



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: May 26, 2025

Report No: DS-022-25

Subject: Technical Report - Proposed Plan of Subdivision and Zoning By-law Amendment applications by Branthaven Fourth Line Inc. and 1000968516 Ontario Inc. applicable to lands legally described as Part of Lot 11, Concession 4, N.S. (Trafalgar) (Town Files: 24T-24003/M and Z-23/24)

Recommendation: **THAT** Town of Milton Council support the granting of Draft Plan Approval by the Commissioner of Development Services for the proposed plan of subdivision (Town File: 24T-24003/M);

AND THAT Application Z-23/24 for an amendment to the Town of Milton Comprehensive Zoning By-law 016-2014, as amended, to change the current Future Development (FD) and Natural Heritage System (NHS) Zones to Residential Medium Density 1 - Special Provision 366 (RMD1*366), Residential Medium Density 2 - Special Provision 367 (RMD2*367), Residential High Density - Special Provision 368 (RHD*368), Natural Heritage System (NHS), and Open Space (OS) Zones, along with Holding (H) Symbol H78 applicable to the portion of the RHD*368 block that proposes an apartment building in future on the subject lands, and to permit the development of a residential plan of subdivision, **BE APPROVED**;

AND THAT staff be authorized to bring forward an amending Zoning By-law in accordance with the draft By-law attached as Appendix 1 to Report DS-022-25 for Council adoption;

AND FURTHER THAT the Provincial Ministers of Health, Education, Transportation and Infrastructure and Metrolinx receive a copy of this report with a request to review and plan for future Milton District Hospital, school and transportation expansions.

EXECUTIVE SUMMARY

Branthaven Fourth Line Inc. and 1000968516 Ontario Inc. are seeking approval of an amendment to Town of Milton Zoning By-law 016-2014, as amended, to implement a proposed residential plan of subdivision. The proposed application if approved, will complete the development of the Bristol Survey Secondary Plan Area.

The subdivision proposes 365 residential dwelling units (comprised of 30 freehold townhouse dwelling units/lots and 16 rear lane townhouse, 45 street townhouse, 114 back-to-back townhouse and 160 apartment condominium dwelling units within two future residential condominium blocks), a natural heritage system block with a trail system, a village square and an internal road system. A holding provision has been applied to the apartment building component of the eastern future condominium block as servicing allocation must be secured prior to its development.

As such, the proposed Zoning By-law Amendment seeks to replace the current Future Development (FD) and Natural Heritage System (NHS) Zone Symbols with the Residential Medium Density 1 - Special Provision 366 (RMD1*366), Residential Medium Density 2 - Special Provision 367 (RMD2*367), Residential High Density - Special Provision 368 (RHD*368), Natural Heritage System (NHS) and Open Space (OS) Zone Symbols, along with Holding (H) Symbol H78 on the apartment component of the RHD*368 Zone in the eastern condominium block on the subject lands.

Registration of the subdivision is to occur in a single phase, however, both future condominium blocks will require Site Plan Approval prior to development.

An informal public information centre (PIC) was held on October 16, 2024, and a statutory public meeting was held on December 9, 2024. Members of the public raised concerns regarding the height of the proposed apartment building and potential shadow and wind impacts generated from the proposed mid-rise building on existing residents; the proposed Cedar Hedge Road extension to Derry Road and overall traffic impacts; proposed park locations and programming as well as trail connections; and construction management (i.e. timing, access, nuisance management and public notification). Responses to these concerns are provided in the Summary of Issues section of this report.

All internal Town of Milton departments and responding external agencies have provided correspondence to Town Planning staff indicating their support for the applications as currently presented. They have also provided the appropriate conditions of draft plan approval necessary for the Town to consider the approval of these applications. Staff has reviewed all the documentation, plans and comments provided to date and is of the opinion

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that the applications as submitted are prepared in a manner that would allow them to be considered by Town Council for approval.

Conclusions and Recommendations

Staff is satisfied that the plan of subdivision processed under File 24T-24003/M, subject to the requested conditions of draft plan approval and the site-specific zoning provisions attached as Appendix 1, conforms to Provincial, Regional and Town planning policies and Conservation Halton regulations, and achieves acceptable engineering and design standards. Planning staff is also satisfied that the proposed Zoning By-law Amendment is consistent with the land use policies of the Provincial Policy Statement and conforms to the Region and Town Official Plans.

REPORT

Background

Owner: Branthaven Fourth Line Inc. and 1000968516 Ontario Inc., 720 Oval Court, Burlington, ON

Applicant/Agent: Glen Schnarr & Associates Inc., 10 Kingsbridge Garden Circle, Suite 700, Mississauga, ON

Location/Description

The subject lands are situated on the north side of Derry Road between the future extension of Rusk Avenue (Sauve Street to the south) and the unopened Cedar Hedge Road allowance (formerly Fourth Line), are legally described as Part of Lot 11, Concession 4, New Survey, Former Geographic Township of Trafalgar, in the Town of Milton, Regional Municipality of Halton, and the lower portion is municipally identified as 9755 Derry Road. See Figure 1- Location Map.

The subject lands are also located within Ward 2, are approximately 6.2 hectares (15.3 acres) in size, and are the last of the larger land parcels to be developed within the Bristol Survey Secondary Plan Area. The lands are currently vacant and are traversed by a watercourse which is part of the Regional Natural Heritage System (RNHS). Surrounding land uses are primarily residential with a mix of medium and high-density housing forms, and

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also include several elementary schools, Clarke Neighbourhood Park and a significant natural heritage system that has been constructed to the north and the south.

Proposal:

As illustrated in Figure 2, the applicant has submitted a Draft Plan of Subdivision that proposes to create 365 residential dwelling units (comprised of 30 freehold townhouse dwelling units/lots and 16 rear lane townhouse, 45 street townhouse, 114 back-to-back townhouse and 160 apartment dwelling units within two condominium blocks), a natural heritage system block that will contain a trail connection, a village square block and an internal road system. The proposed natural heritage system on these lands will complete the watercourse works to Derry Road and naturally create the condominium blocks: a medium density block to the west and a medium to high density block to the east, the latter proposing a height of up to 8 storeys. Figure 3 - Development Concept Plan shows the planned arrangement of the various housing forms proposed within the future medium density residential blocks. Registration of the subdivision is to occur in a single phase, however, both future condominium blocks will require Site Plan Approval prior to development.

The proposal before Council is a request for an amendment to Town of Milton Zoning By-law 016-2014, as amended, to implement the draft plan of subdivision as described above. Accordingly, the proposal seeks to change the zoning applicable to the subject lands from the current Future Development (FD) and Natural Heritage System (NHS) Zone Symbols to the Residential Medium Density 1 - Special Provision 366 (RMD1*366), Residential Medium Density 2 - Special Provision 367 (RMD2*367), Residential High Density - Special Provision 368 (RHD*368), Natural Heritage System (NHS) and Open Space (OS) Zone Symbols. In addition, Holding (H) Symbol H78 is proposed to be applied to a portion of the eastern condominium block which prohibits the sale of units and issuance of any building permits on this portion of the block until confirmation of servicing availability for the proposed apartment building are met to the satisfaction of the Halton Region and the Commissioner of Development Services. See Draft Zoning By-law Amendment in Appendix 1 to this report.

The following reports and information have been submitted in support of the applications:

- Plan of Survey, prepared by R-PE Surveying Ltd., dated July 12, 2024;
- Topographic Map, prepared by R-PE Surveying Ltd., dated July 11, 2024;
- Draft Plan of Subdivision, prepared by Glen Schnarr & Associates Inc., dated February 19, 2025;

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- Development Concept Plan, prepared by Glen Schnarr & Associates Inc., dated February 20, 2025;
- Mid-Rise Concept Plan, prepared by ZO1, dated October 7, 2024;
- Mid-Rise Shadow Study, prepared by ZO1, dated January 7, 2025;
- Planning Justification Report, Glen Schnarr & Associates Inc., dated October 2024;
- Noise Feasibility Study, prepared by HGC Engineering, dated January 14, 2025;
- Traffic Impact Study, prepared by GHD, dated March 7, 2025;
- Functional Servicing and Stormwater Management Report, prepared by DSEL, dated October 2024 and revised January 2025;
- Environmental Response Letter (Secondary Source Review and Characterization Memorandum), prepared by GEI Consultants, dated October 16, 2024;
- Phase One Environmental Site Assessment (Pt. Lot 11, Conc. 4 - DeMarchi), prepared by DS Consultants Ltd., dated June 10, 2024;
- Phase One Environmental Site Assessment (Pt. Lot 11, Concession 4 - Ashley Oaks), prepared by DS Consultants Ltd., dated September 19, 2024;
- Phase Two Environmental Site Assessment (Pt. Lot 11, Concession 4 - Ashley Oaks), prepared by DS Consultants Ltd., dated November 22, 2024;
- Reliance Letter, prepared by DS Consultants, dated January 25, 2025;
- Geotechnical Investigation, prepared by Soil-Mat Engineers & Consultants, dated October 11, 2024 and Revised October 15, 2024;
- Stage 1 Archaeological Assessment, prepared by Parslow Heritage Consultancy Inc., dated October 10, 2024;
- Stage 1 and 2 Archaeological Assessment, prepared by Parslow Heritage Consultancy Inc., dated February 3, 2025;
- Ministry Clearance Letter - Stage 1 and 2 Archaeological Assessment, prepared by the Ministry of Citizenship and Multiculturalism (MCM), dated February 11, 2025;
- Stage 3 Site Specific Archaeological Assessment (500 Cedar Hedge Road), prepared by Amick Consultants Limited, dated July 18, 2018 (Revised);
- Ministry Clearance Letter - Stage 3 Site Specific Assessment (500 Cedar Hedge), prepared by the Ministry of Tourism, Culture and Sport, dated August 1, 2018;
- Tree Inventory and Preservation Plan Report, prepared by Jackson Arboriculture Inc., September 18, 2024;
- Tree Preservation Plan, prepared by Jackson Arboriculture Inc., dated September 18, 2024;
- Urban Design Brief, prepared by NAK Design Strategies, dated October 2024;

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- Allocation Assignment Plan, prepared by Glen Schnarr & Associates Inc., dated December 19, 2024; and,
- Draft Zoning By-law Amendment, prepared by Glen Schnarr & Associates Inc., April 2025.

