands have an area of 19.48 hectares and are located west of Peru Road and north of Steeles Avenue and the Canadian Pacific Rail line. The Lands are legally described as Part of Lot 1, Concession 1, former township of Esquesing, Town of Milton. The location of the Lands is illustrated on Figure 1.

The Lands support extensive natural features including a portion of the valley lands associated with the main branch of Sixteen Mile Creek, two creek tributaries which cross the site, and associated wetlands. The Lands are covered with naturalized vegetation, are currently vacant and are within the Future Development (FD) and Greenlands A (GA) zones.

The surrounding lands to the north and to the east of the Lands consist of non-farm residential and are within a Future Development (FD) zone. The lands to the south and west of the Canadian Pacific Rail line are within the Niagara Escarpment Plan Area, and consist of the Jannock lands, a former brickyard. In accordance with the Financial Agreement between the Town and the Phase 2A/2B landowners, the Jannock lands are to be conveyed to the Town as future passive parkland or open space lands.

Proposal

Andrin proposes to amend the Town of Milton Zoning By-law 144-2003, as amended, by replacing the existing Future Development (FD) and Greenlands A (GA) zones with site-specific Residential Low Density (RLD), site-specific Residential Medium Density 1 (RMD1), Open Space (OS), Greenlands A (GA) and Greenlands B (GB) Zones. The purpose of the requested ZBA is to allow the development of a residential plan of



subdivision on the Lands (see Figure 2).

The Peru Road Character Area policies affect residential development along the eastern portion of the site. Larger lots, and therefore lower density, are provided in this area, with the height of dwellings limited and the setback of the dwellings to Peru Road increased. The NW-1-E creek corridor, together with the associated buffers, village square and stormwater management pond, separates the Peru Road Character Area from the lands internal to the subdivision. The lands on the west side of the NW-1-E creek corridor are surrounded by the CP Rail line and the Jannock lands to the south and west and a wetland along the north property line. In this area, higher densities are proposed, including a townhouse condominium block along the railway tracks.

The plan of subdivision is proposed to consist of the following:

<u>Land Use</u>	<u>No. of Lots/ Blocks</u>	<u>No. of Units</u>	<u>Area (ha)</u>
Single detached residential lots	18	18	1.02
Single detached residential lots	7	7	0.26
Residential Medium Density Block 1 (mix of detached, semi-detached and townhouses)	22	152-179	5.05
Residential Medium Density 1 Townhouse Condominium Block	1	61	1.42
Village square	1		0.72
Stormwater Management Pond Block	1		0.8
Pumping Station Block	1		0.06
Railway Buffer Block	2		1.24
Watercourse Block	2		3.01
Open Space Block	1		0.13
Wetland Block	1		0.07
Valleyland Block	1		1.4
Environmental Buffer Blocks	8		0.96
Road widening block	1		0.09
Internal road system			3.25
Total	67	238-265	19.48

Supporting Documentation

Andrin has submitted a number of technical reports in support of the proposed development. Town staff and circulated agencies have reviewed these reports and provided extensive comments to which Andrin and the MHLG have responded. The final reports provide the basis to determine that proposed plan of subdivision is sufficiently advanced to support the ZBA. Additional technical information will be



required to be submitted and reviewed in support of the detailed engineering design once draft approval can be granted. Until such time as the following studies are fully approved in conjunction with the detailed engineering design, changes to the subdivision design may result.

The following is a list of the reports submitted:

- Draft Plan of Subdivision prepared by Freeman Planning Solutions Limited, dated May 14, 2012, revised October 25, 2013
- Subwatershed Impact Study for Areas 1, 2 and 4, volumes 1, 2 and 3, prepared by RAND Engineering Corporation et al., dated October 2013
- Functional Servicing Plan prepared by RAND Engineering Corporation, dated November 2013
- Traffic Impact Study prepared by HDR dated February 2013 and HDR response letter dated October 25, 2013
- Update - Environmental Noise Feasibility Assessment prepared by Valcoustics Canada Ltd., dated 24 January 2014
- Railway Vibration Analysis prepared by Valcoustics Canada Ltd., dated July 11, 2012 and letters dated April 5, 2013, and January 24, 2014
- Phase 1 Environmental Site Assessment prepared by Pinchin Environmental, dated August 4, 2011
- 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 Watchom, dated November 20, 2013
- Planning Appraisal Report prepared by Freeman Planning Solutions Inc., dated April 2, 2013
- Report on the 2006 Stage 1-2 Archaeological Assessment prepared by Amick Consultants Limited, dated July 2006

Planning Policy

Staff has reviewed the Applications in relation to the policies of the Provincial Policy Statement (2005), the Growth Plan (2006), the Regional Official Plan and the Local Official Plan and Sherwood Survey Secondary Plan. Halton Region staff has advised that the Owners have not secured servicing allocation for the Lands with Halton Region. In the absence of allocation, the plan of subdivision does not conform with Provincial policies or with Regional and Town policies, as contained in their respective Official Plans.

Subject to approval of the local official plan amendment, and the resolution of the outstanding matters outlined above, staff is satisfied that the application for ZBA



conforms to the Provincial, Regional, and Town policies with respect to zoning matters.

Future applications

Once servicing allocation has been secured with Halton Region, draft approval for the plan of subdivision may be granted. Andrin will be requesting the Board to grant draft approval, notwithstanding the absence of allocation. If Andrin is successful in this regard, the Town will ask that it be provided with sufficient time to provide and settle draft plan conditions with Andrin. Site plan control will apply to all of the lots and blocks between Peru Road and the NW-1-E watercourse and to the townhouse condominium block. Andrin will be required to submit detailed site plan drawings addressing such matters as site design, servicing, building elevations, lot grading and drainage, parking and landscaping for review and approval and enter into site plan agreement(s) with the Town. A condominium application will be required for the proposed townhouse condominium block.

Discussion

Public Consultation

A public meeting was held on November 19, 2012. Residents who attended the meeting expressed concerns in several areas, particularly the proximity of the Lands to the Niagara Escarpment and the importance of protecting its natural heritage features. Concerns were raised with respect to adequate emergency access for the existing community as well as the proposed subdivision. For information on these and other issues, please refer to the section on Issues below.

Agency Consultation

The Applications were circulated to external agencies on July 16, 2012. Subsequently, several revised plans, supporting documentation and technical reports have been circulated. The latest plan was circulated November 6, 2013. The School Boards and the utilities have either offered no comment and/or objection to the Applications or have requested that standard conditions be imposed upon draft approval. Comments from the other agencies and departments are summarized below:

Halton Region

Halton Region staff has advised that Halton Region will be opposing draft approval of the plan of subdivision in accordance with Regional policies and Halton Region will not be issuing draft plan conditions, as servicing allocation has not been secured for the Lands. Halton Region staff is not objecting to the approval of the draft ZBA, provided all residential zones are subject to a holding provision with respect to servicing allocation.



Conservation Halton

Conservation Halton staff does not object to the relocation of the NW-1-D creek and the lowering of NW-1-E creek. While Conservation Halton staff still have a few outstanding comments on the technical reports, they have provided draft plan conditions and have no objections to the approval of the draft ZBA, provided holding provisions are included to address the remaining technical matters.

