



The Corporation of the Town of Milton

Report To:	Council
From:	Barbara Koopmans, Commissioner, Development Services
Date:	November 16, 2020
Report No:	DS-049-20
Subject:	Public Meeting and Information Report: Plan of Subdivision, Local Official Plan Amendment and Zoning By-law Amendment for 0, 6390-6400 and 6548 Fifth Line (Files: 24T-20002/M, LOPA-01/20 & Z-02/20)
Recommendation:	THAT Development Services Report DS-049-20, be received for information.

EXECUTIVE SUMMARY

The applicant is proposing to construct a prestige business park with light industrial warehouses and office uses, in accordance with the Derry Green Corporate Business Park Secondary Plan. To facilitate the proposed development, the applicant has submitted a Draft Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment applications.

The proposed Plan of Subdivision consists of 8 development blocks of a variety of shapes and sizes to allow for the future development of light industrial warehouses and office uses, and includes the extensions of Clark Boulevard and Louis St. Laurent Avenue.

The proposed Official Plan Amendment seeks to modify the Derry Green Secondary Plan to better align the designations with the proposed development blocks, to permit parking between the buildings and the street along James Snow Parkway, and to permit a reduced office component for light industrial uses located within the Natural Heritage Oriented Area Overlay designation. All other policies of the Official Plan and the Derry Green Corporate Business Park Secondary Plan are proposed to remain the same.

Lastly, the proposed Zoning By-law Amendment seeks to rezone the lands from the existing Future Development (FD) zone and Natural Heritage System (NHS) zone to the Prestige Office (EMP1) zone, the Business Park (M1) zone, the Natural Heritage System (NHS) zone, and the Open Space-Stormwater Management (OS-2) zone. Additional site specific regulations are also proposed related to permitted uses, maximum building heights, minimum landscaped open space, minimum and maximum gross floor areas, and building setbacks.

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

REPORT

Background

Owners: OPG Derry Green Lands Inc. (Oxford Properties) & Branthaven Fifth Line Inc. (It should be noted that the Branthaven lands are only required as part of the channel works proposed for the southern portion of the site.)

Applicant: MHBC Planning

Location/Description:

The subject lands, currently vacant, are bound by James Snow Parkway to the west, and Fifth Line to the east. The properties extend from the Union Gas corridor south of Derry Road to north of Britannia Road. (See Figure 1 -Location Map). The properties are municipally known as 0, 6390-6400 and 6548 Fifth Line and are owned by OPG Derry Green Lands (Oxford Properties) and Branthaven Fifth Line Inc.

The subject properties are surrounded by low density residential uses along the west side of James Snow Parkway and vacant future employment lands to the north and east. The lands immediately to the south of the subject properties are located outside of the Derry Green Business Park Secondary Plan and are currently zoned agricultural.

Proposal:

The applicant is proposing to construct a prestige business park with light industrial warehouses and office uses, in accordance with the Derry Green Corporate Business Park Secondary Plan. Figure 2 illustrates the proposed concept plan. The proposal consists of 8 development blocks to accommodate the construction of 13 buildings. The buildings are proposed to consist of a total of 291,662 square metres of industrial employment uses and 12,994 square metres of office employment uses.

To facilitate the proposed development, the applicant has submitted a Draft Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment applications. The applicant has also undertaken Phases 3 and 4 of the Municipal Class Environmental Assessment (MCEA) planning and design process for the extension of Louis St. Laurent Avenue from James Snow Parkway to Fifth Line.

Plan of Subdivision Application (24T-20002/M)



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The proposed Draft Plan of Subdivision consists of 8 development blocks of a variety of shapes and sizes to allow for the future development of light industrial warehouses and office uses. The proposed plan also includes 3 stormwater management blocks, 4 natural heritage system blocks, and the future extensions of Clark Boulevard and Louis St. Laurent Avenue from James Snow Parkway to Fifth Line. A copy of the Draft Plan of Subdivision can be found in Appendix 1.

Official Plan Amendment (LOPA-01/20)

The proposed Official Plan Amendment seeks to modify the Derry Green Secondary Plan to better align the designations with the proposed development blocks, to permit parking between the buildings and the street along James Snow Parkway, and to permit a reduced office component for light industrial uses located within the Natural Heritage Oriented Area Overlay designation. All other policies of the Official Plan and the Derry Green Corporate Business Park Secondary Plan are proposed to remain the same. Attached to this report in Appendix 2 is the Draft Official Plan Amendment.

Zoning By-law Amendment (Z-02/20)

Lastly, the proposed Zoning By-law Amendment seeks to rezone the lands from the existing Future Development (FD) zone and Natural Heritage System (NHS) zone to the Prestige Office (EMP1) zone, the Business Park (M1) zone, the Natural Heritage System (NHS) zone, and the Open Space-Stormwater Management (OS-2) zone. Different site specific regulations are proposed for different portions of the site related to permitted uses, maximum building heights, minimum landscaped open space, minimum and maximum gross floor areas, and building setbacks. These include:

- Prohibiting Commercial and Institutional uses not contemplated by the Official Plan and Secondary Plan.
- Site specific regulations for portions of the Business Park (M1) Zone including permitting:
 - a maximum building height of 27.5 metres;
 - a minimum landscaped open space of 7.5% of the lot area;
 - a minimum building setback of 23.5m from the centerline of Fifth Line;
 - a minimum of 5% of the gross floor area of an Industrial Use, Warehouse Use, to be dedicated to an office component;
 - a maximum of 15% of the gross floor area for an Industrial Use or Wholesale Operation to be used for a showroom or the retail sale of goods or products; and
 - a building to be erected on a lot with access from a private street.
- Site Specific Regulations for the Prestige Office (EMP1) Zone include permitting:
 - additional uses including a Banquet Facility, Convention Centre, Hotel, and Place of Entertainment;

- two stand-alone restaurants at the intersection of James Snow Parkway and Louis St. Laurent Avenue;
- a minimum gross floor area index of 0.5;
- a maximum front yard setback of 21.0 metres;
- a maximum exterior side yard setback of 9.0 metres; and
- a building to be erected on a lot with access from a private street.