Planning Policy

Halton Region Official Plan

As of July 1, 2024, Halton Region became an upper-tier municipality without planning responsibilities; however, the Halton Region Official Plan remains in-effect, and the local municipalities are responsible for administering the plan until such time that it is revoked or amended by the respective municipality.

The subject lands are designated Urban Area, with areas of Regional Natural Heritage System (RNHS) on Map 1: Regional Structure of the Halton Region Official Plan. The subject lands are located outside of the Built Boundary and within the greenfield area. Within the Urban Area, the range of permitted uses and the creation of new lots shall be in accordance with local Official Plans and Zoning By-laws. The RNHS is a systems approach to protecting and enhancing natural features and functions.

Town of Milton Official Plan

At the local level, the subject lands are designated “Urban Area” and “Natural Heritage System on Schedule 1 - Town Structure Plan, and “Residential Area”, “Residential Office Area” and “Natural Heritage System” on Schedule B - Urban Land Use Plan of the Town’s Official Plan. The Residential Area designation permits a full range of residential uses and densities along with complementary non-residential uses that are necessary to create a residential neighbourhood environment. The Residential/Office Area designation is intended for lands within the Established and HUSP Urban Areas where higher density development is to be encouraged. The permitted uses are primarily high-rise residential uses but may also include office and accessory local commercial uses. The Natural Heritage System Area is based on a systems approach to protecting and enhancing natural features and functions, including key features, linkages, buffers, watercourses and wetlands.

Schedule K - Intensification Areas of the Official Plan, also identifies Derry Road as an intensification corridor, where along with nodes and intensification areas they are the focus

Background

of higher density development. Schedule M - Key Features within the Greenbelt and Regional Natural Heritage System, identifies key features on the subject lands.

Section 3.2.2 of the Town's Official Plan characterizes Medium Density Residential I as single detached dwellings, duplex, semi-detached dwellings, townhouse dwellings, stacked townhouses, triplexes, quattropex at a density range of 31 to 45 units per net hectare. The Medium Density II category generally contains mid-rise multiple attached residential uses with a density range of 46 to 85 units per net hectare. Per Policy 3.3.2, the Residential/Office Area Designation (high density category in section 3.2.2) means that the main permitted uses shall be high rise residential uses at a minimum density of 85 units per net hectare and a maximum density of 150 units per net hectare. As shown in Figure 3 - Concept Plan, the applicant has demonstrated that the densities of each residential area category have been achieved through the draft plan of subdivision as follows:

- Residential Medium Density I (freehold townhouses): 47 units per net hectare;
- Residential Medium Density II (west condominium block): 60 units per net hectare; and,
- Residential Office Area / Residential High Density (east condominium block): 137.2 units per net hectare.

While the Residential Medium Density I calculation is slightly higher than the range set out for this category, Section 5.10.3 of the Official Plan states that, "all number 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." Staff is of the opinion that the overall density targets have been achieved as intended through this draft plan of subdivision.

The estimated population for the proposed development is approximately 935 people. This estimate was derived using the persons per unit assumptions from the Watson's 2023 Residential and Non-Residential Needs Analysis Study.

Bristol Survey Secondary Plan

Additionally, the lands are located within the Bristol Survey Secondary Plan Area and are designated "Residential Area", "Residential/Office Area", and "Greenlands A Area" on Schedule C-6-D - Bristol Survey Secondary Plan Land Use Plan. The need for a village square and stormwater management pond are also shown conceptually on the lands.

Background

Similar to the general Official Plan policies, a mix of residential dwelling units and densities along with complementary non-residential uses that are necessary to create a residential neighbourhood environment are permitted within the Residential Area designation of the secondary plan. The main permitted uses of the Residential/Office Area designation are office and high-density residential uses. The Greenlands A Area, like the Natural Heritage System designation as previously mentioned, is a systems approach taken to ensure the protection, preservation and enhancement of the key features, buffers and linkages of which it is composed. The boundaries of the NHS will be delineated based upon the various environmental studies required as part of the applications.

As outlined in Section C.6.5.14, the Stormwater Management Pond designation on Schedule "C.6.D" represents a general location for these facilities. The location and configuration of the Stormwater Management Ponds shall be further refined through the Subwatershed Plans for Areas 2 and 7 and when plans of subdivision are prepared. Stormwater Management Pond sites can be relocated without an amendment to this Plan, provided alternative sites are consistent with the goal, objectives and policies of this Secondary Plan and the Subwatershed Plans for Areas 2 and 7. It should be noted that the applicant demonstrated through their technical background studies that the estimated storm water to be generated by the proposed subdivision and the surrounding areas could be accommodated through existing infrastructure and alternative strategies and as a result, the stormwater management pond was no longer required on the subject lands.

Schedule C.6.E - Bristol Survey Secondary Plan Phasing Plan, shows the subject lands within Phase 1B (the second phase of development in the Bristol Survey area). Section C.6.6.1.1 states that prior to the approval of any applications for development in Phase 1B, building permits must have been issued for a minimum of 3,400 dwelling units in Phase 1A. The required number of permits have been issued and as a result, the applications may proceed.

Staff reviewed the application in relation to the policies of the Provincial Planning Statement (2024), the Halton Region Official Plan 2009 (ROP), the Town of Milton Official Plan, the Bristol Survey Secondary Plan, and the Subwatershed 2 & 7 and (SIS) Addendum. Town staff and our agency partners are satisfied that the draft plan of subdivision and the application for the Zoning By-law Amendment as presented through this report, conform to the applicable Provincial, Regional and Town land use planning policies and regulations.

Zoning By-law 016-2014, as amended:

Background

The subject lands are currently zoned Future Development (FD) and Natural Heritage System (NHS) under By-law 016-2014, as amended, which do not permit the land uses being proposed on the subject lands. An amendment to the Zoning By-law is required to allow the implementation of the proposed residential plan of subdivision as described above and to refine the NHS in accordance with the detailed studies undertaken as part of the Bristol Survey Secondary Plan and the subject applications. A draft Zoning By-law and Schedule A is attached as Appendix 1 to this report.

Site Plan Control

Should the applications be approved, site plan approval will be required for the two future residential condominium blocks and potentially the village square block, prior to the commencement of any development.

It should be noted that based on the information provided to date, Staff is satisfied that the size and configuration of the two future condominium blocks are appropriate to accommodate the scale and form of development envisioned in the Bristol Survey Secondary Plan.

Discussion

Public Consultation:

Complete application and statutory public meeting notices were provided pursuant to the requirements of the Planning Act and the Town through written notice to all properties within 200 metres of the subject lands, as well as on the Town's website on October 31, 2024, and November 15, 2024, respectively. The statutory public meeting was held on December 9 2024 and one member of the public spoke to the application. A virtual public information session was also held by the applicant on October 16, 2024, and several area residents attended.

Questions and concerns raised by the public at these meetings and via written submissions (see Appendix 2 attached to this report) included: height and potential shadow and wind impacts generated from the proposed mid-rise building on existing residents; the proposed Cedar Hedge Road extension to Derry Road and overall traffic impacts; proposed park locations and programming as well as trail connections; and construction management (i.e. timing, access, nuisance management and public notification).

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Agency Consultation:

The draft Plan of Subdivision, Zoning By-law Amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region, Conservation Halton, Town Departments, School Boards and other agencies, including Canada Post, offered no objection to the applications and requested standard conditions of draft plan approval be applied. Halton Region did request that a holding provision be placed on the component of the residential condominium block located on the east side of the NHS until such time that sufficient servicing allocation is ensured through the Region's Allocation Program for the future development of the proposed apartment building in the block. Conservation Halton requires a development permit for site works and creation of the channel in its ultimate location. In addition, certain lots, blocks and units adjacent to the channel will require CH approval prior to obtaining a building permit and/or constructing any accessory structures that do not require a building permit in these areas, as the protective buffers adjacent to the watercourse are less than the regulated area limit of 15 metres. See the Summary of Issues section below for details relating to private lands regulated by Conservation Halton.

Town Departments and agencies will continue to work with the applicants through the detailed draft approval process.

Summary of Issues

Proposed Height of Apartment Building and Impacts on Surrounding Lower Density Dwelling Units

Concerns were raised by area residents regarding the proposed height of eight storeys and the appropriateness of such height on the subject lands. As noted previously, the subject lands are designated Residential/Office Area in the Official Plan, which permits a maximum height of 15 storeys and a maximum FSI of 3.0 and is intended for high density residential uses. The Town's Comprehensive Zoning By-law permits eight storeys as of right in the Residential High Density (RHD) Zone and the applicant has for the current time shown the maximum height that can be implemented in accordance with the by-law provisions along with some grade related units to provide some transition toward the existing residential neighbourhoods.

