



The Corporation of the
Town of Milton
Committee of Adjustment and Consent

Thursday, September 24, 2026, 6:00 p.m.
Council Chambers - In Person

Applicants and interested parties can participate in person at Town Hall, Council Chambers, 150 Mary Street.

	Pages
1. AGENDA ANNOUNCEMENTS / AMENDMENTS	
2. DISCLOSURE OF PECUNIARY INTEREST	
3. HOUSEKEEPING	
4. MINUTES	
4.1 Minutes of Committee of Adjustment Hearing held on August 27, 2026	3
5. ITEMS FOR CONSIDERATION	
5.1 A26-040/M 32, 34, 36 No 3 Side Road	7
The applicant has requested minor variances to facilitate the construction of a commercial development with three buildings. To facilitate the proposed commercial development, the applicant is seeking relief from the following provisions: minimum interior side yard setback, maximum gross floor area, minimum landscape open space buffer, maximum height of an opening, minimum percentage of ground floor wall openings, minimum parking requirements, minimum loading space setbacks, enclosed service area requirements and the definition of setback.	
5.2 A26-041/M 11801 Derry Road	28
The applicant has requested a minor variance to facilitate the construction of Building 'E' within the proposed industrial condominium.	
5.3 A26-042/M 122 Manley Lane	36
The applicant has requested a minor variance to legalize an existing driveway extension, permitting a maximum width of 5.25 metres, whereas a maximum width of 4 metres is allowed.	

5.4 A26-043/M 4321 Sixth Line

The applicant has requested minor variances to recognize and legalize the expansion of a topsoil mixing operation (Petrie's), which qualifies as a legal non-conforming use. Further, the application seeks to permit the conversion of the Subject Property into a mulch manufacturing operation (Walker). Variances to permit additional height and gross floor area for accessory structures supporting these uses are also requested in the application.

6. NEXT MEETING

Thursday, November 12, 2026, commencing at 6:00 p.m.

7. ADJOURNMENT



The Corporation of the
Town of Milton
Committee of Adjustment Minutes

August 27, 2026, 6:00 p.m.

The Committee of Adjustment for the Corporation of the Town of Milton met in regular session in person. All members were present.

1. **AGENDA ANNOUNCEMENTS / AMENDMENTS**

2. **DISCLOSURE OF PECUNIARY INTEREST**

3. **MINUTES**

3.1 Minutes of Committee of Adjustment Hearing held on July 30, 2026

4. **HOUSEKEEPING**

5. **ITEMS FOR CONSIDERATION**

5.1 A26-033/M 1461 Leger Way

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A26-033/M) for 1461 Leger Way in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. THAT the development shall be constructed generally in accordance with the site plan and elevations prepared by Prism Design Space and dated and stamped by Town Zoning on June 19, 2026;
2. THAT a Building Permit be obtained within two (2) years from the date of the decision;
3. THAT That prior to Building Permit issuance, the applicant incorporates a sprinkler system, designed by a qualified professional in fire protection systems and in accordance with

NFPA 13D standards, within the building permit package for the proposed Additional Residential Unit;

4. THAT the full length of the northern interior side yard, having a width of 1.24 metres, shall remain and clear of any structures or obstructions for as long as the basement ARU remains in place;
5. FURTHER THAT the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

Carried

5.2 A26-038M 725 Lingen Crescent

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A26-038/M) for 725 Lingen Crescent in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the development shall be constructed in accordance with the site plan prepared by My House Designs & Drafting Services and stamped by Town Zoning on June 29, 2026.
2. That an updated Site Plan will need to be submitted during the Building Permit review process to the satisfaction of Town Engineering Staff;
3. That a Building Permit be obtained within two (2) years from the date of the decision; and
4. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

Carried

5.3 A26-039/M 101 Nipissing Road

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A26-039/M) for 101 Nipissing Road in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. THAT the minor variance shall apply in accordance with the as-built parking sketched prepared by KRCMAR and stamped and dated by Town Zoning on July 23, 2026.
2. THAT a redline revision to Site Plan file SP-33/19, reflecting the as-built parking space dimensions, shall be approved within two (2) years of the date of decision
3. THAT the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building is not secured.

Carried

5.4 A26-042/M 1038 Bradley Terrace

BE IT RESOLVED THAT

THE APPLICATION FOR MINOR VARIANCE under Section 45(1)(2) of the *Planning Act* –File (A26-042/M) for 1038 Bradley Terrace in the Town of Milton **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. THAT the development shall be constructed generally in accordance with the site plan dated and stamped by Town Zoning on July 18, 2025;
2. THAT a Building Permit be obtained within one (1) year from the date of the decision;
3. THAT the owner shall obtain an annual Burn Permit from Milton Fire & Rescue Services;
4. THAT the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

Carried

6. NEXT MEETING

7. **ADJOURNMENT**

There being no further business to discuss the Chair adjourned the meeting at 7:37 p.m.

Serena Graci, Secretary Treasurer



The Corporation of the Town of Milton

Report To:	Committee of Adjustment and Consent
From:	Jessica Tijanac, MSc., MCIP, RPP
Date:	September 24, 2026
File No:	A-26-040M
Subject:	32, 34 and 36 No. 3 Side Road

Recommendation: **THAT** the application for minor variance **BE APPROVED**
SUBJECT TO THE FOLLOWING CONDITION:

1. That Site Plan Approval be granted within two years from the date of decision.

General Description of Application

Under Section 45(1) of the Planning Act, the following minor variance to Zoning By-law 144-2003, as amended, has been requested:

1. To allow a minimum interior side yard setback of 1.5 metres, whereas the Zoning By-law requires 6.0 metres (a reduction of 4.5 metres).
2. To allow a maximum gross floor area of 3,775.5 square metres for all buildings, whereas the Zoning By-law requires a maximum gross floor area of 2,787 square metres for all buildings (an increase of 988.5 square metres).
3. To allow a minimum landscape open space buffer of 0.9 metres from Smokey Hollow Boulevard and 2.7 metres from Steptoe Terrace, whereas the Zoning By-law requires a minimum landscape open space buffer of 3.0 metres abutting a public street (a reduction of 2.1 metres and 0.3 metres, respectively).
4. To allow a maximum height of an opening of 5.1 metres for Building A1, 5.1 metres for Building A2 and 5.5 metres for Building A3, whereas the Zoning By-law permits a maximum height of an opening of 3.5 metres (an increase of 1.6 metres, 1.6 metres and 2.0 metres, respectively).
5. To allow a building wall facing a street (being the loading area screening walls for Buildings A1 and A3) to have no openings, whereas the Zoning By-law requires such walls to include a minimum of 40% openings (i.e. windows, doors, etc.) when facing a street (an exemption from the provision).
6. To allow an alternative parking rate of 1 parking space per 28.7 square metres, whereas the Zoning By-law requires a minimum parking rate of 1 space per 20 square metres (a reduced parking rate).
7. To allow for a minimum setback from a loading space of 8.0 metres from Building A1, 11.2 metres for Building A2 and 8.5 metres for Building A3, whereas the Zoning

General Description of Application

By-law requires loading spaces to be located no closer than 20.0 metres from a street line (a reduction of 12.0 metres, 8.8 metres and 11.5 metres, respectively).

8. To allow for a partially enclosed service area (loading area) where the building does not have a roof and door, whereas the Zoning By-law requires service areas to be enclosed within a building and fully screened from public streets.
9. To allow for the 0.3 metre reserves to form part of the lot for the purposes of measuring setbacks only, whereas the Zoning By-law definition of setback includes the horizontal distance between the boundary of a lot, parcel, block of land, or zone and measured perpendicular to the boundary.

The subject property is known municipally as 32, 34 and 36 No. 3 Side Road and is currently vacant. Surrounding land uses are primarily existing residential and those under construction for residential uses.

The applicant is proposing to construct a commercial plaza with three buildings. Proposed Buildings A1 and A2 are two-storey buildings to accommodate ground floor commercial uses and 2nd floor non-retail uses (such as a medical clinic and office uses, as examples). Proposed Building A3 is a single storey building to accommodate a restaurant use on the ground floor and upper mezzanine area. The proposed buildings comprise a total of 3,775 square metres of gross floor area and a breakdown of floor area with the following uses: 1,764 square metres of commercial uses, 1,411 square metres of non-retail uses and 599 square metres for a restaurant.

To facilitate the proposed commercial development, the applicant is seeking relief from the following provisions: minimum interior side yard setback, maximum gross floor area, minimum landscape open space buffer, maximum height of an opening, minimum percentage of ground floor wall openings, minimum parking requirements, minimum loading space setbacks, enclosed service area requirements and the definition of setback.

Official Plan Designation (including any applicable Secondary Plan designations)

In the Town of Milton Official Plan, the subject property is designated Local Commercial Area within the Sherwood Survey Secondary Plan. Commercial uses are permitted as-of-right in the Local Commercial Area designation. Section 8.2.7.7.d) of the Official Plan includes a site-specific policy that applies to the subject property which limits the maximum gross floor area for commercial uses to 2,787 square metres. As noted above, the proposed gross floor area for commercial uses does not exceed the site-specific requirements for the subject property.

Planning staff are of the opinion that the proposal is in conformity with the Town of Milton Official Plan.

Zoning

The subject property is zoned site-specific Local Commercial with a Holding provision (C3*190-H12) under the Town of Milton Rural Zoning By-law 144-2003 ('Town's Zoning By-law'), as amended. The Town's Zoning By-law permits the proposed uses in the above-noted site-specific zone.

Variance 1: Interior Side Yard Reduction for Building A3

Section 7.2, Table 7D, of the Town's Zoning By-law requires a minimum interior side yard setback of 6.0 metres. The applicant has requested permission to allow for the interior side yard to be 1.5 metres for Building A3, a reduction of 4.5 metres, to facilitate the proposed development.

Variance 2: Increase in Gross Floor Area for all Buildings

Section 13.1.1.190 B. 4) ii) of the Town's Zoning By-law permits a maximum gross floor area for all buildings to be 2,787 square metres for the subject property. The applicant has requested permission to allow for a maximum gross floor area of 3,775.5 square metres for all buildings, an increase of 988.5 square metres, to facilitate the proposed development.

Variance 3: Landscape Open Space Buffer Reduction

Section 13.1.1.190.B.4) ix) of the Town's Zoning By-law requires a minimum landscape open space buffer of 3.0 metres. The applicant has requested permission to allow for a minimum landscape open space area of 0.9 metres for Smokey Hollow Boulevard, a decrease of 2.1 metres, and 2.7 metres for Steptoe Terrace, a decrease of 0.3 metres, to facilitate the proposed development.

Variance 4: Increase Height of an Opening for all Buildings

Section 7.3.1, Table 7E, of the Town's Zoning By-law permits a maximum height of an opening to be 3.5 metres. The applicant has requested permission to allow for an increase to allow for a building opening of 5.1 metres for Buildings A1 and A2, an increase of 1.6 metres, and 5.5 metres for Building A3, an increase of 2.0 metres, to facilitate the proposed development.

Variance 5: Reduction of Building Openings Along Street Frontage

Section 7.3.1, Table 7E, of the Town's Zoning By-law requires a minimum of 40% of openings to be provided along a building wall that fronts onto a public street. The applicant has requested permission to reduce the requirement to 0% for the loading area screening walls for Buildings A1 and A3, an exemption from the provision, to facilitate the proposed development.

Zoning

Variance 6: Minimum Parking Requirement Reduction

Section 5.13.2 ii) of the Town's Zoning By-law requires a minimum parking rate of 1 parking space per 28.7 square metres. The applicant has requested permission to decrease the parking rate to 1 parking space per 20 square metres to facilitate the proposed development.

Variance 7: Loading Space Setback Reduction

Section 5.17.3 vi) of the Town's Zoning By-law requires loading spaces to be located no closer than 20.0 metres from a street line. The applicant has requested permission to reduce the setback to 8.0 metres for Building A1, a reduction of 12.0 metres; 11.2 metres for Building A2, a reduction of 8.8 metres; and 8.5 metres for Building A3, a reduction of 11.5 metres, to facilitate the proposed development.

Variance 8: Partial Enclosure of Loading Spaces

Section 5.17.3 vi) of the Town's Zoning By-law requires loading spaces to be enclosed within the building and fully screened from public streets. The applicant is requesting permission to partially enclose loading spaces to facilitate the proposed development.

Variance 9: Definition of Setback to Include Reserves

Section 3 of the Town's Zoning By-law includes a definition of setback and a description of how setbacks are measured. The applicant has requested permission to include the 0.3 metre reserves in the setback measurement to facilitate the proposed development.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the Planning Act on September 9, 2026. At the time of writing this report, staff have not received any comments from members of the public or Parties to the Minutes of Settlement for the Milton Meadows North subdivision.

Agency Consultation

No objections were filed with respect to the variance application from Town staff or external agencies.

Development Services Comments

The applicant has requested a minor variance to facilitate the construction of a commercial development with three buildings.

Consultation

The subject property is within the Milton Meadows North Plan of Subdivision (20M-1303) that was subject to an extensive Ontario Municipal Board (OMB) (now Ontario Land Tribunal) Hearing that concluded in 2014. The OMB decision issued approval of the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision.

Noise impacts from industrial operations to the east and noise mitigation measures were a significant matter throughout the Hearing and were embedded in the planning approvals and Minutes of Settlement between the Parties. As a result, the commercial development on the subject property, in addition to noise berms on lands located on the east side of new Tremaine Road, provide for noise mitigation for residential uses to the west, northwest and north across the balance of the Milton Meadows North subdivision.

On the basis of the above, the proposed location of the commercial buildings, the site configuration and height of buildings are required to implement the noise mitigation measures as required by the Minutes of Settlement. Through the Site Plan Approval process, the noise mitigation requirements have been peer reviewed by an external third-party consultant and have been implemented into the proposed design as required by the Minutes of Settlement.

Variance 1: Interior Side Yard Reduction for Building A3

The applicant has requested permission to reduce the interior side yard setback from 6.0 metres to 1.5 metres for Building A3 (a reduction of 4.5 metres). While a reduction is being sought between the proposed building and the property boundary, Planning staff note that there is an additional 14.0 metre setback from Tremaine Road in the form of a block on the Registered Plan of Subdivision (20M-1303) that is owned by the Town of Milton. Planning staff are of the opinion that the request is minor in nature and does not impact adjacent lands.

Variance 2: Increase in Gross Floor Area for all Buildings

The applicant has requested permission to increase the maximum gross floor area for all buildings from 2,787 square metres to 3,775.5 square metres (increase of 988.5 square metres). When the OMB approved the in-effect zoning on the subject property, the concept at the time included a commercial development proposal with only ground floor uses. Given that the building height is fixed to provide for noise attenuation, there is an ability to accommodate additional non-retail permitted uses (such as medical clinic and office uses, as examples) on the second storeys while continuing to conform to the site-specific Official Plan requirements for maximum gross floor area for commercial uses. Planning staff are of the opinion that the request is minor in nature and have no concerns.

Variance 3: Landscape Open Space Buffer Reduction

The applicant has requested permission to reduce the landscape open space buffer abutting a public street from 3.0 metres to 0.9 metres for Smokey Hollow Boulevard (a reduction of 2.1 metres) and 2.7 metres for Steptoe Terrace (a reduction of 0.3 metres). Planning staff are of the opinion that the proposed design addresses access requirements (including a sidewalk within the landscape open space buffer) to the buildings and provides for adequate landscaping between the private property and municipal sidewalk. Planning staff are of the opinion that the request is minor and have no concerns.

Variance 4: Increase in Height of an Opening for all Buildings

The applicant has requested permission to increase the maximum height of an opening from 3.5 metres to 5.1 metres for Building A1 (an increase of 1.6 metres), 5.1 metres for Building A2 (an increase of 1.6 metres) and 5.5 metres for Building A3 (an increase of 2.0 metres). This variance is required to address windows on the second storey of the buildings. Planning staff are of the opinion that the request is minor in nature and have no concerns as the additional glazing provides a positive urban design contribution.

Variance 5: Reduction of Building Openings Along Street Frontage

The applicant has requested permission to allow a building wall facing a street, being the loading area screening walls for Buildings A1 and A3, to have no openings whereas the Town's Zoning By-law requires a minimum of 40% of such a wall to include openings. The request applies to the screening walls adjacent to loading spaces that abut the public street. Planning staff are of the opinion that the request is minor in nature and have no concerns as the walls provide for screening of delivery trucks and noise from the street frontage.

Variance 6: Minimum Parking Requirement Reduction

The applicant has requested permission to reduce the minimum parking rate requirement to 1 parking space per 28.7 square metres (a reduction from 1 parking space per 20 square metres). Through the processing of the site plan application, the applicant submitted a parking justification study that was reviewed by Town staff and deemed acceptable. Planning staff request are of the opinion that the request is minor in nature and have no concerns.

Variance 7: Loading Space Setback Reduction

The applicant has requested permission to reduce the loading space setback of 20 metres from the street line to 8.0 metres for Building A1, 11.2 metres for Building A2 and 8.5 metres for Building A3 (decrease of 12.0 metres, 8.8 metres and 11.5 metres, respectively). The proposed loading areas are partially enclosed and have been designed for a delivery vehicle to fit within the enclosure and landscaping is proposed between the



The Corporation of the Town of Milton

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Consultation

building and the street frontage. Planning staff are of the opinion that the request is minor in nature and have no concerns.

Variance 8: Partial Enclosure of Loading Spaces

The applicant has requested permission to partially enclose the loading areas, whereas the Zoning By-law requires loading spaces to be enclosed and fully screened from public streets. The proposed loading areas include three walls without a roof or door, however the spaces have been designed for a delivery vehicle to fit within the partial enclosure. Planning staff are of the opinion that the request is minor in nature and have no concerns.

Variance 9: Definition of Setback to Include Reserves

The applicant has requested permission to deem the 0.3 metre reserves to form part of the lot for the purposes of measuring required setbacks only, whereas reserves are typically used as the boundary for measuring setbacks. Planning staff are of the opinion that the request is minor in nature and have no concerns.

Based on the above-noted considerations, Planning Staff offer no objections to the approval of the requested variances and are of the opinion that the requested variances are minor in nature, desirable for the development of the subject property, maintains the intent of the Zoning By-law and conforms to the Official Plan.