Attached to this report as Appendix 3 is the Draft Zoning By-law Amendment.

Municipal Class Environmental Assessment

The extension of Louis St. Laurent Avenue has been identified in the Milton Derry Green Corporate Business Park Secondary Plan and the Town's 2018 Transportation Master Plan. The applicant has undertaken Phases 3 and 4 of the Municipal Class Environmental Assessment (MCEA) planning and design process for the extension of Louis St. Laurent Avenue from James Snow Parkway to Fifth Line, which is an approved process under the Ontario Environmental Assessment Act. Phases 1 and 2 of the MCEA were completed through the completion of the Derry Green Corporate Business Park Secondary Plan and the Town's 2018 Transportation Master Plan. The preferred design concept of the extension of Louis St. Laurent Avenue from James Snow Parkway to Fifth line has been presented in the final Environmental Study Report (ESR), which is currently available for a 30-day public review period until November 16, 2020 on letstalkmilton.ca/louisstlaurent. Upon completion of the public review period, the final ESR will be deemed completed and the project will move to the detailed design stage.

Documents Submitted with Application:

The following documents have been submitted by the applicant in support of the Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment applications. These documents are available on the Town's website for review:

- Concept Site Plan, prepared by Stantec and dated Jan 16, 2020
- Arborist Report, prepared by Dillon Consulting and dated Jan 13, 2020
- Archaeological Assessment, prepared by AMICK Consultants Ltd and dated Aug 15, 2003
- Functional Servicing Report, prepared by Stantec and dated Jan 27, 2020
- Geotechnical Reports, prepared by Terraprobe and dated May 2, 2019 and Jan 29, 2020
- Hydrogeological Report, prepared by Terraprobe and dated Sept 19, 2018
- Landscape Concept Plan, prepared by MHBC and dated Jan 24, 2020
- Phase One Environmental Site Assessment , prepared by Terraprobe and dated April 2, 2019
- Planning Justification Report, prepared by MHBC and dated Jan 2020



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- Noise Assessment, prepared by Dillon Consulting and dated Jan 2020
- Stormwater Management Report, prepared by Crozier and dated Jan 2020
- Site Surveys, prepared by Rady-Pentek & Edward Surveying Ltd.
- Transportation Impact Study, prepared by Crozier and dated Jan 2020
- Urban Design Brief, prepared by MHBC and dated Feb 2020

Discussion

Planning Policy

The subject lands are designated Business Park Area and Natural Heritage System on Schedule B in the Town of Milton Official Plan. The Business Park Area designation permits primarily employment uses, including a full range of office uses and light industrial uses such as warehousing. Commercial uses are limited and residential uses are not permitted. A portion of the lands is also designated as Natural Heritage System. The purpose of the Natural Heritage System designation is to define and protect areas that have environmental significance and to improve and restore the quantity and quality of ground and surface water.

Additionally, the lands are located within the Derry Green Corporate Business Park Secondary Plan. This plan forms part of the Official Plan and identifies the lands as Business Park Area and Prestige Office Area. Portions of the lands are also identified as Gateway, Street Oriented Area and Natural Heritage Oriented Area overlay designations. These designations further define the types of employment uses permitted within each designation.

Within the Business Employment area designation a full range of light industrial and office uses are permitted. Within the Prestige Office area designation, primarily office uses are permitted, however, additional uses include research and development uses, restaurants, service commercial uses, a hotel and conference centre, and entertainment uses.

The Business Park Street Oriented Area and the Gateway overlay designations include additional policies related to urban design including requiring a minimum building height and requiring that no parking spaces shall be located between the building and the street. These overlay designations also require light industrial uses include a significant office component. Additionally the Natural Heritage Oriented Area Overlay designation includes specific policies to ensure that developments are designed to be sensitive to and limit impacts on the surrounding Natural Heritage System.

An Official Plan Amendment is required, as the applicant is proposing to provide parking in front of the buildings along James Snow Parkway within the Business Park Street Oriented Overlay designation. An Official Plan Amendment is also required to permit a



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reduced office component for light industrial uses located within the Natural Heritage Oriented Area Overlay designation.

Lastly, the applicant is proposing minor modifications to the land use designation boundaries to better align the designations with the proposed development blocks and natural heritage features. Staff note that the Town of Milton Official Plan currently permits minor boundary adjustments to the Official Plan schedules where the intent of the Official Plan is maintained.

A full review of the applicable Provincial, Regional and Local planning policies will be undertaken as part of the review of the applications.

Zoning By-law

The subject lands are currently zoned Future Development (FD) and Natural Heritage System (NHS). A zoning by-law amendment is required as only existing uses are currently permitted in the FD zone.

This application seeks to rezone the lands to the Prestige Office (EMP1) zone, the Business Park (M1) zone, the Natural Heritage System (NHS) zone, and the Open Space-Stormwater Management (OS-2) zone. Additional site specific regulations are also proposed for different development blocks that relate to permitted uses, maximum building heights, minimum landscaped open space, minimum and maximum gross floor areas, and building setbacks. A copy of the draft By-law is attached as Appendix 3 to this report.

A full review of the proposed amendments to the Zoning By-law will be undertaken to ensure that the proposed regulations appropriately implement the policies of the Official Plan and Derry Green Corporate Business Park Secondary Plan.