In support of the application, the applicant submitted a Mid-Rise Concept Plan and a Mid-Rise Shadow Study, prepared by Z01, which reviewed the maximum height allowed and its potential impact of the shadows on adjacent properties and on the public realm. The report was prepared in accordance with the Town of Milton's Shadow Impact Guidelines and

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concluded that the proposal will have minimal impact on neighbouring public and private spaces as these areas will have continuous access to direct sunlight during the key hours of the day. Policy and Urban Design staff reviewed the shadow analysis and were supportive of the study conclusions.

A wind study was not required as part of the subdivision and rezoning applications but may be required as part of the site plan approval application that is required for the mid-rise apartment building in the future.

Cedar Hedge Road Extension

The portion of Cedar Hedge Road that runs along the eastern edge of the subject lands has been closed to Derry Road since the early 2000's due to an unsafe intersection configuration. It was not the Town's intent to block access to Derry Road permanently.

Through the subject application, options for access to the proposed development, including the extension and improvement of Cedar Hedge Road from Harwood Drive to Derry Road, were evaluated. Agency preference for access is typically to extend municipal roadways where they exist rather than creating private accesses from arterial roads to service a development, and to ensure that appropriate spacing from other existing intersections can be achieved. Characteristics and considerations relating to the use and extension of Cedar Hedge Road for the proposed development are as follows:

- The re-opening of Cedar Hedge Road at Derry Road would be restricted to Right-in Right-out movements (like Fourth Line/Derry Road directly opposite from this leg).
- The proposed intersection is expected to alleviate traffic volumes at the intersection of Trudeau Drive/Derry Road as residents will have an alternative path of travel. This will also translate to fewer trips using Laurier Avenue.
 - The alternative would be to only provide access to residents along the existing Cedar Hedge Road at the elbow at Harwood Drive. This will result in most of the new development traffic to travel along Cedar Hedge Road north of this location or Laurier Avenue.
 - Should the intersection not be re-opened, the proposed access to the development will result in an irregular configuration. This may pose safety concerns as it will be located within the elbow at Cedar Hedge Road and Harwood Drive. Re-opening Cedar Hedge Road (south of the bend) will result in a regular three-legged intersection configuration.
- Emergency services will have a more direct path of travel to the subdivision as multiple turning movements will not be required.

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This portion of Cedar Hedge Road has remained as a Town Right-of-Way that was used as an informal pedestrian connection to Derry Road. The cross-section for the extended Cedar Hedge Road segment at the current time is projected to contain a Multi-Use-Trail running along the east side of the roadway, sidewalk along the west side of the roadway and one lane of travel in each direction. While this has not yet been finalized, the Town is working on maintaining the long-standing pedestrian route along the roadway.

Traffic Impacts

A Traffic Impact Study (TIS), prepared by GHD, dated March 2025 that documents the expected site related traffic on the projected future traffic and road network conditions derived for 2031 and 2036 future planning horizon years, was submitted and reviewed by Town and Regional Engineering and Transportation staff.

The traffic study confirms that the proposed residential development can be accommodated within the existing and planned road network without significant negative effects on traffic flow, capacity, or safety. The Town and Regional Transportation sections are supportive of the study conclusions.

Open Spaces - Parks and Trails

Conceptual park locations and trail networks are established as part of an Area Specific Secondary Plan that is approved by Council and required prior to development of a growth area. Minor changes may be made through the subdivision application and draft plan approval process but must generally conform to the plans and policies in effect. Since the Bristol Survey Secondary Plan identifies the need for the village square on the subject lands on the west side of the channel and trails along the channel, the applicant has implemented these required elements as part of their proposal. The development community is responsible for delivering these public facilities through their development proposals in accordance with the applicable Secondary Plans.

Through the subdivision process, a developer is required to provide park blocks to a condition satisfactory to the Town. Programming of the park occurs at a later date. Park projects typically undergo a design phase for one year. During the design phase, Town staff engage with stakeholders, agencies and the community to develop the park design and secure the required approvals and permits for construction. Construction typically takes place in subsequent years, subject to budget approval.

Construction Impacts and Management

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A construction management plan (CMP) describes, in sufficient detail, the project activities that will or are likely to occur during construction, to ensure that construction activities do not adversely affect public health and safety, the public road allowance and adjacent properties. The CMP should be prepared in compliance with Federal, Provincial and Municipal legislation and generally include, but is not limited to, the following:

- Public safety and site security
- Limits of construction zone, anticipated construction activities and programming
- Site operating hours and points of contact (e.g. site supervisor, emergency contact)
- Communication and coordination (i.e. communications with Town, residents and adjacent property owners; pre-construction notice and construction updates to residents and Councillors; and project schedule with construction staging)
- Controls to be put in place to limit noise and vibration
- Proper management of air, dust, stormwater and site drainage/sediment
- Site waste management
- Traffic management including access routes to and from the site
- Winter maintenance in and around the site

In addition to the above, Town Development Engineering Inspectors will visit the site on a regular basis to ensure that construction is occurring in accordance with the approved plans, and that appropriate measures are being undertaken. Further, the Town's Noise By-law restricts daytime hours when construction and noise can take place. Any complaints related to noise outside of the permitted hours can be directed to the Town's By-law Enforcement office.

It should be noted that several residents who attended the virtual public information centre (PIC) also enquired about pest management as they experienced ant and rodent problems when the adjacent elementary school was constructed. At the meeting, the developer committed to mitigating any pest disturbances when they arose and was open to entering into a Pest Management Plan, if required by the Town. Recognizing the public concerns in this regard, the developer took a proactive approach and implemented a pest control program on their lands in March ahead of starting earthworks in April. The pest matters will continue to be monitored by the developer on site and through the subsequent detailed design stage.

Private Lands Regulated by Conservation Halton (CH)

Effective April 1, 2024, CH's previous regulation, Ontario Regulation 162/06 ("Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses") under Section 28 of the Conservation Authorities Act (CA Act) was repealed and replaced by

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Ontario Regulation 41/24 (“Prohibited Activities, Exemptions and Permits”). Complementary provisions under Part VI (“Regulation of Areas Over Which Authorities Have Jurisdiction”) and Part VII (“Enforcement and Offences”) of the CA Act were proclaimed on the same date.

Under Part VI of the CA Act and Ontario Regulation 41/24, CH regulates all watercourses, valleylands, wetlands, Lake Ontario Shoreline and hazardous lands as well as lands adjacent to these features. Under the new regulations, CH now regulates 15 metres from the limit of the floodplain associated with the watercourse. Permits are required from CH prior to undertaking development activities within CH’s regulated area and applications for development are reviewed under the Conservation Authorities Act (CA Act), Ontario Regulation 41/24, and CH’s Board-approved policies and requirements.

The subject property is regulated by CH as it contains a watercourse. CH would generally recommend that the full extent of CH’s regulated area be designated and zoned for protection, contained in separate blocks, and placed into public ownership where appropriate. However, given that the Bristol Survey Secondary Plan policies and the supporting Sixteen Mile Creek Subwatershed Study and Scoped Subwatershed Impact Study (SIS) for the Central Tributary recommended 7.5 metre protective buffers for the channel in this area, and the remainder of the channel has been constructed this way in accordance with those recommendations, CH accepted the continuation of the 7.5 metre buffer along the channel within the subject development for consistency. Given that CH’s new regulation area is 15 metres, the remaining 7.5 metres will extend onto private property.

To ensure that future purchasers are aware of these circumstances, CH has requested that a warning clause be added to the subdivision, future condominium (where applicable) and purchase and sale agreements associated with this development, noting that private lands that directly back onto the channel are subject to Conservation Halton regulations. For those lots and blocks affected by the regulated area, Owners proposing pools, accessory structures and additions to buildings (if the regulated area extends to the building) will need to contact CH to determine if a CH permit or a no objections letter is required prior to obtaining a building permit from the Town or where a building permit is not applicable, proceeding with construction.

Amending Zoning By-law

To permit the proposed development, a Zoning By-law Amendment containing a revised NHS boundary, an Open Space Zone and existing residential zone classifications with site-

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specific provisions, and a holding zone is required. See proposed Zoning By-law and Schedule 'A' attached as Appendix 1 to this report.

Residential Medium Density 1 (RMD1) and 2 (RMD2) Site-Specific Zones

The amending by-law includes site-specific provisions relating to grade-related dwelling units (i.e. freehold street townhouses within the RMD1 Zone, and condominium street townhouses, rear lane townhouses and back-to-back townhouse dwellings within the RMD2 Zone applicable to the future medium density residential block located on the west side of the channel). The RMD2 Site-Specific Zone provisions will also apply to similar built form permitted within the medium to high density future residential block located on the east side of the channel. Elements of the future residential blocks captured in the site-specific provisions were supported by staff as sufficient information and site plan level drawings (see Figure 3 - Concept Plans) were filed with the application for consideration.

Minor variations in zoning provisions relating to frontage, lot depth, residential driveways and allowable encroachments have been proposed in certain instances to accommodate urban design features, sitings of proposed dwellings created and marketed by the developer, and in some cases, the relationship of irregular lot configurations, parking areas and dwelling units to a private street or intersection of streets within a future residential condominium block. Maximum heights for dwellings and fences in certain locations along with maximum driveway widths have also been proposed.

Given that the future residential blocks will be part of a condominium, provisions were added the RMD2 Site-Specific Zone to clarify that a "unit" within a condominium (and the parts that make up the unit), on which a townhouse dwelling unit is situated, shall be considered a lot for the purposes of administering the Zoning By-law. In addition, parking rates to be applied to the condominium, as well as provisions relating to amenity areas, air conditioners and parking areas within these blocks have been set out.