Canadian Pacific Railway

In its comment letter, Canadian Pacific Railway (CPR) notes that it is not in favour of residential developments adjacent to its right-of-way, as, in its opinion, this land use is not compatible with railway operations. The letter indicates that the health, safety and welfare of future residents could be adversely affected by railway activities. However, to ensure the safety and comfort of adjacent residents and to mitigate as much as possible the inherent adverse environmental factors, CPR staff has worked with Andrin to ensure that their standard requirements are incorporated in the design of the subdivision. In addition to the standard railway conditions, CPR identified a requirement that the proposed NW-1-D culvert be the subject of CPR's standard utility crossing agreement with the Town as the party to the agreement with CPR. Because of the extensive liability that the Town would be required to assume under such an agreement for a non-Town project, staff has advised Andrin and CPR that the Town will not enter into such an agreement. An alternative alignment for NW-1-D has been proposed by the Town and is reflected in the holding provisions of the ZBA.

Niagara Escarpment Commission

The Niagara Escarpment Commission has commented on the Applications as the Lands about the Niagara Escarpment Plan Area. Its primary concern is the height of the dwellings in relation to views of the Escarpment from Steeles Avenue. To give greater certainty that the views will be preserved, the NEC staff has requested that the height of the dwellings for Lots 23, 24, 25, and Block 48 be specified in metres above sea level. Andrin however, has indicated that it cannot determine the heights with that level of precision at this time. The Niagara Escarpment is supportive of the heights proposed for the dwellings as outlined in the draft ZBA.

Engineering Services

A major issue for Engineering Services remains the need for a second access to the subdivision for emergency services. Additional matters which may impact the plan are access to wetland buffer blocks along the northern boundary of the site. These blocks will be owned by the Town and the plan does currently not provide for access to these blocks. The height of some of the required sound attenuation fencing exceeds the Town's standards and may require a combination of a berm and fence. These issues



are addressed in more detail below.

Summary of Issues

Servicing Allocation

Halton Region has identified that servicing allocation has not been secured with Halton Region for the Lands. It is the policy of the Region not to permit draft approval of any plan, or portion of a plan, which does not have servicing allocation. The 2012 Servicing Allocation Program has been fully subscribed. It is not known at this time when the next program will be released. The Region has requested that a holding provision be included in the ZBA with respect to servicing allocation. The proposed H8 holding provision requires that prior to the lifting of the holding provision written confirmation be received from the Region that servicing allocation has been secured to the satisfaction of Halton Region.

NW-1-D Creek Realignment

Conservation Halton is not opposed to the realignment of the NW-1-D creek corridor. Two alternatives are under consideration: the relocation of the creek on the south side of the railway corridor onto the easement over the Jannock lands, as included in the SIS, or the relocation of the creek on the north side of the railway corridor on the Lands, as shown in the local official plan amendment.

For the alignment of the creek onto the easement over the Jannock lands, two technical matters remain: (i) liability for the proposed culvert underneath the CP tracks; and (ii). the historic use of the Jannock lands, a former industrial site, for a brick yards and the varying levels of soil contamination found on different parts of the site, including on the easement lands. If Andrin can resolve the proposed NW-1-D culvert with CPR in a manner that does not involve the Town, and satisfies the Ministry of Environment with respect to the Risk Assessment and Certificate of Property Use for the Jannock lands, staff has no objection to the relocation of the NW-1-D watercourse on the Jannock lands.

In the event that the NW-1-D culvert underneath the CP Rail right-of-way is not feasible, Andrin is prepared to locate the NW-1-D watercourse on the north side of the rail line. Prior to implementation of this option, technical reports will have to be updated to reflect the new location for the NW-1-D corridor. CP Rail will have to review the proposed location for the creek corridor in relation to the CP Rail right-of-way. For this creek alignment, CP Rail may determine that a berm and noise wall may not be required along the creek block.

Staff is proposing to include a holding provision in the draft ZBA which outlines the requirements relating to the NW-1-D creek corridor relocation. A report to Council to



remove the H8 symbol would be scheduled once the necessary permits have been obtained for either alignment of the NW-1-D watercourse and the other requirements have been satisfied.

Second/Emergency Access

Engineering Services has identified the need for a second access to the subdivision for emergency services. The feasibility of a second or emergency access to the subdivision is being explored as part of the construction for realigned Tremaine Road over lands required for the construction of Tremaine Road and associated infrastructure. This would provide an emergency access connection from Street B to realigned Tremaine Road.

Should a second access from the subdivision to Tremaine Road not be feasible, the MHLG has expressed interest in retaining the Peru Road bridge across Sixteen Mile Creek. This may, however, not be a realistic option. An alternative creek crossing would be required across the NW-1-E creek and the bridge across Sixteen Mile Creek will likely have to be replaced with the added complication that this portion of Peru Road is within the floodplain of Sixteen Mile Creek. Should this option prove to be viable, Andrin would be responsible for the costs of the upgrades required to Peru Road and the bridge.

In addition, Street D, which ends at the northern boundary of the Andrin property, allows for an integrated road network by providing a future road connection to the north, should these lands develop at some point in the future.

Net Gain and Off-site Compensation

Net gain was assessed comprehensively as part of the Subwatershed Impact Study for Subwatershed Areas 1, 2 and 4 and includes losses and gains of natural features on participating lands as a result of development and Tremaine Road. Losses occur largely on the Andrin Properties in SIS Area 4, with some restoration and enhancement areas identified within the Sixteen Mile Creek valley on lands owned by participating landowners in SIS Areas 1 and 2. Conditions of draft approval outlining conceptual and detailed design requirements for the restoration areas within the Sixteen Mile Creek valley lands in SIS Areas 1 and 2 will be required for the restoration and enhancement areas. These conditions will apply to the lands on which the restoration and enhancement areas occur and/or for the Lands , whichever develop first.

In addition to the proposed restoration and enhancement areas within the Sixteen Mile Creek valley lands, the landowners are proposing off-site compensation, on Town-owned lands, totaling 3.17 hectares, as determined in the latest revision to the SIS. Conservation Halton has identified that part of the off-site compensation must be in the form of wetland restoration with the remainder as upland habitat. It is proposed that the



details of the off-site compensation be determined through the normal subdivision process. A specific policy is proposed in the local official plan amendment and additional conditions are included as part of the holding provision in the ZBA for the Lands.

When Andrin is prepared to proceed with off-site compensation on the Jannock lands or other Town-owned property, it will have to confirm availability and suitability of site(s) and will be required to prepare concepts, technical reports, detailed design drawings and specifications in support of the off-site compensation proposal, obtain the required permits and enter into the requisite agreements, financial and otherwise, with the Town. At the discretion of the Town, the Town may opt for a cash settlement to undertake the restoration works.

Noise Issues

The Lands are exposed to noise sources associated with existing industrial development to the east, the CP Rail line to the south and future realigned Tremaine Road to the west. The noise issues have been extensively reviewed. Updated noise reports have recently been provided with respect to transportation sources. The existing industries still have some concerns regarding land use compatibility and are in the process of negotiating minutes of settlement with Andrin, to which the Town will also be a party, to ensure that the existing industries and the industrial lands remain viable in the long term.

Remaining Subdivision Design Issues

The Andrin plan of subdivision proposes a density of approximately 17.6 units per net hectare for the Residential Low Density area, a density of 30 to 35 units per net hectare for the street oriented Residential Medium Density 1 area and a density of 43 units per net hectare for the townhouse condominium block. Policy 5.10.3 of the Official Plan identifies that all numbers and quantities in the text shall be interpreted as approximate only. Minor variations from any numbers or quantities will be permitted providing the intent of the Plan is preserved.

The Urban Design and Architectural Design Guidelines have addressed many of staff's concerns. Through the draft plan conditions, staff will require that the dwellings relate to the elevation of the street, particularly along Peru Road, Street I and Street A. In addition, site plan approval will be required for all dwellings and structures on the east side of the NW-1-E creek corridor, as well as the condominium townhouse block.