Site Plan Control

Should the applications be approved, the developer is required to obtain site plan approval prior to building permit issuance. Detailed site plan drawings addressing such matters as building design, lot grading and drainage, lighting and landscaping will be required to be submitted for review and approval. Details of each development block, including internal driveways, parking areas, garbage disposal, utilities, and water and sanity sewer connections, will be reviewed as part of the site plan.

Public Consultation and Review Process

Public notices have been provided pursuant to the requirements of the Planning Act and the Town's Official Plan. Notices of the Complete Application were provided on March 12th, 2020 and notices for the Statutory Public Meeting were provided on October 22nd, 2020.

With regard to the proposal, staff have identified the following items for further consideration:



The Corporation of the Town of Milton

- Urban design, particularly along James Snow Parkway;
- Building and site design including building setbacks, building height, and landscaping;
- Proposed uses, including proposed ancillary uses;
- Traffic impacts; and
- Natural Heritage System boundaries.

To date, staff have received 4 written public comments with respect to the applications. Public concerns include:

- Size of building footprints and truck bays;
- Traffic impacts including increase truck traffic along Clark Boulevard and Louis St. Laurent Avenue;
- Extending Clark Boulevard to Fifth Line;
- Building heights, including privacy and sightlines to adjacent residential subdivisions;
- Noise from increased car and truck traffic;
- Environmental impacts of construction; and
- The amount of greenspace proposed between roads and new buildings.

The items above, as well as any additional public comments received throughout the course of the application review, will be reviewed by staff and discussed in the future technical report. The technical report will include a copy of all written comments received from the public. The technical report with staff recommendations will be brought forward for Council consideration upon completion of the evaluation of the application.

Financial Impact

None arising from this Report

Respectfully submitted,

Barbara Koopmans, MPA, MCIP, RPP, CMO
Commissioner, Development Services

For questions, please contact: Natalie Stopar, Planner

Phone: Ext. 2263

Attachments

Figure 1 – Location Map
Figure 2 – Concept Plan
Appendix 1 – Draft Plan of Subdivision



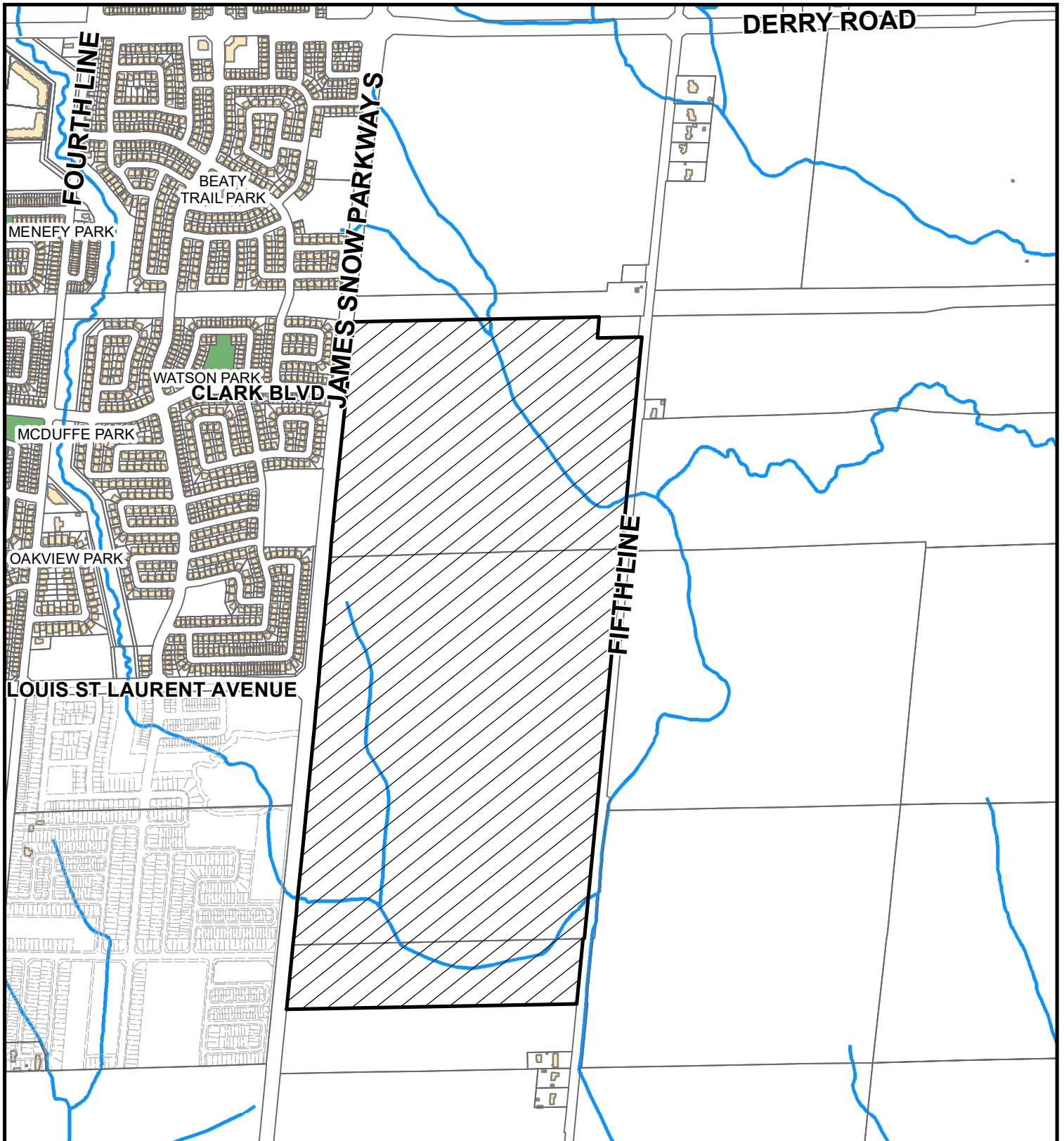
The Corporation of the Town of Milton

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Appendix 2 – Draft Official Plan Amendment
Appendix 3 – Draft Zoning By-law Amendment