Residential High Density (RHD) Site-Specific Zone

Since the future residential block located on the east side of the channel was designated as residential/office area, the applicant has proposed both apartment and grade related dwelling units that in total will meet the density targets of the Secondary Plan. The RHD Zone provides standards for built form such as apartment buildings. Site-specific provisions have been proposed to include the grade related component proposed in the block (i.e. street townhouses and back-to-back townhouses) along with the standards that would apply to these units (i.e. the RMD2 site-specific provisions). Provisions relating to the establishment of these buildings and dwelling units within a future condominium block as well as parking

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requirements for apartment buildings that are consistent with a recent housekeeping amendment adopted by Council, have also been included.

Holding Provisions

The Region has requested that a holding provision relating to allocation matters associated with the development of a portion of the eastern residential condominium block (i.e. the proposed mid-rise apartment building) be applied in the proposed site-specific Zoning By-law. This holding provision will remain on this portion of the block until such time as the required allocation has been secured to the satisfaction of the Commissioner of Development Services and Halton Region. The lands subject to the holding provision are also subject to a “no sales” agreement and cannot obtain a building permit until the applicable holding provision is lifted. The Commissioner of Development Services has the delegated authority to approve the application to lift the holding provision once the conditions are satisfied and request Council to execute the formal Zoning By-law permitting the removal at the appropriate time.

Conclusion:

Staff is satisfied that the Plan of Subdivision (Figure 2), subject to the required conditions of draft plan approval and the site-specific Zoning By-law provisions attached as Appendix 1, will conform to Provincial, Regional and Town land use planning policy and achieves acceptable engineering and design standards. Planning staff is also satisfied that the proposed Zoning By-law Amendment is consistent with Provincial Policy and conforms to the Region of Halton and Town of Milton Official Plans. Therefore, staff recommends approval of the draft Zoning By-law Amendment and the granting of draft plan approval to the plan of subdivision.

Financial Impact

None arising from this report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact:

Angela Janzen, MCIP RPP
Sr. Planner,
Development Review

Phone: Ext. 2310



The Corporation of the Town of Milton

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Attachments

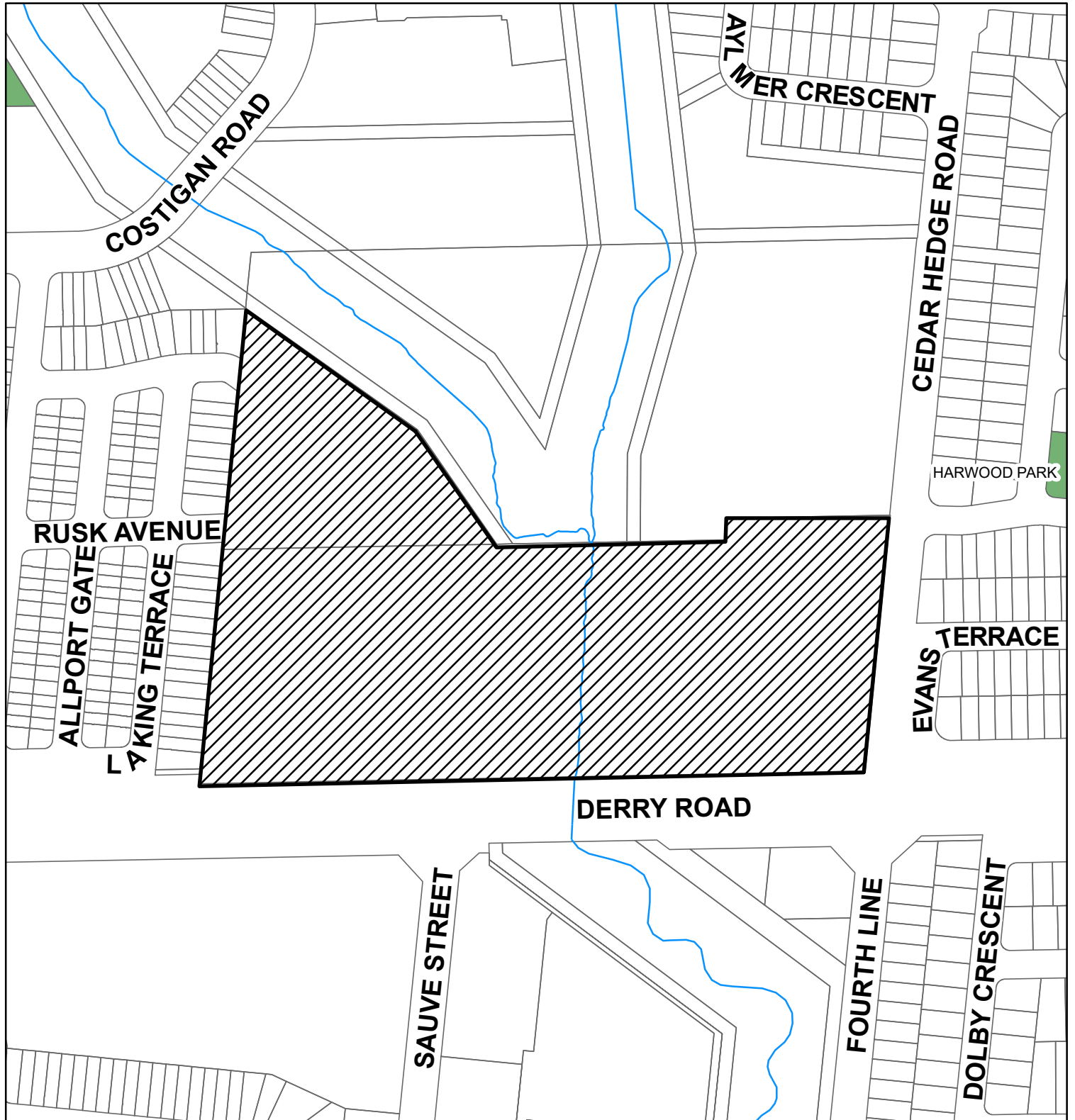
Figure 1 - Location Map
Figure 2 - Draft Plan of Subdivision
Figure 3 - Concept Plan for Future Condominium Blocks
Appendix 1 - Draft Zoning By-law and Schedule A
Appendix 2 - Written Submissions

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.

FIGURE 1 LOCATION MAP



Council Meeting Date:
May 26, 2025

Scale: 1: 2,750

Files: Z-23/24

Development Services Department



Subject to Application

Copyright 2024: Town of Milton, Teranet Inc.

