



# The Corporation of the Town of Milton

Report To: Council

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From: Jill Hogan, Commissioner, Development Services

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Date: April 11, 2022

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Report No: DS-026-22

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Subject: Technical Report: Proposed Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment by Broccolini Real Estate Group/ Sun Life Assurance Company of Canada to permit the development of an industrial plan of subdivision at lands known municipally as 6712 Fifth Line (Files: 24T-21001/M, LOPA 01/21 and Z-01/21).

**Recommendation:**

**THAT** Town of Milton Council support the granting of Draft Plan Approval by the Commissioner of Development Services for the proposed plan of subdivision (24T-21001/M - Broccolini Real Estate Group/Sun Life Assurance Company of Canada);

**AND THAT** Development Services Report DS-026-22 outlining applications for amendments to the Town of Milton Official Plan and Zoning By-law 016-2014, as amended, to facilitate the development of an industrial plan of subdivision **BE APPROVED**;

**AND THAT** staff be authorized to bring forward Official Plan Amendment No. 69 in accordance with the draft Official Plan Amendment attached as Appendix 2 to report DS-026-22;

**AND THAT** staff be authorized to bring forward an amending Zoning By-law with a holding in accordance with the draft By-law attached as Appendix 3 to Report DS-026-22 for Council Adoption;

**AND THAT WHEREAS** the Planning Act limits the ability to apply for a minor variance for a 2-year period following approval of this By-law, **BE IT RESOLVED** that a privately initiated application for a minor variance may be made;

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



# The Corporation of the Town of Milton

Report #:  
DS-026-22  
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Report To: Council

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**AND FURTHER THAT** the Town Clerk forward a copy of Report DS-026-22 and the decision to the Region of Halton for their Information.

## EXECUTIVE SUMMARY

The purpose of the proposed applications is to facilitate the development of four (4) buildings totaling +/-91,500 square metres (approximately 985,000 square feet) of warehouse and light industrial space, while maintaining the existing natural heritage system and lands intended for future development. The proposed plan of subdivision will create blocks for the proposed business park, natural heritage system and stormwater management facility. The Official Plan Amendment seeks to permit surface parking spaces within the Street Oriented Overlay area between the proposed building and Derry Road. The Zoning By-law Amendment seeks to rezone the lands to permit the use, and further establish zone standards specific to the proposed development in order to ensure conformity with the Derry Green Corporate Business Park Secondary Plan.

All internal Town of Milton departments and responding external agencies have provided correspondence to Town Planning staff indicating their support for the applications as presented. They have also provided the appropriate conditions of draft plan approval necessary for the Town to consider the approval of these applications. Staff has reviewed all of the documentation, plans and comments provided to date and is of the opinion that the applications are prepared in a manner that would allow them to be considered by Town Council for approval.

### Conclusions and Recommendations

Staff is satisfied that the Plan of Subdivision attached as Appendix 1, subject to the requested conditions of draft plan approval, Special Policy Area 44 attached as Appendix 2, and the site specific Business Park with a Holding (M1\*306\*H57) zoning provisions attached as Appendix 3, will conform to Provincial, Regional and Town planning policies and Conservation Halton regulations, and achieves acceptable engineering and design standards. Planning staff is also satisfied that the proposed Official Plan Amendment and Zoning By-law Amendment is consistent with the land use policies of the Provincial Policy Statement and conforms to the Regional Official Plan. Therefore, staff recommends approval of the Official Plan Amendment and Zoning By-law Amendment, and the draft approval of the Plan of Subdivision as presented through this report.



## REPORT

### Background

**Owner:** Sun Life Assurance Company of Canada

**Applicant:** Broccolini Real Estate Group

**Location:** The subject lands are known municipally as 6712 Fifth Line, on the west side of Fifth Line, South of Derry Road and East of James Snow Parkway (see Figure 1 - Location Map).

The subject lands are approximately 40.5 hectares (100 acres) in size with approximately 640 metres of frontage on Derry Road and 530 metres of frontage on Fifth Line. The lands are currently vacant.