CAO Approval
Andrew M. Siltala
Chief Administrative Officer

FIGURE 1 LOCATION MAP



Council Date:
November 16, 2020

Scale: 1: 12,500

File: Z-02/20
LOPA-01/20 & 24T-20002/M

Development Services Department



Subject Property
9 of 27

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Stantec
DS-049-20

306 - 675 Columbia
Markham, Ontario L3R 0S9
Tel: 905.944.7777
www.stantec.com

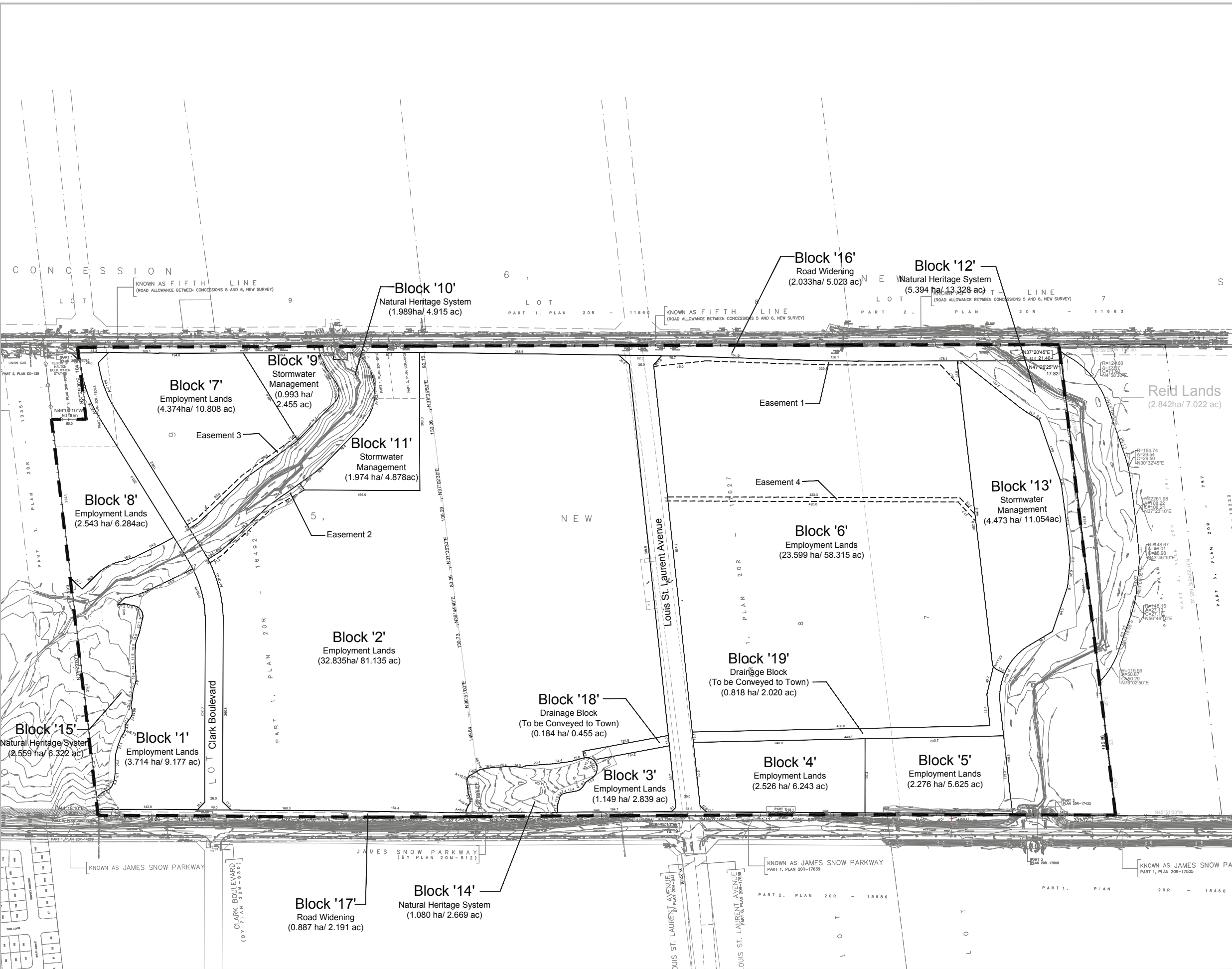
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Consultants





Legal Description

Part of Lots 7, 8, and 9
Concession 5, New Survey
Geographic Township of Trafalgar
Town of Milton
Regional Municipality of Halton

DS-049-20

Owner's Certificate

I HEREBY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED TO SUBMIT THIS PLAN FOR APPROVAL.

DATE: JANUARY 31, 2020

Reid
PART OF LOTS 7.8.9, CONCESSION 5
-Derry Green Lands Limited Partnership

Surveyor's Certificate

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

DATE: January 23, 2020

Phillip Steven Swift
PHILLIP STEVEN SWIFT - O.L.S.
R-P-E SURVEYING LTD.

Key Plan

Subject Site

SCALE
0 1km 2km 3km

05	Jan 22/20	Block Revision	E.L.
04	Jan 16/20	Block Revision	T.H.
03	Nov 27/19	Updated Surveyor Information Block Revisions Draft Plan Boundary Revision	T.H.
02	Nov 14/19	Block Revisions	T.H.
01	Oct 11/19	Block Revisions	T.H.