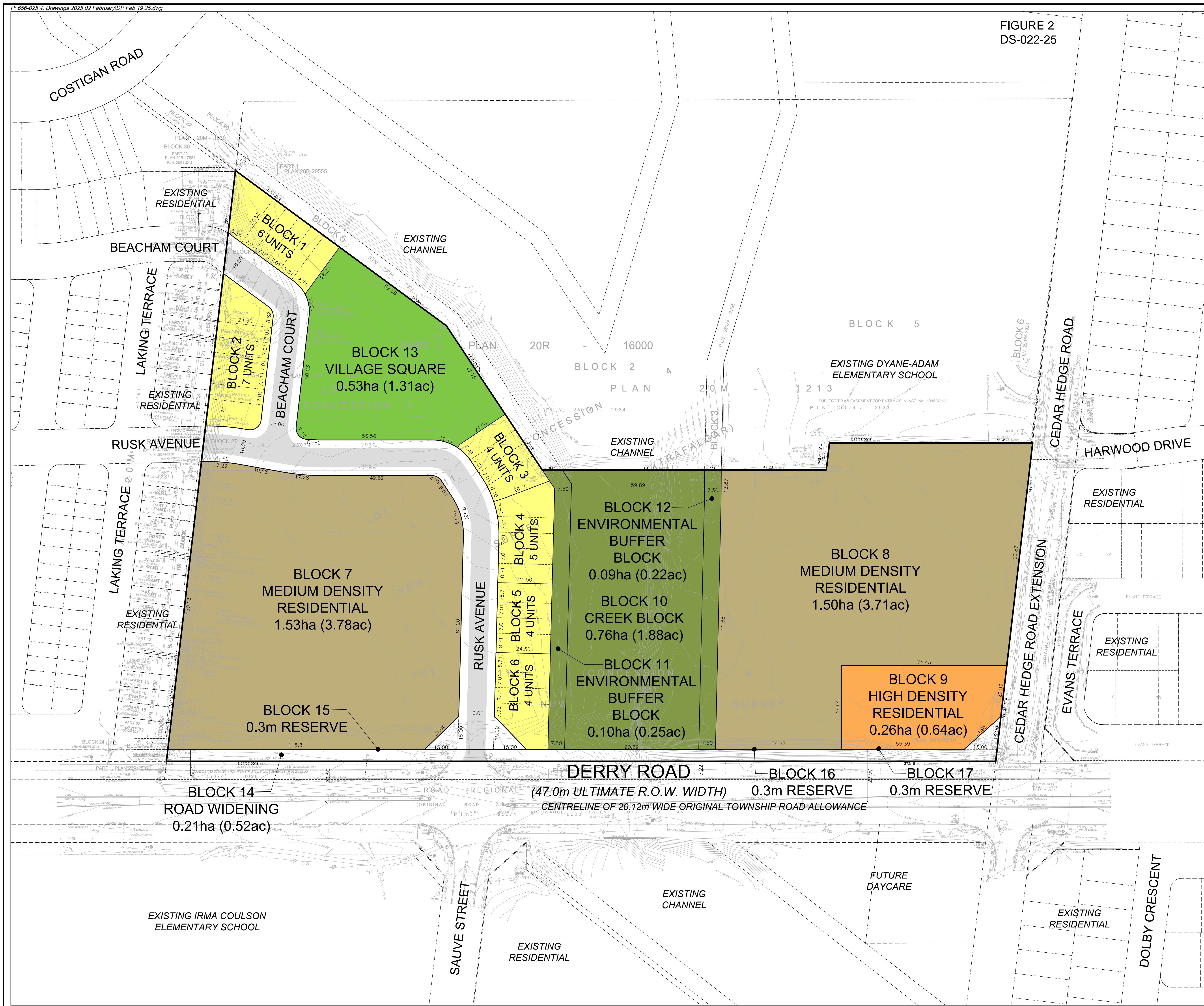
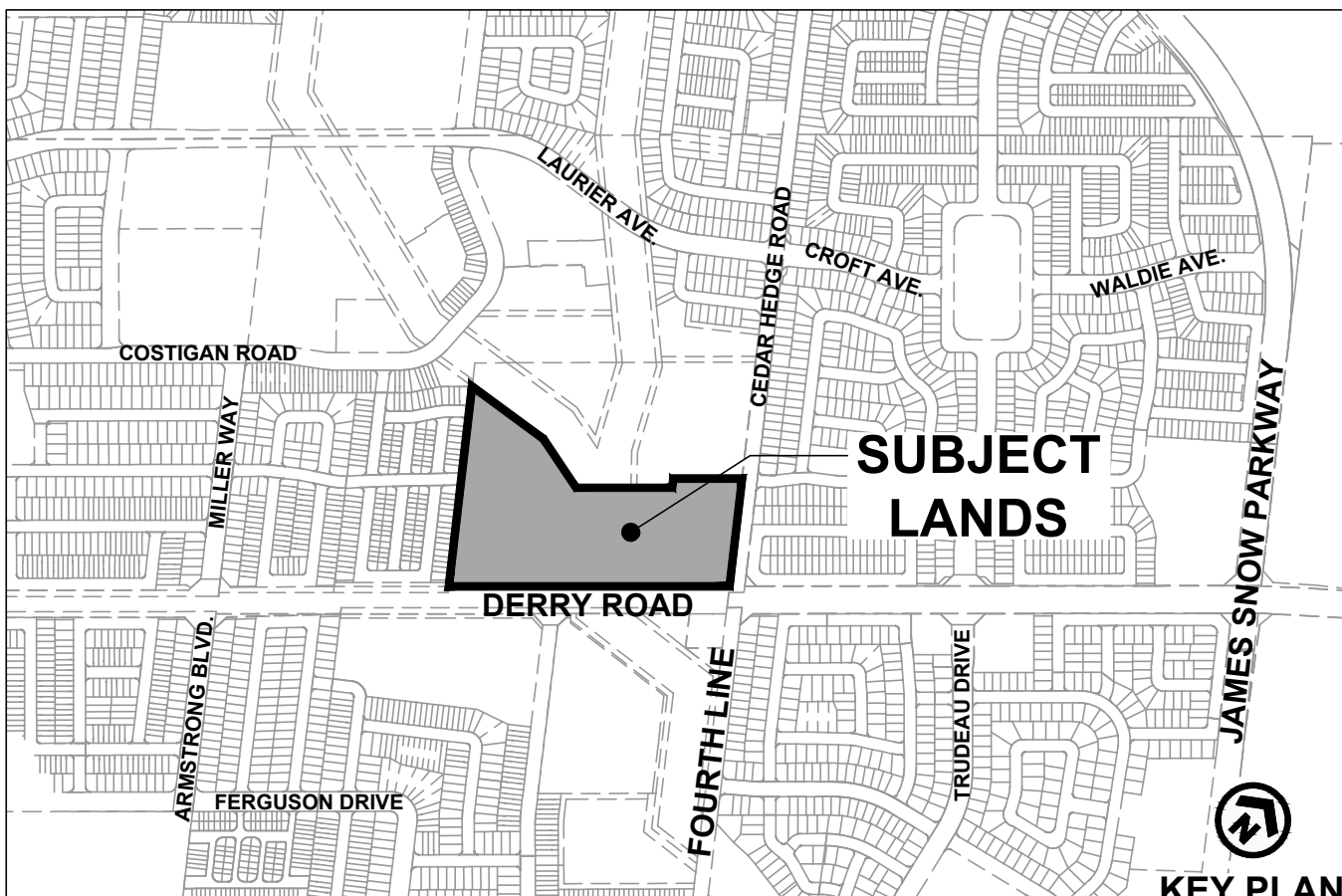



FIGURE 2
DS-022-25



DRAFT PLAN OF SUBDIVISION
BRANTHAVEN FOURTH LINE INC. &
1000968516 ONTARIO INC.
FILE # 24T-24003/M

PART OF LOT 11, CONCESSION 4,
NEW SURVEY
(GEOGRAPHIC TOWNSHIP OF TRAFALGAR)
TOWN OF MILTON
REGIONAL MUNICIPALITY OF HALTON

OWNERS CERTIFICATE
I HEREBY AUTHORIZE GLEN SCHNARR & ASSOCIATES INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF MILTON FOR APPROVAL.

SIGNED  DATE OCT. 28, 2024
ARDEN SEMPER, A.S.O.
BRANTHAVEN FOURTH LINE INC. & 1000968516 ONTARIO INC.

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE CORRECTLY AND ACCURATELY SHOWN.

SIGNED  DATE OCT. 28, 2024
ROSS DENBROEDER, O.L.S.
R-PE SURVEYING LTD.
643 CHRISLEA ROAD, SUITE 7
WOODBIDGE ON, L4L 8A3
PHONE: (416) 635-5000
WEB: www.r-pe.ca

ADDITIONAL INFORMATION
(UNDER SECTION 51(17) OF THE PLANNING ACT) INFORMATION REQUIRED BY CLAUSES A,B,C,D,E,F,G,J & L ARE SHOWN ON THE DRAFT AND KEY PLANS.

- H) MUNICIPAL AND PIPED WATER TO BE PROVIDED
- I) SANDY LOAM AND CLAY LOAM
- K) SANITARY AND STORM SEWERS TO BE PROVIDED

SCHEDULE OF LAND USE
TOTAL AREA OF LAND TO BE SUBDIVIDED: 6.19ha (15.30ac)

LAND USE	BLOCKS	AREA (ha)	AREA (ac)	UNITS	DENSITY (UPHA)
STREET TOWNHOUSES - 7.01m (23')	1-6	0.64	1.58	30	46.88
MEDIUM DENSITY RESIDENTIAL	7,8	3.03	7.49		
HIGH DENSITY RESIDENTIAL	9	0.26	0.64		
CREEK BLOCK	10	0.76	1.88		
ENVIRONMENTAL BUFFER BLOCK	11,12	0.19	0.47		
VILLAGE SQUARE	13	0.53	1.31		
ROAD WIDENING	14	0.21	0.52		
0.3m RESERVE	15-17	0.01	0.02		
16.0m R.O.W. - (341m LENGTH)		0.56	1.38		
TOTAL	17	6.19	15.30	30	46.88

