



# The Corporation of the TOWN OF MILTON

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Report to: Mayor G. A. Krantz and Members of Council

From: W. F. Mann, Director of Planning and Development

Date: June 14, 2010

Report No. PD-042-10

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Subject: Official Plan Review Conformity Exercise – Proposed Amendment

**RECOMMENDATION: THAT Report PD-042-10, including the Official Plan conformity amendment, be received for information;**

**AND THAT any public submissions received after May 14, 2010 be received;**

**AND FURTHER THAT Official Plan Amendment No. 31, dated June 2010 be adopted and submitted to the Region of Halton for approval;**

**AND FURTHER THAT staff be authorized to effect any minor or technical modifications to the amendment, including modifications to resolve objections, in consultation with the Town Solicitor;**

**AND FURTHER THAT, in light of the financial and physical demands on both local and regional infrastructure due to provincial conformity requirements in accordance with the Province's Places to Grow Act, 2005, including the timely provision of health and education facilities and services, the Town Clerk be directed to forward a copy of Report PD-042-10 to the Province of Ontario's Ministry of Energy and Infrastructure and Ministry of Health and Long-Term Care, and to the Region of Halton and adjacent local municipalities, as well as to Halton Healthcare, Halton's Public and Separate District School Boards and to Halton's MP and MPP's.**



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## **EXECUTIVE SUMMARY**

In order to ensure continued conformity to Provincial policy direction, particularly the policies of the Growth Plan for the Greater Golden Horseshoe, the Town must complete a review of its Official Plan and implement, by amendment, any required revisions no later than June 16, 2010.

As the Town's Official Plan is required to be in conformity with that of the Region, it was necessary for the Region's Sustainable Halton Plan (ROPA 38) to be adopted prior to the finalization of the Town's amendment. ROPA 38 was adopted by Regional Council on December 16, 2009. It identified within the Halton context, specific growth and intensification targets for the local municipalities as well as additional policies required to implement Provincial plans and directions. Further, it identified additional urban mixed use and employment lands required to support growth to the end of the 2031 planning horizon.

A draft Official Plan amendment was prepared based on a list of key policy directions required to bring the Town's Official Plan into conformity with the upper tier documents. The amendment consists of a number of new and revised policies as well as updated mapping. The document was posted on the Town's website and made available for review in the Planning & Development Department and at the Milton Public Library as of April 8, 2010.

An initial open house was held on March 30, 2010 to provide a general overview of the proposed changes. In accordance with statutory requirements, both a Public Open House and a Public Meeting were held to provide interested parties with an opportunity to review the proposed changes, obtain additional information and provide comments.

This report outlines the results of the formal public review of the conformity amendment, including staff's response to the comments submitted and recommends adoption of the amendment.

## **REPORT**

### **Background**

The Growth Plan for the Greater Golden Horseshoe 2006, was prepared and approved under the Places to Grow Act 2005 and took effect on June 16, 2006. The proposed



amendment is primarily for the purpose of bringing the Town's Official Plan into conformity with the Provincial policy direction no later than June 16, 2010, as required by the Province.

In addition, the current review is intended to ensure that the Town's Official Plan:

- implements the requirements of the Planning Act (Bill 51) and other Provincial legislation;
- is consistent with the Provincial Policy Statement (2005); and,
- conforms to:
  - the Greenbelt Plan;
  - the Niagara Escarpment Plan;
  - the Parkway Belt West Plan; and,
  - the Region of Halton Official Plan (Sustainable Halton – ROPA's 37 & 38)

As outlined in Planning & Development Staff Report PD-030-10, it was of benefit to Milton to co-ordinate its conformity exercise with that of the Region. The Sustainable Halton Plan (SHP), adopted by Regional Council through ROPA 38 on December 16, 2009, identified within the Halton context, specific growth and intensification targets for the local municipalities as well as additional policies required to implement new Provincial Plans and directions.