Vacant agricultural lands intended for future, approved Business Park development are present to the north of the subject property. To the west of the subject lands across James Snow Parkway are medium density residential dwellings, and to the east are existing low density residential dwellings and vacant agricultural lands intended for future Business Park development. Immediately south of the subject property is the Union Gas corridor, followed by vacant lands that are approved for Business Park development.

**Proposal:** The application seeks to facilitate the development of an industrial plan of subdivision to accommodate four buildings totaling +/-91,500 square metres (approximately 985,000 square feet) of light industrial and warehousing space with 739 parking spaces at grade, as well as blocks for the natural heritage system and stormwater management block. The future development block at the corner of James Snow Parkway and Derry Road will remain zoned for Future Development, but will no longer be a separate block on the plan of subdivision. At a later date, it will be developed as a future phase through additional Planning Act applications. The future development block proposed at the corner of Derry Road and Fifth Line will remain zoned for Future Development and may proceed through additional Planning Act applications at a later time.

The application seeks to amend the Derry Green Corporate Business Park Secondary Plan of the Town's Official Plan to permit surface parking between all buildings and the south side of Derry Road within the Street Oriented Business Park designation.

The application seeks to rezone the subject lands from the current Future Development (FD) zone to site specific Business Park with a Holding (M1\*306\*H57) zone to facilitate the development of four light industrial buildings and Stormwater Management (OS2) zone to facilitate the development of a stormwater management pond. The application seeks to maintain the existing Natural Heritage System (NHS) on the lands. The areas at both the corner of James Snow Parkway and Derry Road as well as Derry Road and Fifth Line will remain as Future Development (FD) zone until such time as these lands are contemplated for development through additional Planning Act applications at a later date. The purpose

of the H57 Holding is to ensure Regional standards related to access management along Derry Road are met.

Figure 2 shows the conceptual plan for the proposed plan of subdivision. The draft plan of subdivision includes two blocks for the lands identified as developable areas, including the lands to be zoned and developed through the current application, as well as two areas for future development, as well as two natural heritage blocks and a stormwater management block.

The following reports and supporting materials have been submitted in support of the application:

- Draft Plan of Subdivision
- Site Plan
- Conceptual Plans
- Building Elevations
- Planning Justification Report
- Stage 1-2 Archaeological Assessment
- Traffic/Transportation Impact Study
- Phase One Environmental Site Assessment
- Phase Two Environmental Site Assessment
- Functional Servicing and Stormwater Management Report
- Preliminary Geotechnical Investigation
- Hydrogeology Report
- Urban Design
- Tree Inventory & Preservation Plan
- Tree Assessment Summary Table
- Landscape Plan
- Landscape Frontage Plan Derry Road
- Noise Impact Study
- Subwatershed Impact Study
- Urban Design Brief

### **Planning Policy:**

The subject property is designated Urban Area and Natural Heritage System in the Halton Region Official Plan. Regional staff have confirmed that the uses being proposed on the attached draft plan of subdivision conform to the Regional Official Plan and all Provincial land use policy.

Official Plan Amendment No. 31 (OPA #31) is an amendment to the Town's Official Plan, which was adopted by the Town of Milton on June 14, 2010 and approved by Halton Region with modifications on November 22, 2018. While some appeals are still outstanding, the appeals do not affect the policies for the Urban Area.



On Schedule B of OPA #31, the lands are designated Business Park Area and Natural Heritage Area. The main permitted uses within the Business Park Area designation are light industrial and office uses. The Natural Heritage System Area is intended to protect, maintain and enhance the natural heritage, hydrologic and landform features and functions, as well as to improve or restore the quality and quantity of ground and surface water and the hydrologic functions of watersheds.

The subject lands are located within the Derry Green Corporate Business Park Secondary Plan Area. On Schedule C-9-B Land Use Plan, the lands are designated Business Park Area, Natural Heritage System, Prestige Office Area and also include the Gateway overlay, the Street Oriented Site overlay and the Natural Heritage Oriented Area. The intersection of James Snow Parkway is also identified as a Gateway on the Secondary Plan.