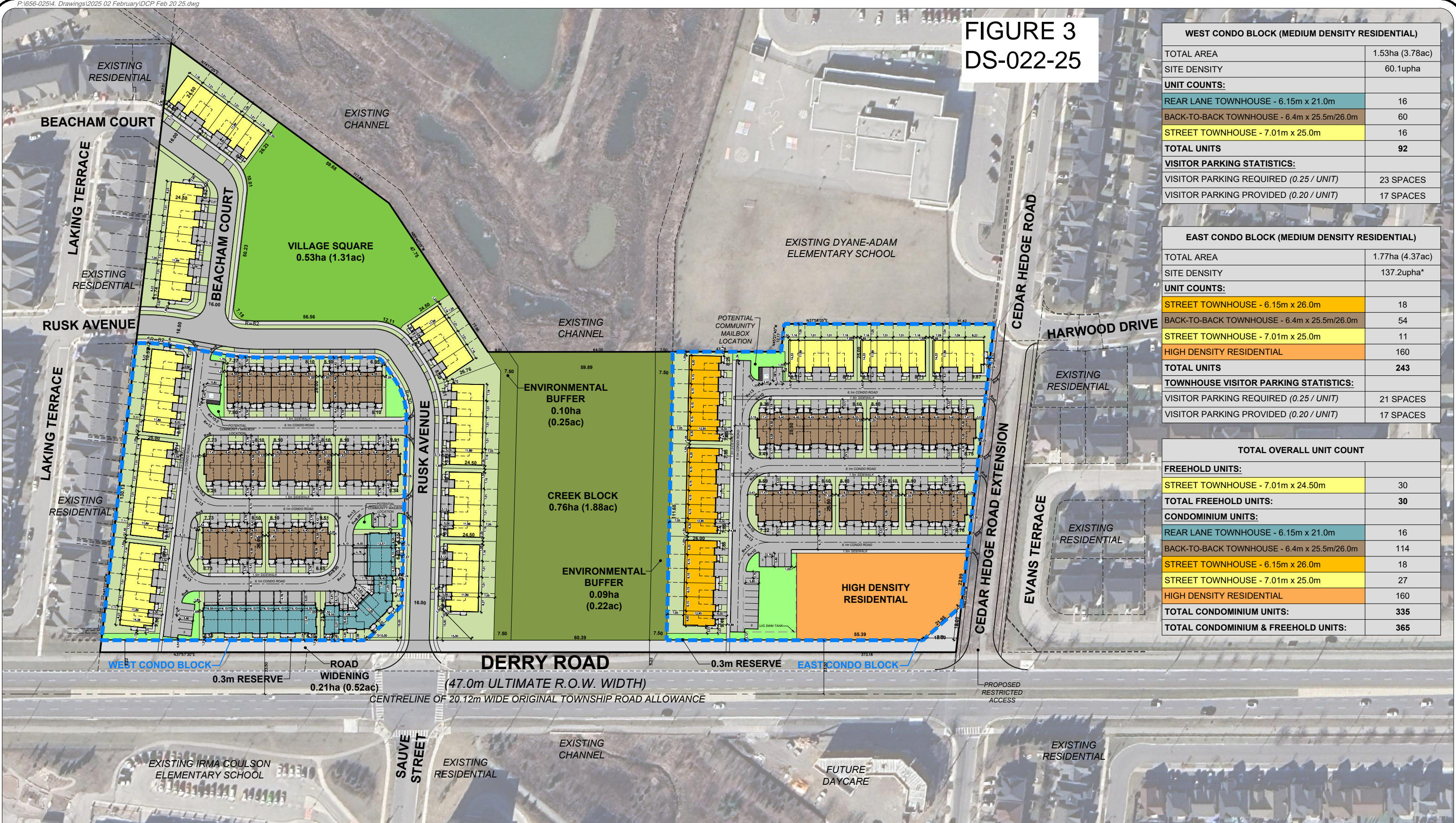
NOTES
- PAVEMENT IS DIAGRAMMATIC ONLY

FIGURE 3
DS-022-25

WEST CONDO BLOCK (MEDIUM DENSITY RESIDENTIAL)	
TOTAL AREA	1.53ha (3.78ac)
SITE DENSITY	60.1upha
UNIT COUNTS:	
REAR LANE TOWNHOUSE - 6.15m x 21.0m	16
BACK-TO-BACK TOWNHOUSE - 6.4m x 25.5m/26.0m	60
STREET TOWNHOUSE - 7.01m x 25.0m	16
TOTAL UNITS	92
VISITOR PARKING STATISTICS:	
VISITOR PARKING REQUIRED (0.25 / UNIT)	23 SPACES
VISITOR PARKING PROVIDED (0.20 / UNIT)	17 SPACES

EAST CONDO BLOCK (MEDIUM DENSITY RESIDENTIAL)	
TOTAL AREA	1.77ha (4.37ac)
SITE DENSITY	137.2upha*
UNIT COUNTS:	
STREET TOWNHOUSE - 6.15m x 26.0m	18
BACK-TO-BACK TOWNHOUSE - 6.4m x 25.5m/26.0m	54
STREET TOWNHOUSE - 7.01m x 25.0m	11
HIGH DENSITY RESIDENTIAL	160
TOTAL UNITS	243
TOWNHOUSE VISITOR PARKING STATISTICS:	
VISITOR PARKING REQUIRED (0.25 / UNIT)	21 SPACES
VISITOR PARKING PROVIDED (0.20 / UNIT)	17 SPACES

TOTAL OVERALL UNIT COUNT	
FREEHOLD UNITS:	
STREET TOWNHOUSE - 7.01m x 24.50m	30
TOTAL FREEHOLD UNITS:	30
CONDOMINIUM UNITS:	
REAR LANE TOWNHOUSE - 6.15m x 21.0m	16
BACK-TO-BACK TOWNHOUSE - 6.4m x 25.5m/26.0m	114
STREET TOWNHOUSE - 6.15m x 26.0m	18
STREET TOWNHOUSE - 7.01m x 25.0m	27
HIGH DENSITY RESIDENTIAL	160
TOTAL CONDOMINIUM UNITS:	335
TOTAL CONDOMINIUM & FREEHOLD UNITS:	365



DEVELOPMENT CONCEPT PLAN BRANTHAVEN - DEMARCHI PROPERTY

PART OF LOT 11, CONCESSION 4,
TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON

* NOTE: OVERALL RESIDENTIAL / OFFICE DESIGNATION DENSITY (EAST CONDO BLOCK): 243 UNITS / 1.77ha = 137upha
(RESIDENTIAL / OFFICE DESIGNATION RANGE: 85-150upha)



SCALE 1:1500
FEBRUARY 20, 2025

GSAI
Glen Schnarr & Associates Inc.

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2025

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS LEGALLY DESCRIBED AS PART OF LOT 11, CONCESSION 4, NEW SURVEY, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (BRANTHAVEN FOURTH LINE INC. AND 1000968516 ONTARIO INC.) - FILE: Z-23/24

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended;

AND WHEREAS the Town of Milton Official Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

1. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) and Natural Heritage System (NHS) Zone Symbols to the Residential Medium Density 1 - Special Provision 366 (RMD1*366), Residential Medium Density 2 - Special Provision 367 (RMD2*367), Residential High Density - Special Provision 368 (RHD*368), Natural Heritage System (NHS) and Open Space (OS) Zone Symbols on the land and adding the Holding (H) Symbol H78 to the RHD*368 Zone symbol on the lands shown on Schedule "A" attached hereto.
2. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.366 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned RMD1*366, the following standards and provisions shall apply:

Residential Medium Density 1 - Special Section 366 (RMD1*366) Zone

- i) Notwithstanding any provisions to the contrary, for Townhouse Dwelling - Street Access, the following shall apply:
 - a. Minimum Lot Frontage (corner) - 7.9 metres.
 - b. At the intersection of two local public or private streets, no part of any residential driveway shall be located closer than 4.5 metres from the point of intersection of the two street lines.
 - c. The minimum individual residential driveway width for an end unit or corner unit shall be 3.0 m.

- d. Notwithstanding Section 4.19.5 i), Table 4H, Porches/verandas and balconies are permitted to be setback 0.9 metres to a street line.
 - e. Notwithstanding Section 4.19.5 i), Table 4H, balconies are permitted to encroach 1.6 metres into a required yard.
 - f. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
3. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.367 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned RMD2*367, the following standards and provisions shall apply:

Residential Medium Density 2 - Special Section 367 (RMD2*367) Zone

- i) **Special Site Provisions Applicable to All Dwelling Types**
 - a. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.
 - b. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3 m or less that has been established by the Town to restrict or control access to an abutting public street, the reserve shall be deemed to constitute part of the lot for the purposes of calculating required setbacks only. Reserves used for such purposes must remain clear and unencumbered.
 - c. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.
 - d. Within a plan of condominium, visitor parking shall be provided at a rate of 0.20 parking spaces per unit. Notwithstanding the aforementioned, visitor parking requirements shall not apply to dwellings with individual driveway access from a public street.
 - e. Notwithstanding Section 4.8.1 i), the maximum fence height within an exterior side yard setback abutting Derry Road, shall be 2.6 metres.
 - f. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area shall be setback a minimum of 0.9 metres from a lot line and 0.5 metres for a parallel parking space, except where a parking area abuts:
 - i. a lot line adjacent to Derry Road, the setback shall be a minimum of 0.5 metres.
 - g. At the intersection of two streets, no part of any residential driveway shall be located closer than:
 - i. 3.0 metres from the point of intersection of two private street lines, or;

- ii. 4.5 metres from the point of intersection of one private street line and one public street line.
- h. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.
- ii) Notwithstanding any provisions to the contrary, for Townhouse Dwelling - Private Street, Rear Access, the following shall apply:
 - a. Minimum Lot Frontage (Interior): 6.10 metres
 - b. For all lane-based townhouses, the yard where the driveway is located is deemed to be the rear yard.
 - c. Minimum Lot depth (all unit types): 19.0 metres.
 - d. Minimum Amenity Area per unit is 7 m², to be provided on a balcony;
 - e. Maximum Building Height - 12.75 metres
 - f. Rear yard setback (minimum), all unit types - 4.75 metres.
 - g. Units with driveways abutting the inside or outside of a rounding or curve shall have a minimum rear yard setback of 0.6 metres.
 - h. Notwithstanding Section 4.19.5 i), Table 4H, porches/verandas and balconies are permitted to be setback 0.9 metres to a street line.
 - i. Notwithstanding any provisions of the By-law to the contrary, in those instances where the front yard is included as part of a common element of a condominium, the minimum required front yard setback between a condominium dwelling unit and a common element shall be 0.0 metres.
 - j. A maximum driveway width of 6.2 metres shall be permitted for lots with frontage less than or equal to 11.5 metres.
 - k. The minimum individual residential driveway width for a driveway on a curve shall be 2.95 metres.
 - l. Section 5.6.2 ix) b) shall not apply.
- iii) Notwithstanding any provisions to the contrary, for Back-to-Back Townhouse Dwellings, the following shall apply:
 - a. Minimum Lot Frontage (corner): 6.6 metres
 - b. Minimum Lot Depth: 12.5 metres.
 - c. Maximum Building Height - 12.75 metres
 - d. Minimum Front yard setback (all unit types): 3.0 metres to building.
 - e. The minimum required outdoor amenity area per unit is 6 m², to be provided on a balcony.
 - f. Notwithstanding Section 4.19.5 i), Table 4H, Porches/verandas are permitted to be setback 0.85 metres to a street line.
 - g. Notwithstanding Section 4.19.5 i), Table 4H, Balconies are permitted to project 0.85 metres into a required yard.
 - h. For a corner unit at the intersection of two local public or private streets:
 - i) the outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.