Based on a list of key policy directions, a draft proposed Official Plan amendment was prepared for public review and input. The proposed amendment included a series of changes shown as insertions and deletions in the current Official Plan, along with updated mapping to reflect the changes. This document was posted on the Town's website and made available for review in the Planning & Development Department and at the Milton Public Library, as of April 8, 2010. Copies of the draft Official Plan amendment were also circulated to a number of public agencies and utilities for their review and feedback.

Over the course of preparation of the amendment, the Town has held a number of open houses and public meetings to provide information and obtain feedback including:

- an informal open house on March 30, 2010 to display preliminary information prior to the release of the proposed amendment;
- a Special Meeting of Council on April 19, 2010, open to the public, to discuss the revisions to the Plan that may be required;
- a Statutory Public Open House to discuss the proposed amendment; and,



- a Statutory Public Meeting on May 10, 2010 to allow interested parties to present comments and concerns directly to Council.

**Discussion**

*Provincial Legislation and Regional Plan Changes*

Over the past five years, the Provincial Government has implemented a number of changes in policy direction which dramatically impact the way in which growth and development will be accommodated. Through ROPA 38, adopted on December 16, 2009, the Region of Halton completed its conformity exercise. The Town has now drafted an Official Plan amendment to implement the new policy framework at a local, municipal level.

Below is a summary of policy directions of the legislation and/or Plan that must be addressed in relation to the Town’s Official Plan:

Document	Policy Directions
Planning Act (Bill 51)	<ul style="list-style-type: none"> <li>- Provides for additional information requirements for a “complete” application</li> <li>- Establishes additional notice requirements and public participation opportunities</li> <li>- Allows mandatory pre-consultation</li> <li>- Incorporates changes to the Community Improvement Plan (CIP) System</li> <li>- Allows conditional zoning</li> <li>- Expands site plan control provisions to address architectural and urban design</li> <li>- Enhances planning tools to support sustainable development</li> <li>- Authorizes greater control over the conversion of employment lands</li> <li>- Requires the OMB to have regard to municipal decisions</li> </ul>
Provincial Policy Statement	<ul style="list-style-type: none"> <li>- Promotes a policy led system that recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning.</li> <li>- Supports building strong communities, wise use and management of resources and protecting public health and safety</li> <li>- Promotes intensification and redevelopment</li> <li>- Restricts expansion of settlement areas</li> <li>- Requires consideration of employment land conversion through a comprehensive municipal review</li> <li>- Limits lot creation in agricultural areas</li> </ul>



Document	Policy Directions
Growth Plan	<ul style="list-style-type: none"> <li>- Identifies a “Built Boundary”, an “Urban Growth Centre” and a “Major Transit Station Area” for Milton</li> <li>- Identifies density targets for Milton’s Urban Growth Centre of 200 persons and jobs combined per hectare by 2031</li> <li>- Provides for a vibrant mix of residential, employment and complementary land uses within the Urban Growth Centre</li> <li>- Requires greenfield areas to be planned to achieve a minimum density target of 50 persons and jobs combined per hectare</li> <li>- Directs 40 percent of all residential development Region-wide in the form of intensification to the built-up area on an annual basis starting in 2015</li> </ul>
Greenbelt Plan	<ul style="list-style-type: none"> <li>- Designates significant areas of the Town as Natural Heritage System within the Protected Countryside</li> <li>- Recognizes and supports a full range of agricultural, agriculture-related and secondary uses and normal farm practices</li> <li>- Requires protection of vulnerable surface and groundwater areas, such as wellhead protection areas</li> <li>- Provides additional policy direction related to mineral aggregate operations</li> <li>- Requires key natural heritage and key hydrologic features and any associated minimum vegetation zones, wellhead protection areas and vulnerable areas to be identified in local Official Plans</li> </ul>
Sustainable Halton (ROPA’s 37 & 38)	<ul style="list-style-type: none"> <li>- Extends the planning horizon to 2031</li> <li>- Establishes a population target of 238,000 and an employment target of 114,000 for Milton by 2031</li> <li>- Establishes 5,300 as the minimum number of intensification housing units to be added within Milton’s built boundary between 2015 and 2031</li> <li>- Establishes a minimum overall greenfield development density of 58 residents and jobs combined per gross hectare for Milton</li> <li>- Includes additional land within the Town’s urban area</li> <li>- Introduces a Natural Heritage System</li> </ul>