Revision No. Date Issued / Revision By

Additional Information Required Under Section 51(17) of the Planning Act R.S.O. 1990, c.P.13 as Amended

A. As Shown
D. Employment, Stormwater Management, Open Space
E. As Shown
G. As Shown
J. As Shown

B. As Shown
F. As Shown
H. Municipal Water Supply
K. All Services As Required

C. As Shown
I. Clay Loam
L. As Shown

PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

422 BRANT STREET, SUITE 204, BURLINGTON, ON L7R 2G4 | P: 905.639.8666 F: 905.761.5397 | WWW.MHBCPLAN.COM

Stamp

Date
JANUARY 23, 2020

File No.
1607 H

Plan Scale
1:2500 (Arch D)

Drawn By
Y.Y./T.H.

Checked By
G.T.

Other

Project

DERRY GREEN
MILTON, ONTARIO

File Name
DRAFT PLAN OF SUBDIVISION

Dwg No.
1 of 1

Scale Bar

0 50 100 200 300

C:\Users\eamith\Desktop\1607H-23 January 2020 - Geolocated - C.dwg

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XXX-2020

BEING A BY-LAW OF THE TOWN OF MILTON TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTIONS 17 AND 21 OF THE *PLANNING ACT*, AS AMENDED, TO ADOPT AMENDMENT NO. XX TO THE TOWN OF MILTON OFFICIAL PLAN (FILE: LOPA-XX/XX)

The Council of the Corporation of the Town of Milton, in accordance with the provisions of Sections 17 and 21 of the *Planning Act* R. S. O. 1990, c. P.13, as amended, hereby enacts as follows;

1. THAT Amendment No. XX to the Official Plan of the Corporation of the Town of Milton, attached hereto, is hereby adopted.
2. THAT pursuant to Subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, this Official Plan Amendment comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsections 17 (24) and (25). Where one or more appeals have been filed under Subsection 17 (24) or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Municipal Board.
3. THAT in the event that the Regional Municipality of Halton, being the Approval Authority, has declared this Official Plan Amendment to not be exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number 46 to the Official Plan of the Town of Milton.

Gordon A. Krantz Mayor

Troy McHarg Town Clerk

AMENDMENT NUMBER XX
TO THE OFFICIAL PLAN
OF THE TOWN OF MILTON

Subject:

Derry Green Corporate Business Park Secondary Plan
Derry Green Lands LP

The following text and schedules constitute
Amendment No. xx to the Official Plan
Of the Town of Milton

October 2020

**AMENDMENT NUMBER XX TO THE OFFICIAL PLAN
OF THE TOWN OF MILTON**

PART I - THE PREAMBLE, does not constitute part of this Amendment

**PART II - THE AMENDMENT, consisting of the following text constitutes Amendment No.
XX to the Official Plan of the Town of Milton**

DRAFT

PART I: THE PREAMBLE

THE TITLE

This amendment, being an amendment to the Official Plan of the Town of Milton shall be known as:

Amendment No. **XX** to the Official Plan of the Town of Milton
Derry Green Corporate Business Park Secondary Plan

PURPOSE OF THIS AMENDMENT

The purpose of this amendment is to incorporate revisions to Section C.9 ‘Derry Green Corporate Business Park Secondary Plan’ of the Official Plan that are necessary to:

- Modify the designations of the Secondary Plan in Schedule C-9-B to align with the blocks in the proposed Draft Plan of Subdivision;
- Modify Section 4.11 to create “Specific Policy Area No. **xx**” to:
 - Permit limited surface parking located between the building and the street along the east side of James Snow Parkway, provided adequate berming and landscaping is implemented.
 - Permit light industrial uses within the areas designated Business Park Areas with Natural Heritage Oriented Area overlay. Office components associated with such uses shall be implemented in accordance with Section C.9.5.1.7 of the Derry Green Corporate Business Park Secondary Plan.

LOCATION OF THE AMENDMENT

The subject lands are municipally addressed as 6390-6400 Fifth Line and 6548 Fifth Line and are approximately 102.463 hectares in size. The subject lands are legally described as Part of Lots 7, 8, and 9, Concession 5, Geographic Township of Trafalgar, Town of Milton, Regional Municipality of Halton.

BASIS OF THE AMENDMENT

The effect of the amendment will be to amend the mapping of land use designations within the Derry Green Secondary Plan to align with the proposed Draft Plan of Subdivision which more accurately reflect the development areas and constraints as refined through the Subwatershed Impact Study. The amendment will remove the restrictions on the location of parking between the proposed buildings and James Snow Parkway in order to provide flexibility in built form and site layout in support of the proposed Business Park and Prestige Office uses. The Derry Green Corporate Business Park Secondary Plan currently does not permit parking between the building and the street. The intent of this policy is to avoid views of vehicular parking areas from the Street. Derry Green Lands LP proposes to amend Section C.9.5.1.5 and C.9.5.2.3 to permit surface parking between the building and the street where adequate landscaping is provided.

Additionally, the amendment permits light industrial uses without a specific metric as to the amount of accessory office gross floor area within areas designated Business Park Area with Natural Heritage Oriented Area overlay while still ensuring that such uses are implemented in accordance with the existing policies for Natural Heritage Oriented Areas. The proposed amendment continues to meet the intent of the Secondary Plan as it provides an aesthetically pleasing landscape buffer to screen views of vehicular parking located between the building and James Snow Parkway, and provides for context appropriate office buildings with strong architectural design within the Prestige Office Area and Gateway Overlay designations.

DRAFT

PART II: THE AMENDMENT

All of this document, entitled Part II: THE AMENDMENT consisting of the following text constitutes Amendment No. **XX** to the Town of Milton Official Plan.