Respectfully submitted,

Jessica Tijanic

Jessica Tijanic, MSc., MCIP, RPP
Senior Planner, Development Review

For questions, please contact:

Phone: Ext. 2221

Attachments

Figure 1 - Proposed Site Plan and Architectural Drawings

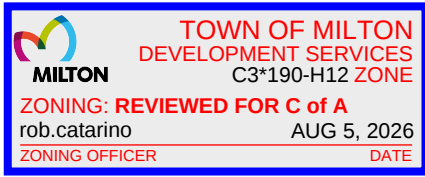
MILTON MEADOWS COMMERCIAL SITE 'A' (BLOCK 87)

Issued for Site Plan Application 2026-03-19

ROYAL PARK HOMES

65 ROYALPARK WAY
WOODBIDGE, ON, L4H 1J5
Tel: 416-736-8635

ARCHITECTURAL DRAWINGS	
A001a	VIGNETTES
A011	SITE PLAN
A012	SITE DETAILS
A013	SITE DETAILS
A014	SITE SECTIONS
A201	BLDG A1 - GROUND & SECOND FLOOR PLAN
A202	BLDG A1 - ROOF PLAN
A203	BLDG A2 - GROUND FLOOR & SECOND FLOOR PLANS
A204	BLDG A2 - ROOF PLAN
A205	BLDG A3 - FLOOR PLANS & ROOF
A401	BLDG A1 - ELEVATIONS
A402	BLDG A2 - ELEVATIONS
A403	BLDG A3 - ELEVATIONS



LANDSCAPE ARCHITECT

The MBTW Group
225 Wicksteed Avenue, Unit 1A
Toronto, Ontario, M4H 1G8
Tel: 426-449-7767

CIVIL CONSULTANT

Siteplantech Inc.
50 St. Clements Avenue
Toronto, Ontario, M4R 1G9
Tel: 416-270-7515

NOISE CONSULTANT

Valcoustics Canada Ltd.
30 Wertheim Court, Unit 25
Richmond Hill, Ontario, L4B 1B9
Tel: 905-764-5523

SITE ELECTRICAL

Colm Engineering
400 Main Street East, Suite 214
Milton, Ontario, L9T 4X5
Tel: 289-851-2524

TRANSPORATION CONSULTANT

Nextrans Consulting Engineers
520 Industrial Parkway South, Suite 201
Aurora, Ontario, L4G 6W8
Tel: 905-503-2563




TOWN OF MILTON
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C3*190-H12 ZONE
CONDITIONING: REVIEWED FOR C of A
Job.catarino
CONDITIONING OFFICER

CLIENT
Royalpark
65 Royalpark Way, Woodbridge, Ontario
L4H 1J5
Canada

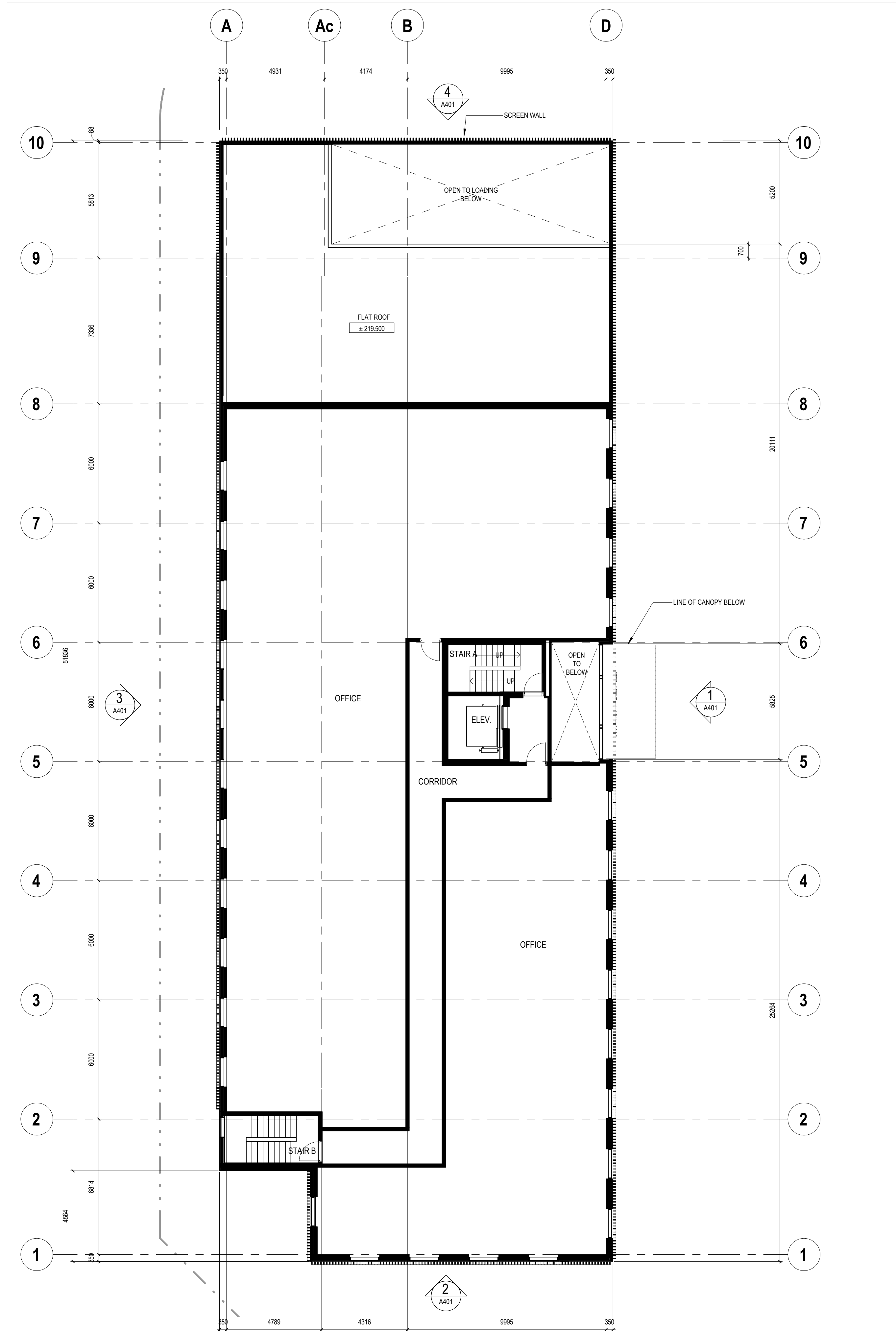
**MILTON MEADOWS COMMERCIAL
SITE 'A' (BLOCK 87)**



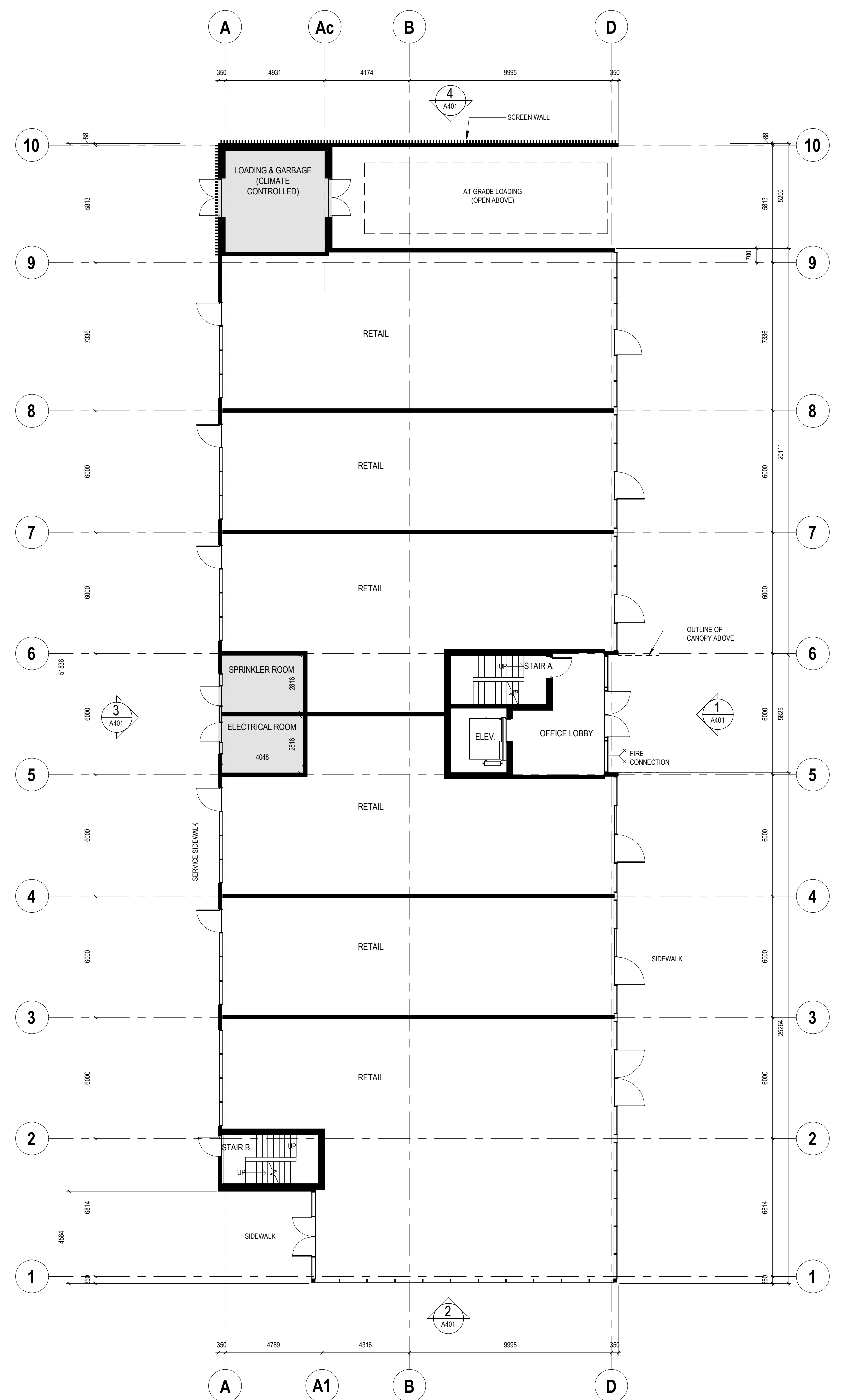
ONTARIO ASSOCIATION
of
ARCHITECTS
ELIE NEWMAN
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A1 - SECOND FLOOR 2



A1 - GROUND FLOOR 1

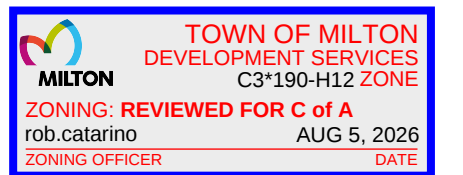
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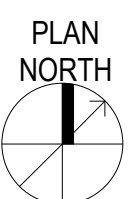
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CLIENT
Royalpark
65 Royalpark Way, Woodbridge, Ontario
L4H 1J5
Canada



**MILTON MEADOWS COMMERCIAL
SITE 'A' (BLOCK 87)**

MILTON, ON



AL

**BLDG A1 - GROUND
& SECOND FLOOR
PLAN**

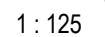
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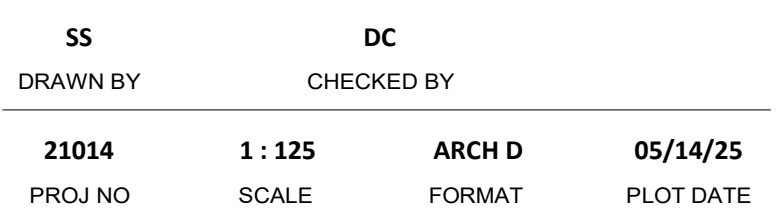
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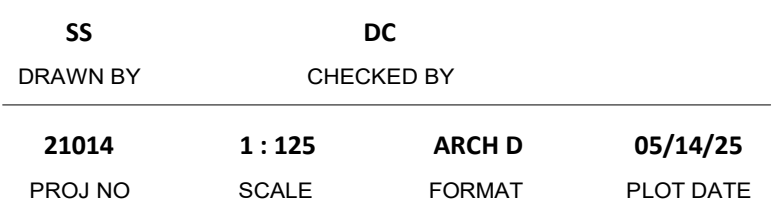
BLDG A1 - ROOF PLAN

A202

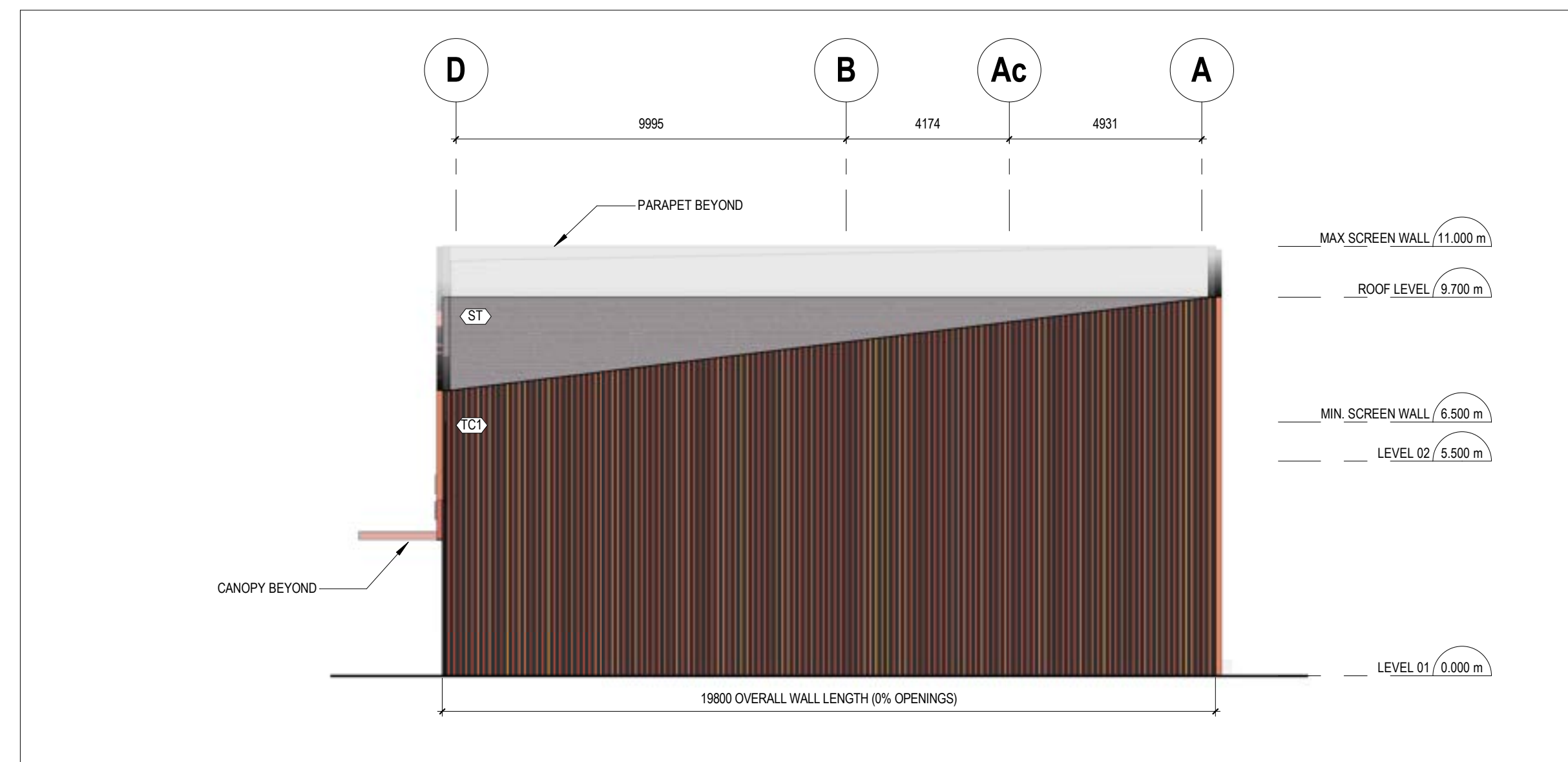
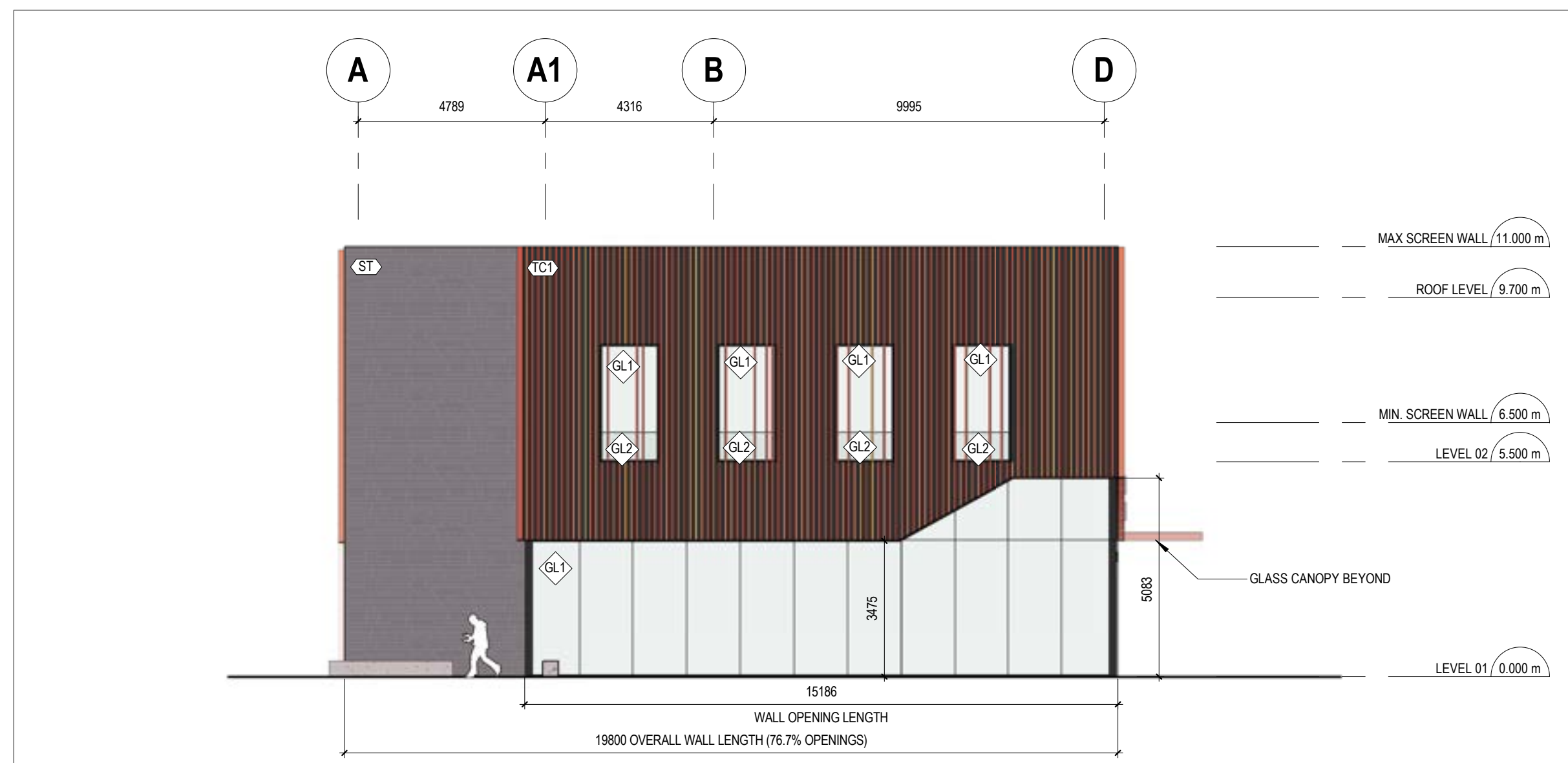