The Street Oriented Site overlay requires development to be designed with street related sites and buildings, including a continuous frontage of buildings wherever feasible. It does not allow for parking to be located between the building and street. The applicant is however requesting one row of parking to be located between the front façade of Building 1 and Derry Road. In support of this Official Plan Amendment, the applicant has provided an Urban Design Brief and Landscape Plans to demonstrate that the design of the buildings meets the intent of the Official Plan policies. Enhanced landscaping and building elevations will assist in meeting the intent of street related sites, however a row of parking will also assist with accessibility and access to the interior of the building.

At this time, the lands at the corner of James Snow Parkway and Derry Road as well as the corner of Derry Road and Fifth Line are not subject to a development plan. It is noted that in the future when development is contemplated, a future Zoning By-law Amendment will be required prior to development, which will also be required to conform to all policies of the Derry Green Corporate Business Park Secondary Plan, including the Gateway policies.

It is noted that the implementing Zoning By-law has been updated to include site-specific provisions related to the proposed development, and further includes a H- Holding provision in order to ensure the Region's access management guidelines for development along Derry Road is met. The existing Business Park (M1) zone provisions contained within Zoning By-law 016-2014, as amended, contain uses that do not conform to the Derry Green Corporate Business Park Secondary Plan. As a result, the Zoning By-law has also been updated to ensure permitted uses on this site conform to the Secondary Plan policies.

Staff has reviewed the application and is of the opinion that the proposed development is consistent with the Provincial Policy Statement and conforms to the Growth Plan, the Halton Region Official Plan, the Town of Milton Official Plan and the Derry Green Corporate Business Park Secondary Plan. The proposed Official Plan Amendment is appropriate for the development of the lands as proposed and it has been demonstrated



that the Amendment being sought still meets the intent of the policies contained within the secondary plan.

### **Zoning By-law 016-2014, as amended**

The subject lands are currently zoned Future Development (FD) Zone and Natural Heritage System (NHS) Zones. The lands are proposed to be zoned site specific Business Park with a Holding (M1\*306\*H57) zone to facilitate the proposed development, Stormwater Management (OS2) zone to facilitate the development of a stormwater management pond, and Natural Heritage System (NHS) zone to maintain and enhance the existing Natural Heritage system on the lands. The site-specific zoning has been updated to ensure conformity with the Derry Green Corporate Business Park Secondary Plan as noted above, as well as apply site specific provisions specific to the development. The additional site specific provisions relate to an increase in maximum driveway width, the height of light standards from grade adjacent to loading docks at the rear of the proposed buildings, and a minimum setback requirement from Fifth Line to the proposed building to ensure protection of the right-of-way should it be required for future redevelopment of Fifth Line.

The Region has also requested a Holding Provision (H57) be applied to the lands to ensure that access to the site will be designed in accordance with the Region's access management guidelines for development along Derry Road. The purpose of these guidelines is to ensure that the site is serviced by safe access that minimizes traffic conflicts on Derry Road, and further does not preclude access locations that may be proposed through development applications on lands immediately to the north at a later date. The proposed location of the access points along Derry Road will continue to be reviewed through subsequent Site Plan Approval submissions with greater detail relating to the proposed development. It is noted that as a result of the Region's access guidelines, Building 1 may result in a smaller GFA than currently proposed to accommodate adequate spacing from the intersection of James Snow Parkway and Derry Road.

Should the application be approved, the applicant is required to obtain Site Plan Approval prior to building permit issuance. Detailed site plan drawings addressing such matters as building elevations and urban design, lot grading and drainage, lighting and landscaping will be reviewed through this process.

A draft zoning by-law is attached as Appendix 2.

## **Discussion**

### **Public Consultation and Review Process**

Notice of a complete application was provided on February 1, 2021. In accordance with the Planning Act requirements and Town policies, notice for the Statutory Public Meeting held on April 12, 2021 was provided on March 18, 2021 through written notice to all properties within 200 metres as well as an ad within the Milton Canadian Champion. No members of the public spoke at the meeting. However, staff has received written



submissions in opposition to the proposal, which are addressed under the Summary of Issues section of this report.

## **Agency Consultation**

The revised draft plan of subdivision, Official Plan Amendment and Zoning By-law Amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region, Conservation Halton, Town Departments, School Boards and other agencies offered no objection to the applications and requested standard conditions of draft plan approval be applied. Agencies will continue to work with the applicants through the detailed draft approval process as well as the Site Plan Approval process prior to the development of the site.