*Town’s Conformity Amendment*

The Town’s current Official Plan was structured to anticipate future growth in the Town to the 2021 planning horizon, and incorporated lands for urban expansion determined through the Halton Urban Structure Plan (HUSP) exercise undertaken in the late 1990’s. The Official Plan was consolidated in January, 2001 and in August, 2008 to include all amendments approved to date. The proposed amendment is based upon the August, 2008 Official Plan Consolidation.



In order to provide for an appropriate transition between the existing Official Plan and the implementation of the conformity amendment, a policy has been included to clarify that the new policies will not apply to the HUSP lands. This policy is intended to ensure that development within these areas will proceed in accordance with the approved secondary plans.

In response to the various policy directions contained above, the Town's conformity amendment primarily focuses on the following subjects:

- Growth management
- Intensification and infill
- Employment conversion
- Protection of natural heritage features and functions
- Agricultural protection and resource management

A brief description of the proposed changes, are outlined below.

#### Growth Management

The Town's current Official Plan is based upon a planning horizon of 2021 and provides direction to manage growth within that timeframe. The Growth Plan, as implemented through ROPA 38, extends the planning horizon to 2031. ROPA 38 implements population (238,000) and employment (114,000) targets for Milton to 2031, and incorporates the applicable urban boundary expansions established through the Sustainable Halton Planning (SHP) exercise to accommodate that projected population and employment growth.

Greenfield development is to be balanced with intensification and infill development to promote the wise use of land, infrastructure and resources and prevent sprawl. Within greenfield areas, densities of 58 persons and jobs per hectare are to be achieved.

Policies have also been revised to restrict the expansion of Hamlet boundaries in accordance with the Greenbelt Plan and the Urban Area, in accordance with the Growth Plan.

As a result of the above noted changes, it was necessary to update the Town's policy framework to reflect the new municipal structure and community context. Revisions have been made to Figure C, the Town's Concept Plan, to reflect the new Town



structure which consists of the Central Urban Area (including the Urban Growth Centre), the Agricultural Rural Area, the Greenbelt Plan Protected Countryside, and the Natural Heritage System. This structure is shaped and influenced by a number of Provincial Plans including the Niagara Escarpment Plan, the Greenbelt Plan, the Parkway Belt West Plan and the Growth Plan for the Greater Golden Horseshoe.

### Intensification & Infill

The Growth Plan is premised on the notion of building compact, vibrant, transit-supportive, complete and healthy communities. To assist in managing growth, the Plan requires that a significant portion of new growth be directed to the built-up areas of the community through intensification.

The Town's proposed amendment identifies two types of residential intensification within the built-up area, namely intensification and infill. General policies to guide new intensification proposals have been incorporated into the proposed amendment as follows:

#### *Intensification Areas*

Intensification Areas will be the focus of higher density development and are to be located within the Built-Up Area of the Urban Area. Milton is required to accommodate a minimum of 5,300 intensification units within its Built Boundary between 2015 and 2031. Intensification areas primarily consist of the Urban Growth Centre (UGC), Major Transit Station Areas, intensification corridors and mixed uses nodes. Some specific sites with higher density redevelopment potential have also been identified. A significant portion of intensification will be directed to the UGC. The proposed amendment identifies these areas along with the Built Boundary and includes policies to guide built form and land use. Further, minimum density targets required for the UGC (200 persons and jobs combined per hectare by 2031) have also been included.

#### *Residential Infill*

Residential intensification outside of intensification areas will generally occur through minor infilling in order to maintain and protect the character of established neighbourhoods. The proposed amendment provides additional policy direction to ensure that infill residential development will contribute to achieving the required intensification targets, while maintaining compatibility with the established land use pattern and character of the surrounding area.