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MATERIAL LEGEND	
	VENEER STONE CLADDING
	VISION GLASS
	BACK-PAINTED SEALED GLAZING UNIT COLOUR 1
	BACK-PAINTED SEALED GLAZING UNIT COLOUR 2
	50mm X 150mm RED TERRACOTTA BATTENS WITH ACCENT COLOUR ON SOLID WALL ASSEMBLY
	50mm X 150mm RED TERRACOTTA BATTENS WITH ACCENT COLOUR ON SOLID WALL ASSEMBLY
	50mm X 150mm GOLDEN TERRACOTTA BATTENS WITH ACCENT COLOUR ON SOLID WALL ASSEMBLY

bnkc
ARCHITECTURE • URBAN DESIGN

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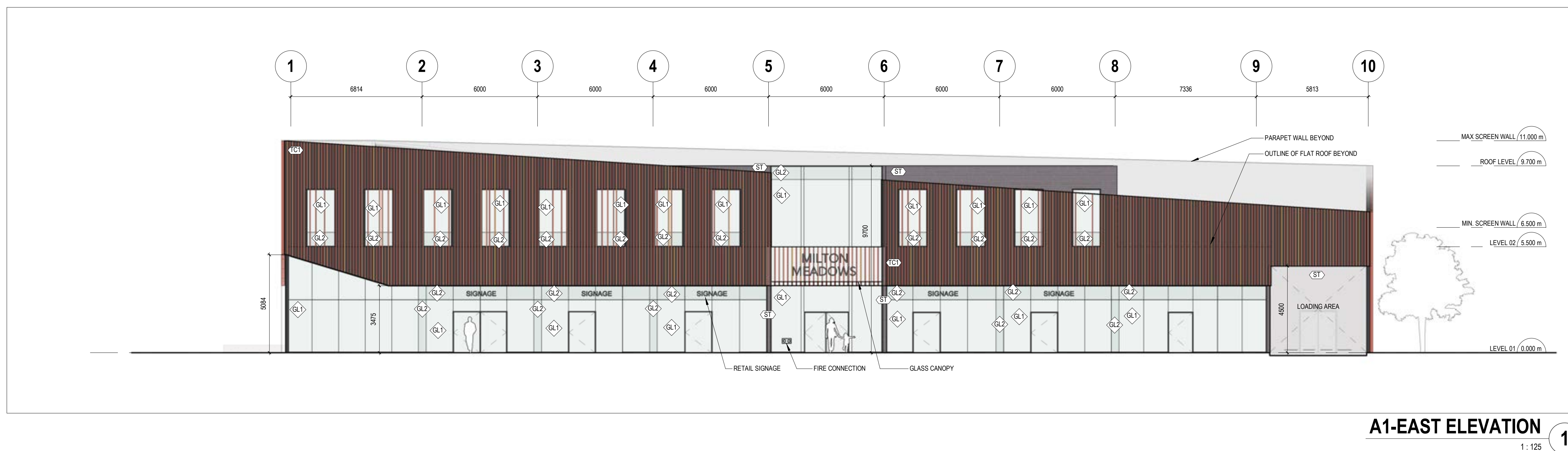
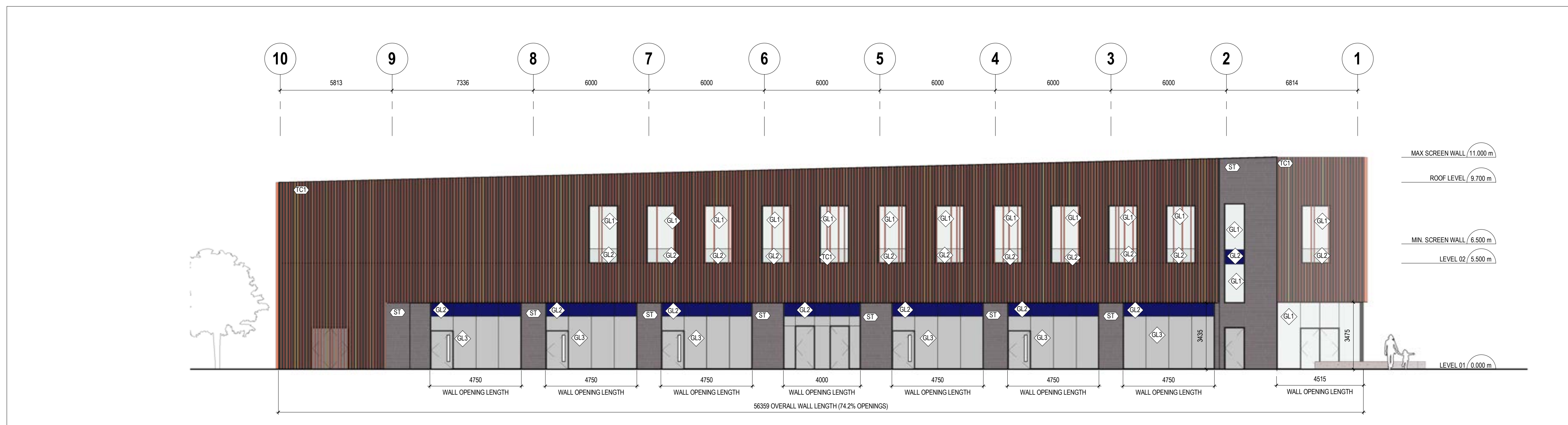
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Royalpark

**MILTON MEADOWS COMMERCIAL
SITE 'A' (BLOCK 87)**

MILTON, ON

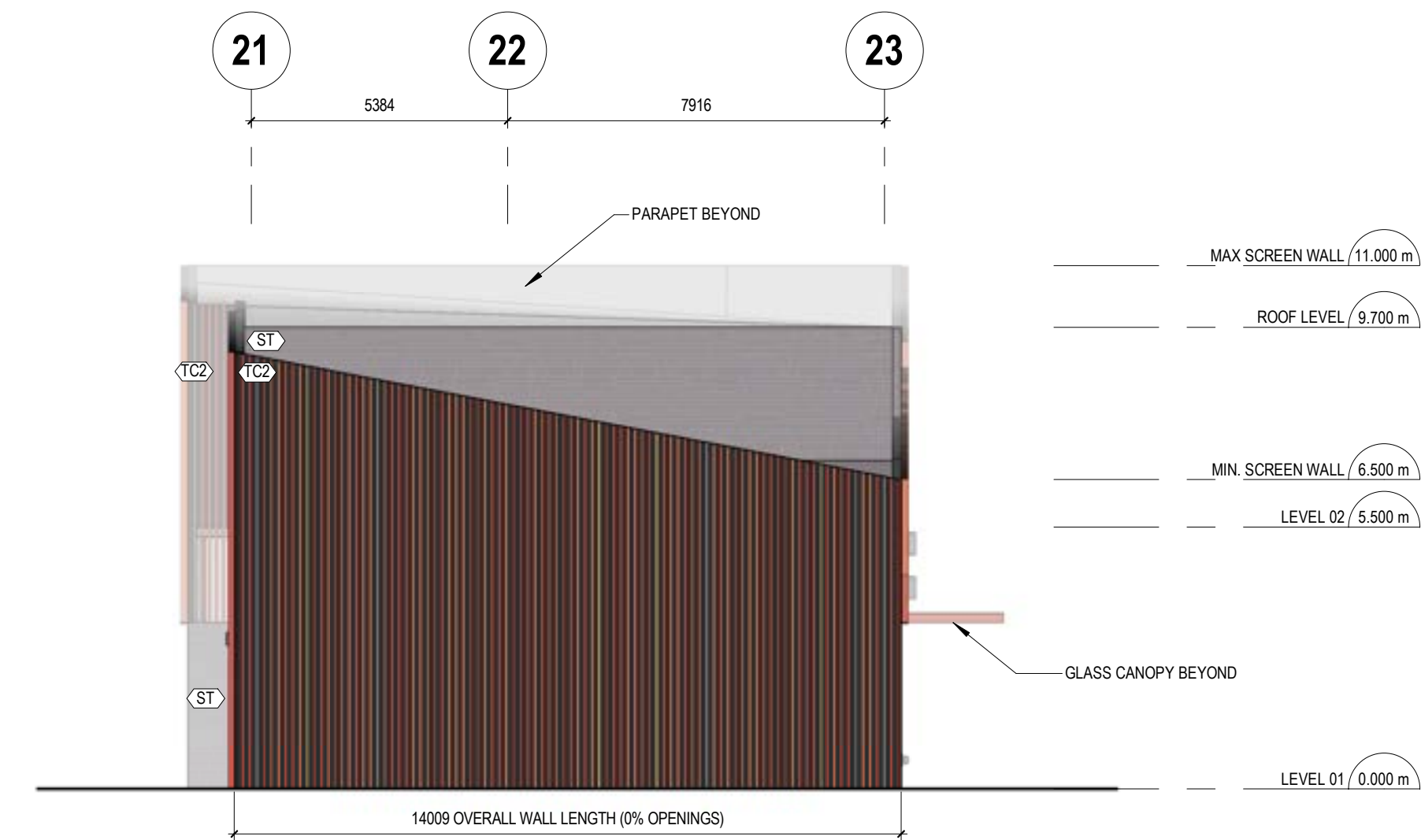


AL

BLDG A1 - ELEVATIONS

SS	DC		
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21014	As indicated	ARCH D	05/14/25
PROJ NO	SCALE	FORMAT	PLOT DATE

A401



MATERIAL LEGEND	
ST	VENEER STONE CLADDING
GL1	VISION GLASS
GL2	BACK-PAINTED SEALED GLAZING UNIT COLOUR 1
GL3	BACK-PAINTED SEALED GLAZING UNIT COLOUR 2
TC1	50mm X 150mm RED TERRACOTTA BATTENS WITH ACCENT COLOUR ON SOLID WALL ASSEMBLY
TC2	50mm X 150mm RED TERRACOTTA BATTENS WITH ACCENT COLOUR ON SOLID WALL ASSEMBLY
TC3	50mm X 150mm GOLDEN TERRACOTTA BATTENS WITH ACCENT COLOUR ON SOLID WALL ASSEMBLY

bnkc
ARCHITECTURE • URBAN DESIGN

410 - 672 Dupont St.,
Toronto, ON, Canada,
M6G 1Z6
T. 416.531.7717
www.bnkc.ca

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BNKC Architects Inc.

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TOWN OF MILTON
DEVELOPMENT SERVICES
C3*190-H12 ZONE
ZONING: REVIEWED FOR C of A
 rob.catarino
 AUG 5, 2026
 ZONING OFFICER DATE

ARCHITECT
BNKC Architects Inc.
410 - 672 Dupont St., Toronto, ON, Canada, M6G 1Z6
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CLIENT
Royalpark
65 Royalpark Way, Woodbridge, Ontario
L4H 1J5
Canada

Royalpark

**MILTON MEADOWS COMMERCIAL
SITE 'A' (BLOCK 87)**

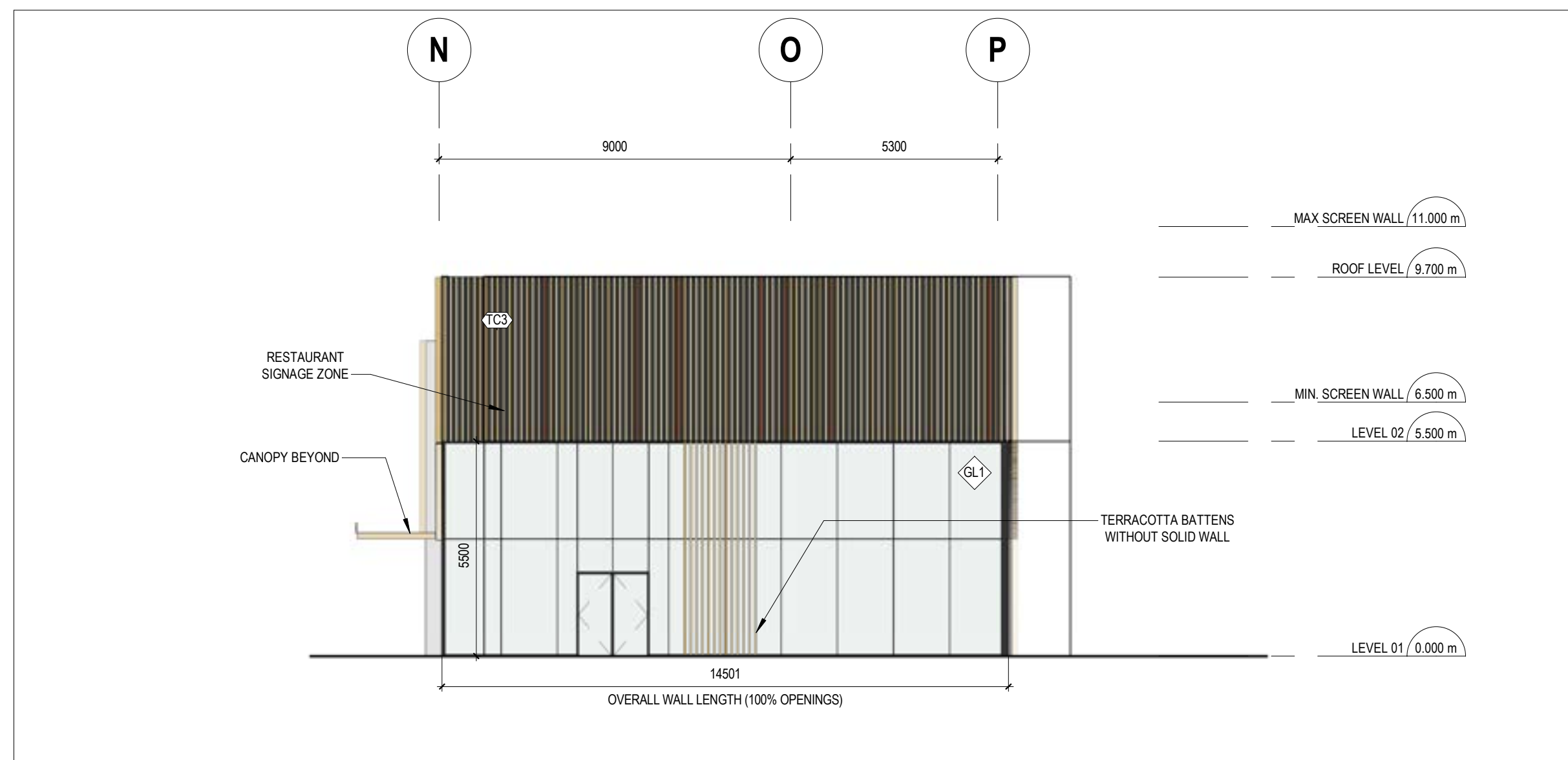


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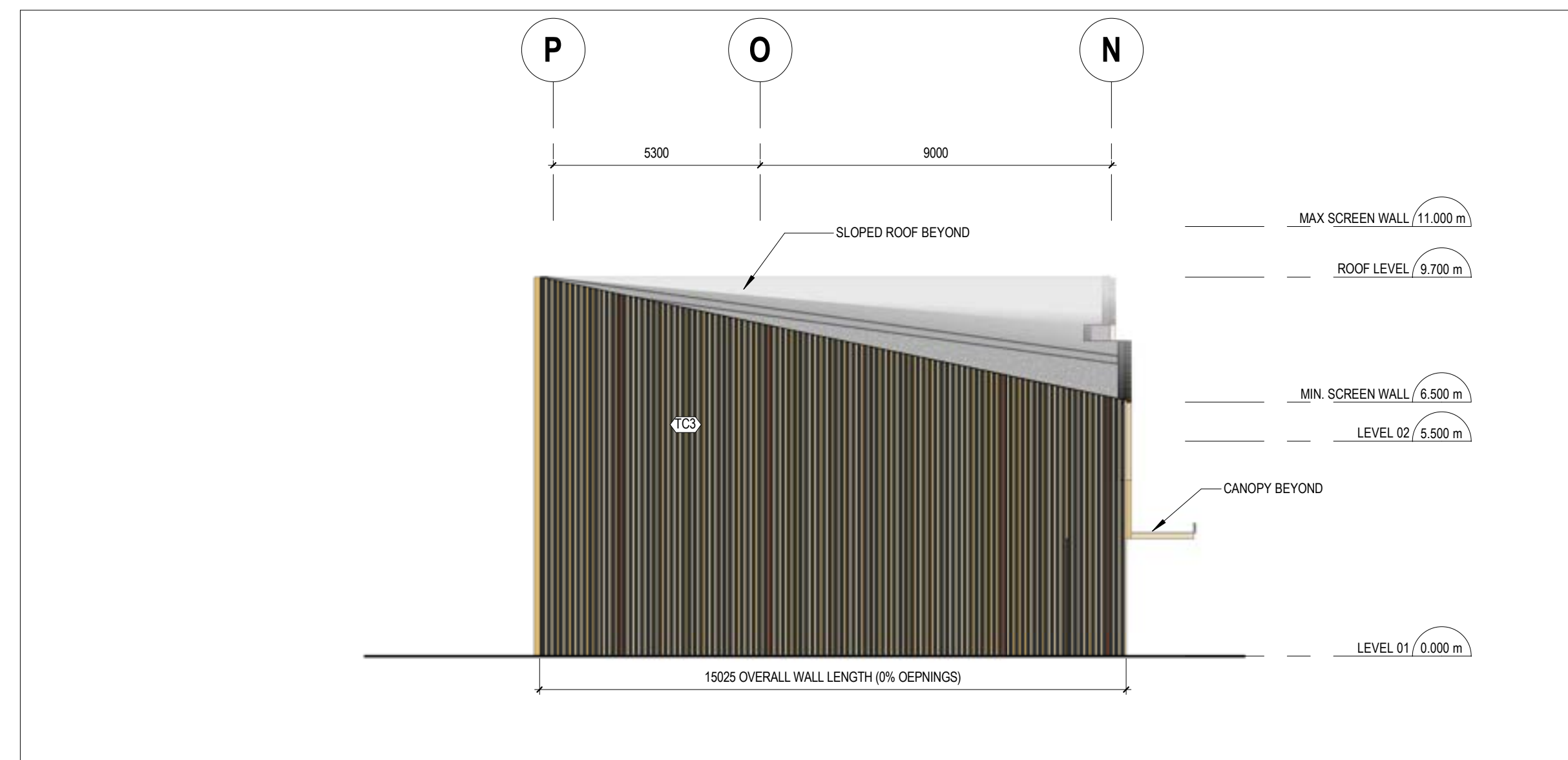
BLDG A2 - ELEVATIONS

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21014	As indicated	ARCH D	05/14/25
PROJ NO	SCALE	FORMAT	PLOT DATE

A402



A3-SOUTH ELEVATION 4



A3-NORTH ELEVATION 3

MATERIAL LEGEND	
	VENEER STONE CLADDING
	VISION GLASS
	BACK-PAINTED SEALED GLAZING UNIT COLOUR 1
	BACK-PAINTED SEALED GLAZING UNIT COLOUR 2
	50mm X 150mm RED TERRACOTTA BATTENS WITH AGENT COLOUR ON SOLID WALL ASSEMBLY
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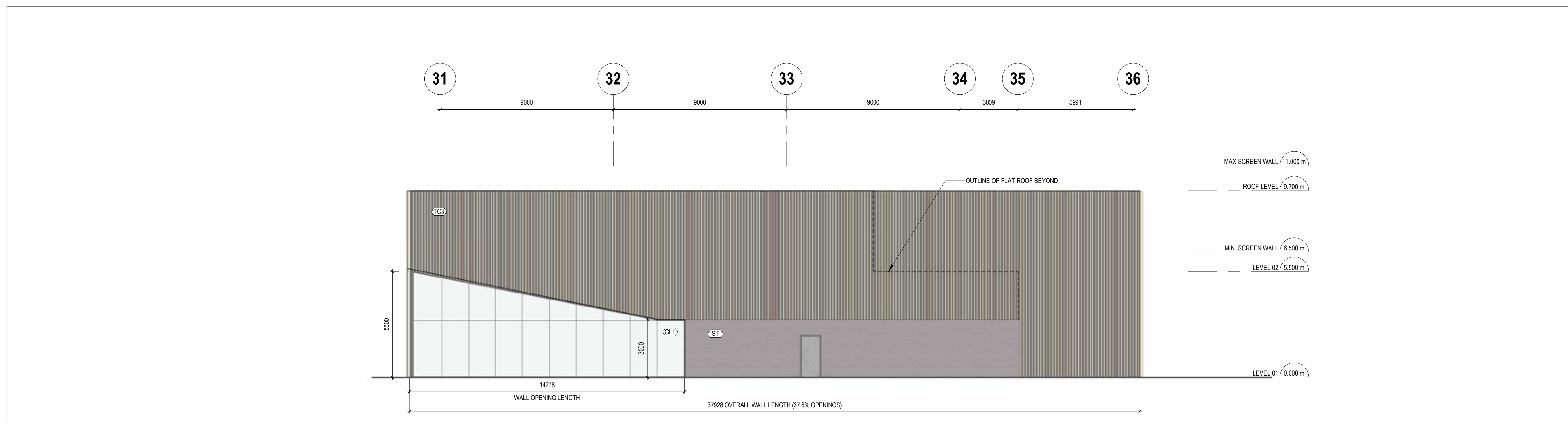
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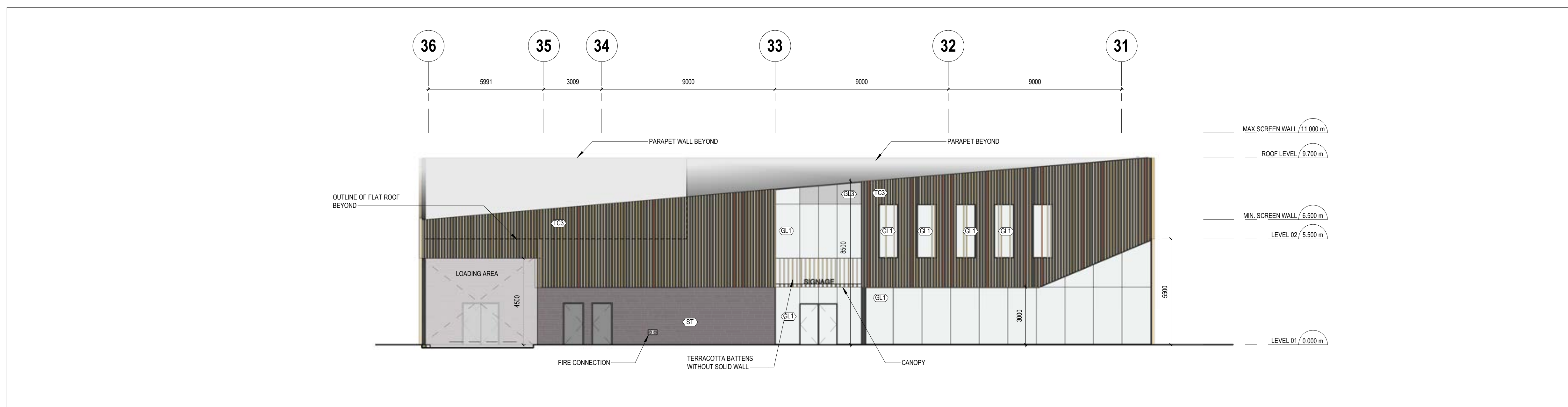
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BNKC Architects Inc.