Along the northern property line, issues include access to wetland buffer blocks, which will be owned by the Town, and required sound attenuation fencing to protect rear yards from noise associated with new Tremaine Road, and the height thereof. Halton Region staff has advised that they do not wish to own the sound attenuation fence. A window



street along the wetland would provide access to the wetland buffer blocks and eliminate the need for sound attenuation fencing along the northern boundary. However, the landowner has indicated that they are not prepared to change the configuration of the proposed plan of subdivision. These issues, including the ownership and the associated long term maintenance costs for the sound attenuation fencing for noise associated with new Tremaine Road remains an issue to be resolved by Andrin.

Zoning By-law Amendment Provisions

For the lots east of the NW-1-E creek corridor, shown on Figure 3, the ZBA places the lots along Peru Road and Street I in a site-specific Residential Low Density zone and the lots along Street A in a site specific Residential Medium Density 1 zone. Dwelling height is proposed to be restricted to 9 metres from the average elevation at the front of the dwelling. A number of site-specific provisions are proposed to ensure dwellings front onto Steeles Avenue, outdoor amenity areas are protected from railway noise and garages are located behind the dwelling unit for lots which front onto Peru Road.

Within the interior of the subdivision, west of the NW-1-E creek corridor, the lands are placed in a site-specific Residential Medium Density 1 zone for street-oriented development. Andrin requested a site-specific Residential Medium Density 1 zone for a townhouse condominium; however, the density for this block exceeds the Official Plan policies for Residential Medium Density 1, and is more consistent with the density for Residential Medium Density 2. Consequently, staff proposes to place the townhouse condominium block in a site-specific Residential Medium Density 2 zone. Staff further proposes to cap the maximum density for this block at 43 units per net hectare.

Townhouse dwellings in the townhouse condominium block are proposed to have a maximum height of 12.5 metres, a reduced width for the townhouse dwelling units and various other site-specific provisions to permit the development generally as shown on the concept plan, attached as Figure 4. Depending on the final configuration of the NW-1-D creek relocation, changes to the condominium block may be required, including the elimination of the east-west portion of Street B and the expansion of the townhouse condominium northwards.

One matter that does remain outstanding with respect to the ZBA, and to which Andrin has not yet agreed, is the height of the seven dwellings along Street A. This is a minor matter that can be resolved through further discussion and through the delegated authority to the Acting Planning Director to make minor revisions to the ZBA.

Relationship to the Strategic Plan

The Applications relate to all of the goals of the Strategic Plan: "A responsible, cost effective and accountable local government", "Well managed growth, well planned



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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

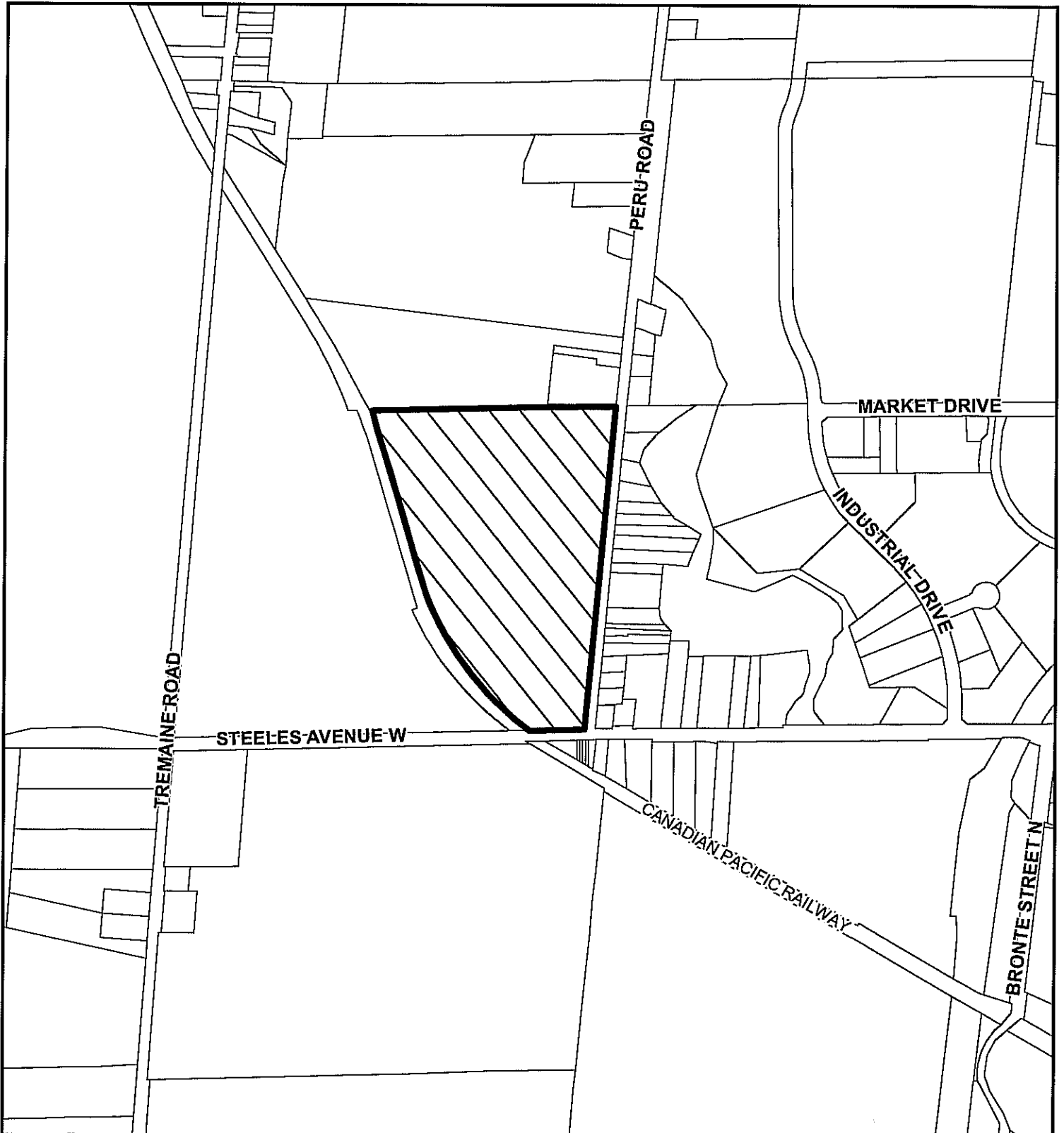
Attachments

Figure 1 – Location Map
Figure 2 – Plan of Subdivision
Figure 3 – Concept Plan for Character Area
Figure 4 – Concept plan for Townhouse Condominium
Appendix 1 – Draft Zoning By-law Amendment

CAO Approval
William Mann, MCIP, RPP, OALA, CSLA, MCIF, RPF
Acting Chief Administrative Officer



FIGURE 1 LOCATION MAP



A + P Meeting Date:
November 19, 2012

Scale: 1:10,000

File: 24T-12002/M & Z-11/12

Planning & Development Department

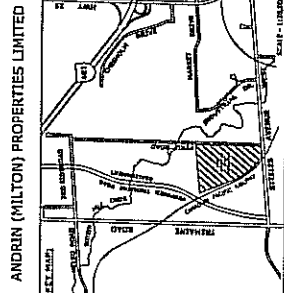


Subject Property

DRAFT PLAN OF SUBDIVISION

PART OF LOT 1,
CONCESSION 1,
TOWN OF MILTON
(ESQUELLED)
REGIONAL MUNICIPALITY OF HALTON

ANDRIN (MILTON) PROPERTIES LIMITED



OWNER'S AUTHORIZATION

I, ANDRIN (MILTON) PROPERTIES LIMITED, do hereby authorize the preparation of this plan of subdivision and the registration of this plan of subdivision in the Registry of Deeds for the purpose of subdividing the land shown on this plan of subdivision into the lots shown on this plan of subdivision.