### *Central Business District*

The introduction of the UGC has necessitated revisions to the policy framework for the Central Business District. Consistent with the current Official Plan, it is intended that the CBD outside of the Regional Floodplain continue to be a multi-functional centre for the Town providing a broad range of commercial, civic and cultural services at a Town-wide scale. In accordance with the Growth Plan, the UGC will be redeveloped as a concentrated, vibrant urban centre. The historic downtown, however, is to be preserved and maintained, allowing more modest redevelopment which is both sensitive to and compatible with the existing heritage character and appearance.

The amendment introduces a UGC Mixed Use designation to the majority of the UGC area which provides for a vibrant mix of residential, office and complementary land uses. Policies have also been incorporated to guide the form of development within both the UGC and the historic downtown. Transition policies to address the relationship between various types of built form anticipated in the UGC and those in existing areas, have also been proposed.

To reflect the policy changes for the CBD, revisions to the related mapping were also required. The most notable changes include the expansion of the CBD boundary to include the eastern edge of the UGC and an intensification area along Bronte Street that is located within the Character Area boundary. Further, the height schedule has been revised to reflect height ranges necessary to accommodate the form and density of development required to achieve the population and employment targets within the UGC.

### *Additional Revisions*

To assist in achieving the minimum intensification targets, increases to density ranges in the existing residential land use designations have been incorporated. Further, as-of-right permission for second residential units has been added. Official Plan policies have also been added, which direct the "pre-zoning" of high density residential mixed use sites in order to facilitate their redevelopment.

### Employment Conversion

To ensure the continued protection of employment lands for the Town's long term needs, the amendment identifies the Sustainable Halton employment lands, incorporates employment conversion policies and recommends the following revisions to address conversion issues:



- revisions to the permitted uses within the employment land use designations;
- re-designation of the residential/employment area (Bronte Street) to a residential/office area designation; and,
- removal of the Regional/Sub-Regional (Big Box) commercial uses as a permitted use within the employment area.

As a result of the removal of the regional/sub-regional commercial uses from the employment area, a new commercial land use designation is proposed, consistent with the recommendations of the Retail Commercial Demand Study, 2006.

To provide for their continued protection beyond 2031, the amendment also identifies the Future Strategic Employment Lands which were identified through the Sustainable Halton Planning exercise (ROPA 38).

#### Protection of Natural Heritage Features & Functions

To provide for permanent management and protection of the most significant and sensitive key natural features, functions and linkages throughout the Town, the amendment implements the Regional Natural Heritage System, as adopted through ROPA 38, and provides a policy framework to ensure that this system will be preserved and enhanced for future generations. Alteration of features and their ecological functions within the Natural Heritage System will be restricted and buffers and setbacks are now included within the system.

The Natural Heritage System (NHS), as identified in various schedules in the proposed amendment, replaces the current Greenlands A, Greenlands B, Environmental Linkage and Environmentally Sensitive Area designations, as the features and functions they are intended to identify are now included within the overall system.

The NHS has been applied through the amendment as a designation, with the exception of the Protected Countryside Area of Greenbelt Plan, where it has been applied as an overlay. The policies of the Greenbelt Plan Natural Heritage System will apply to this area. The predominant underlying use in the Greenbelt Protected Countryside Area will continue to be agriculture, normal farm practices, and agriculture-related uses, subject to the detailed study of the natural heritage features.

The boundary of the NHS has been determined by the Region in consultation with the local municipalities, and the appropriate agencies. The NHS may be refined from time



to time through the preparation of sub-watershed studies, secondary plans, area-specific plans or individual Environmental Impact Assessments (EIA's).

It is significant to note that the amendment includes a policy which "grandfathers" the HUSP Secondary Plan areas, including the Derry Green Corporate Business Park and Boyne Survey Secondary Plans. The intent of this policy is to ensure that the enhanced natural heritage system, among other new policy directions, does not apply to these lands as they have been subject to a comprehensive planning exercise and the resulting impacts would potentially have a profound impact upon the land use plans.