[illegible]

A3-EAST ELEVATION 2



A3-WEST ELEVATION

ARCHITECT
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CLIENT
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L4H 1J5
Canada

**MILTON MEADOWS COMMERCIAL
SITE 'A' (BLOCK 87)**

MILTON, ON



L

BLDG A3 - ELEVATIONS

SS		DC	
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21014	As indicated	ARCH D	05/14/25
PROJ NO	SCALE	FORMAT	PLOT DATE

A403



The Corporation of the Town of Milton

Report To:	Committee of Adjustment and Consent
From:	Rachel Suffern, MPA, M.Sc (PI), MCIP, RPP
Date:	September 24, 2026
File No:	A26-041/M
Subject:	11801 Derry Road

Recommendation: **THAT** the application for minor variance **BE APPROVED**
SUBJECT TO THE FOLLOWING CONDITION:

1. That Site Plan Approval be granted within two years from the date of this decision.

General Description of Application

Under Section 45(1) of the Planning Act, the following minor variance to Zoning By-law 016-2014, as amended, has been requested to:

- Remove the requirement of loading spaces for Building E, whereas the Zoning By-law requires two.

The Subject Property is known municipally as 11801 Derry Road (note: concurrent to the minor variance process, new municipal addressing has been assigned on a building-specific basis with Building 'E' being identified as 11761 Derry Road) and is legally described as Part of Lot 11 (being Part 2 on 20R-11806) on Concession 6 within the former geographic Township of Trafalgar. For greater context, the lands are located at the immediate north-west corner of Derry Road and Sixth Line.

The Subject Property has been reviewed extensively through a comprehensive planning process, including a site-specific Official Plan Amendment and Zoning By-law Amendment. The development is currently being reviewed through the Town's Site Plan Approval process to facilitate six multi-unit buildings contained within a condominium-tenured campus.

Official Plan Designation (including any applicable Secondary Plan designations)

Within the Town of Milton Official Plan, the Subject Property is split designated whereby Buildings 'A' and 'B' are within the Business Park Area designation and Buildings 'C' to

Official Plan Designation (including any applicable Secondary Plan designations)

'F' are within the Industrial Area designation. It is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan.

Zoning

Through the site-specific re-zoning process, the Subject Property was split zoned as four site-specific zones, including Business Park Area (M1*347), Business Park Area (M1*348), General Industrial Area (M2*349), and General Industrial Area (M2*350) within the Town of Milton Urban Zoning By-law.

For the purposes of this application, the relief being sought only applies to Building 'E' which is zoned as M2*350.

Section 5.11 Table 5J of the parent Zoning By-law 016-2014, as amended, requires that buildings with a gross floor area exceeding 2,326 square metres must provide two loading spaces.

Staff note that when determining the number of required loading spaces, the gross floor area is calculated on the cumulative area of the building regardless of if it's intended to be multi-unit or not. For context, per Table 5J, if the gross floor area of a building with less than 280 square metres, no loading spaces would be required.

ConsultationPublic Consultation

Notice for the hearing was provided pursuant to the Planning Act on September 09, 2026. As of the writing of this report on, September 17, 2026, staff have not received any comments from members of the public.

Agency Consultation

No objections were filed with respect to the variance application from Town Staff or external agencies.

Development Services Comments

The applicant has requested a minor variance to facilitate the construction of Building 'E' within the proposed industrial condominium. Staff has reviewed the site extensively through both the site-specific OPA and ZBA applications and subsequently, through the site plan application that is nearing final approval.

Through the original approvals, the site was designed to have a communal parking supply with distribution and ownership clarified through the condominium process (i.e. bundled vs. unbundled). However, Planning Staff and Transportation Staff is confident that the



Consultation

parking provided is sufficient for the cumulative gross floor area on the site, along with the range and mix of uses permitted.

While no dedicated loading spaces are proposed at Building 'E', Staff offers no objection given the units maintain an individual gross floor area of 280 square metres (which should the units have been standalone structures, the Zoning By-law would have required no loading spaces as-of-right). Additionally, the operational needs of each unit, including the range of permitted uses, do not warrant the use of larger logistics vehicles, such as transport trucks. Delivery vans are expected to be sufficient and can access the units by way of the roll-up doors at the rear of the building.

Further, Building 'E' has vehicular parking located immediately along its frontage. Should a small delivery vehicle park in this area while completing a delivery, Staff recognize that the building has an ample parking supply, deliveries are generally expected to occur during non-peak periods, and delivery vehicles are temporary in nature. As such, any use of a parking space for delivery purposes would be limited to the time required to complete the delivery and not tangibly impact the existing parking supply.

Based on the aforementioned, Planning Staff is satisfied that the relief requested is minor in nature, desirable for the development of the subject lands, maintains the intent of the Zoning By-law and conforms to the Official Plan. As such, Staff offer no objection to the approval of this application subject to the condition of approval being proposed.

Respectfully submitted,

Rachel Suffern, MPA, M.Sc. (PI), MCIP, RPP
Senior Planner, Development Review

For questions, please contact: Rachel.Suffern@Milton.ca Phone: Ext. 2263

Attachments

Figure 1 – Concept Plan

WARE MALCOMB

6220 Highway 7, Suite 300
Vaughan, ON L4H 0R1, Canada
P 905.760.1221

CIVIL ENGINEERING
BRANDING
BUILDING MEASUREMENT
ARCHITECTURE
PLANNING
INTERIORS



KOLT INVESTMENTS

MILTON GATES DEVELOPMENT

11801 DERRY ROAD,
MILTON, ON
CANADA

OVERALL SITE PLAN

DATE	REMARKS
2024-01-22	ISSUED FOR OP/PAZBA
2024-07-30	ISSUED FOR SPA
2024-12-06	ISSUED FOR SPA RESUBMISSION
2024-12-20	ISSUED FOR PERMIT
2025-04-11	ISSUED FOR TENDER
2025-11-24	ISSUED FOR COORDINATION
2025-02-17	ISSUED FOR SPA RESUBMISSION
2025-07-24	ISSUED FOR SPA RESUBMISSION

PA / PM:

J.S.

DRAWN BY:

J.S.

JOB NO.:

TOR22-0045-00

SHEET

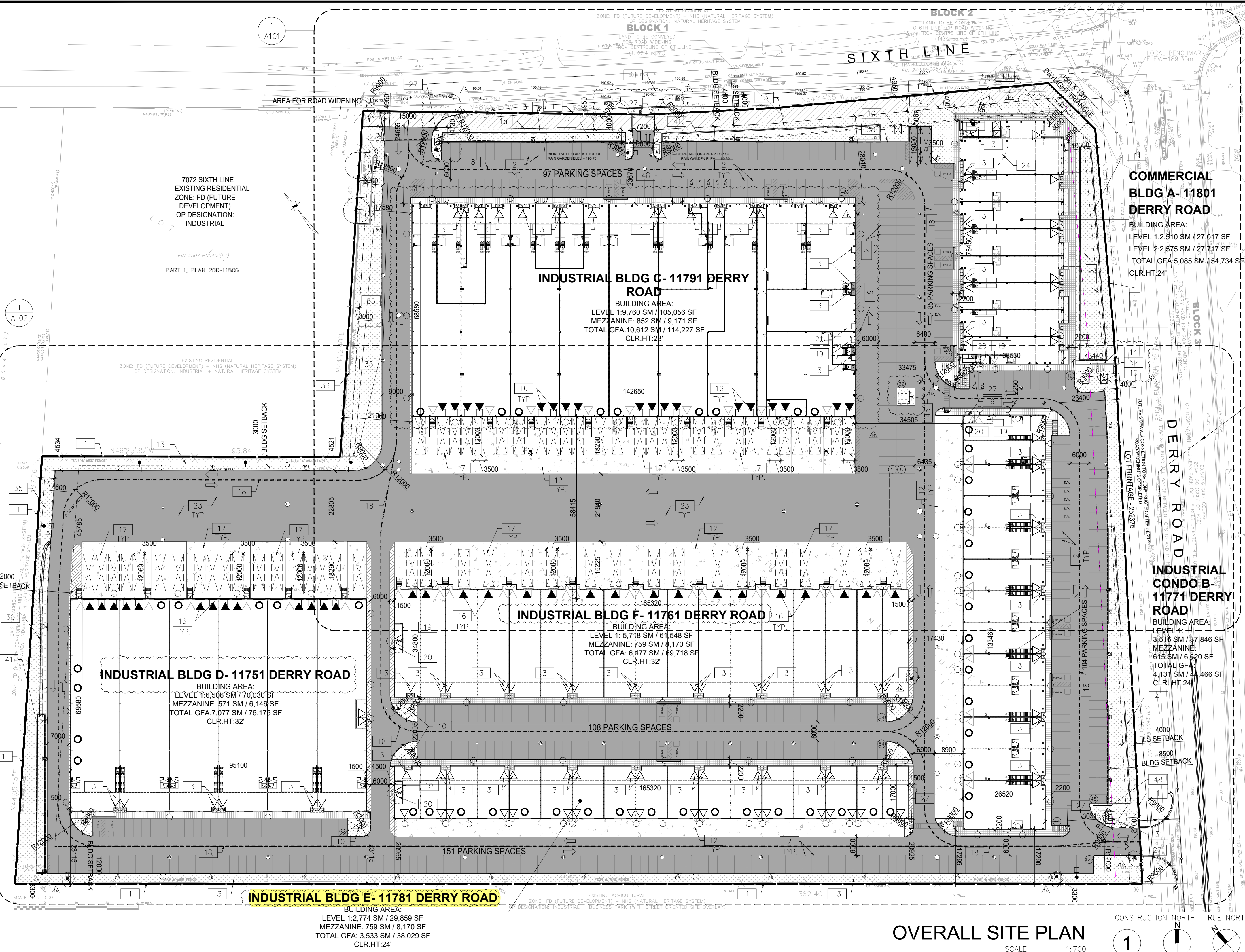
A100

SITE STATISTICS			Site Specific M1, M2 (Bylaw 041-2024)
Building Classification			Group F2 (O.B.C. A-3.1.2.1.(1))
GROSS SITE AREA			76,134.00m²
NET SITE AREA (EXCLUDING ROAD WIDENING)			75,028.58m²
Zone Permitted Use (Town of Milton Comprehensive Zoning By-law 016-2014)			
GROSS FLOOR AREA:			
BUILDING A (M1 Zone)			54,734 SF
Level 1			27,017 SF
Level 2			27,717 SF
BUILDING B (M1 Zone)			44,466 SF
Ground Level			37,846 SF
Mezzanine Level			6,620 SF
BUILDING C (M2 Zone)			114,227 SF
Ground Level			105,056 SF
Mezzanine Level			9,171 SF
BUILDING D (M2 Zone)			76,176 SF
Ground Level			70,030 SF
Mezzanine Level			6,146 SF
BUILDING E (M2 Zone)			38,029 SF
Ground Level			29,859 SF
Mezzanine Level			8,170 SF
BUILDING F (M2 Zone)			69,718 SF
Ground Level			61,548 SF
Mezzanine Level			8,170 SF
TOTAL G.F.A.			397,350 SF
Requirements (Site-specific M1)			
As per Table 88 of bylaw 016-2014 and bylaw 041-2024			
Gross Floor Area			36,915.00m²
Min. Lot Area (sm)			75,028.58m²
Min. Lot Frontage (m)			252.38m
Min. Front Yard Building Setback (m) (Derry Road)			10.30m
Min. Exterior (North) Side Yard Building Set back (m)			4.40m
Min. Interior (South) Side Yard Building Set back (m)			17.29m
Min. Rear Yard Building Setback (m)			12.00m
Maximum Building Height (m)			12.24m
Min. Landscape Area (% of Lot Area)			12.5%
Min. Landscape Buffer (m) (abutting a streetline)			4.00m
Requirements (Site-specific M2)			
As per Table 88 of bylaw 016-2014 and bylaw 041-2024			
Gross Floor Area			36,915.00m²
Min. Lot Area (sm)			75,028.58m²
Min. Lot Frontage (m)			252.38m
Min. Front Yard Building Setback (m) (Derry Road)			10.30m
Min. Exterior (North) Side Yard Building Set back (m)			4.40m
Min. Interior (South) Side Yard Building Set back (m)			17.29m
Min. Rear Yard Building Setback (m)			12.00m
Min. Lot Coverage (%)			28.7%
Maximum Building Height (m)			12.24m
Min. Landscape Area (% of Lot Area)			12.5%
Min. Landscape Buffer (m) (abutting a streetline)			4.00m
Building Gross Floor Area			36,915.00m²
Warehouse Area			28,274.00m²
Office Area			8,641.00m²
Parking Calculations			
Total no. of Parking Spaces - As per Table 5G of bylaw 016-2014			545
Accessible Parking Spaces (Included in Total Parking spaces)			18
- As per Table 5H of bylaw 016-2014			
Parking Stall Dimensions - As per bylaw 016-2014			
Drive Aisle Width - Table 5C:			6m
Off-street parking - Table 5D			
Bicycle Parking Calculations			
61% of the required parking spaces - As per Table 5I of bylaw 016-2014			33
Total no. of Bicycle Parking Spaces			33
Bicycle Parking Space Dimensions - As per Table 5J of bylaw 016-2014			1.8m X 0.6m
Loading Space Calculations			
63% of 119,300 SM in excess of 7441 SM - As per Table 5J of bylaw 016-2014			64
Total no. of Loading Spaces			64
Loading Space Dimensions - As per Table 5D of bylaw 016-2014			5.4m X 7.3m X 12.0m