DETAILS OF THE AMENDMENT

The Town of Milton Official Plan is hereby amended by Official Plan Amendment No. **xx**, pursuant to Sections 17 and 212 of the Planning Act, as amended, as follows:

1.0 Map Change

- 1.1 Amending Schedule C-9-B “Derry Green Corporate Business Park Land Use Plan” as shown on the attached Schedule 1.
- 1.2 Amending Schedule I1 – “Urban Area Specified Policy Areas” by adding Specific Policy Area No. **xx** to the lands legally described as Part of Lots 7, 8, and 9, Concession 5, Former Geographic Township of Trafalgar, Town of Milton, Regional Municipality of Halton, as shown on the attached Schedule 2.

2.0 Text Changes

- 2.1 Adding the following text to Section 4.11 “Specific Policy Area No. **xx**”:

4.11.3.xx Notwithstanding Section C.9.5.1.5 b) and C.9.5.2.3 d) of the Derry Green Corporate Business Park Secondary Plan, on lands identified as Specific Policy Area No. **xx** on Schedule I1 of this Plan, being part of the lands legally known as Part of Lots 7, 8, and 9, Concession 5, may permit limited surface parking between the building and the street, provided adequate berming and landscape screening are implemented.








Notwithstanding Section C.9.5.1.2 b) of the Derry Green Corporate Business Park Secondary Plan, on lands identified as Specific Policy Area No. **xx** on Schedule I1 and designated Business Park Area with a Natural Heritage Oriented Area overlay on Schedule C-9-B of this Plan, being part of the lands legally known as Part of Lots 7, 8, and 9, Concession 5, light industrial uses shall be permitted irrespective of the amount of accessory office gross floor area provided and such uses shall be implemented in accordance with Section C.9.5.1.7 of this Plan.

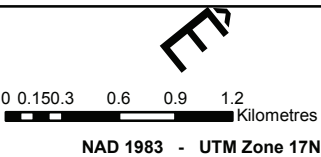


TOWN OF MILTON OFFICIAL PLAN

Schedule I1

URBAN AREA SPECIFIC POLICY AREAS (Refer to sections 4.11 & 3.8.3.2)

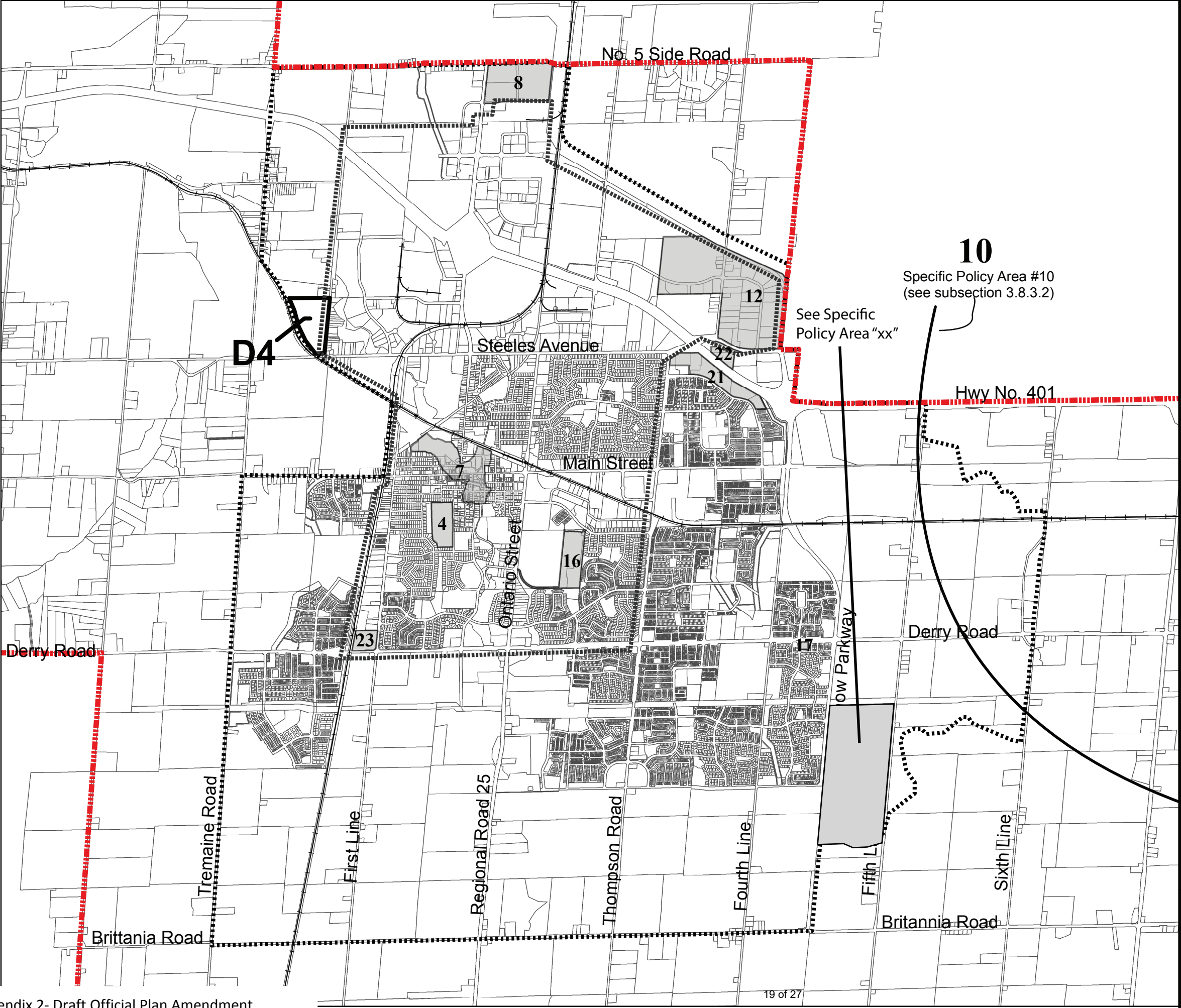
-  TOWN OF MILTON BOUNDARY
-  URBAN EXPANSION AREA BOUNDARY
-  EXISTING URBAN AREA BOUNDARY
-  RAILWAY
-  SPECIFIC POLICY AREA
-  SPECIFIC POLICY NUMBER
-  D4 DEFERRED AND APPEALED AREAS AND NUMBERS



This Schedule Forms Part Of The
Official Plan And Should Be Read
Together With The Text.