SURVYOR'S CERTIFICATE

I, the undersigned, being a duly qualified and licensed surveyor, do hereby certify that this plan of subdivision was prepared by me or under my direct supervision and that it is a true and correct representation of the land shown on this plan of subdivision.

ADDITIONAL INFORMATION

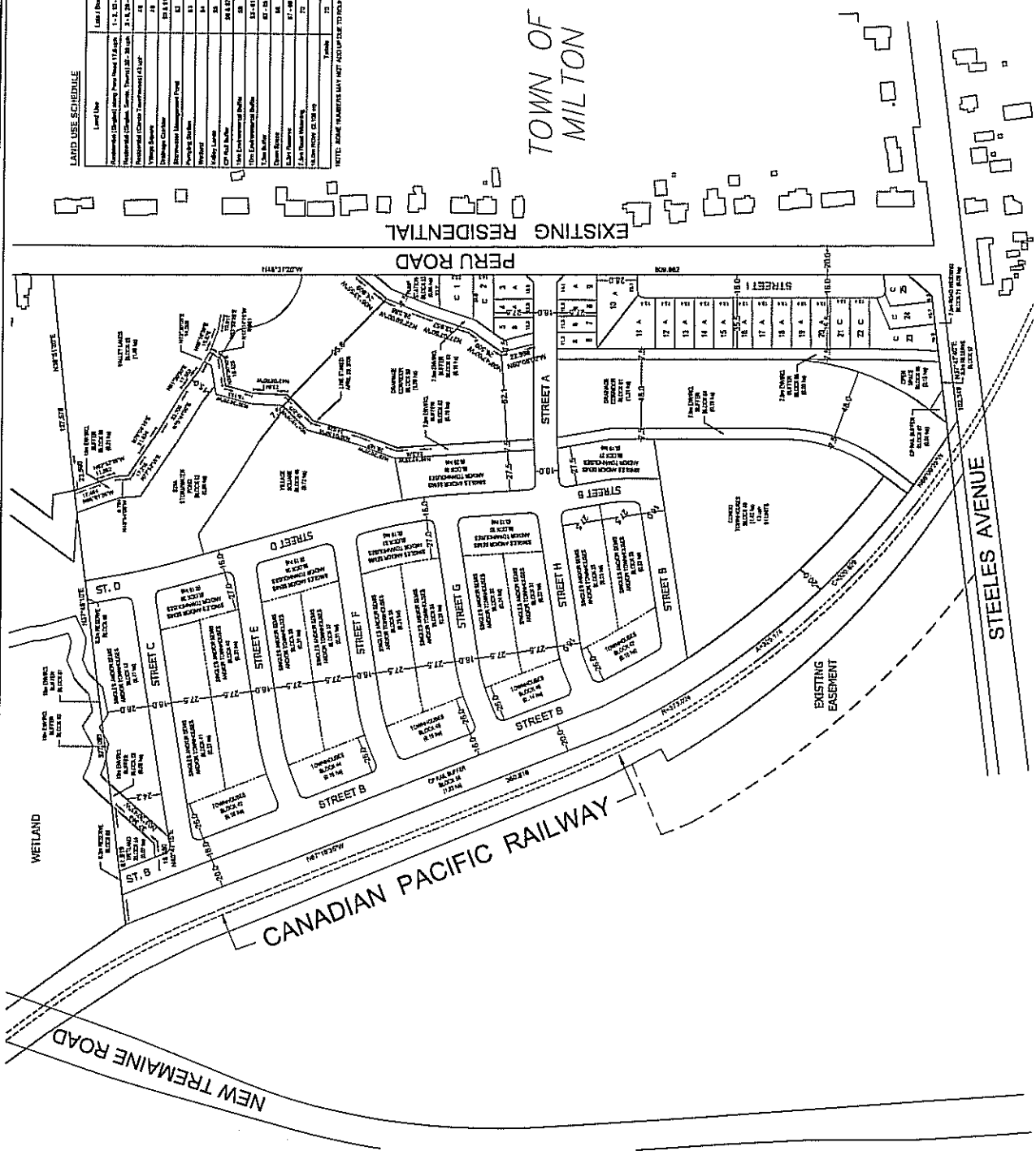
1. The land shown on this plan of subdivision is situated in the Township of Milton, Concession 1, and is situated in the Regional Municipality of Halton.

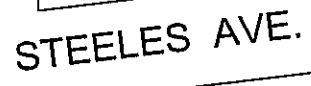
Figure 2 - Plan of Subdivision
Report PD-015-2014