VICINITY MAP

SCALE: NOT TO SCALE



OVERALL SITE PLAN

SCALE: 1:700

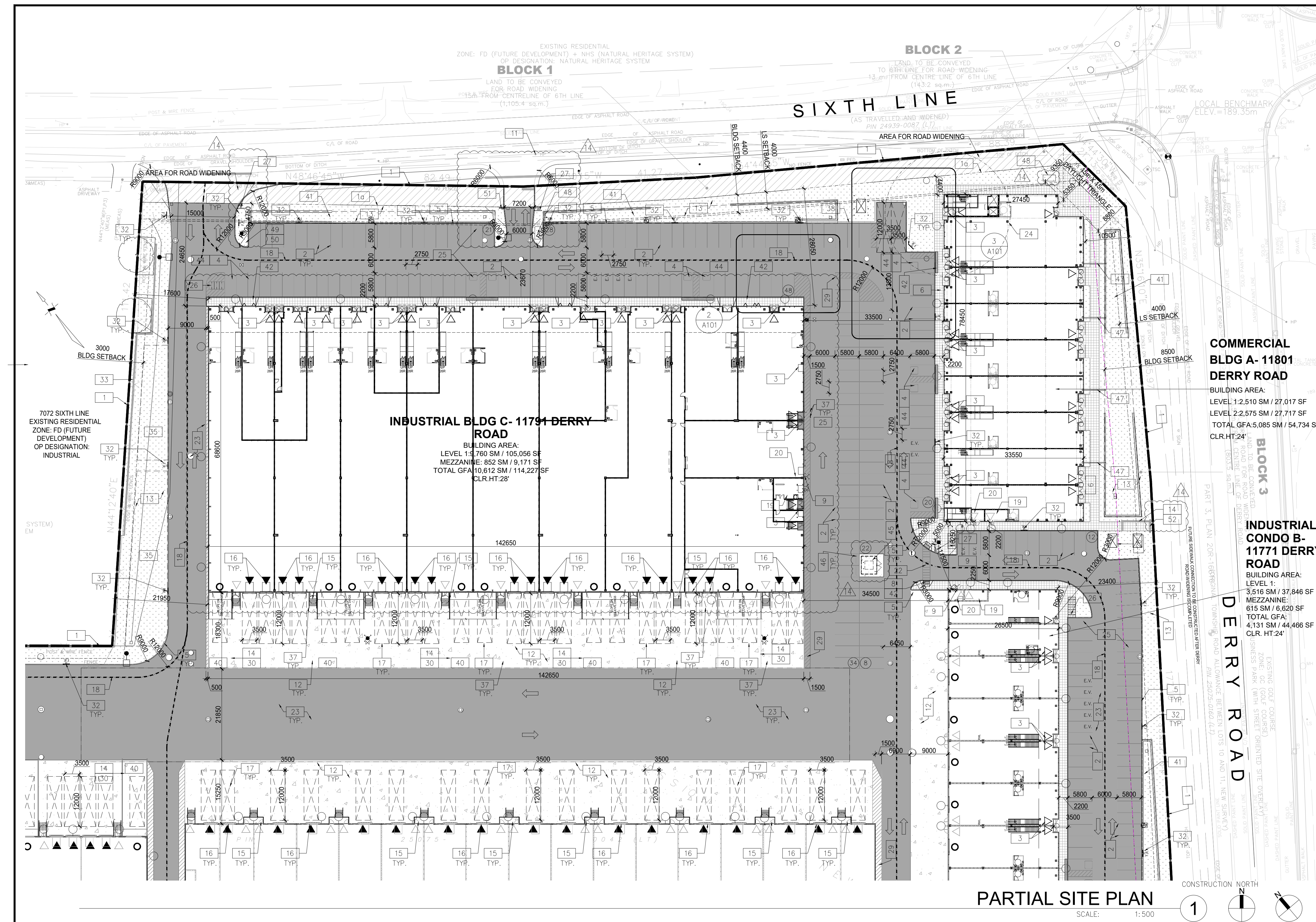
GENERAL NOTES

- EXISTING PROPERTY LINE
- 2750x5800 PARKING STALL, PAINTED PARKING STRIPING PER CITY STANDARDS, WITH 6M WIDE DOUBLE LOADED AISLE.
- PRINCIPLE ENTRY - TENANT FIT-UP SUBJECT TO INTERIOR ALTERATION PERMIT
- TYPICAL SHARED ACCESSIBLE PARKING STALLS, PAINTED PARKING STRIPING PER CITY STANDARDS, TO HAVE (2) TYPE B (2750x5800), (2) TYPE A STALLS (3400x5800), OR ONE OF EACH WITH 1500mm PATH STRIP BETWEEN - REFER TO CITY OF MILTON'S ACCESSIBLE PARKING STANDARDS.
- 150mm WIDE CURB TYPICAL
- MIN. 1500mm WIDE SIDEWALK TYPICAL U.N.O
- TRAILER PARKING STALL - 12'-0" X 55'-0"
- ACCESSIBLE CURB RAMP AS PER DETAIL
- FIRE DEPARTMENT CONNECTION / SIAMASE
- PROPOSED LOCATION OF TRANSFORMER C/W CONCRETE PAD
- EXISTING HYDRO POLE TO BE RELOCATED, MILTON HYDRO TO DETERMINE FINAL LOCATION
- CONCRETE APRON
- LANDSCAPE AREA - SEE LANDSCAPE DWGS.
- PEDESTRIAN RAIL (1070mm HIGH) SET INTO RETAINING WALL WHERE GRADE CHANGE GREATER THAN 600mm. PROVIDE CONCRETE-FILLED STEEL BOLLARD AT END OF RETAINING WALL - SEE CIVIL DWGS.
- EXTERIOR STEEL STAIRS W/ TUBE STEEL GUARDRAIL, TYP.
- TRUCK LOADING DOCK (TYPICAL)
- LOADING SPACE - L.S. (MIN. 3.5m x 12.0m)
- FIRE ACCESS ROUTE W/ 12M TURNING RADIUS
- PROPOSED ELECTRICAL ROOM
- PROPOSED MECHANICAL ROOM
- CURB RADI AT ENTRANCES WITHIN MUNICIPAL SIDEWALK LIMITS TO CONFORM TO OPSD 350.010. - SEE CIVIL DWGS.
- 1.8M WIDE PAINTED PEDESTRIAN PATHWAY
- HATCHED AREA DENOTES HEAVY DUTY ASPHALT, TYPICAL FOR ALL AREAS REQUIRING FIRE TRUCK OR TRACTOR TRUCK ACCESS.
- 15.0m CENTERLINE RADIUS DISTANCE TO FIRE ACCESS ROAD
- HATCHED AREA DENOTES LIGHT DUTY ASPHALT, TYPICAL FOR ALL AREAS NOT REQUIRING FIRE TRUCK OR TRACTOR TRUCK ACCESS.
- INVERTED U-SHAPE GALVANIZED BICYCLE RACKS MIN. 1.8mX0.6m PER SPACE
- PROPOSED STOP SIGN LOCATION
- PRESSED PATTERNED ASPHALT PEDESTRIAN PATHWAY
- YELLOW PAINTED LINES
- PROPOSED OVERLAND FLOW SWALE REFER TO CIVIL
- PROPOSED ELECTRICAL PANEL REFER TO CIVIL
- PROPOSED FIRE ROUTE SIGN LOCATION
- PROPOSED 4.0m NOISE BARRIER AS PER MILTON STD 10-03.02 (OR EQUIVALENT) NOISE BARRIER TO BE DETERMINED AT THE TIME OF CONSTRUCTION
- PROPOSED AMENITY AREA
- SNOW STORAGE, EXCESS TO BE REMOVED OFF SITE
- PROPOSED CHAIN-LINK FENCE
- CONCRETE/STEEL SAFETY BOLLARD
- PRIVACY SCREEN WITH 0.3M HIGH OPENING AT BOTTOM. REFER TO CIVIL FOR CURB CUT UNDER THE SCREEN WALL. PROPOSED PYLON SIGNAGE
- DRIVE-IN RAMP WITH GALVANIZED GUARDRAIL ON EACH SIDE. SEE CIVIL DWGS FOR SLOPE %
- BIORIENTATION AREA REFER TO CIVIL
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- MIN. 3m WIDE CONCRETE DOLLY PAD AT TRAILER STALLS
- ACCESSIBLE PARKING GRADE SLOPING UP TO MEET PROPOSED CURB LEVEL
- GARBAGE BIN ENCLOSURE
- CONCRETE WHEELSTOP
- PROPOSED GRATE REFER TO CIVIL (SHEET D4)
- PROPOSED PYLON SIGNAGE
- TRAFFIC SIGNAGE RB-61 "PERMISSIVE TRUCK ROUTE"
- TRAFFIC SIGNAGE RB-61TR "MOVEMENT PERMITTED TAB"
- TRAFFIC SIGNAGE "NO HEAVY TRUCKS" RB-62 SIGN
- TEMPORARY PEDESTRIAN BARRICADE TO BE PROVIDED UNTIL SIDEWALK CONNECTION TO DERRY ROAD PUBLIC INFRASTRUCTURE CAN BE MADE. "NO ACCESS" SIGNAGE TO BE PROVIDED

SITE LEGEND

- NEW HEAVY DUTY PAVEMENT (HATCHED)
- NEW LIGHT DUTY PAVEMENT (HATCHED)
- NEW CONCRETE APRON (HATCHED)
- NEW CONCRETE SIDEWALK (HATCHED)
- LANDSCAPE AREA
- DETECTABLE TACTILE WARNING SURFACE, CONFORMING TO 2012 O.B.C.
- FIRE ACCESS ROUTE WITH 12M TURNING RADIUS
- TRUCK LOADING DOCK DOOR
- KNOCK OUT PANEL
- MAN DOOR ENTRY
- EXIT DOOR LOCATION
- FIRE DEPT CONNECTION (VERIFY LOCATION WITH CIVIL DRAWINGS)
- PROPOSED FIRE HYDRANT (VERIFY LOCATION WITH CIVIL DRAWINGS)
- EXISTING FIRE HYDRANT (VERIFY LOCATION WITH CIVIL DRAWINGS)
- 1500mm WIDE DEPRESSED CURB FOR ACCESSIBLE PARKING AND PEDESTRIAN ACCESS - REFER TO DETAIL 4/A1.2
- PAINTED CARPOOL PARKING SPACE SYMBOL
- BARRIER FREE PARKING SIGN
- BARRIER FREE PARKING SIGN WITH VAN TAB
- DRIVE-IN DOOR
- NEW STOP SIGN
- NEW FIRE ROUTE SIGN
- NEW 'NO TRACTOR-TRAILER ACCESS' SIGN
- PROPOSED DEPRESSED CURB
- GAS METER & PRESSURE REGULATING STATION BY GAS COMPANY
- LIGHT FIXTURES, REFER ELECTRICAL DWG FOR DETAILS
- LIGHT POLES, REFER ELECTRICAL DWG FOR DETAILS
- PROPOSED EV CHARGING STATIONS
- PROPOSED CATCHBASIN
- MANHOLE
- EXISTING HYDRO POLE

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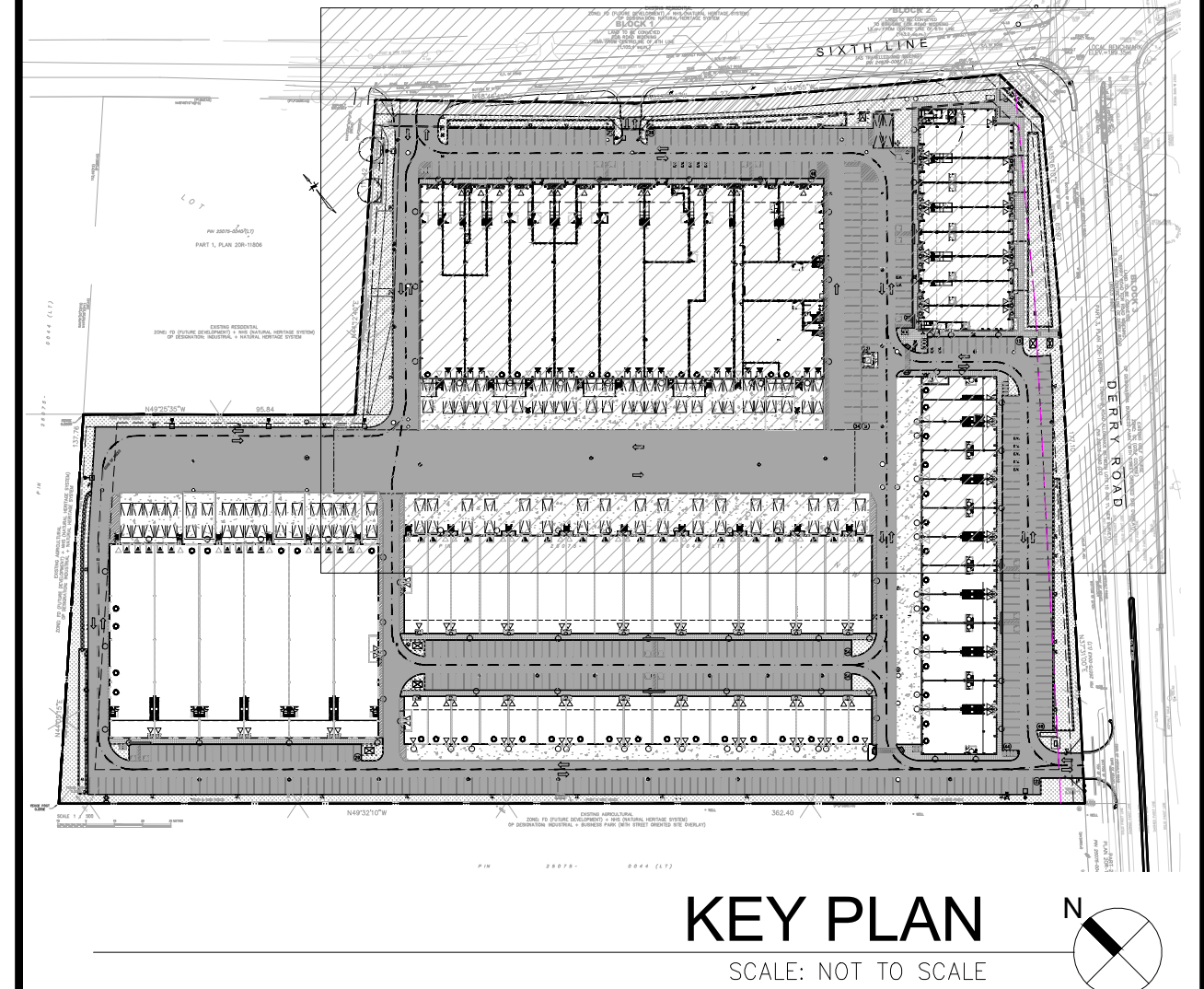
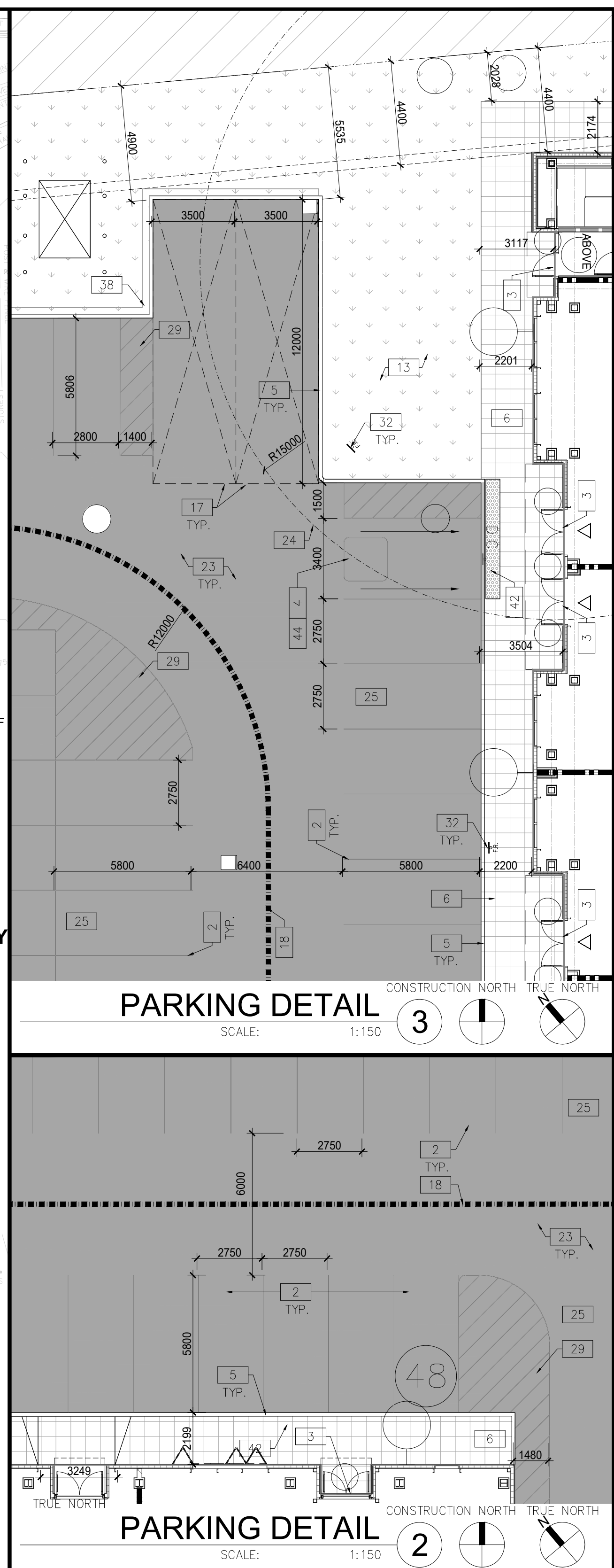


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- PROPOSED ELECTRICAL PANEL REFER TO CIVIL
- PROPOSED FIRE ROUTE SIGN LOCATION
- PROPOSED 4.0m NOISE BARRIER AS PER MILTON STD 10-03.02 (OR EQUIVALENT) NOISE BARRIER TO BE DETERMINED AT THE TIME OF CONSTRUCTION
- PROPOSED AMENITY AREA
- SNOW STORAGE, EXCESS TO BE REMOVED OFF SITE
- PROPOSED CHAIN-LINK FENCE
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SITE LEGEND

- | | | | | |
|--|--|--|-------|--|
| | NEW HEAVY DUTY PAVEMENT (HATCHED) | | CP | PAINTED CARPOOL PARKING SPACE SYMBOL |
| | NEW LIGHT DUTY PAVEMENT (HATCHED) | | BFPS | BARRIER FREE PARKING SIGN |
| | NEW CONCRETE APRON (HATCHED) | | BFPVS | BARRIER FREE PARKING SIGN WITH VAN TAB |
| | NEW CONCRETE SIDEWALK (HATCHED) | | STOP | NEW STOP SIGN |
| | LANDSCAPE AREA | | F.R. | NEW FIRE ROUTE SIGN |
| | DETECTABLE TACTILE WARNING SURFACE, CONFORMING TO 2012 O.B.C. | | D.C. | NEW 'NO TRACTOR TRAILER ACCESS' SIGN |
| | FIRE ACCESS ROUTE WITH 12M TURNING RADIUS | | FM | PROPOSED DEPRESSED CURB |
| | TRUCK LOADING DOCK DOOR | | FM | GAS METER & PRESSURE REGULATING STATION BY GAS COMPANY |
| | KNOCK OUT PANEL | | FM | PROPOSED CATCHBASIN |
| | MAN DOOR ENTRY | | FM | PROPOSED CATCHBASIN |
| | EXIT DOOR LOCATION | | FM | PROPOSED CATCHBASIN |
| | FIRE DEPT CONNECTION (VERIFY LOCATION WITH CIVIL DRAWINGS) | | FM | PROPOSED CATCHBASIN |
| | PROPOSED FIRE HYDRANT (VERIFY LOCATION WITH CIVIL DRAWINGS) | | FM | PROPOSED CATCHBASIN |
| | EXISTING FIRE HYDRANT (VERIFY LOCATION WITH CIVIL DRAWINGS) | | FM | PROPOSED CATCHBASIN |
| | 1500mm WIDE DEPRESSED CURB FOR ACCESSIBLE PARKING AND PEDESTRIAN ACCESS - REFER TO DETAIL 4/A1.2 | | FM | PROPOSED CATCHBASIN |



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Vaughan, ON L4H 0R1, Canada
P 905.760.1221

ONTARIO ASSOCIATION OF ARCHITECTS
Ana Catalina Rocha
ANA CATALINA ROCHA
LICENCE 7266

KOLT
INVESTMENTS

MILTON GATES DEVELOPMENT

11801 DERRY ROAD,
MILTON, ON
CANADA

PART SITE PLAN

DATE	REMARKS
2024-01-22	ISSUED FOR OPA/2BA
2024-07-30	ISSUED FOR SPA
2024-12-06	ISSUED FOR SPA RESUBMISSION
2024-12-20	ISSUED FOR PERMIT
2025-04-11	ISSUED FOR TENDER
2025-11-24	ISSUED FOR COORDINATION
2025-02-17	ISSUED FOR SPA RESUBMISSION
2025-07-24	ISSUED FOR SPA RESUBMISSION

PA / PM:	J.S.
DRAWN BY:	J.S.
JOB NO.:	TOR22-0045-00

A101

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KOLT
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11801 DERRY ROAD,
MILTON, ON
CANADA

PART SITE PLAN

DATE	REMARKS
2024-01-22	ISSUED FOR OPA/2BA
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2025-07-24	ISSUED FOR SPA RESUBMISSION

PA / PM:

J.S.

DRAWN BY:

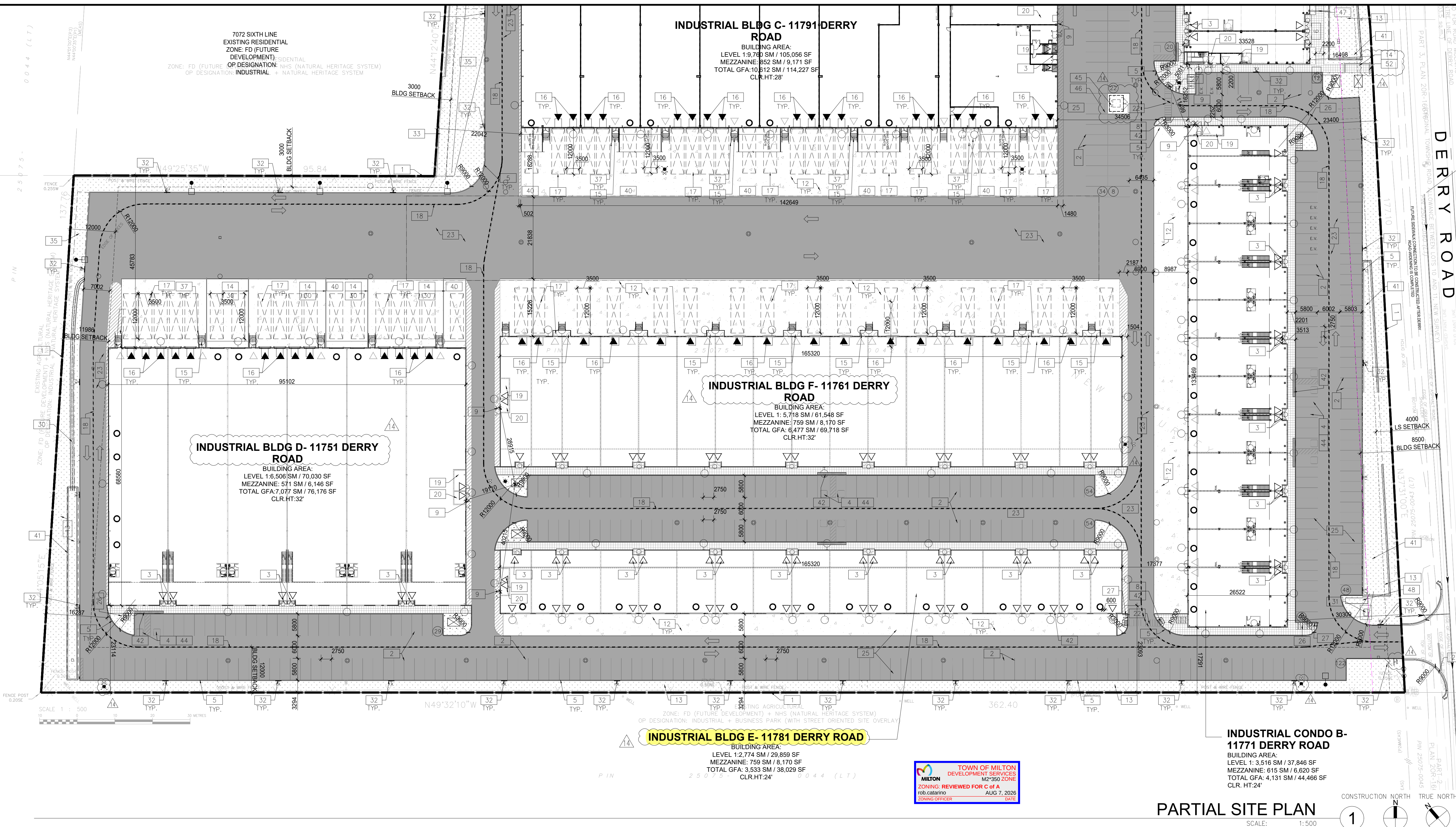
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JOB NO.:

TOR22-0045-00

SHEET

A102

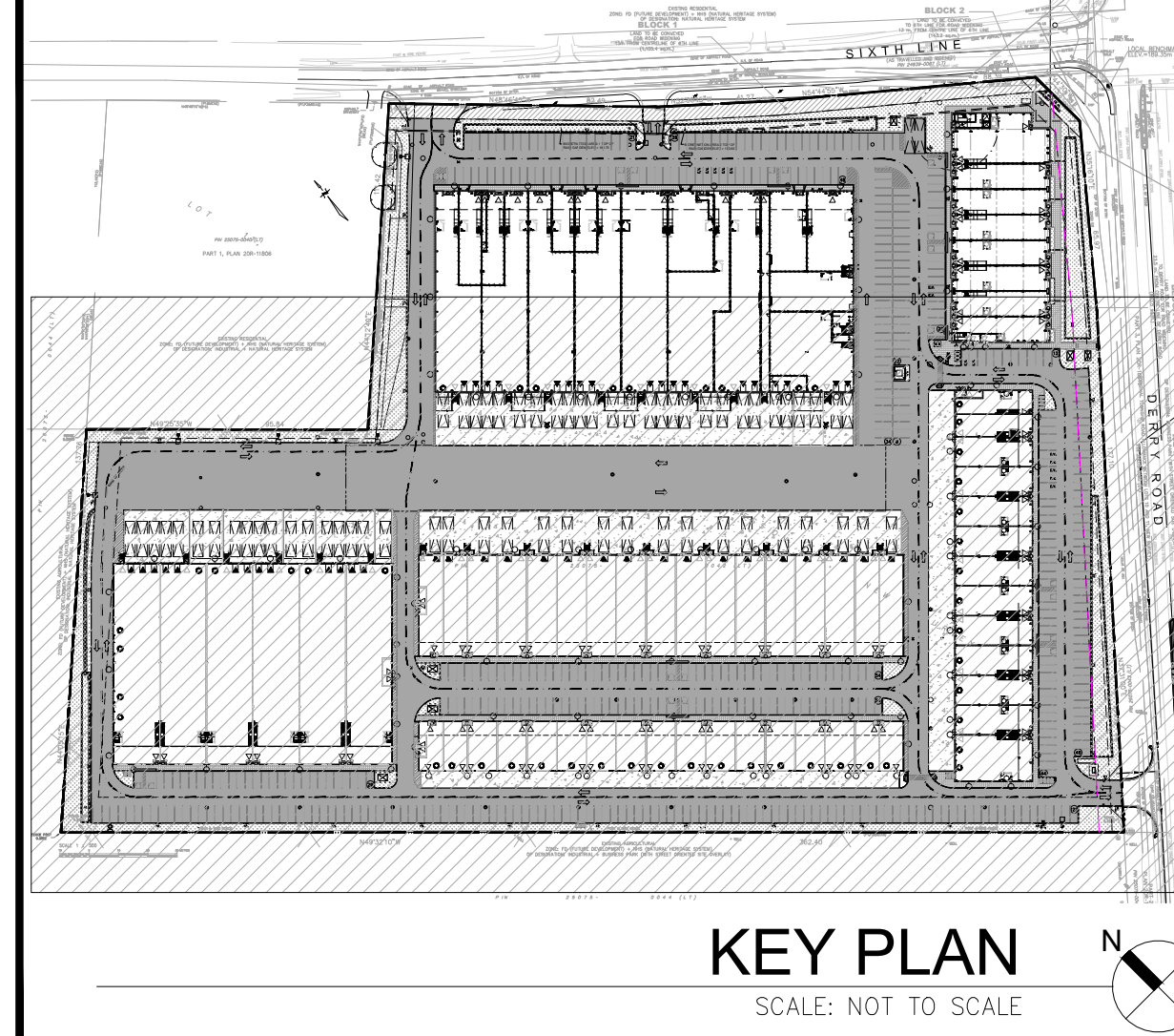


GENERAL NOTES

- EXISTING PROPERTY LINE 1a PROPERTY LINE AFTER ROAD WIDENING
- 2750x5800 PARKING STALL, PAINTED PARKING STRIPING PER CITY STANDARDS, WITH 6M WIDE DOUBLE LOADED AISLE.
- PRINCIPLE ENTRY - TENANT FIT-UP SUBJECT TO INTERIOR ALTERATION PERMIT
- TYPICAL SHARED ACCESSIBLE PARKING STALLS, PAINTED PARKING STRIPING PER CITY STANDARDS, TO HAVE (2) TYPE B (2750x5800), (2) TYPE A STALLS (3400x5800), OR ONE OF EACH WITH 1500mm PATH STRIP BETWEEN - REFER TO CITY OF MILTON'S ACCESSIBLE PARKING STANDARDS.
- 150mm WIDE CURB TYPICAL
- MIN. 1500mm WIDE SIDEWALK TYPICAL U.N.O
- TRAILER PARKING STALL - 12'-0" x 55'-0"
- ACCESSIBLE CURB RAMP AS PER DETAIL
- FIRE DEPARTMENT CONNECTION / SIAMESE
- PROPOSED LOCATION OF TRANSFORMER C/W CONCRETE PAD
- EXISTING HYDRO POLE TO BE RELOCATED, MILTON HYDRO TO DETERMINE FINAL LOCATION
- CONCRETE APRON
- LANDSCAPE AREA - SEE LANDSCAPE DWGS.
- PEDESTRIAN RAIL (1070mm HIGH) SET INTO RETAINING WALL WHERE GRADE CHANGE GREATER THAN 600mm. PROVIDE CONCRETE-FILLED STEEL BOLLARD AT END OF RETAINING WALL - SEE CIVIL DWGS.
- EXTERIOR STEEL STAIRS W/ TUBE STEEL GUARDRAIL, TYP.
- TRUCK LOADING DOCK (TYPICAL)
- LOADING SPACE - L.S. (MIN. 3.5m x 12.0m)
- FIRE ACCESS ROUTE W/ 12M TURNING RADIUS (---)
- PROPOSED ELECTRICAL ROOM
- PROPOSED MECHANICAL ROOM
- CURB RADII AT ENTRANCES WITHIN MUNICIPAL SIDEWALK LIMITS TO CONFORM TO OPSD 350.010. - SEE CIVIL DWGS.
- 1.8M WIDE PAINTED PEDESTRIAN PATHWAY
- HATCHED AREA DENOTES HEAVY DUTY ASPHALT, TYPICAL FOR ALL AREAS REQUIRING FIRE TRUCK OR TRACTOR TRUCK ACCESS.
- 15.0m CENTERLINE RADIUS DISTANCE TO FIRE ACCESS ROAD
- HATCHED AREA DENOTES LIGHT DUTY ASPHALT, TYPICAL FOR ALL AREAS NOT REQUIRING FIRE TRUCK OR TRACTOR TRUCK ACCESS.
- INVERTED U-SHAPE GALVANIZED BICYCLE RACKS MIN. 1.8m x 0.6m PER SPACE
- PROPOSED STOP SIGN LOCATION
- PRESSED PATTERNED ASPHALT PEDESTRIAN PATHWAY
- YELLOW PAINTED LINES
- PROPOSED OVERLAND FLOW SWALE REFER TO CIVIL
- PROPOSED ELECTRICAL PANEL REFER TO CIVIL
- PROPOSED FIRE ROUTE SIGN LOCATION
- PROPOSED 4.0m NOISE BARRIER AS PER MILTON STD 10-03.02 (OR EQUIVALENT) NOISE BARRIER TO BE DETERMINED AT THE TIME OF CONSTRUCTION
- PROPOSED AMENITY AREA
- SNOW STORAGE, EXCESS TO BE REMOVED OFF SITE
- PROPOSED CHAIN-LINK FENCE
- CONCRETE/STEEL SAFETY BOLLARD
- PRIVACY SCREEN WITH 0.3M HIGH OPENING AT BOTTOM. REFER TO CIVIL FOR CURB CUT UNDER THE SCREEN WALL. PROPOSED PYLON SIGNAGE
- DRIVE-IN RAMP WITH GALVANIZED GUARDRAIL ON EACH SIDE. SEE CIVIL DWGS FOR SLOPE %
- BIORIENTATION AREA REFER TO CIVIL
- DETECTABLE TACTILE WARNING SURFACE, CONFORMING TO 2012 O.B.C. MIN. 3m WIDE CONCRETE DOLLY PAD AT TRAILER STALLS
- ACCESSIBLE PARKING GRADE SLOPING UP TO MEET PROPOSED CURB LEVEL
- GARBAGE BIN ENCLOSURE
- CONCRETE WHEELSTOP
- PROPOSED GRATE REFER TO CIVIL (SHEET D4)
- PROPOSED PYLON SIGNAGE
- TRAFFIC SIGNAGE RB-61 "PERMISSIVE TRUCK ROUTE"
- TRAFFIC SIGNAGE RB-61TR "MOVEMENT PERMITTED TAB"
- TRAFFIC SIGNAGE "NO HEAVY TRUCKS" RB-62 SIGN
- TEMPORARY PEDESTRIAN BARRICADE TO BE PROVIDED UNTIL SIDEWALK CONNECTION TO DERRY ROAD PUBLIC INFRASTRUCTURE CAN BE MADE. "NO ACCESS" SIGNAGE TO BE PROVIDED

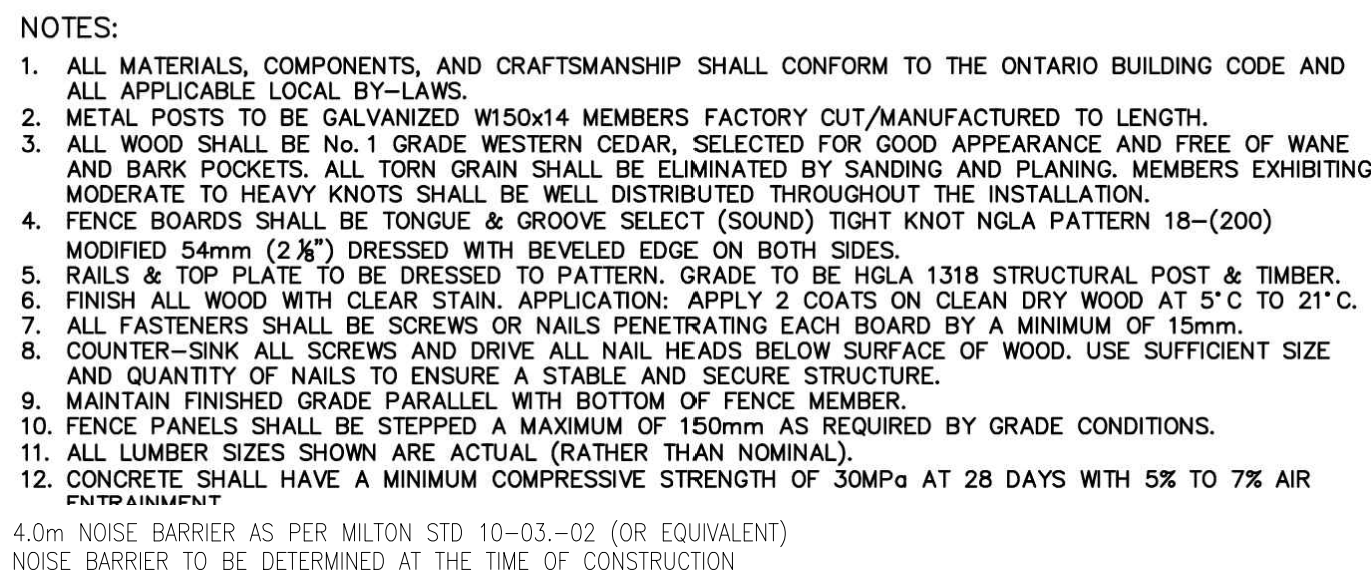
SITE LEGEND

- NEW HEAVY DUTY PAVEMENT (HATCHED)
- NEW LIGHT DUTY PAVEMENT (HATCHED)
- NEW CONCRETE APRON (HATCHED)
- NEW CONCRETE SIDEWALK (HATCHED)
- LANDSCAPE AREA
- DETECTABLE TACTILE WARNING SURFACE, CONFORMING TO 2012 O.B.C.
- FIRE ACCESS ROUTE WITH 12M TURNING RADIUS
- TRUCK LOADING DOCK DOOR
- KNOCK OUT PANEL
- MAN DOOR ENTRY
- EXIT DOOR LOCATION
- FIRE DEPT CONNECTION (VERIFY LOCATION WITH CIVIL DRAWINGS)
- PROPOSED FIRE HYDRANT (VERIFY LOCATION WITH CIVIL DRAWINGS)
- EXISTING FIRE HYDRANT (VERIFY LOCATION WITH CIVIL DRAWINGS)
- D.C. 1500mm WIDE DEPRESSED CURB FOR ACCESSIBLE PARKING AND PEDESTRIAN ACCESS - REFER TO DETAIL 4/A1.2
- CP
- B.F.P.S.
- B.F.P.S.V.
- STOP
- F.R.
- D.C.
- NEW FIRE ROUTE SIGN
- NEW "NO TRACTOR TRAILER ACCESS" SIGN
- PROPOSED DEPRESSED CURB
- GAS METER & PRESSURE REGULATING STATION BY GAS COMPANY
- LIGHT FIXTURES, REFER ELECTRICAL DWG FOR DETAILS
- LIGHT POLES, REFER ELECTRICAL DWG FOR DETAILS
- PROPOSED EV CHARGING STATIONS
- PROPOSED CATCHBASIN
- MH
- MHP/HP
- EXISTING HYDRO POLE



KEY PLAN

SCALE: NOT TO SCALE



KOLTTM

INVESTMENTS

MILTON GATES DEVELOPMENT

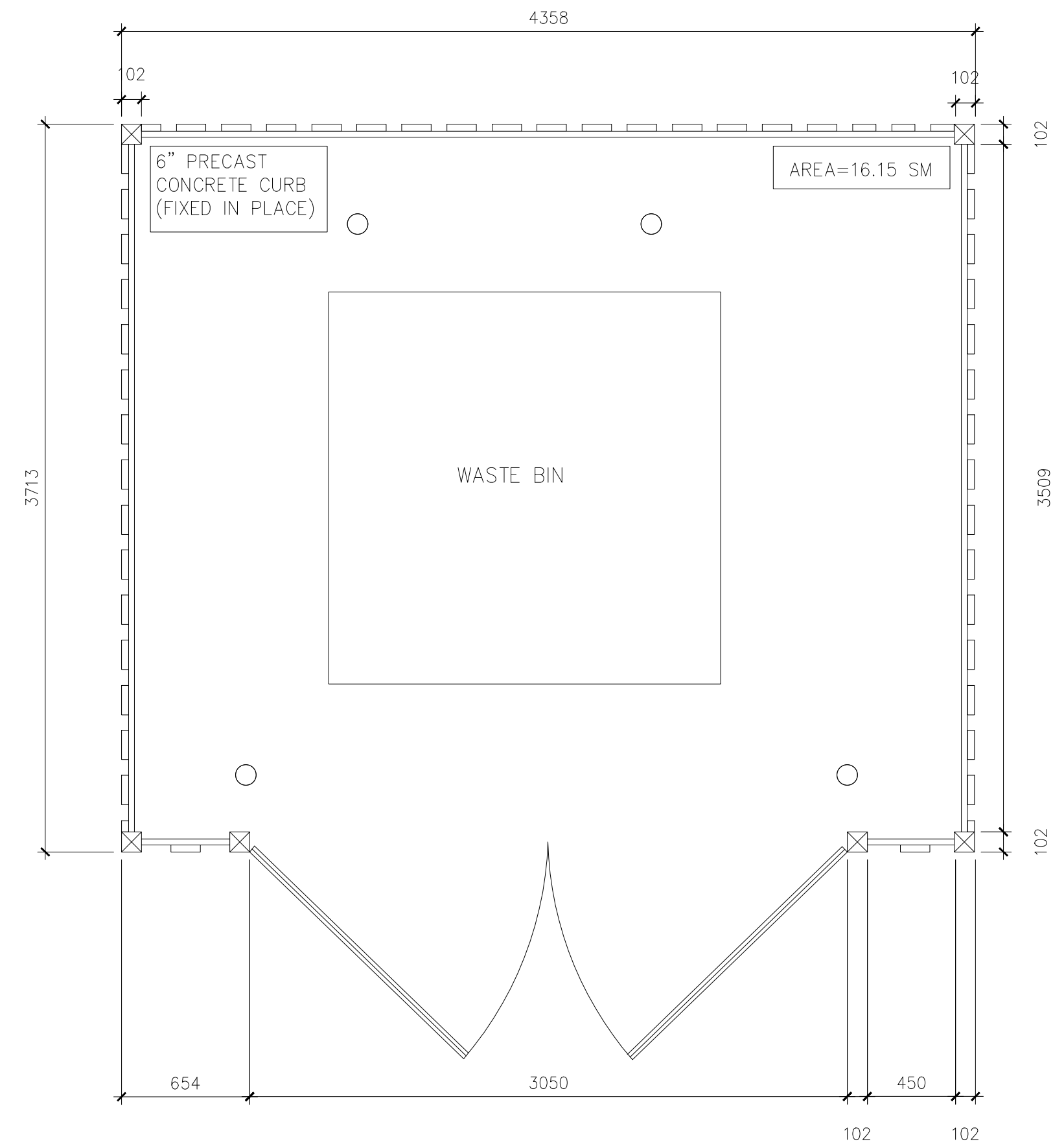
111801 DERRY ROAD,
MILTON, ON
CANADA

TYPICAL SITE DETAILS		
	DATE	REMARKS
1	2024-01-22	ISSUED FOR OPA/BA
2	2024-07-30	ISSUED FOR SPA
3	2024-12-06	ISSUED FOR SPA RESUBMISSION
4	2024-12-20	ISSUED FOR PERMIT
5	2025-04-11	ISSUED FOR TENDER
11	2025-01-24	ISSUED FOR COORDINATION
12	2025-02-17	ISSUED FOR SPA RESUBMISSION
14	2025-07-24	ISSUED FOR SPA RESUBMISSION