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Consolidated August 2008



THE CORPORATION OF THE TOWN OF MILTON
BY-LAW NO. XXX-XXXX

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 24 OF THE PLANNING ACT, AS AMENDED, IN RESPECT TO THE LANDS DESCRIBED AS PART OF LOTS 7, 8, AND 9, CONCESSION 5, GEOGRAPHIC TOWNSHIP OF TRAFALGAR, AND MUNICIPALLY IDENTIFIED AS 6390-6400 FIFTH LINE AND 6548 FIFTH LINE, AND PART OF LOT 7, CONCESSION 5 GEOGRAPHIC TOWNSHIP OF TRAFALGAR, PART 4 OF 20R-757 TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (DERRY GREEN LANDS LP) – TOWN FILE: Z-XX/19

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

AND WHEREAS the Town of Milton Official Plan, as amended by Official Plan Amendment No. 44, provides for the lands affected by this by-law to be zoned as set forth in this by-law;

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

- 1) **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) and Natural Heritage System (NHS) Zone Symbols to a site-specific Prestige Office (EMP-1*xxx-Hxx1) Zone Symbol, Business Park (M1*xxx-Hxx2), (M1*xxx2-Hxx1-Hxx2) and (M1*xxx3-Hxx2) Zone Symbols and a Natural Heritage (NHS) Zone Symbol on the Lands shown on Schedule A attached hereto.
- 2) **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection Section 13.1.1.xxx to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Business Park *xxx (M1*xxx), the following standards and provisions shall apply:

- A. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following uses shall not be permitted:
 - 1) Animal Training Facility
 - 2) Commercial School – Trade/Profession
 - 3) Commercial School – Skill
 - 4) Convenience Store
 - 5) Convention Centre
 - 6) Day Care Centre
 - 7) Dog Daycare
 - 8) Dry Cleaning Depot

- 9) Fitness Centre
- 10) Food Bank
- 11) Funeral Home
- 12) Hotel
- 13) Motor Vehicle Rental Agency
- 14) Personal Service Shop
- 15) Place of Assembly
- 16) Place of Entertainment
- 17) Place of Worship
- 18) School, Adult Education
- 19) U-Brew Establishment
- 20) Veterinary Clinic – Small Animal
- 21) Veterinary Clinic – Large Animal
- 22) Veterinary Hospital – Small Animal

B. In addition to Section 8.1 – Table 8A Permitted Uses, the following additional uses shall also be permitted:

- 1) Parks - Public

C. Special Site Provisions

- 1) For the lands zoned Business Park (M1*xxx) the following additional special site provisions shall apply:
 - a) Research and Technology Use shall only be permitted where such use does not produce biomedical waste.
 - b) Notwithstanding Section 8.2, Table 8B, the maximum building height shall be 27.5 m.
 - c) Notwithstanding Section 8.2, Table 8B, the minimum landscaped open space shall be 7.5%.
 - d) In addition to Section 8.2, Table 8B, all buildings must be setback a minimum 23.5 m from the centreline of Fifth Line.

3) **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection section 13.1.1.xxx to read as follows:

Notwithstanding any provisions to the By-law to the contrary, for the lands zoned site-specific Business Park *xxx2 (M1*xxx2), the following standards and provisions shall apply:

A. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following uses shall not be permitted:

- 1) Animal Training Facility
- 2) Convenience Store
- 3) Convention Centre
- 4) Day Care Centre
- 5) Dog Daycare
- 6) Food Bank
- 7) Funeral Home
- 8) Hotel
- 9) Motor Vehicle Rental Agency
- 10) Place of Assembly
- 11) Place of Entertainment
- 12) Place of Worship
- 13) School, Adult Education
- 14) U-Brew Establishment
- 15) Veterinary Clinic – Small Animal
- 16) Veterinary Clinic – Large Animal
- 17) Veterinary Hospital – Small Animal

B. In addition to Section 8.1 – Table 8A Permitted Uses, the following additional uses shall also be permitted:

- 1) Brewery, Winery and Distillery
- 2) Building Supply Outlet
- 3) Equipment Sales and Rental
- 4) Limited Contractor Services
- 5) Parks – Public
- 6) Public Indoor Recreation Facility
- 7) Recreation and Athletic Facility
- 8) Service and Repair Shop

C. In addition to Section 8.1 – Table 8A Permitted Uses, the following additional uses shall also be permitted only as part of a light industrial, office, or mixed-use building, including an industrial mall:

- 1) Bank
- 2) Personal Service Shop
- 3) Specialty Food Store

D. Special Site Provisions

- 1) For the lands zoned Business Park (M1*xxx2) the following additional special site provisions shall apply:

a) Research and Technology Use shall only be permitted where such

use does not produce biomedical waste.

- b) A minimum of 5% of gross floor area for Industrial Use, Warehouse / Distribution Centre and Wholesale Operation shall be dedicated to office the office component for such use.
- c) Notwithstanding Section 4.1 vi) and Footnote (*7) of Section 8.1, Table 8B, up to a maximum of 15% of the gross floor area of an Industrial Use or Wholesale Operation may be used for a showroom or the retail sale of goods or products.
- d) Notwithstanding Section 8.2, Table 8B, the minimum landscaped open space shall be 7.5%.
- e) Notwithstanding Sections 4.19.1 ii) b), 5.1 iii) and 5.6.1 i), connection to a street may be provided by private streets and driveways located on adjacent lots.