- i. Notwithstanding Section 5.6.2 v) d) A), a maximum driveway width of 3.5 metres shall be permitted for lots with frontage less than or equal to 6.5 metres.
- j. Notwithstanding the minimum driveway width in Section 5.6.2 v) a), a 0.4 metres x 0.4 metres supporting pillar may encroach into the driveway a maximum of 0.2 metres, provided the minimum driveway width is 2.95 metres at the encroachment.
- k. For units that do not have an interior side yard, air conditioning and heat exchange units may be located in a front or exterior side yard provided it is located on a balcony or porch.
- l. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.

iv) Notwithstanding any provisions to the contrary, for Townhouse Dwelling - Private Street Access, the following shall apply:

- a. Minimum Lot Frontage (Interior Unit): 6.0 metres
- b. At the intersection of two local public or private streets, no part of any residential driveway shall be located closer than 4.5 metres from the point of intersection of the two street lines.
- c. Notwithstanding Section 4.19.5 i), Table 4H, balconies are permitted to encroach 1.6 metres into a required yard.
- d. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
- e. The minimum individual residential driveway width for an end unit or corner unit shall be 2.95 m.
- f. Adjoining residential driveways on abutting properties, the minimum width may be reduced to 3.0 metres each, with a minimum combined width of 6.0 metres.

4. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.368 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned RHD*368, the following standards and provisions shall apply:

Residential High Density - Special Section 368 (RHD*368)

i) Special Site Provisions Applicable to all Dwelling Types

- a. Despite any provisions to the contrary, more than one residential building is permitted on the lot.
- b. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.

ii) Additional Permitted Uses:

- a. Dwelling, Townhouse subject to the RMD2*367 zone provisions.
- b. Dwelling Back-to-Back Townhouse subject to the RMD2*367 zone provisions.

iii) Zoning Standards for Apartment Buildings:

- a. For the purpose of this by-law, the front yard shall be deemed to be Derry Road.
- b. Maximum Lot Coverage - 55%
- c. Minimum Front Yard Setback - 4.5 metres.
- d. Minimum Exterior Side Yard Setback - 3.0 metres.
- e. The minimum required parking for an Apartment Building shall be 1.0 tenant parking spaces per unit and 0.20 visitor parking spaces per unit.
- f. Notwithstanding Section 4.19.5 i), Table 4H, to the contrary, balconies may project a maximum distance of 2.0 metres into a required yard.
- g. Minimum setback from a streetline for any wall or structure enclosing an entrance or exit ramp above or below grade: 6.0 metres
- h. Notwithstanding Section 5.12, Table 5L, to the contrary, an underground parking area may be located within 0.0 metres of a lot line abutting a Town right-of-way and /or private road.
- i. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback a minimum of 0.9 metres from a lot line, except where a parking area abuts a sidewalk, the setback shall be a minimum of 1.5 metres.

5. **THAT** Section 13.2 (Holding Provisions) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection 13.2.1.139 as follows:

For the lands zoned Residential High Density - Special Provision 368 (RHD*368) on the property legally described as Part of Lot 11, Concession 4, NS (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the "H78" Holding provision are satisfied.

6. If no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the Ontario Land Tribunal dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Land Tribunal 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 the Tribunal's Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON MAY 26, 2025.

Gordon A. Krantz

Mayor

Meaghen Reid

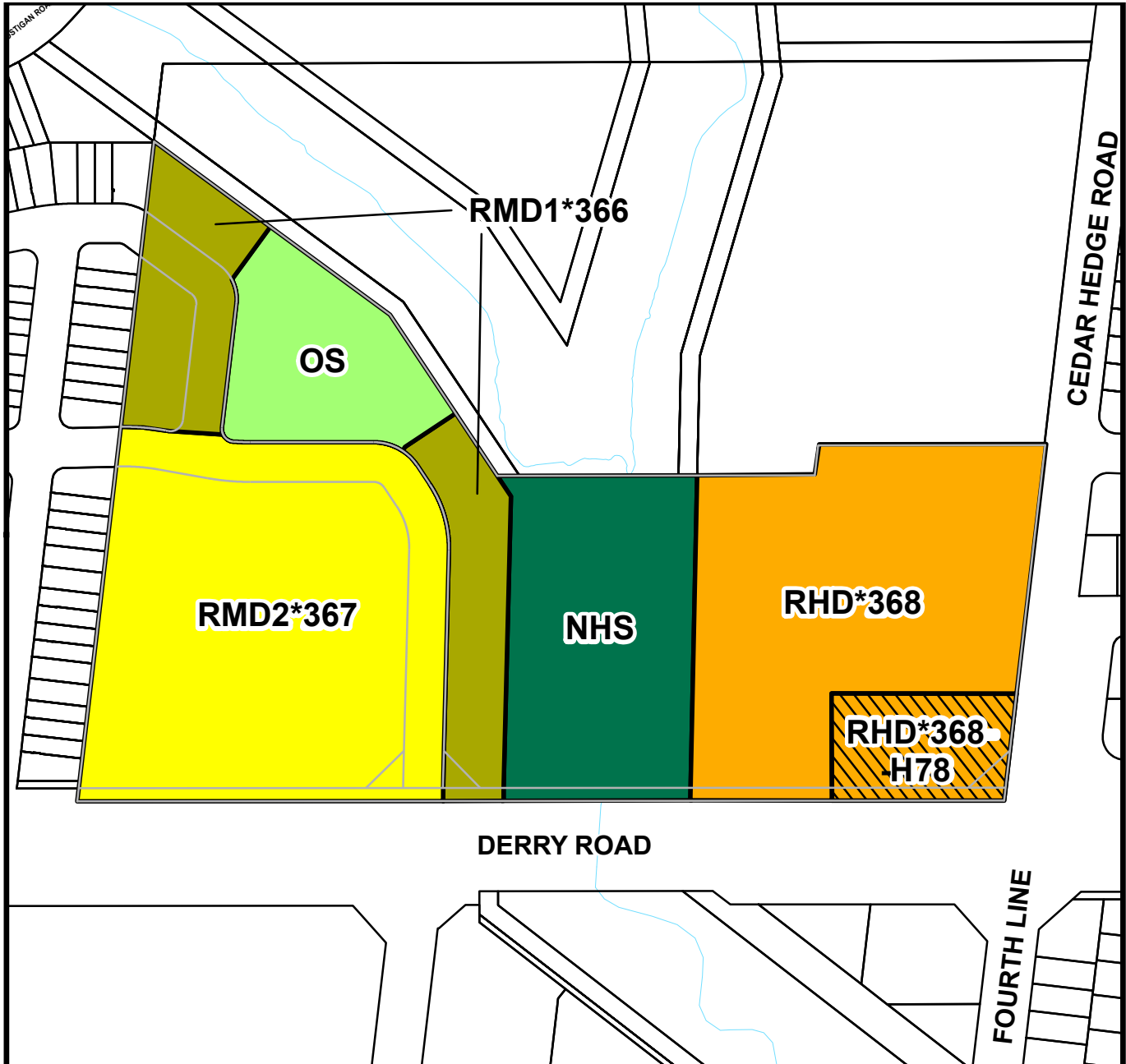
Town Clerk

SCHEDULE A
TO BY-LAW No. -2025

TOWN OF MILTON

PART OF LOT 11, CONCESSION 4, N.S.

Town of Milton









THIS IS SCHEDULE A
TO BY-LAW NO. -2025 PASSED
THIS 26TH DAY OF MAY, 2025.

MAYOR - Gordon A. Krantz

CLERK - Meaghen Reid

Lands to be rezoned from Future Development (FD) and
Natural Heritage System (NHS) Zones to:

-  NHS - Natural Heritage System
-  OS - Open Space Zone
-  RHD*368 - Residential High Density Zone Special Provision 368
-  RHD*368-H78 - Residential High Density Zone
Special Provision 368 with Holding Symbol H78
-  RMD1*366 - Residential Medium Density 1
Zone Special Provision 366
-  RMD2*367 - Residential Medium Density 2 Zone
Special Provision 367



Z-23/24

Angela Janzen

From: Gagan Kasana [REDACTED]
Sent: Tuesday, November 19, 2024 5:43 PM
To: Angela Janzen
Cc: Zechariah Bouchard; Karen Bennett; Mark Condello
Subject: Re: 9755 Derry Road - Branthaven Fourth Line Proposal - Background Information Available for Viewing

Thanks, Angela,

Well, the proposal you have given is more alarming to me now.

So now, since you guys propose Right-in and right-out movements, that means in the morning, either the folks in the newly constructed area take a U-turn on Derry, causing traffic mayhem.

Or they now go through the front of my house if they wish to get to 401 or 407.

The proposal to build a tower and townhouses in such a small cluster is obnoxious and will spoil the existing community.

I know Bravenhurst being a developer will just develop and move out it's the resident spl. the one like me who bought houses 10 years ago and plans to retire here will have to suffer.

Further section 4.3 of the traffic impact study by GHD, did not do a thorough analysis of the traffic by considering East & west development separately and has not catered to the development which is happening at Derry and Ontario St S. The traffic from there; with the school zone will be an issue so, in short, the analysis done by GSAI is biased for the developer and a second independent review of the supposed plan need to be done.

Thanks & regards
Gagan Kasana

On Tue, Nov 19, 2024 at 4:43 PM angela.janzen@milton.ca <angela.janzen@milton.ca> wrote:

Hi Gagan,

A copy of the Traffic Study as well as other technical studies can be found at this location on the Town's website: https://www.milton.ca/en/business-and-development/ward-2-development-applications.aspx#Supporting-studies-and-drawings_1

The Boyne Survey Secondary Plan can be accessed on the Town's website here: <https://www.milton.ca/en/business-and-development/official-plan.aspx#View-the-Official-Plan> under the Official Plan tab #1 – go to the secondary plan section – The Boyne section is C.10. Then under the second tab, you can find the Boyne Survey Schedules.