#### Agricultural Protection & Resource Management

In order to ensure continued protection of agriculture throughout the Rural Area, and to bring the Plan into conformity with the Provincial Policy Statement, the Greenbelt Plan, and the Regional Plan, the amendment:

- updates the rural system structure by placing lands above the Niagara Escarpment Plan Area and south and east of the expanded Urban Area within the Agricultural Rural Area designation
- adds Greenbelt Plan Protected Countryside Area and Greenbelt Natural Heritage System overlays;
- revises the Agricultural Rural Area policies to ensure continued support of agriculture and agricultural related uses as the prime activity and predominant land use and to preserve prime agricultural areas;
- deletes uses that are no longer appropriate in the Agricultural Rural Area
- identifies and maps prime agricultural lands
- revises lot creation (consent) policies;
- includes policies relating to source water protection and the identification of municipal well-head protection zones; and,
- revises mineral aggregate policies and mapping.

#### Additional Revisions

To address conformity with additional Provincial initiatives and updates, and to provide related community context, specific changes have been included relative to the following:

- updates to the Niagara Escarpment Plan (permitted uses and revised Plan boundary)



- updates to the Parkway Belt West Plan mapping
- revisions arising from the Ontario Heritage Act (Bill 60)
- revisions arising from the Green Energy Act, 2009 (green building, energy conservation, urban design)
- updates to the housing policies related to mix, form and type including revised policies to support the provision of assisted, affordable and special needs housing
- new policies and mapping to implement active transportation
- adjustment to the Town Boundary to reflect the removal of the Ninth Line corridor (Annexation Order)
- inclusion of the vision, goals and strategic objectives of the Destiny Milton 2 Strategic Plan
- expansion of Community Improvement Area policies (CBD and Campbellville)
- revisions to definitions and mapping as required to support the new policies
- editorial revisions (updated references to Provincial Ministries, regulations, documents, and directive language)

#### *Public Consultation*

Pursuant to the Planning Act, both a Statutory Public Open House and a Statutory Public Meeting to discuss the proposed amendment have been held. The open house was held on April 28, 2010, and the public meeting was held on May 10, 2010. Notices relating to the meetings were published in the local newspapers on April 8, April 15 and April 22<sup>nd</sup> (for the April 28<sup>th</sup> Open House) and April 15<sup>th</sup> and April 29<sup>th</sup> (for the May 10<sup>th</sup> Special Council Meeting), posted on the Town's website and provided by regular mail to the statutory agencies and organizations and to those individuals and companies that made such a request. An informal open house was also held on March 30, 2010.

Written submissions relating to the proposed amendment were requested to be submitted by May 14, 2010. The input received through these written submissions is provided in Appendix 2 to this report together with staff's response. It should be noted that many of the comments provided relate to the document in its entirety, including existing policies which are not proposed to be amended at this time. While these comments warrant further consideration, they are beyond the scope of the current conformity exercise and, as such, will be addressed through the ongoing review process rather than through this amendment.



### **Relationship to the Strategic Plan**

The Official Plan review supports the Town of Milton Strategic Plan in that the proposed amendment is based upon the vision, goals, and directions of the Destiny Milton 2 exercise and, in particular, the goal to achieve well-managed growth and well planned spaces.

### **Financial Impact**

There is no direct financial impact arising from this report.

Respectfully submitted,

W. F. Mann, MCIP, RPP, OALA, RPF  
Director, Planning & Development

If you have any questions on the content of this report: Angela Janzen, 905.878.7252 x2316  
Barb Koopmans, 905.878.2752X2304

### Attachments:

Appendix 1: Amendment No. 31 to the Town of Milton Official Plan, dated June 2010  
(provided under separate cover) [PD-042-10\\_Appendix1.pdf](#)

Appendix 2: Summary of and Response to Public and Agency Written Submissions

[PD-042-10\\_Appendix2.pdf](#)

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