PA / PM:	J.S.
DRAWN BY:	JS
JOB NO.:	TOR22-0045-00

SHEET

A103

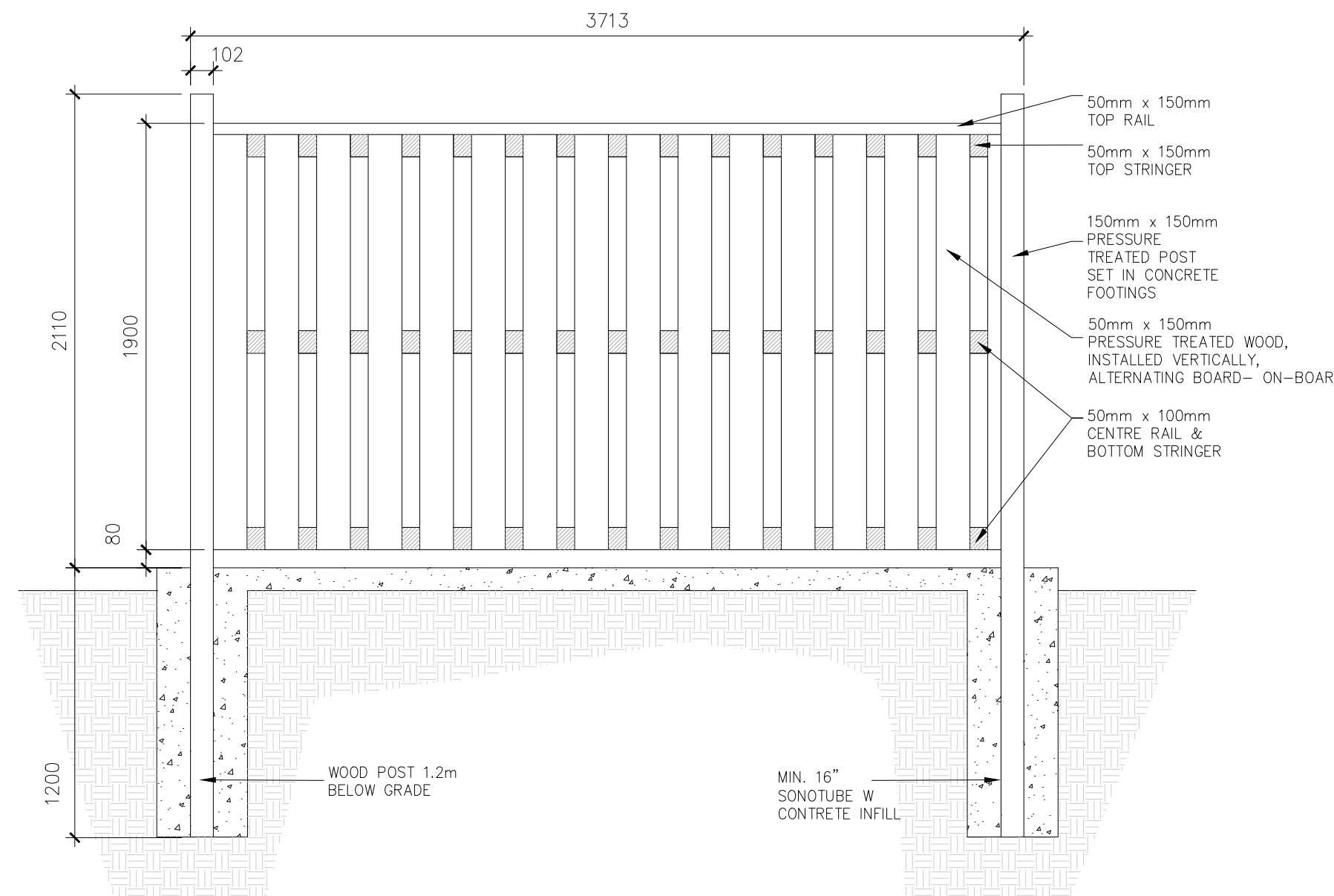


PROVIDE P.ENG
STAMPED SHOP
DRAWINGS

WASTE ENCLOSURE PLAN

SCALE: 1:25

1

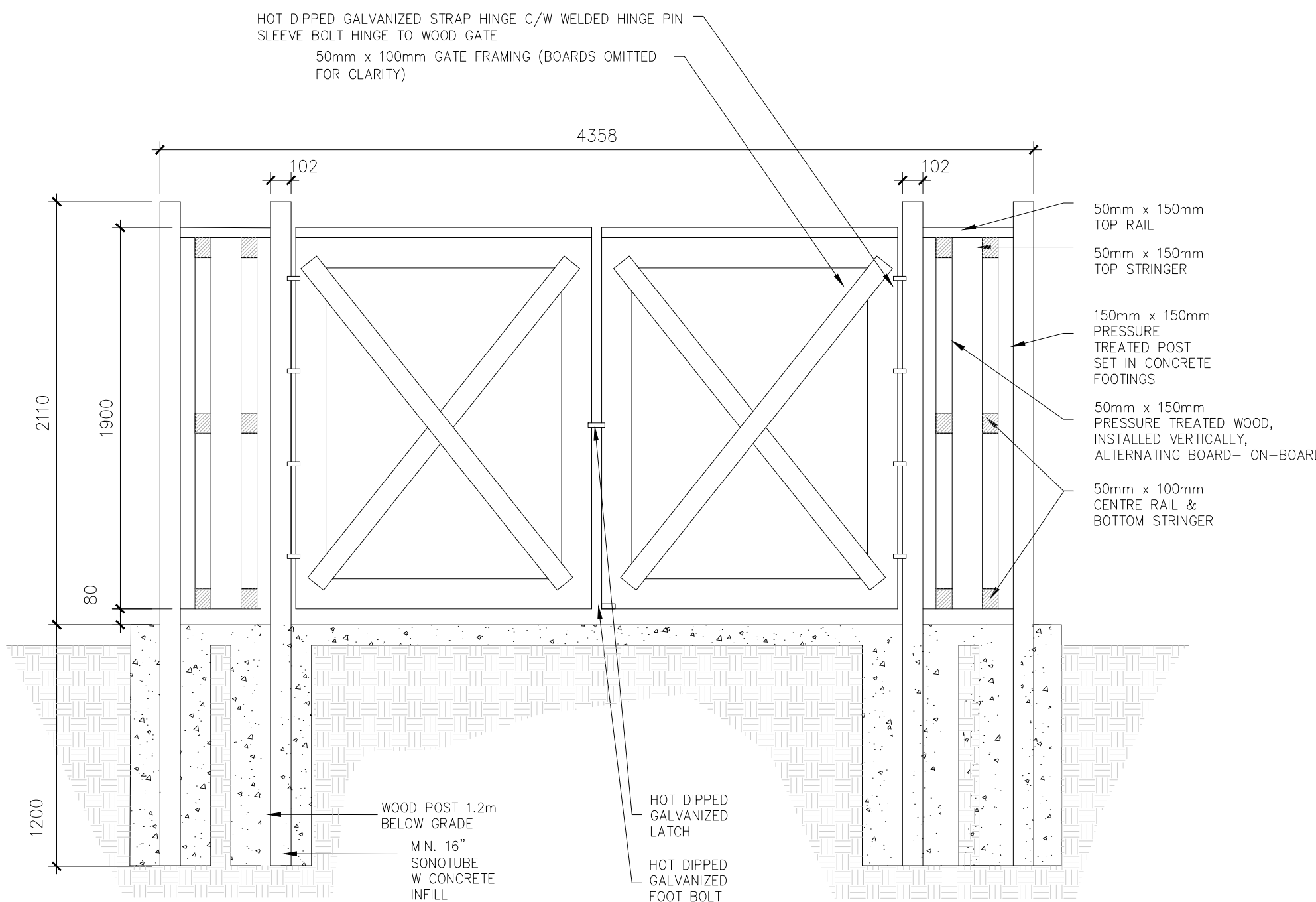


PROVIDE P.ENG
STAMPED SHOP
DRAWINGS

LEFT/ RIGHT ELEVATION

SCALE: 1:25

2

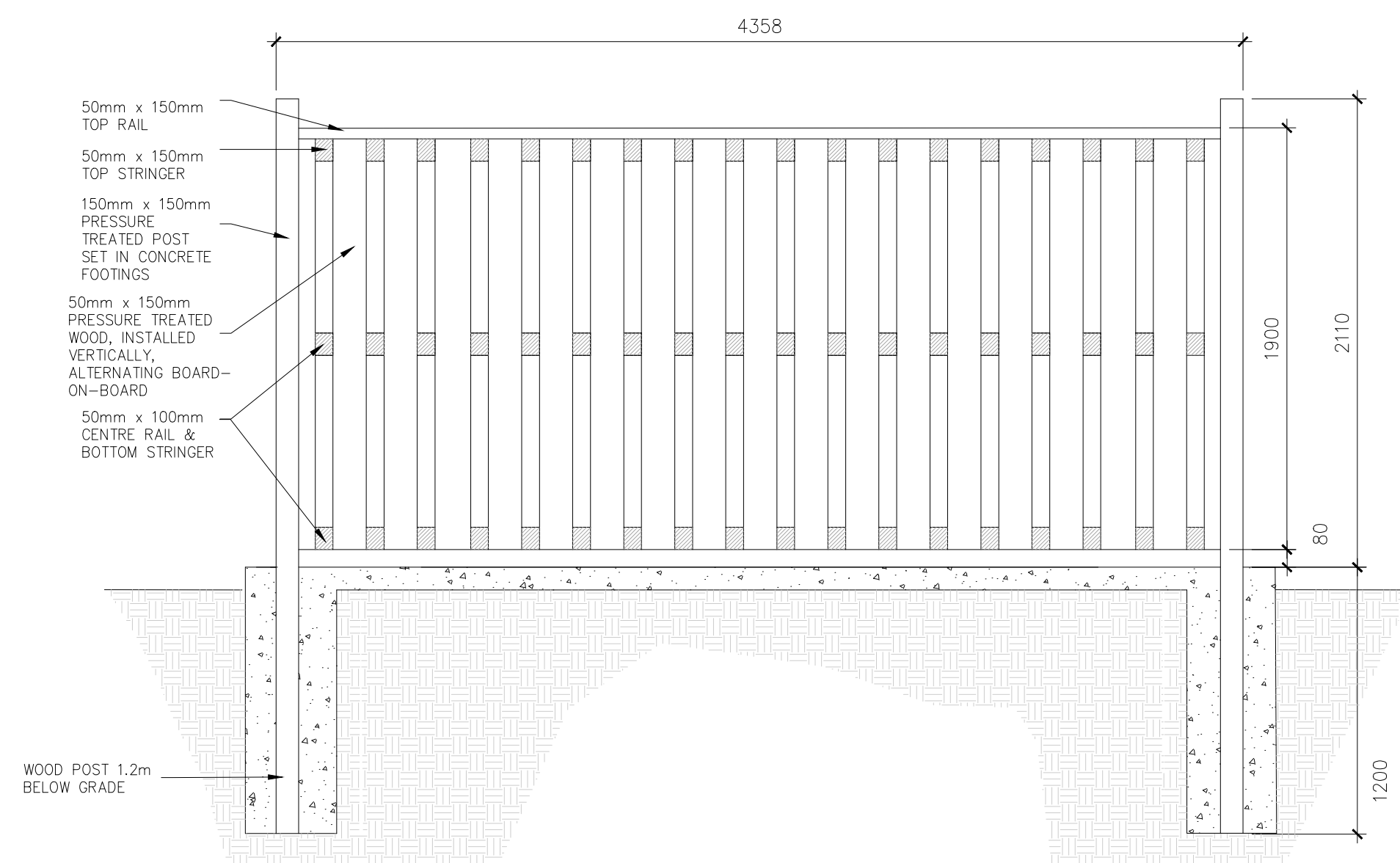


PROVIDE P.ENG
STAMPED SHOP
DRAWINGS

FRONT ELEVATION

SCALE: 1:25

3



PROVIDE P.ENG
STAMPED SHOP
DRAWINGS

REAR ELEVATION

SCALE: 1:25

4



MILTON GATES DEVELOPMENT

11801 DERRY ROAD,
MILTON, ON
CANADA

TYPICAL SITE DETAILS

DATE	REMARKS
1 2024-01-22	ISSUED FOR OPA/ZA
2 2024-07-30	ISSUED FOR SPA RESUBMISSION
3 2024-12-06	ISSUED FOR SPA RESUBMISSION
4 2024-12-20	ISSUED FOR PERMIT
5 2025-04-11	ISSUED FOR TENDER
11 2025-11-24	ISSUED FOR COORDINATION
12 2025-02-17	ISSUED FOR SPA RESUBMISSION
14 2025-07-24	ISSUED FOR SPA RESUBMISSION

PA / PM:	J.S.
DRAWN BY:	JS
JOB NO.:	TOR22-0045-00

SHEET

A104



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Olivia Hayes

Date: September 24, 2026

File No: A26-042M

Subject: 122 Manley Lane

Recommendation: THAT the application for minor variance **BE DENIED**.

General Description of Application

Under Section 45(1) of the Planning Act, the following minor variance to Zoning By-law 016-2014, as amended, has been requested to:

- Permit a driveway width of 5.25 metres, whereas a maximum width of 4 metres is permitted (+1.25 metres)

The Subject Property, known municipally as 122 Manley Lane, is located generally north of Main Street and east of Thompson Road. Currently, the Subject Property is occupied by a townhouse dwelling with an attached single garage. While the Subject Property has dual frontage onto Manley Lane and Main Street, driveway access is provided exclusively from Manley Lane; as such, this frontage is deemed to be the front lot line for the purposes of administering the Zoning By-law. The applicant has widened their driveway to accommodate parking for an extra vehicle, and the proposed minor variance seeks to legalize this existing driveway width of 5.25 metres. Prior to the expansion, the original driveway had a width of 2.75 metres.

Official Plan Designation (including any applicable Secondary Plan designations)

Halton Region Official Plan

Per Map 1 - Regional Structure, the Subject Property is designated Urban Area. Lands within the Urban Area designation are intended to accommodate the majority of the Region's residential and employment growth.

Town of Milton Official Plan

The Subject Property is within Complete Neighbourhoods per Schedule 4 - Urban Structure, and is designated Residential Area by Schedule A - Urban Area Land Use Plan. Further, the Subject Property is within the Bristol Survey Secondary Plan, and is designated Residential Area by

Official Plan Designation (including any applicable Secondary Plan designations)

Schedule C-6-D. In accordance with policy 8.2.1.1, lands within the Residential Area designation are intended to accommodate a mix of low, medium and high-density residential development.

With respect to the Bristol Survey Secondary Plan, policy C.6.3.1 states that its goal is to create a safe, liveable, attractive and healthy community in Bristol Survey which has the strong sense of community and the environment evident in Milton today, and which is designated to be integrated with the Existing Urban Area and its Central Business District.

Policy C.6.3.2.2 establishes that one objective of the Secondary Plan is to ensure through the establishment of urban design guidelines and other measures a high quality and consistent level of urban design for both public and private areas of the community.

Policy C.6.4.5.2(a) directs that further to, and in accordance with the urban design policies of the parent Official Plan, all development within the Bristol Survey shall be designed in a manner which reflects the following urban design objectives and the urban design guidelines in the Bristol Survey Implementation Strategy:

- (a) To create new development that has an immediate character in part by retaining, where possible, through site specific assessment, existing vegetation and character buildings.
- (e) To provide a high quality streetscape design to accommodate safe pedestrian, bicycle and vehicular links within the Bristol Survey Secondary Plan lands and to the surrounding community.

Policy C.6.4.5.3 directs that further to, and in accordance with the provisions of subsection C.6.4.5.2, development shall also be designed in accordance with the following general design principles:

- (f) A mix of lot sizes, building types and architectural styles will be encouraged on a street-by-street basis to reinforce the character of the existing community. In particular, dwellings shall be designed to reduce the impact of garages.

It is Staff's opinion that the proposal does not maintain the general intent and purpose of the Halton Region Official Plan, the Town of Milton Official Plan, or the Bristol Survey Secondary Plan.

Zoning

The Subject Property is zoned Medium Density Residential 1, Exception 259 (RMD1*259). The RMD1 Zone permits a variety of low-rise residential uses, ranging from detached to townhouse dwellings. Zoning Exception 259 does not establish provisions relevant to the subject minor variance application.

Zoning

Variance One: Section 5.6.2(v)(d)(B) states that no person shall permit a residential driveway exceeding a width of 4 metres for lots having a frontage greater than 6.5 metres and less than or equal to 8.0 metres. The application seeks to permit a driveway width of 5.25 metres, representing an increase of 1.25 metres.

Note that Section 3 of the Zoning By-law clarifies that in the case of a through lot (as in the case of the Subject Property), the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. Further, Section 3 notes that in cases where the side lot lines are not parallel, lot frontage is measured from a point on each side lot line that is located a distance equal to the required front yard from the front lot line or the hypothetical intersection of the front lot line and the side lot line.

Consultation

Public Consultation

Notice for the applicable hearing was provided pursuant to the Planning Act on September 9, 2026. As of the writing of this report on September 14, 2026, staff have not received any comments on the application from members of the public.

Agency Consultation

Development Engineering staff have noted that they cannot support the application, as no development is permitted within the municipal right-of-way apart from the originally approved works. The driveway extension appears to encroach onto the Town's boulevard. No other agencies or department have noted an objection to the application.

Development Services Comments

The application seeks to legalize an existing driveway extension, permitting a maximum width of 5.25 metres, whereas a maximum width of 4 metres is allowed. Planning staff have concerns with the proposed minor variance and are of the opinion that the application is not minor, does not maintain the general intent and purpose of the Zoning By-law or Official Plan, and is not desirable for the appropriate development or use of the Subject Property.

The Zoning By-law establishes maximum driveway widths relative to the frontage of a lot. This approach ensures that driveways do not visually overwhelm a property, leaving sufficient area for a front yard, plantings and soft landscaping, and water permeation. The existing driveway width occupies nearly the entire frontage of the Subject Property, leaving only 0.9 metres between the edge of the driveway and the western interior lot line. As such, the proposed variance does not maintain the general intent and purpose of the Zoning By-law. Although staff acknowledge that the driveway extension has been completed using permeable pavers, this material is still



Consultation

deemed to be a hard surface forming a residential driveway in accordance with the Zoning By-law definition.

Policies of the Official Plan call for a high quality and consistent level of urban design for both private and public areas of the community. Relevant Official Plan policies also speak to creating an attractive community, retaining existing vegetation, promoting a high quality streetscape, and minimizing impacts of vehicle-oriented development such as garages. Planning staff are of the opinion that the proposed variance does represent a high quality of urban design, particularly as the widened driveway is fully visible from the public realm. The extended driveway width causes vehicular parking to occupy nearly the full width of the lot frontage, resulting in negative streetscape impacts and reducing the front yard area.

It should be noted that the boundaries of the Subject Property do not extend all the way to Manley Lane; the property line is set back approximately 1 metre from the curb. The extended portion of the driveway appears to encroach onto the Town's boulevard, thereby violating By-law 1984-1, which regulates traffic and parking on Town roads, and does not permit parking or driving on the Town's boulevard.

While the existing curb is already depressed, an official extension of the curb cut would not be approved by the Town; for all subdivisions registered after the year 2000, there is a warning clause registered on title which prohibits curb cut widenings. Further, it has not been demonstrated that the driveway extension can be functionally accessed without crossing over the Town's boulevard (outside of the approved 2.75 metre driveway entrance). The driveway extension has the effect of doubling the width of the driveway entrance, thereby increasing points of conflict between vehicles and other modalities on Manley Lane. In addition, staff note that prior to widening the driveway, the Subject Property was able to accommodate three vehicles (two on the driveway, and one in the garage).

Overall, staff are of the opinion that the application is not minor in nature; does not maintain the intent and purpose of the Zoning By-law and Official Plan; and is not desirable for the appropriate development or use of the land, building or structure.

Respectfully submitted,

Olivia Hayes, B.E.S.
Planner, Development Review

For questions, please contact: Olivia.Haye@Milton.ca

Phone: Ext. 2454



The Corporation of the Town of Milton

File #:
A26-042M
Page 5 of 5

Attachments
Figure 1 – Site Plan Figure 2 - Photo of Driveway Extension

PROPOSED

R=17.00
N46°57'25"E
C=5.32
A=5.34

MANLEY
LANE

STREET LI

IB

SIB

N37°

0.9

10"W

Perm.
River

0.86

2.75

6.40

BLOCK

P.I.N.

Asphalt

Driveway

N52°03'00"W

12.72

33.50

PART

PART 3

4

Fence

5.7

12.79

3.8

Patio

planter

beds

P

P

BLOCK 377
P.I.N. 24940-0843

02'

Fence
25.9m

Grass

8.77

Hedge &
Wooden Fence

11.5

17.29

D.U.C.

D.U.C.