LAND USE SCHEDULE

Land Use	Lot Number	Area (sq. ft.)	Area (sq. m.)
Residential (Single Detached House) 1.1.1.1	1-1, 2-1, 3-1	19,200	1.76
Residential (Single Detached House) 1.1.1.2	4-1, 5-1, 6-1	19,200	1.76
Residential (Single Detached House) 1.1.1.3	7-1, 8-1, 9-1	19,200	1.76
Residential (Single Detached House) 1.1.1.4	10-1, 11-1, 12-1	19,200	1.76
Residential (Single Detached House) 1.1.1.5	13-1, 14-1, 15-1	19,200	1.76
Residential (Single Detached House) 1.1.1.6	16-1, 17-1, 18-1	19,200	1.76
Residential (Single Detached House) 1.1.1.7	19-1, 20-1, 21-1	19,200	1.76
Residential (Single Detached House) 1.1.1.8	22-1, 23-1, 24-1	19,200	1.76
Residential (Single Detached House) 1.1.1.9	25-1, 26-1, 27-1	19,200	1.76
Residential (Single Detached House) 1.1.1.10	28-1, 29-1, 30-1	19,200	1.76
Residential (Single Detached House) 1.1.1.11	31-1, 32-1, 33-1	19,200	1.76
Residential (Single Detached House) 1.1.1.12	34-1, 35-1, 36-1	19,200	1.76
Residential (Single Detached House) 1.1.1.13	37-1, 38-1, 39-1	19,200	1.76
Residential (Single Detached House) 1.1.1.14	40-1, 41-1, 42-1	19,200	1.76
Residential (Single Detached House) 1.1.1.15	43-1, 44-1, 45-1	19,200	1.76
Residential (Single Detached House) 1.1.1.16	46-1, 47-1, 48-1	19,200	1.76
Residential (Single Detached House) 1.1.1.17	49-1, 50-1, 51-1	19,200	1.76
Residential (Single Detached House) 1.1.1.18	52-1, 53-1, 54-1	19,200	1.76
Residential (Single Detached House) 1.1.1.19	55-1, 56-1, 57-1	19,200	1.76
Residential (Single Detached House) 1.1.1.20	58-1, 59-1, 60-1	19,200	1.76
Residential (Single Detached House) 1.1.1.21	61-1, 62-1, 63-1	19,200	1.76
Residential (Single Detached House) 1.1.1.22	64-1, 65-1, 66-1	19,200	1.76
Residential (Single Detached House) 1.1.1.23	67-1, 68-1, 69-1	19,200	1.76
Residential (Single Detached House) 1.1.1.24	70-1, 71-1, 72-1	19,200	1.76
Residential (Single Detached House) 1.1.1.25	73-1, 74-1, 75-1	19,200	1.76
Residential (Single Detached House) 1.1.1.26	76-1, 77-1, 78-1	19,200	1.76
Residential (Single Detached House) 1.1.1.27	79-1, 80-1, 81-1	19,200	1.76
Residential (Single Detached House) 1.1.1.28	82-1, 83-1, 84-1	19,200	1.76
Residential (Single Detached House) 1.1.1.29	85-1, 86-1, 87-1	19,200	1.76
Residential (Single Detached House) 1.1.1.30	88-1, 89-1, 90-1	19,200	1.76
Residential (Single Detached House) 1.1.1.31	91-1, 92-1, 93-1	19,200	1.76
Residential (Single Detached House) 1.1.1.32	94-1, 95-1, 96-1	19,200	1.76
Residential (Single Detached House) 1.1.1.33	97-1, 98-1, 99-1	19,200	1.76
Residential (Single Detached House) 1.1.1.34	100-1, 101-1, 102-1	19,200	1.76
Residential (Single Detached House) 1.1.1.35	103-1, 104-1, 105-1	19,200	1.76
Residential (Single Detached House) 1.1.1.36	106-1, 107-1, 108-1	19,200	1.76
Residential (Single Detached House) 1.1.1.37	109-1, 110-1, 111-1	19,200	1.76
Residential (Single Detached House) 1.1.1.38	112-1, 113-1, 114-1	19,200	1.76
Residential (Single Detached House) 1.1.1.39	115-1, 116-1, 117-1	19,200	1.76
Residential (Single Detached House) 1.1.1.40	118-1, 119-1, 120-1	19,200	1.76
Residential (Single Detached House) 1.1.1.41	121-1, 122-1, 123-1	19,200	1.76
Residential (Single Detached House) 1.1.1.42	124-1, 125-1, 126-1	19,200	1.76
Residential (Single Detached House) 1.1.1.43	127-1, 128-1, 129-1	19,200	1.76
Residential (Single Detached House) 1.1.1.44	130-1, 131-1, 132-1	19,200	1.76
Residential (Single Detached House) 1.1.1.45	133-1, 134-1, 135-1	19,200	1.76
Residential (Single Detached House) 1.1.1.46	136-1, 137-1, 138-1	19,200	1.76
Residential (Single Detached House) 1.1.1.47	139-1, 140-1, 141-1	19,200	1.76
Residential (Single Detached House) 1.1.1.48	142-1, 143-1, 144-1	19,200	1.76
Residential (Single Detached House) 1.1.1.49	145-1, 146-1, 147-1	19,200	1.76
Residential (Single Detached House) 1.1.1.50	148-1, 149-1, 150-1	19,200	1.76
Residential (Single Detached House) 1.1.1.51	151-1, 152-1, 153-1	19,200	1.76
Residential (Single Detached House) 1.1.1.52	154-1, 155-1, 156-1	19,200	1.76
Residential (Single Detached House) 1.1.1.53	157-1, 158-1, 159-1	19,200	1.76
Residential (Single Detached House) 1.1.1.54	160-1, 161-1, 162-1	19,200	1.76
Residential (Single Detached House) 1.1.1.55	163-1, 164-1, 165-1	19,200	1.76
Residential (Single Detached House) 1.1.1.56	166-1, 167-1, 168-1	19,200	1.76
Residential (Single Detached House) 1.1.1.57	169-1, 170-1, 171-1	19,200	1.76
Residential (Single Detached House) 1.1.1.58	172-1, 173-1, 174-1	19,200	1.76
Residential (Single Detached House) 1.1.1.59	175-1, 176-1, 177-1	19,200	1.76
Residential (Single Detached House) 1.1.1.60	178-1, 179-1, 180-1	19,200	1.76
Residential (Single Detached House) 1.1.1.61	181-1, 182-1, 183-1	19,200	1.76
Residential (Single Detached House) 1.1.1.62	184-1, 185-1, 186-1	19,200	1.76
Residential (Single Detached House) 1.1.1.63	187-1, 188-1, 189-1	19,200	1.76
Residential (Single Detached House) 1.1.1.64	190-1, 191-1, 192-1	19,200	1.76
Residential (Single Detached House) 1.1.1.65	193-1, 194-1, 195-1	19,200	1.76
Residential (Single Detached House) 1.1.1.66	196-1, 197-1, 198-1	19,200	1.76
Residential (Single Detached House) 1.1.1.67	199-1, 200-1, 201-1	19,200	1.76
Residential (Single Detached House) 1.1.1.68	202-1, 203-1, 204-1	19,200	1.76
Residential (Single Detached House) 1.1.1.69	205-1, 206-1, 207-1	19,200	1.76
Residential (Single Detached House) 1.1.1.70	208-1, 209-1, 210-1	19,200	1.76
Residential (Single Detached House) 1.1.1.71	211-1, 212-1, 213-1	19,200	1.76
Residential (Single Detached House) 1.1.1.72	214-1, 215-1, 216-1	19,200	1.76
Residential (Single Detached House) 1.1.1.73	217-1, 218-1, 219-1	19,200	1.76
Residential (Single Detached House) 1.1.1.74	220-1, 221-1, 222-1	19,200	1.76
Residential (Single Detached House) 1.1.1.75	223-1, 224-1, 225-1	19,200	1.76
Residential (Single Detached House) 1.1.1.76	226-1, 227-1, 228-1	19,200	1.76
Residential (Single Detached House) 1.1.1.77	229-1, 230-1, 231-1	19,200	1.76
Residential (Single Detached House) 1.1.1.78	232-1, 233-1, 234-1	19,200	1.76
Residential (Single Detached House) 1.1.1.79	235-1, 236-1, 237-1	19,200	1.76
Residential (Single Detached House) 1.1.1.80	238-1, 239-1, 240-1	19,200	1.76
Residential (Single Detached House) 1.1.1.81	241-1, 242-1, 243-1	19,200	1.76
Residential (Single Detached House) 1.1.1.82	244-1, 245-1, 246-1	19,200	1.76
Residential (Single Detached House) 1.1.1.83	247-1, 248-1, 249-1	19,200	1.76
Residential (Single Detached House) 1.1.1.84	250-1, 251-1, 252-1	19,200	1.76
Residential (Single Detached House) 1.1.1.85	253-1, 254-1, 255-1	19,200	1.76
Residential (Single Detached House) 1.1.1.86	256-1, 257-1, 258-1	19,200	1.76
Residential (Single Detached House) 1.1.1.87	259-1, 260-1, 261-1	19,200	1.76
Residential (Single Detached House) 1.1.1.88	262-1, 263-1, 264-1	19,200	1.76
Residential (Single Detached House) 1.1.1.89	265-1, 266-1, 267-1	19,200	1.76
Residential (Single Detached House) 1.1.1.90	268-1, 269-1, 270-1	19,200	1.76
Residential (Single Detached House) 1.1.1.91	271-1, 272-1, 273-1	19,200	1.76
Residential (Single Detached House) 1.1.1.92	274-1, 275-1, 276-1	19,200	1.76
Residential (Single Detached House) 1.1.1.93	277-1, 278-1, 279-1	19,200	1.76
Residential (Single Detached House) 1.1.1.94	280-1, 281-1, 282-1	19,200	1.76
Residential (Single Detached House) 1.1.1.95	283-1, 284-1, 285-1	19,200	1.76
Residential (Single Detached House) 1.1.1.96	286-1, 287-1, 288-1	19,200	1.76
Residential (Single Detached House) 1.1.1.97	289-1, 290-1, 291-1	19,200	1.76
Residential (Single Detached House) 1.1.1.98	292-1, 293-1, 294-1	19,200	1.76
Residential (Single Detached House) 1.1.1.99	295-1, 296-1, 297-1	19,200	1.76
Residential (Single Detached House) 1.1.1.100	298-1, 299-1, 300-1	19,200	1.76