## **Summary of Issues**

### Establishment of Land Use and Adjacent Residential Uses

The Town of Milton Council adopted the Derry Green Corporate Business Park Secondary Plan on June 14, 2010. Changes to the plan as a result of Halton Region review were endorsed by Council on June 18, 2013. The Region issued the Notice of Decision on March 7, 2014, approving the Plan. The Plan was appealed to the Ontario Municipal Board and an order was issued approving the Plan on April 2, 2015. A consolidated version of the Plan including the changes and approved policies was passed by By-law 088-2015 on November 9, 2015, which adopted the Official Plan Amendment, and is the in-effect policy that we use today. All development contemplated within the Derry Green area is considered within the existing, approved policy framework. The proposed development subject to this application conforms to all policies of the Derry Green Secondary Plan, save for the request to allow parking between Derry Road and Building 1.

The Residential Special Policy Area designation is an overlay designation present on the lands across Fifth Line from this development, where existing single detached dwellings exist. It is the intent of this Special Policy Area to recognize the existing residential uses which are unlikely to be developed in the short term. Acknowledging that the residential uses may continue in perpetuity, the Town is directed to consider the provision of landscaping or other buffering on the boundary with the residential use.

Site access on Fifth Line within the vicinity of the existing single detached dwellings will be limited to two access points on the southern half of the subject lands. Additionally, through the Site Plan Approval process, staff will review detailed landscape plans to ensure trees and other vegetation are present between the proposed buildings and the Fifth Line right-of-way, to minimize visual impacts and noise. It is also noted that the existing watercourse and Natural Heritage System near the Derry Road and Fifth Line intersection will also act as a buffer between existing residential dwellings on the east side of Fifth Line and the proposed development.

### Existing Natural Heritage System

A Subwatershed Impact Study (SIS) was undertaken and submitted for review prior to the initiation of the Planning Act applications. This detailed environmental and engineering

study reviewed the existing Natural Heritage System features on site and offered recommendations for the protection and enhancement of these features. As a result, the existing Natural Heritage System along James Snow Parkway is being maintained with adequate buffering to the proposed development, as is the existing watercourse and associated features near the intersection of Derry Road and Fifth Line.

### Construction Impacts

It is expected that there will be impacts associated with the development and construction of the lands, however the developer is responsible to ensure impacts on adjacent properties is minimized. The Town's Noise By-law restricts daytime hours when construction and noise can take place. Any complaints related to noise can be directed to the Town's By-law Enforcement office.

### Traffic and Sidewalks

An increase in traffic as a result of the proposed development is expected as the lands are currently vacant. A Traffic Impact Study has been submitted and reviewed by both Town and Regional staff which includes forecasted traffic volumes associated with future development within Derry Green.

Derry Road is a major arterial road under the jurisdiction of Halton Region which is intended to act as a major thoroughfare and carry the heaviest volumes of traffic throughout the Town. Major arterials serve mainly inter-regional and regional travel demands and are able to accommodate all truck traffic. Derry Road is currently 4 lanes, and is intended to be reconstructed to 6 lanes in the next ten years.

Fifth Line is a minor arterial road under the jurisdiction of the Town of Milton. Minor arterial roadways are generally characterized with traffic movement being the primary function, high traffic volumes and no restrictions for heavy trucks. Fifth Line is currently 2 lanes and is intended to be reconstructed to 4 lanes. There are proposed multi-use pathways that will be provided on both sides of the road in accordance with Town standards for arterial roadways and the Environmental Study Report/Environmental Assessment that was completed in October 2016 for the widening of Fifth Line.

### Property Values

The value of a property is dependent on a number of factors including the size and type of property, market trends, location, etc., and is not limited to impact of surrounding uses. As a result, case law has demonstrated that property value is not considered to be a planning concern.

### **Conclusion**

Staff is satisfied that the Plan of Subdivision as shown in Appendix 1, subject to the required conditions of draft plan approval, Special Policy Area 44 attached as Appendix 2, and the site specific zoning by-law and associated provisions attached as Appendix 3, will conform to Provincial, Regional and Town land use planning policy and achieves acceptable engineering and design standards. Planning staff is also satisfied that the proposed zoning by-law amendment is consistent with the Provincial Policy and conforms





to the Region of Halton and Town of Milton Official Plans. Therefore, staff recommends approval of the draft zoning by-law amendment and the granting of draft plan approval to the plan of subdivisions.

