



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: December 9, 2024

Report No: DS-082-24

Subject: Public Meeting and Initial Report: Proposed Plan of Subdivision and Amendment to the Zoning By-law by Branthaven Fourth Line Inc. and 1000968516 Ontario Inc. to permit the development of a residential plan of subdivision (Town Files: 24T-24003/M and Z-23

Recommendation: THAT Development Services Report DS-082-24, BE RECEIVED FOR INFORMATION.

EXECUTIVE SUMMARY

The applicant is seeking to rezone the subject lands from the current Future Development (FD) Zone and Natural Heritage System (NHS) Zone to a site-specific Residential Medium Density 1 (RMD1*XXX) Zone, site-specific Residential Medium Density 2 (RMD2*YYY) Zone, site-specific Residential High Density (RHD*ZZZ) Zone, Natural Heritage System (NHS) Zone, and Open Space (OS) Zone. This change in zoning is requested to permit the development of a residential plan of subdivision.

The applicant proposes a plan of subdivision that consists of 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. The proposed application will also complete the development within the Bristol Survey Area.

The application is complete pursuant to the requirements of the Planning Act and is being processed accordingly. Upon completion of the consultation and review process, a technical report, including recommendations, will be brought forward for consideration by Council. The technical report will address issues raised through the consultation and review process.

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 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 acre) in size, and are one of the last 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 also include a number of elementary schools, Clarke Neighbourhood Park and a significant natural heritage system that has been constructed to the north and the south.

Proposal:

The application seeks to rezone the subject lands from the current Future Development (FD) Zone and Natural Heritage System (NHS) Zone to a site-specific Residential Medium Density 1 (RMD1*XXX) Zone, site-specific Residential Medium Density 2 (RMD2*YYY) Zone, site-specific Residential High Density (RHD*ZZZ) Zone, Natural Heritage System (NHS) Zone and Open Space (OS) Zone to permit the development of a residential plan of subdivision. See Draft Zoning By-law Amendment in Appendix 1.

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 aforementioned 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 potential arrangement of the various housing forms proposed within the future medium density residential blocks.

The following reports and information has been submitted in support of this application:



Background

- Plan of Survey, prepared by R-PE Surveying Ltd., dated July 11, 2024;
- Topographic Map, prepared by R-PE Surveying Ltd., dated July 11, 2024;
- Draft Plan of Subdivision, prepared by Glen Schnarr & Associates Inc., dated October 7, 2024;
- Development Concept Plan, prepared by Glen Schnarr & Associates Inc., dated October 7, 2024;
- Mid-Rise Concept Plan, prepared by Glen Schnarr & Associates Inc., dated October 7, 2024;
- Planning Justification Report, Glen Schnarr & Associates Inc., dated October 2024;
- Noise Feasibility Study, prepared by HGC Engineering, dated October 11, 2024;
- Traffic Impact Study, prepared by GHD, dated October 9, 2024;
- Functional Servicing and Stormwater Management Report, prepared by DSEL, dated October 2024;
- 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;
- 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 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;

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- Tree Preservation Plan, prepared by Jackson Arboriculture Inc., dated September 18, 2024;
- Urban Design Brief, prepared by NAK Design Strategies, dated October 2024; and,
- Draft Zoning By-law Amendment, prepared by Glen Schnarr & Associates Inc., dated September 23, 2024.

Discussion

Planning Policy

As of July 1, 2024, Halton Region has become 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.

From a local perspective, 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 will be 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 are the focus of higher density development. Schedule M - Key Features within the Greenbelt and Regional Natural Heritage System, identifies key features on the subject lands.

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

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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.

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, similar to 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 through the various environmental studies required as part of the applications.

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.

While a full review of the applicable planning policies will be undertaken as part of the review of the application, based on the information provided, staff is satisfied that an Official Plan Amendment is not required.

Zoning By-law 016-2014, as amended:

The subject lands are currently zoned Future Development (FD) and Natural Heritage System (NHS) under By-law 016-2014, as amended. Both of the existing Zones, only permit uses that legally existed on the date the Zoning By-law came into effect. A zoning by-law amendment is required to permit the development of the plan of subdivision as proposed.

Site Plan Control

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

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.

A virtual public information session was also held by the applicant on October 16, 2024. Questions and concerns raised by the public included: potential shadow impacts



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generated from the proposed mid-rise building on existing residents; the proposed Cedar Hedge Road extension to Derry Road and overall traffic impacts; park locations and programming; trail connections; and, construction timing, access and notification.

Agency Consultation:

The applications were circulated to internal department and external agencies on October 29, 2024. Staff have identified the following items to be reviewed and addressed:

- Site design, built form, density and urban design;
- Natural heritage system delineation;
- Traffic impacts, pedestrian and vehicle access/ circulation;
- Parking;
- Noise;
- Trail connections and active transportation;
- Servicing and Stormwater management;
- Facility fits for the village square; and,
- Site-specific zone provisions.

A technical report with recommendations will be brought forward for Council consideration upon completion of the evaluation of the application

Key Milestones

Milestone	Date
Pre-Consultation Meeting	8/27/2024
Public Information Centre Meeting	10/16/2024
Application Deemed Complete	10/22/2024
Statutory Public Meeting	12/9/2024

Financial Impact

None arising from this report.

Respectfully submitted,

Jill Hogan