NOTE: SOME NUMBERS MAY NOT ADD UP DUE TO ROUNDING

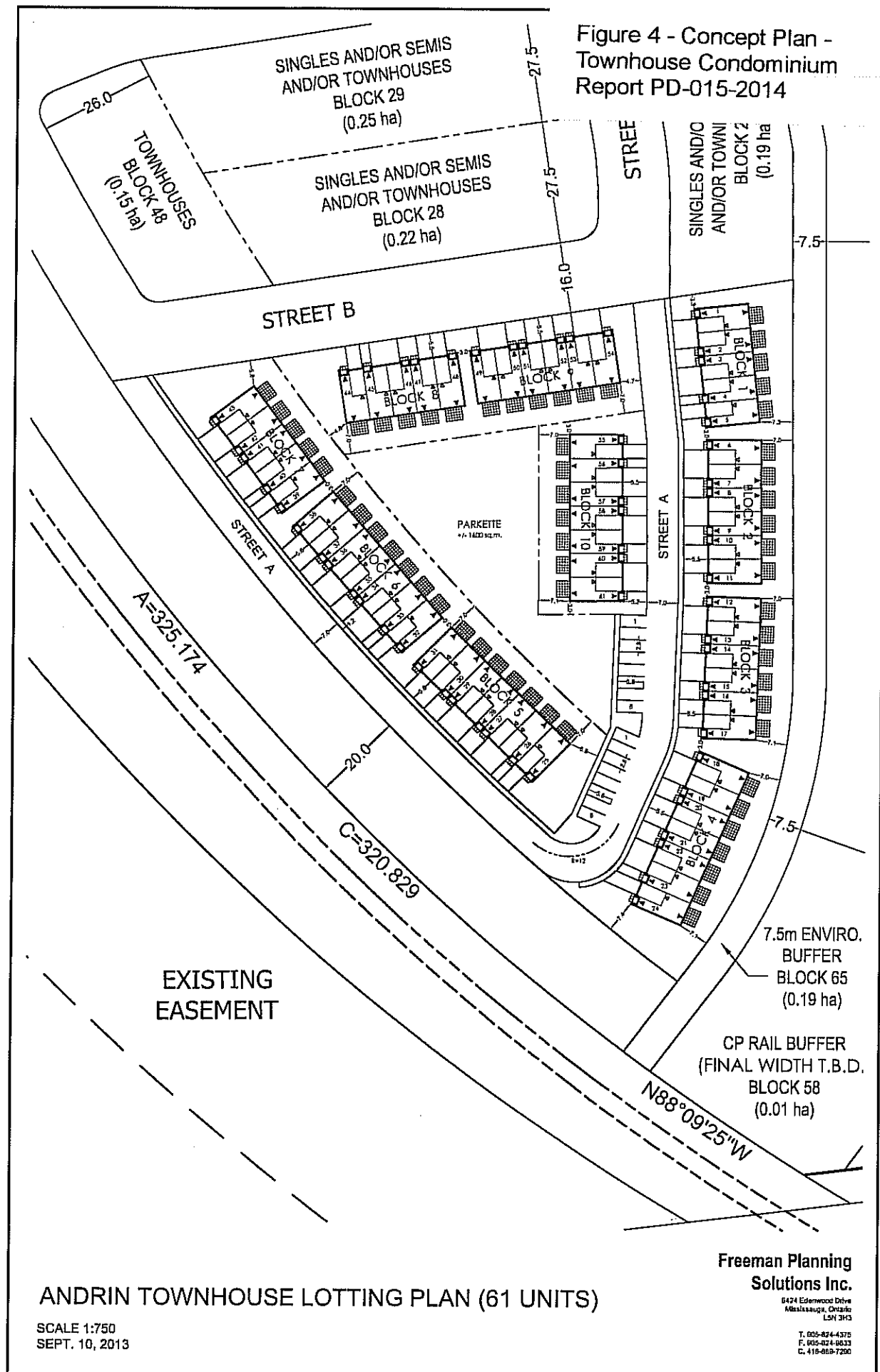




6424 Edenwood Drive
Mississauga, Ontario
L5H 3H3

T. 805-824-4375
F. 805-824-0833
C. 418-682-7290

Figure 4 - Concept Plan -
Townhouse Condominium
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ANDRIN TOWNHOUSE LOTTING PLAN (61 UNITS)

SCALE 1:750
SEPT. 10, 2013

Freeman Planning
Solutions Inc.

6424 Edenwood Drive
Mississauga, Ontario
L5N 3H3

T. 905-824-4375
F. 905-824-8633
C. 416-859-7200

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. -2014

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 144-2003, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT, AS AMENDED, IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 1, CONCESSION I (ESQUESING), FILE: Z-11/12

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 144-2003, 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 144-2003, as amended, is hereby further amended by replacing the Future Development (FD) and Greenlands A (GA) zone symbol with a site-specific Residential Low Density (RLD*180), a site-specific Residential Medium Density 1 (RMD1*181), a site-specific Residential Medium Density 1 (RMD1*182), a site-specific Residential Medium Density 2 (RMD2*183), a Greenlands A (GA), a Greenlands B (GB), Open Space (OS) Zone symbols on the land adding the Holding (H) symbol H8 to all residential zones, as shown on Schedule A attached hereto.
2. **THAT** Section 13.2 of By-law 144-2003 is amended by adding the following conditions for removal of this H8 Holding Provision:

"H8" - shall not be removed until 1), 2) and 3) have been satisfied, all of the conditions listed under either 4) or 5) and all of the conditions listed under either 6) or 7) have been satisfied:

- 1) written confirmation that servicing allocation has been secured with Halton Region by the Owner to the satisfaction of Halton Region.
- 2) written confirmation from Halton Region, the Town and Conservation Halton that the proposed emergency access and watermain connection to Tremaine road can be provided and have been secured to the satisfaction of those agencies, or that alternative emergency access and water main looping can be provided and have been secured to the satisfaction of each of those agencies;
- 3) written confirmation from Halton Region and the Town that an update to the environmental noise assessment for the Andrin plan has been provided to the

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- satisfaction of the Region and Town addressing the impact of transportation noise sources on lots 23, 24 and 25, which lots front onto Steeles Avenue;
- 4) for off-site compensation on the Jannock lands or other lands owned by a public agency or to be conveyed to a public agency as part of a development agreement:
 - a) written confirmation from the public agency that the lands are available for the proposed off-site compensation
 - b) an addendum to the Subwatershed Impact Study to the satisfaction of the Town and Conservation Halton;
 - c) detailed design drawings for the creation, restoration and or enhancement of required environmental features and associated functions to be provided as part of off-site compensation that are satisfactory to the Town and to Conservation Halton as evidenced in writing;
 - d) the issuance of a permit from Conservation Halton permitting the wetland restoration and all associated works within the jurisdiction of Conservation Halton;
 - e) the issuance of a Niagara Escarpment Development Permit permitting the off-site compensation for all works within the jurisdiction of the NEC;
 - f) a soil management plan, reports, mitigation works to the satisfaction of the Ministry of Environment and the Town; and,
 - g) securement of financial obligations for all costs associated with the creation restoration and or enhancement of required environmental features and associated functions to be provided as part of off-site compensation to be provided in a development or other agreement with the Town to the satisfaction of the Town and Conservation Halton.
 - 5) for creation, restoration and/or enhancement of habitat features on the Owner's lands:
 - a) an addendum to the Subwatershed Impact Study to the satisfaction of the Town and Conservation Halton;
 - b) detailed design drawings that are satisfactory to the Town and to Conservation Halton as evidenced in writing;
 - c) the issuance of a permit from Conservation Halton permitting the wetland restoration and all associated works within the jurisdiction of Conservation Halton; and,
 - d) the issuance of any other permits, as required, and securement of financial obligations in a development or other agreement with the Town.
 - 6) for the realignment of the creek labeled NW-1-D from its current location to a different location entirely within the subject lands:
 - a) detailed design drawings that are satisfactory to the Town and to Conservation Halton as evidenced in writing;
 - b) the issuance of a permit from Conservation Halton permitting the realignment and all associated works within the jurisdiction of Conservation Halton; and,
 - c) a red-line revision of the draft plan that accurately reflects a block for the realigned creek within the plan of subdivision to the satisfaction of the Town and Conservation Halton; and,