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

Notwithstanding any provisions to the By-law to the contrary, for the lands zoned site-specific Business Park *xxx3 (M1*xxx3), the following standards and provisions shall apply:

- A. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following uses shall not be permitted:

- 1) Animal Training Facility
- 2) Commercial School – Skill
- 3) Commercial School – Trade / Profession
- 4) Convenience Store
- 5) Convention Centre
- 6) Day Care Centre
- 7) Dog Daycare
- 8) Dry Cleaning Depot
- 9) Food Bank
- 10) Funeral Home
- 11) Hotel
- 12) Motor Vehicle Rental Agency
- 13) Personal Service Shop
- 14) Place of Assembly
- 15) Place of Entertainment
- 16) Place of Worship
- 17) School, Adult Education
- 18) U-Brew Establishment
- 19) Veterinary Clinic – Small Animal
- 20) Veterinary Clinic – Large Animal

21) Veterinary Hospital – Small Animal

B. In addition to Section 8.1 – Table 8A Permitted Uses, the following additional uses shall also be permitted:

- 1) Brewery, Winery and Distillery
- 2) Building Supply Outlet
- 3) Equipment Sales and Rental
- 4) Limited Contractor Services
- 5) Parks – Public
- 6) Recreation and Athletic Facility
- 7) Service and Repair Shop

C. Special Site Provisions

- 1) For the lands zoned Business Park (M1*xxx3) the following additional special site provisions shall apply:
 - a) Research and Technology Use shall only be permitted where such use does not produce biomedical waste.
 - b) Notwithstanding Section 4.1 vi) and Footnote (*7) of Section 8.1, Table 8B, up to a maximum of 15% of the gross floor area of an Industrial Use or Wholesale Operation may be used for a showroom or the retail sale of goods or products.
 - c) Notwithstanding Section 8.2, Table 8B, the minimum landscaped open space shall be 7.5%.
 - d) In addition to Section 8.2, Table 8B, all buildings must be setback a minimum 23.5 m from the centreline of Fifth Line.
 - e) Notwithstanding Sections 4.19.1 ii) b), 5.1 iii) and 5.6.1 i), connection to a street may be provided by private streets and driveways located on adjacent lots.

5) **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection section 13.1.1.xxx to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for the lands zoned site-specific Prestige Office *xxx (EMP1*xxx), the following standards and provisions shall apply:

A. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following additional uses shall be permitted:

- 1) Banquet Facility
- 2) Convention Centre

- 3) Hotel
- 4) Place of Assembly
- 5) Place of Entertainment
- 6) Specialty Food Store
- 7) Theatre

B. Special Site Provisions

- 1) For the lands zoned Prestige Office *xxx (EMP1*xxx) the following additional special site provisions shall apply:
 - a) Research and Technology Use shall only be permitted where such use does not produce biomedical waste.
 - b) Notwithstanding Footnote (*10) of Table 8A, Section 8.1, up to two standalone restaurants with a minimum GFA of 500 m² are permitted at the intersection of James Snow Parkway and Louis St. Laurent.
 - c) Notwithstanding Section 8.2, Table 8B, the minimum Gross Floor Index shall be 0.5.
 - d) Notwithstanding Section 8.2, Table 8B, the maximum Front Yard shall be 21.0m.
 - e) Notwithstanding Section 8.2, Table 8B, the maximum Exterior Side Yard shall be 9.0m.
 - f) Notwithstanding Sections 4.19.1 ii) b), 5.1 iii) and 5.6.1 i), connection to a street may be provided by private streets and driveways located on adjacent lots.
- 6) **THAT** Section 13.2.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following subsections
 - 13.2.1.xx1 For lands zoned site-specific Business Park with holding provision (M1*xxx2-Hxx1) and site-specific Prestige Office (EMP1-xxx-Hxx1), the Hxx1 holding provision shall apply and shall not be removed until a site plan or other development plan has been provided to the satisfaction of the Town, which demonstrates that an enhanced level of berming, landscaping and urban design along James Snow Parkway can be provided.
 - 13.2.1.xx2 For lands zoned site-specific Business Park with holding provision (M1*xxx-Hxx2), (M1*xxx2-Hxx2) and M1*xxx3-Hxx2) the Hxx2 holding provision shall apply and shall not be removed until a Noise Study is submitted to the satisfaction of the Town of Milton and Region of Halton.
- 7) **THAT** for the purposes of this By-law, the following definitions shall apply:

Breweries, Wineries and Distilleries means a premises for the manufacturing of beer, wine, spirits or other alcoholic beverages and may include the sale of alcoholic beverages to the public for consumption within the premises. Retail sales of alcoholic beverages for consumption off-site shall be limited to alcoholic beverages that are manufactured on-site. Accessory activities may include the preparation and sale of food, and storage, packaging, bottling, canning and shipping of products manufactured within the premises.

Limited Contractor Services means a premises used for the provision of electrical, plumbing, heating, painting and similar contractor services and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four vehicles.

- 7) **THAT** if no appeal is filed pursuant to Section 34 (19) of the Planning act, RSO 1990, c. P13, as amended, or if an appeal is filed and the Local Planning Appeal Tribunal dismisses the appeal, this By-law shall come into force upon the day which the Local Planning Appeal Tribunal amends the By-law pursuant to Section 34 (26) of the Planning Act, as amended, the part or parts so amended come into force upon the day of the Tribunal's Order is issued directing the amendment or amendments.

Gordon A. Krantz Mayor

Troy McHarg Town Clerk