With respect to Point 2, similar to other development applications, the Town and the Region will review and evaluate their policies and guidelines as it relates to, among other things, access, intersection spacing and other technical matters relating to road infrastructure as well as the input from the Traffic Impact Study and all other technical background studies prior to making a recommendation regarding the preferred access(es) to the development. Given that the Town Departments and agencies have just begun the review of the first submission materials, conclusions are still pending.

As you may know, the applicant held an informal public meeting (virtually) on October 16, 2024. In preparation for that meeting, I asked our Transportation staff for a few notes about the status of Cedar Hedge Road and items that they would consider through the review of the proposed development in relation to access via Cedar Hedge Road . The following preliminary notes/comments were provided:

- This leg of Cedar Hedge was closed off before the median on Derry Road was implemented. The closure was due to it originally being a 2-way stop control intersection. The intent was never to have it permanently closed off. It was due to the unsafe intersection configuration at the time.
- The re-opening of Cedar Hedge Road at Derry Road would be restricted to Right-in Right-out movements (Similar to Fourth Line/Derry Road directly opposite from this leg).
- The proposed intersection is expected to alleviate traffic volumes at the intersection of Trudeau Drive/Derry Road as residents will have an alternative path of travel. This will also translate to fewer trips using Laurier Avenue.
 - o The alternative would be to only provide access to residents along the existing Cedar Hedge Road at the elbow. This will result in most of the new development traffic to travel along Cedar Hedge Road or Laurier Avenue.
 - o Should the intersection not be re-opened, the proposed access to the development will result in an irregular configuration. This may pose safety concerns as it will be located within the elbow at Cedar Hedge Road. Re-opening Cedar Hedge Road (south of the bend) will result in a regular 3-legged intersection configuration.

- Emergency services will have a more direct path of travel to the subdivision as multiple turning movements will not be required.

- This portion of Cedar Hedge has remained as a Town Right-of-Way. The cross-section at the moment is projected to have a Multi-Use-Trail run along the east side of the roadway, sidewalk along the west side of the roadway and one lane of travel in each direction. This has not yet been finalized, however the Town is working on maintaining the “trail” use along the roadway and will be further discussed at the time of draft plan submission when more details are available.

Please note that I have saved your email as a formal written submission. Staff will review all written submissions received as part of the overall evaluation of the application and will respond to the issues raised through a future recommendation report. Timing of that report is yet to be determined.

A statutory public meeting for this application is scheduled for December 9th. Notice has been mailed out to all residents within 200 m of the proposed development. In addition, the same notice has been posted on the Town’s website here: <https://www.milton.ca/en/news/statutory-public-meeting-notice-9755-derry-road.aspx>

I am hoping the above noted is helpful for the time being.

Angela



Angela Janzen

Senior Planner, Development Review
150 Mary Street, Milton ON, L9T 6Z5
905-878-7252 ext. 2310
www.milton.ca

Confidentiality notice: This message and any attachments are intended only for the recipient named above. This message may contain confidential or personal information that may be subject to the Municipal Freedom of Information Act and must not be distributed or disclosed to unauthorized persons. If you received this message in error, please notify the sender immediately. Thank you for your assistance.

From: Gagan Kasana [REDACTED]
Sent: Thursday, November 14, 2024 7:27 PM
To: Mark Condello <MarkC@gsai.ca>
Cc: Angela Janzen <angela.janzen@milton.ca>; Zechariah Bouchard <zechariahb@gsai.ca>; Karen Bennett <karenb@gsai.ca>
Subject: Re: 9755 Derry Road, Milton

Hi Mark ,

For **Point 1** I would like a copy of the Traffic Study and if possible the credentials of the qualified Traffic Engineer who made the traffic plan.

For **Point 2** Can you share the details of the Town and Halton Region-initiated request as I need to discuss this with our councillors as to how such a request can be raised without any information to the residents of the concerned area.

For Point 3 where can I access the secondary plan for this area ?

Also when is the plan for you to present this and the public hearing for this in the Town of Milton .

Thanks & Regards

Gagan Kasana
[REDACTED]

On Thu, Nov 14, 2024 at 10:19 AM Mark Condello <MarkC@gsai.ca> wrote:

Hi Gagan,

Thank you for reaching out, I've copied Angela Janzen, the Town Planner who is currently reviewing the 9755 Derry Road application.

I can assure you assure you Branthaven and my office undertake a tremendous amount of due diligence before advancing any project. The proposal at 9755 Derry Road is no different. It is important to note that the proposal conforms to the Town's Official Plan and Secondary Plan documents.

In response to your comments below:

1. A Traffic Study has been prepared by a qualified Traffic Engineer. This Study is being reviewed by the Town and can be made available upon request. The findings of the Study support the proposed development. The development proposal does not plan to change Derry Road. Through discussions with Town Staff, a connection from Cedar Hedge Road to Derry Road was requested; however, this will be a controlled right-in-right-out configuration.
2. Through the development proposal, the extension of Cedar Hedge Road to Derry Road is being reviewed by Town staff. Please note, that Branthaven does not own these lands, these are Town-owned lands. The request to explore this connection is a Town and Halton Region-initiated request.
3. Your comments on the park location are noted; however, the location of the park is consistent with where the Town wants to see a park in this neighbourhood. This location conforms to the Town's Approved Secondary Plan for this area.

I trust the above information helps. Please let me know if you have any further comments or questions. Alternatively, you can also reach out to Angela Janzen at the Town.

Thank you,

Mark

Mark Condello, MCIP, RPP | Associate

700 - 10 Kingsbridge Garden Circle

Mississauga, ON L5R 3K6

T: 905-568-8888 x265 | **F:** 905-568-8894

C: 905-746-6275

www.gsai.ca

Connect with us:



Please do not feel obliged to reply to this email outside of your normal working hours.

From: Gagan Kasana [REDACTED]
Sent: Thursday, November 7, 2024 11:01 PM
To: Mark Condello <MarkC@gsai.ca>
Subject: Re: 9755 Derry Road, Milton

Hi Mark,

I have a few questions. It looks like the planners have not done their due diligence on the area, and the plan presented is just to maximize the number of units.

- 1) How do you plan to move 100 people from your apartment in the morning to 401? Will there be a U-turn on Derry in front of a school, making a mess of already congested traffic?
- 2) The fourth line is not connected to Derry, and the link shown in your maps is not possible. The town has a deal with folks on Ceader Hedge Road that this will not be opened. Will you be opening this road to Derry? We are not open to traffic flowing into our area from your newly constructed houses.
- 3) Your east side in maps has no parks and the west side has a lofty park why don't you move the building to that park and give a park in the center of the east side?

To be truly honest your design has many loopholes and I will be fighting against your proposal.

Thanks & regards

Gagan Kasana



On Thu, Nov 7, 2024 at 2:25 PM Mark Condello <MarkC@gsai.ca> wrote:

GSAI File No. 656-025

Good Afternoon Gagan,

I understand you reached out to our office requesting a copy of the presentation shared at the Community Information Meeting for 9755 Derry Road. As requested, please see attached.

Let me know if you have any questions.

Regards,

Mark

Mark Condello, MCIP, RPP | Associate

700 - 10 Kingsbridge Garden Circle

Mississauga, ON L5R 3K6

T: 905-568-8888 x265 | **F:** 905-568-8894

C: 905-746-6275

www.g sai.ca



Connect with us:



Angela Janzen

From: glenn mclay [REDACTED]
Sent: Friday, November 15, 2024 5:22 PM
To: Angela Janzen
Cc: [REDACTED]
Subject: Proposed Development 9755 Derry Road File 24T-24003/M & Z-23/24

Dear Angela,

Thank you for contacting us about the proposed development plans in our neighborhood.

We acknowledge that Milton is continually growing in accordance to the mandate imposed by the province to build a specific number of dwellings.

Our main concern is the opening of Cedar Hedge road to Derry road. Even though the posted speed limit is 40km/h drivers continually speed along Cedar Hedge as they use it as an alternate to reach Laurier and continue to James Snow. They want to bypass turning left from Derry onto James Snow.

On a more personal note part of the decision to buy here was the fact that the proposed lot was not zoned for residential and Derry was never intended to be connected to Cedar Hedge/Fourth line. The increased traffic by opening Derry will cause serious safety concerns to the many children that play and ride their bikes in the area.

We would like to see the development closer to the western end of Derry and keep traffic along Rusk and Sauve where there are already townhouses and apartments. Please consider a greenspace along Cedar Hedge as it compliments the Dynne Adam school. This will also provide some refuge for wildlife.

We have lived in this house close to 20 years. Please consider carefully the decisions that will ultimately affect the fragility of our environment and our current safe, quiet and beautiful neighborhood.

Sincerely,

Jajn and Glenn McLay
[REDACTED]

Angela Janzen

From: Vyshnavi Yoheswaran [REDACTED]
Sent: Thursday, November 7, 2024 10:40 AM
To: Angela Janzen
Subject: 9755 Derry Road Town file 24T-2400/M &Z-23/24

Hi

My name is Vyshnavi from [REDACTED].

We have received the above subject letter.

Thank you for considering public views. Really appreciate it.

However please do not approve this construction. Milton is over crowded already. Please let us live us and breath. Our kids need a safer environment.

If you bring condos and houses think about the traffic in the morning. There are 2 schools and cross streets.

So many kids around that area goes to school peacefully now. Please do not ruin that.

This is my kind request.

Thank you

Vyshnavi