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- d) an addendum to the Subwatershed Impact Study to the satisfaction of the Town and Conservation Halton.
- 7) for the realignment of the creek labeled NW-1-D from its current location to the easement on the lands immediately to the west of the subject lands:
 - a) detailed design drawings that are satisfactory to the Town and Conservation Halton, including the detailed design drawings for the culvert underneath the CPR tracks;
 - b) a letter from CP Rail consenting to the construction of the culvert, including acknowledgement that the Town will not be responsible for any ongoing maintenance or liability with respect thereto, to the satisfaction of the Town;
 - c) the issuance of a Niagara Escarpment Development Permit permitting the realignment and all associated works within the jurisdiction of the NEC; and,
 - d) the issuance of a permit from Conservation Halton permitting the realignment and all associated works within the jurisdiction of Conservation Halton.

3. THAT Section 13.1 is amended by adding subsection 13.1.1.180 as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned Residential Low Density*180 (RLD*180), the following standards and provisions shall apply:

A. The only Permitted Uses are a detached dwelling, a group home Type 1, a home daycare and a home occupation.

B. Special Site Provisions:

- 1) The maximum height for a dwelling is 9.0 metres and 2-storeys. The height shall be measured from the average grade along the front of the dwelling to the peak or ridge of the roof, whichever is higher. The height from the average grade at the front of the dwelling to the eaves must be more than 50% of the overall height.
- 2) Air conditioning units are permitted in all yards, except for a front yard or an exterior side yard and shall be setback a minimum of 0.6 metre from a rear or interior side lot line.
- 3) The maximum height of a fence in the yard abutting Steeles Avenue is 1.0 metre.
- 4) For the purposes of this by-law, the Steeles Avenue frontage is deemed to be the front yard of the lot for those lots abutting Steeles Avenue.
- 5) For the lots fronting onto Steeles Avenue, the following provisions apply:

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- a) A porch, veranda or balcony may not encroach into the minimum required front yard setback. Stairs may encroach a maximum of 1.0 metre into the required front yard setback.
 - b) For through lots, Section 4.20 does not apply.
 - c) A garage may only be accessed from the lay-by street across the rear yard.
 - d) The minimum rear yard setback to an attached garage is 1.2 m, except for a lot abutting an Open Space zone.
 - e) That portion of a driveway further than 12 metres from the garage face shall have a maximum width of 3.5 metres.
 - f) Notwithstanding the provisions in Section 6.2, Table 6B:
 - (i) front yard setback along Steeles Avenue 4.0 m min. and 6.0 m max.
 - (ii) minimum exterior side yard setback 6.0 m
 - (iii) minimum setback to a sight triangle 1.0 m
 - (iv) minimum side yard setback abutting an Open Space zone 2.8 m
 - (v) minimum rear yard setback for a lot, other than a lot abutting an Open Space Zone 1.2 m
 - (vi) minimum rear yard setback to a garage face for a lot abutting an Open Space zone 10.0 m
 - (vii) an amenity area shall be provided between the face of the dwelling and the garage and shall have a minimum width of 6 metres and a minimum area of 60 m² and is to be shielded from the railroad by the dwelling in accordance with an approved noise report.
 - (viii) maximum lot coverage for a lot having an area of less than 660 m² 43%
- 6) For the lots fronting onto Peru Road, the following provisions apply:
- a) A detached garage may only be located in the rear yard. An attached garage may only be located at the rear of the dwelling.
 - b) A porch, veranda or balcony may encroach a maximum of 2.0 metres into a required front yard. Stairs may encroach an additional 0.5 metre.
 - c) Notwithstanding the provisions in Section 6.2, Table 6B:
 - (i) minimum lot frontage 14.0 m
 - (ii) minimum lot depth (for a lot with a lot frontage of 20 m or larger) 23.0 m
 - (iii) minimum front yard setback along Peru Road 5.0 m
 - (iv) minimum interior side yard setback 1.2 m one side and the other side 4.0 m

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- | | |
|--|-------|
| (v) minimum rear yard setback | 8.5 m |
| (vi) maximum lot coverage for a lot having an area of less than 660 m ² | 40% |

7) For all lots fronting onto the lay-by street parallel to Peru Road, the following provisions apply

- a) A detached garage may be located in the rear yard, but may not be accessed across an exterior side lot line.
- b) A porch, veranda or balcony, including any stairs, may encroach a maximum of 2.0 metres into a required front yard. Stairs may encroach an additional 0.5 metre.
- c) Notwithstanding Section 4.1.1.9, porches/verandas in the rear yard must have a minimum 4.0 m setback from the rear property line. Stairs may encroach 0.5 metre into the 4.0 m setback.
- d) Notwithstanding the provisions in Section 6.2, Table 6B:
 - (i) minimum lot frontage 13.4 m
 - (ii) minimum lot depth for a lot with a frontage greater than 15 m 28.0 m
 - (iii) minimum front yard setback 5.0 m
 - (iv) minimum exterior side yard setback 3.5 m
 - (v) For lots where an amenity area is provided outside the rear yard, the amenity area must be shielded from the railroad by the dwelling in accordance with an approved noise report, and must be of a minimum width of 6 metres and a minimum area of 60 m² between the face of the dwelling and the garage, the minimum rear yard setback shall be 4.0 m
 - (vi) maximum lot coverage for a 2-storey dwelling on a lot having an area of less than 660 m² 43%
 - (vii) maximum lot coverage for a bungalow on a lot having an area of less than 660 m² 52%

4. THAT Section 13.1 is amended by adding subsection 13.1.1.181 as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned Residential Medium Density 1*181 (RMD1*181), the following standards and provisions shall apply:

A. The only Permitted Uses are a detached dwelling, a group home Type 1, a home daycare and a home occupation.

B. Special Site Provisions

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- 1) A porch, veranda or balcony may encroach a maximum of 1.0 metre into the minimum required front yard or exterior side yard setbacks. Stairs may encroach an additional 0.5 metre.
- 2) Notwithstanding the provisions in Section 6.2, Table 6C, the following provisions shall apply:
 - a) minimum front yard setback 3.5 m
 - b) minimum setback to a lot line abutting Peru Road 3.5 m
- 3) The maximum height of a dwelling is 9.0 metres. The height shall be measured from the average grade of the dwelling along the front of the dwelling to the ridge or peak of the roof, whichever is higher.

5. THAT Section 13.1 is amended by adding subsection 13.1.1.182 as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned Residential Medium Density 1*182 (RMD1*182), the following standards and provisions shall apply:

A. Special Provisions:

- 1) The maximum height of a dwelling is 11.0 metres. The height shall be measured from the average grade of the dwelling along the front of the dwelling to the ridge or peak of the roof, whichever is higher.
- 2) Notwithstanding the provisions in Section 6.2, Table 6C, the following provisions shall apply:
 - a) minimum front yard setback 3.0 m

6. THAT Section 13.1 is amended by adding subsection 13.1.1.183 as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned Residential Medium Density 2*183 (RMD2*183), the following standards and provisions shall apply:

- A. The maximum number of dwelling units for the RMD2*183 zone is 43 units per net hectare, but shall not apply to individual Parcels of Tied Land.