## Financial Impact

None arising from this Report

Respectfully submitted,

Jill Hogan, MCIP RPP  
Commissioner, Development Services

For questions, please contact: Mollie Kuchma, MSc, MPA, MCIP, RPP, Phone:  
Senior Planner Ext. 2312

## Attachments

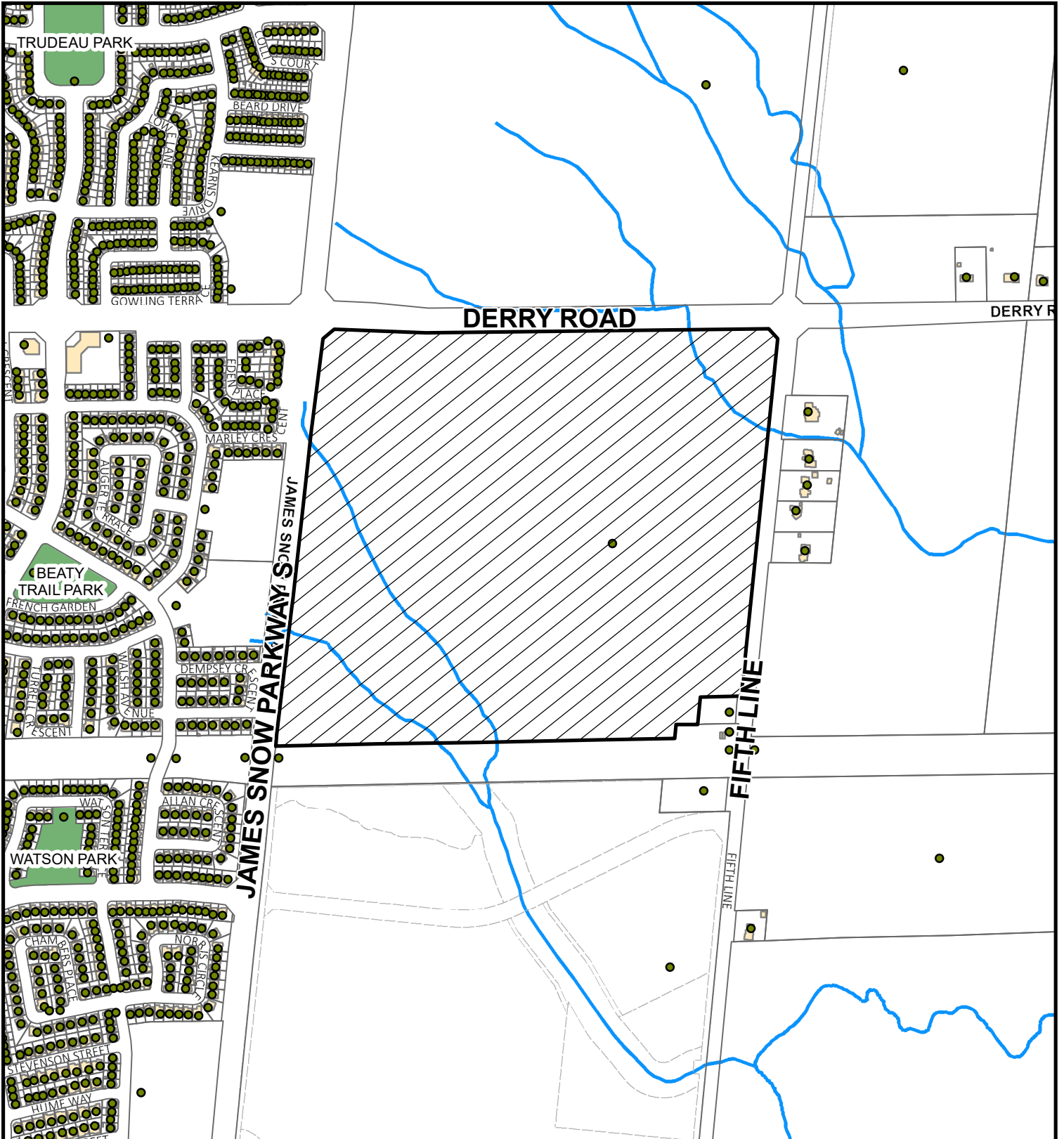
Figure 1 – Location Map  
Figure 2 – Site Concept for Development Proposal  
Figure 3 – Rendering of Proposed Elevation  
Appendix 1 – Draft Plan of Subdivision  
Appendix 2 – Official Plan Amendment & Schedule I1  
Appendix 3 – Zoning By-law & Schedule A  
Appendix 4 – Public Comments