SEE DETAIL "A"

PART 2

P

P

1.2

1.4

4.61

5.31

4.11

4.63

6.40

(WIT)

IB N37°

MAIN STREET

 **TOWN OF MILTON**
DEVELOPMENT SERVICES
RMD1*259 ZONE
ZONING: REVIEWED FOR C of A
yaseen.albarim AUG 27, 2026
ZONING OFFICER DATE





The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Olivia Hayes

Date: September 24, 2026

File No: A26-043M

Subject: 4321 Sixth Line

Recommendation: **THAT the application for minor variance BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. THAT an amendment to the Site Plan Agreement for file no. SP-23/97 shall be approved and registered within 2 years of the date of decision;
2. THAT through the site Plan Agreement Amendment, the applicant shall obtain all necessary approvals, permits, and clearances from relevant departments and agencies, including but not limited to Development Engineering and the Ministry of Transportation of Ontario;
3. THAT through the site Plan Agreement Amendment, the applicant shall submit a stormwater management brief and a property drainage plan to the satisfaction of Development Engineering staff;
4. THAT within 2 years of the date of decision, a building permit shall be obtained for the existing office and shop building, as labelled on the approved site plan dated and stamped by Town Zoning on August 17, 2026;
5. THAT prior to construction of the proposed accessory structure, a building permit shall be obtained;
6. AND THAT a legal non-conforming use on the property shall maintain minimum setback distances as follows:
 - a. Minimum 15 metre front yard setback;
 - b. Minimum 3 metre interior side yard setback;
 - c. Minimum 3 metre exterior side yard setback;
 - d. Minimum 3 metre rear yard setback.

General Description of Application

Under section 45(1) of the Planning Act, a minor variance to Zoning By-law 144-2003, as amended, has been requested to:

1. Permit an existing accessory structure with a height of 6.1 metres and a gross floor area of 337 square metres, whereas a maximum height of 5.5 metres and a maximum gross floor area of 93 square metres is permitted (+0.6 metres in height, +244 square metres in GFA);

General Description of Application

2. Permit an accessory structure to have a maximum gross floor area of 101 square metres, whereas a maximum gross floor area of 93 square metres is permitted (+8 square metres);

Additionally, under section 45(2)(a)(i) of the Planning Act, the applicant has requested the following minor variances to Zoning By-law 144-2003, as amended:

3. Permission to recognize the expansion of a legal non-conforming topsoil mixing operation, including the accessory retail sale of soil, aggregate, and mulch, to additional outdoor areas of the property as well as additional gross floor area within existing accessory buildings;
4. Requesting permission to allow a proposed retail office accessory building as an expansion of a legal non-conforming use;

Further, under section 45(2)(a)(ii) of the Planning Act, the applicant has requested the following minor variance to Zoning By-law 144-2003, as amended:

5. permission to allow the use of the subject land, buildings and structures for manufacturing natural mulches, including accessory retail sale of soil, mulch, and aggregates, as a use that is similar to the purpose for which the property was used on the day the prohibiting by-law was passed.

The Subject Property, known municipally as 4321 Sixth Line, is located generally north of Highway 407, east of Sixth Line, and south of a hydro corridor. In 1997, a Zoning By-law Amendment (By-law 74-97) and Site Plan Agreement (SP-23/97) were approved to permit a topsoil mixing operation on the Subject Property, along with accessory office use. The use operated as "Petrie's Quality Topsoil" ("Petrie's") and qualifies as legal non-conforming.

Following these 1997 approvals, Petrie's expanded the topsoil mixing operation beyond the limits of what was approved through the Site Plan Agreement, without first obtaining a minor variance to permit the expansion of a legal non-conforming use. As such, variance 3 seeks to legalize an expansion of the legal non-conforming use, essentially legalizing the existing span of Petrie's operations on the Subject Property (across both outdoor and indoor areas). Further, Petrie's expanded an accessory structure on the property for use in its operations; this accessory structure is labelled as the Shop Building in Figure 1. Variance 1 seeks to permit the additional GFA of this existing structure.

In addition to the variances which seek to legalize the existing condition of the Subject Property, the application also seeks to permit Walker Aggregates ("Walker") to use the Subject Property for mulch manufacturing. Section 45(2)(a)(ii) enables the Committee of Adjustment to authorize lands or a building to be used for a purpose that, in the opinion of the Committee, is similar to the use permitted on the Subject Property, or more compatible with the uses permitted by the Zoning By-law. Through this section of the Planning Act, Variance 5 seeks to consider the proposed mulch manufacturing use as similar to the permitted topsoil mixing use, thereby allowing Walker

General Description of Application

to commence operations on the Subject Property. Walker also intends to construct a new accessory structure towards the front lot line, which would serve as the retail office. Variance 2 would be required to permit the GFA of this proposed structure, and Variance 4 would permit expansion of the permitted use into this new structure.

Committee members should be advised that some of the minor variances requested herein are predicated upon the approval of other variances within this application. Variance 5 can only be approved if variance 3 is approved as well. Further, variances 2 and 4 cannot be approved unless variance 5 is approved concurrently.

Official Plan Designation (including any applicable Secondary Plan designations)

Halton Region Official Plan

Per Map 1 - Regional Structure, the Subject Property is designated Agricultural Area. Policy 91 establishes that the goal of the Agricultural System is to maintain a permanently secure, economically viable agricultural industry and to preserve the open-space character and landscape of Halton's non-urbanized areas.

Town of Milton Official Plan

The Subject Property is located within the Town's rural area and is designated Prime Agricultural Areas by Schedule 5 - Rural Structure.

Policy 2.4.1.9 states that it is the policy of the Town to recognize the value and provide opportunities for new natural resource related businesses.

With respect to legal non-conforming uses, policy 11.8.3.5 directs that in accordance with the provisions of the Planning Act, Council may amend a by-law passed under Section 34 to permit the extension or enlargement of any land, building or structure prohibited by the Zoning By law provided the following requirements are met. The Committee of Adjustment will be similarly guided applications under Section 44 of the Planning Act:

- a. It is not possible to relocate such a use to a place where it will conform to the By-law;
- b. The proposed extension or enlargement will not unduly aggravate the situation already created by the existence of the use and should, if possible, be designated to alleviate adverse effects of the use such as outside storage;
- c. The abutting uses will be afforded reasonable protection by the provision of appropriate buffering and setbacks;
- d. The proposed extension or enlargement should be in appropriate proportion to the size of the non-conforming use;

Official Plan Designation (including any applicable Secondary Plan designations)

- e. Adequate provision will be made for safe and adequate off-street parking and loading facilities; and,
- f. All services, including private sewage disposal and water supply systems, shall be or can be made adequate.

Policy 11.8.3.6 clarifies that the Town shall not be obligated to grant permission to extend or enlarge a non-conforming use under any circumstances.

It is Staff's opinion that the proposal is in conformity with the Halton Region Official Plan and the Town of Milton Official Plan.

Zoning

The Subject Property is zoned Agricultural and Greenlands A (A1, GA) per Zoning By-law 144-2003. The A1 Zone permits a range of uses appropriate for the rural area, including an agricultural operation, conservation use, cottage industry or home industry, horticultural nursery, and detached dwelling. Within the GA Zone, only conservation uses or existing uses are permitted.

A site-specific Zoning By-law Amendment (By-law 74-97) was approved by Council in 1997, permitting a topsoil mixing operation and an office use accessory to a topsoil mixing operation within the existing dwelling house. At the time, Town Zoning By-law 61-85 was in effect. The topsoil mixing use was legally established and has continued since that time, giving the operation status as a legal non-conforming use.

Variances requested under section 45(1) of the Planning Act

Variance One: Section 4.1.2.2(ii) of the Zoning By-law permits accessory structures to have a maximum height of 5.5 metres and a maximum gross floor area (GFA) of 93 square metres. The application seeks to permit an existing accessory structure with a height of 6.1 metres and a gross floor area of 337 square metres, representing an increase of 0.6 metres in height and 244 square metres in GFA.

Variance Two: Section 4.1.2.2(ii) of the Zoning By-law permits accessory structures to have a maximum gross floor area (GFA) of 93 square metres. The application seeks to permit a proposed accessory structure having a maximum GFA of 101 square metres, representing an increase of 8 square metres.

Variances requested under section 45(2)(a)(i) of the Planning Act

Variance Three: The application seeks to permit the expansion of the legal non-conforming topsoil mixing operation, including the accessory retail sale of soil, aggregate, and mulch, to

Zoning

additional outdoor areas of the property as well as additional gross floor area within accessory buildings. This is an after-the-fact variance to legalize the existing expansion of Petrie's use.

Variance Four: The application seeks to permit the expansion of a legal non-conforming use into a new accessory building. This variance would permit the use proposed in Variance Five to expand into a new retail office accessory building.

Variance requested under section 45(2)(a)(ii) of the Planning Act

Variance Five: The application requests permission to allow the use of the Subject Property, buildings, and structures for manufacturing natural mulches, including accessory retail sale of soil, mulch, and aggregates, as a use that is similar to the purpose for which the property was used on the day the prohibiting by-law was passed. This variance would have the effect of permitting Walker Aggregates to use the Subject Property for manufacturing, and accessory retail sales, of mulches.

Consultation

Public Consultation

Notice for the applicable hearing was provided pursuant to the Planning Act on September 9, 2026. As of the writing of this report on September 15, 2026, staff have not received any comments on the application from members of the public.

Agency Consultation

No objections were filed with respect to the variance application from Town staff or external agencies. Development Engineering staff have noted that at the time of the Site Plan Agreement amendment, a stormwater management brief and a property drainage plan shall be required.

Development Services Comments

Broadly, the application seeks to recognize and legalize the expansion of a topsoil mixing operation (Petrie's), which qualifies as a legal non-conforming use. Further, the application seeks to permit the conversion of the Subject Property into a mulch manufacturing operation (Walker). Variances to permit additional height and gross floor area for accessory structures supporting these uses are also requested in the application.

Planning staff have no concerns with the application, and do not anticipate that the proposed expansion of a legal non-conforming use, or its conversion to a similar use, will generate adverse impacts on surrounding properties. Staff are of the opinion that the application is minor in nature, maintains the intent of the Zoning By-law and Official Plan, and is desirable for the appropriate development or use of the land, building or structure

Consultation

Variance 3: Expansion of Legal Non-Conforming Use (Petrie's)

Variance three seeks to permit the expansion of a legal non-conforming topsoil mixing operation (Petrie's) over the Subject Property, beyond the limits of what was approved through the 1997 Site Plan. This entails both open-air expansion, and the enlargement of an accessory building identified as the Shop Building and Office in Figure 1. Note that this is an after-the-fact variance to recognize an expansion which has already occurred.

Aerial imagery indicates that expansion of the topsoil operation occurred as early as 2002; over the two decades during which the expansion has been in place, Planning staff have not received any complaints about the operation, indicating that the expanded use has not generated adverse impacts to surrounding landowners. Further, the surrounding lands to the north of the hydro corridor are identified as Employment Areas by Schedule 4 - Urban Structure, and thus will not accommodate future sensitive uses which could be impacted by the expanded operation. Lands to the east and west are designated Prime Agricultural Areas by Schedule 5 - Rural Structure, and therefore will also have limited opportunity for development, while Highway 407 abuts the Subject Property to the south.

The existing use could not feasibly be relocated, and the site plan attached in Figure X will implement appropriate setbacks for the use. Vehicle parking and circulation can be accommodated internally, given the size of the Subject Property. Planning staff have no concerns with recognizing the expanded use, given the existing and planned context, and considering the lack of complaints.

Variance One: Existing Accessory Structure Height, GFA

Variance One seeks to legalize the existing height and GFA of an accessory structure used as an office and covered work area/shop. Despite the additional height and GFA of the existing structure, it maintains the intent of the Zoning By-law by remaining secondary and subordinate to the primary use of the Subject Property. Further, the accessory structure is significantly set back from the front lot line and eastern lot line, while the Hydro corridor is located to the west. In light of these considerations, Planning staff have no concerns with the variance.

Variance Five: Permission for a Mulch Manufacturing Use

Variance Five seeks to permit a mulch manufacturing operation (Walker Aggregates) on the Subject Property in accordance with section 45(2)(a)(ii) of the Planning Act. Essentially, where a legal use exists, the Planning Act empowers the Committee to permit a different use which is similar or more compatible with the Zoning By-law. Planning staff are satisfied that the proposed mulch manufacturing use is similar to the legal non-conforming topsoil mixing operation, given the scope and nature of the two business operations. Both operations entail the storage of large volumes of natural material, which is processed, mixed, and prepared for wholesale. Further,



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both uses entail an accessory retail sales component, along with an accessory office use to support the primary operation.

Variance Four: Expansion of Legal Non-Conforming Use Into New Accessory Structure

As outlined above, Walker intends to have an accessory retail sales component on the Subject Property, should a mulch manufacturing use be approved through Variance Five. The applicant seeks to construct a new accessory structure near the front of the Subject Property to serve as the retail sales office. Variance Four would have the effect of permitting the legal non-conforming use to expand into this new accessory structure. Planning staff have no concerns with the proposed variance, and do expect it to generate any adverse impacts

Variance Two: Proposed Accessory Structure GFA

Variance Two relates to the proposed accessory structure, intended to serve as the retail sales office for Walker. The applicant intends to use a double-wide trailer, which slightly exceeds the permitted GFA; as the structure is pre-fabricated, there is not an opportunity to reduce its area. The variance represents an increase of 8 square metres above the maximum GFA permitted by the Zoning By-law, and is minor in nature. The structure will remain secondary and subordinate to the principal use of the Subject Property, and will be sufficiently set back from all property lines. Planning staff have no concerns with the proposed variance.

As a whole, the application will have the effect of legalizing the existing use of the Subject Property and enabling a future, similar use, which is desirable for the appropriate use of the Subject Property. Based on the considerations outlined above, Planning Staff are satisfied that the application maintains the intent of the Official Plan, and responds to the policies outlined in section 11.8.3.5. Planning staff also note that should the application be approved, the owner shall be required to update the Site Plan Agreement to accurately reflect the scale of the use on the lot. This amendment to the Site Plan Agreement will also provide an avenue for other departments and agencies to seek any further plans or approvals related to the application.

Respectfully submitted,

Olivia Hayes, B.E.S.
Planner, Development Review

For questions, please contact: Olivia.Hayes@Milton.ca

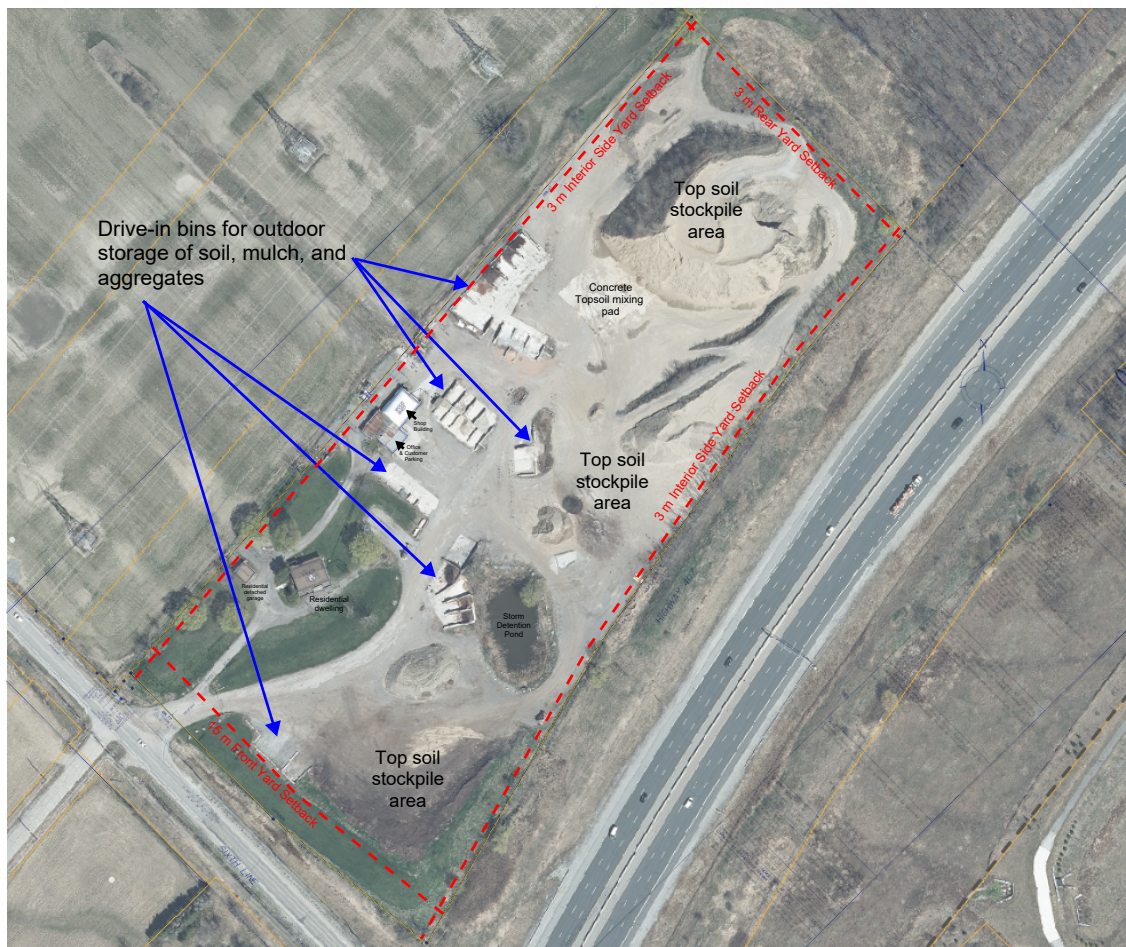
Phone: Ext. 2454



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Attachments
Figure 1 - Site Plan With Required Setbacks
Figure 2 - Walker Aggregates Use





Legend for Site Map

-  Pine Bark Pre-Mix for production of Natural Shredded Pine Mulch – Maximum inventory on-site during any one time = 50,000 cubic yards. This is pine bark which is obtained from Ontario sawmills
-  Finished Natural Pine Mulch. Produced by grinding the Pine Pre-Mix pile into finished goods
-  Cedar Pre-Mix pile contains shredded cedar bark obtained from Ontario sawmills. Maximum inventory on-site at any one time = 12,000 cubic yards
-  Finished Natural Cedar Mulch. Produced by grinding the Cedar Pre-Mix pile into finished goods
-  Ground Brush Pre-Mix pile – Maximum inventory on-site at any one time = 28,000 cubic yards . Brought in from land clearing jobs and used to make coloured mulch
-  Ground Brush Substrate – This is made by grinding the Ground Brush Pre-Mix pile to be speckled for colouring
-  Finished Enhance Black Much– made by colouring the Ground Brush Substrate
-  Pine Inventory Pre-Mix for production of Signature coloured mulches – Maximum inventory on-site during any one time = 14,000 cubic yards. This is pine peelings and woody pine bark which is obtained from Ontario sawmills
-  Pine Inventory Substrate – This is made by grinding the Pine Inventory Pre-Mix pile to be speckled for colouring of Signature coloured mulches
-  Finished Signature Coloured Mulch – made by colouring the Pine Inventory Substrate
-  Sawmill Woodchip Inventory for the production of Certified Playground Mulch – Maximum Inventory on-site at any one time = 4,000 cubic yards. This is pine wood chips obtained from Ontario sawmills.
-  Finished Certified Playground Mulch – Made by grinding the Sawmill Woodchip inventory to spec
-  Finished Soil Blend – Made by screening and blending top-soil inventory on site with finished compost and aged bark fines

Operations Flow

- Mulches - Trucks bring in raw materials – pine, ground brush, cedar, pine wood chips etc. & stockpiled in the Pre-Mix piles as indicated on the previous legend page. Materials are then ground using a mobile grinder into either finished mulches or substrate piles. For colouring of mulches, we use a portable colouring plant like used at our other locations. Substrate is added to the colouring plant using a loader. This machine uses water and environmentally safe colourant to dye the mulch.
- Soil – Very similar to what Petrie’s had been doing. We will bring in finished compost and aged bark fines from our Caledon production facility. These raw materials will then be blended through a mobile trommel screener to make premium triple mix or landscape soil. Once the top-soil has been depleted, we would like to continue using that area for the production of mulches.
- Petrie’s retail yard was located in the middle of the property. We would like to move the retail yard to the front of the property to have separation between this and our operations. We would bring in an office trailer to act as the retail yard office.
- Current Petrie’s office and shop coverall – We would like to continue using the office space for our admin and production staff. The shop building would continue to be used for equipment storage