B. Special Site Provisions:

- 1) Visitor parking shall be provided at a rate of 0.25 spaces per dwelling unit.
- 2) Notwithstanding minimum setbacks for a parking area of 7.5 m from a street line and 3 metres to all other lot lines, the minimum setback to a Parcel of Tied Land shall be 0 metres.

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- 3) The minimum setback from a public street line to the rear of a dwelling unit is 5.8 m.
- 4) The minimum setback abutting an Open Space zone is 7.0 m.
- 5) The minimum side yard setback abutting a RMD1*182 zone is 3.3 m.
- 6) The provisions in Section 6.2 – Table 6D, as amended, shall apply to a Parcel of Tied Land, as defined in the Condominium Act.
- 7) Notwithstanding the provisions in Section 6.2 – Table 6D to the contrary, the following provisions shall apply to townhouses:
 - a) minimum lot frontage for a street access interior unit 5.3 m
 - b) minimum lot frontage for a street access end unit 6.8 m
 - c) minimum lot frontage of a street access corner unit 7.5 m
 - d) minimum lot depth for street access units 23.0 m
 - e) minimum interior side yard setback for an end unit – 0.0 metres one side and other side 1.5 m
- 8) A porch, veranda, deck or balcony may encroach a maximum of 1.8 metres into a required rear yard

7. THAT Section 13.2 is amended by adding subsection 13.2.1.39 as follows:

For lands zoned a site-specific Residential Low Density (RLD*180), a site-specific Residential Medium Density 1 (RMD1*181), a site-specific Residential Medium Density 1 (RMD1*182), a site-specific Residential Medium Density 2 (RMD2*183), a Greenlands A (GA), a Greenlands B (GB), Open Space (OS) Zone symbols, on the property located at the northwest corner of Steeles Avenue and Peru Road, only legally established existing *uses* are permitted until the conditions for removal identified in the “H8” Holding provision are satisfied.

- 8. THAT** if no appeal is filed pursuant to Section 34 (19) of the Planning Act, RSO 1990, c. P13, as amended, or if an appeal is filed and the Ontario Municipal Board dismisses the appeal, this By-law shall come into force upon the day which **OPA – Specific OPA No.** comes into effect. If the Ontario Municipal Board amends the By-law pursuant to Section 34 (26) of the Planning Act, as amended, the part or parts so amended come into force upon the day of the Board’s Order is issued directing the amendment or amendments.

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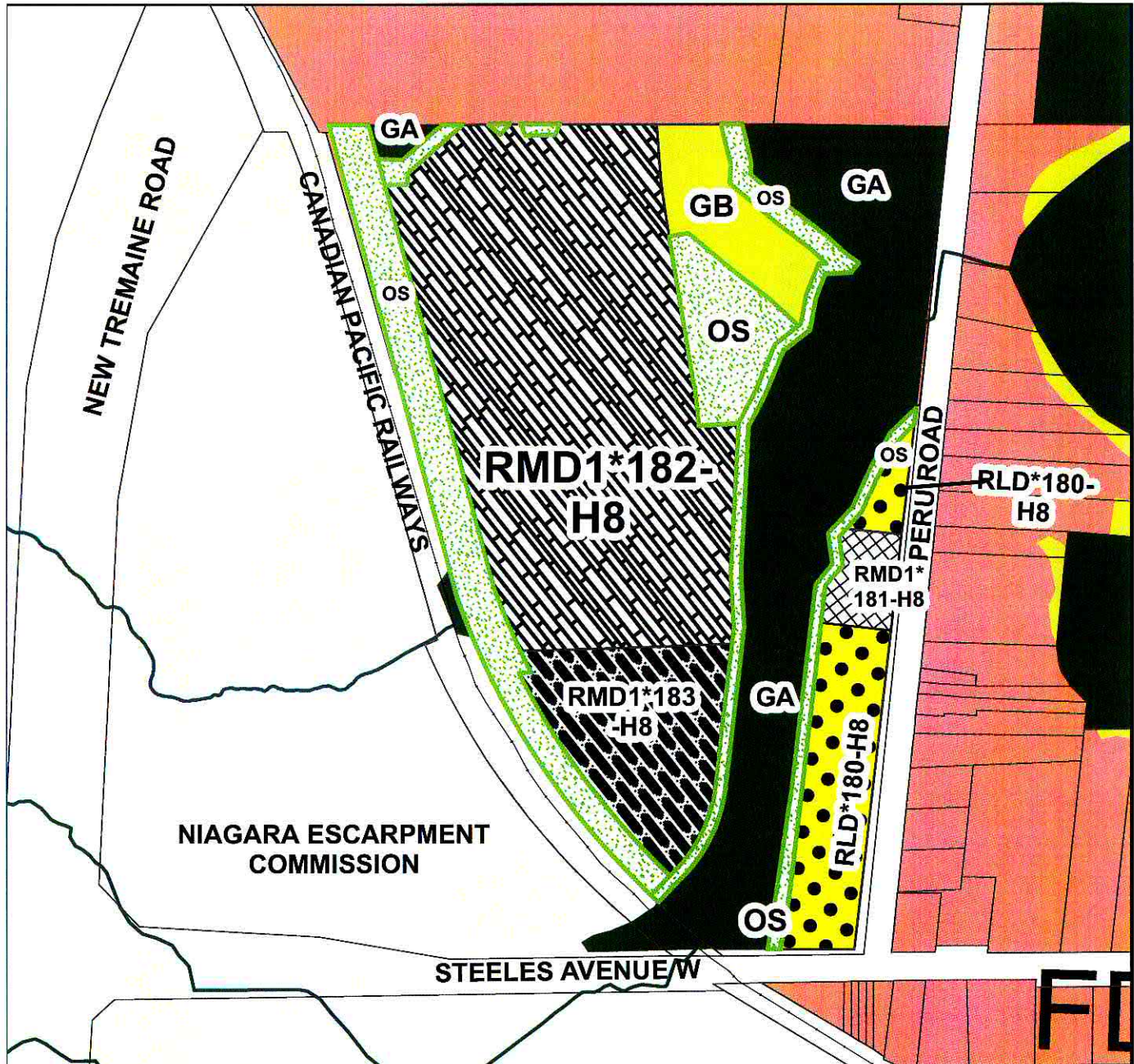
**THIS BY-LAW SHALL COME IN TO FORCE AND EFFECT ON <DATE> IN
ACCORDANCE WITH ONTARIO MUNICIPAL BOARD ORDER NUMBER
<NUMBER>.**








**Approved by the Ontario Municipal Board this <DATE>.
Approved by Ontario Municipal Board Order #<NUMBER>.**

SCHEDULE A
TO BY-LAW No. -2014
TOWN OF MILTON

PART OF LOT 1, CONCESSION I,
FORMER TOWNSHIP OF ESQUESING

Town of Milton



-  RLD*180-H8 - LOW DENSITY RESIDENTIAL ZONE SPECIAL WITH HOLDING PROVISION
-  RMD1*181-H8 - MEDIUM DENSITY RESIDENTIAL 1 ZONE SPECIAL WITH HOLDING PROVISION
-  RMD1*182-H8 - MEDIUM DENSITY RESIDENTIAL 1 ZONE SPECIAL WITH HOLDING PROVISION
-  RMD1*183-H8 - MEDIUM DENSITY RESIDENTIAL 1 ZONE SPECIAL WITH HOLDING PROVISION
-  GA - GREENLANDS A ZONE
-  GB - GREENLANDS B ZONE
-  OS - OPEN SPACE ZONE

AS ORDERED BY THE ONTARIO
MUNICIPAL BOARD THIS
DAY OF , 2014

Z-11/12
24T-12002/M
ANDRIN PROPERTIES