CAO Approval  
Andrew M. Siltala  
Chief Administrative Officer

## Recognition of Traditional Lands

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

# FIGURE 1 LOCATION MAP

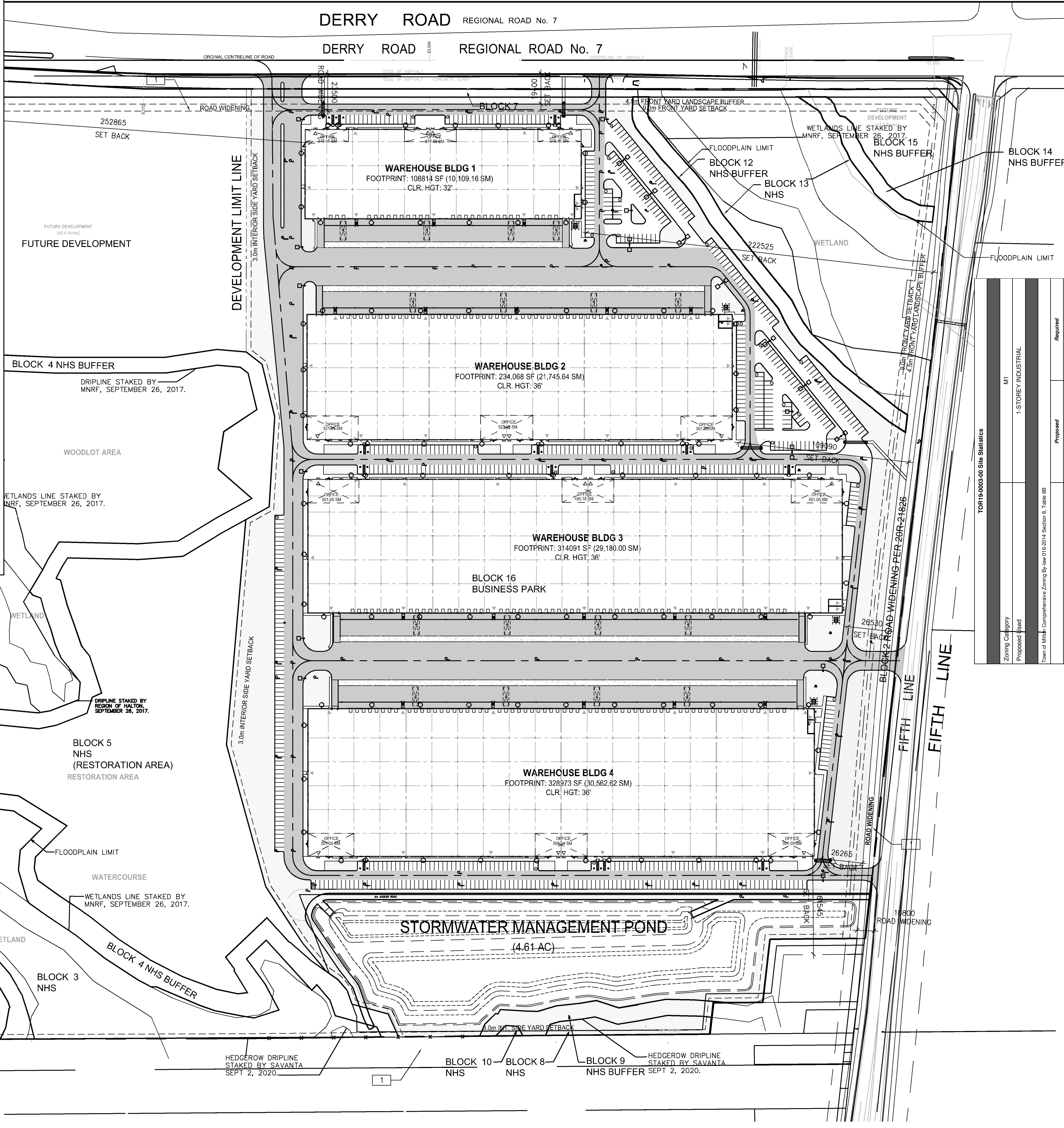


Council Meeting Date: April 11, 2022	Scale: 1: 7,800	Files: Z-1/21, 24T/21001/M, LOPA-01/21	Development Services Department
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CAUTION: IF THIS SHEET IS NOT 24"x36" IT IS A REDUCED PRINT

DERRY ROAD REGIONAL ROAD No. 7  
DERRY ROAD REGIONAL ROAD No. 7



TOR19-0003-00 Site Statistics

Zoning Category	Proposed Used	M1
Proposed Used	1-STORY INDUSTRIAL	
Town of Milton Comprehensive Zoning By-law (2014-2014 Section 8, Table 6B)		
Proposed	Required	
LOT FRONTAGE (MIN)	64.00	40.00
MIN. FRONT YARD BUILDING SETBACK (m)	19.40	9.00
MIN. INTERIOR SIDE YARD BUILDING SETBACK (m)	252.90	3.00
MIN. EXTERIOR SIDE YARD BUILDING SETBACK (m)	91.54	9.00
MIN. REAR YARD BUILDING SETBACK		3.00
MAX. BUILDING HEIGHT (CATUM)	14.17m	15.00m
LANDSCAPE OPEN SPACE AREA RATIO	M1 Zone	M1 Zone
LANDSCAPING PROPOSED BLOCK 16 (INCLUDE POND)	50765.36 (20.69%)	10%
LANDSCAPE BUFFER		
MIN. LANDSCAPE BUFFER ABUTTING STREET LINE (NORTH)	4.5m	4.5m
MIN. LANDSCAPE BUFFER ABUTTING STREET LINE (EAST)	4.5m	4.5m
MIN. LANDSCAPE BUFFER (SOUTH)	N/A	N/A
MIN. LANDSCAPE BUFFER (WEST)	N/A	N/A

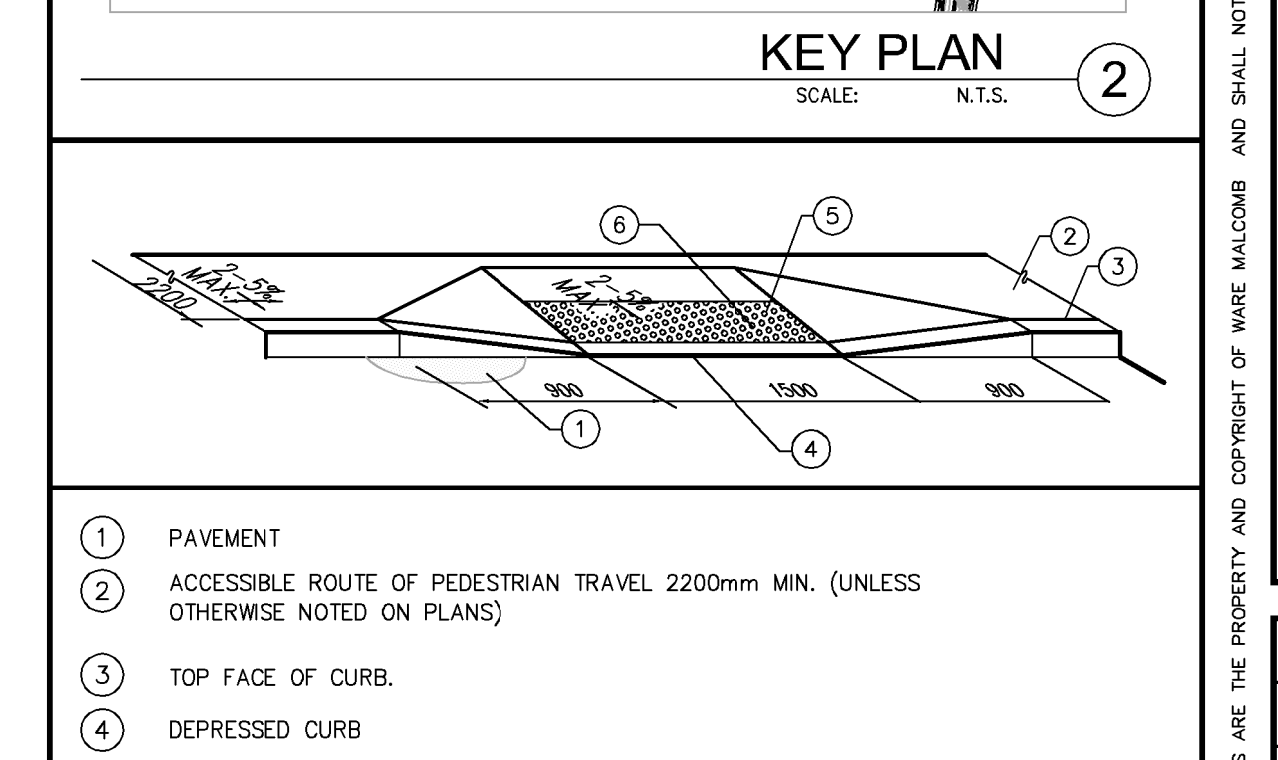
Lot Area (overall)	Proposed		Required	
	40.60 ha (100.32AC)	62	MIN. 0.8 ha (1.95 AC)	29,051.38
Lot Area Block 16	1016.80	194	1511.24	30,051.38
Total Ground Floor Area	9	1497.29	N/A	29,051.38
Coverage Overall				
Coverage Block 16				
Office GFA (m <sup>2</sup> )	1523.19	1		
Industrial GFA (m <sup>2</sup> )	20,220.45	27,682.72		
BUILDING GFA (m <sup>2</sup> )	21,743.64	28		
Town of Milton Comprehensive Zoning By-law (2014-2014 Section 5 Table 5D)				
Lot Frontage (MIN)	64.00	194	104	205
MIN. FRONT YARD SETBACK	19.40	162	6	205
MIN. INTERIOR SIDE YARD SETBACK	252.90	194	6	205
MIN. EXTERIOR SIDE YARD SETBACK	91.54	194	6	205
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MIN. LANDSCAPE BUFFER (WEST)	N/A	N/A		

**FIGURE 3**  
**DS-026-22**

Town of Milton Comprehensive Zoning By-law (2014-2014 Section 5 Table 5D)	Proposed		Required	
	1016.80	194	1511.24	30,051.38
Office GFA (m <sup>2</sup> )	1523.19	1		
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MIN. LANDSCAPE BUFFER (SOUTH)	N/A	N/A		
MIN. LANDSCAPE BUFFER (WEST)	N/A	N/A		

Town of Milton Comprehensive Zoning By-law (2014-2014 Section 5 Table 5D)	Proposed		Required	
	1016.80	194	1511.24	30,051.38
Office GFA (m <sup>2</sup> )	1523.19	1		
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MIN. LANDSCAPE BUFFER (WEST)	N/A	N/A		

**SUN LIFE ASSURANCE INDUSTRIAL DEVELOPMENT 6712 FIFTH LINE MILTON, ONTARIO**



OVERALL SITE PLAN

REMARKS

DATE	REMARKS
2020-03-19	ISSUED FOR CLIENT REVIEW
2021-10-12	ISSUED FOR SECOND RESUBMISSION (OPA, ZBA, AND SUBDIVISION)
2021-12-15	ISSUED FOR SPA APPLICATION
2021-12-15	ISSUED FOR THIRD RESUBMISSION (OPA, ZBA, AND SUBDIVISION)

PA / PM: C.ROCHA

DRAWN BY: NM

JOB NO.: TOR19-0003-00

SHEET

**A1.0**

OVERALL SITE PLAN

REMARKS

DATE	REMARKS
2020-03-19	ISSUED FOR CLIENT REVIEW
2021-10-12	ISSUED FOR SECOND RESUBMISSION (OPA, ZBA, AND SUBDIVISION)
2021-12-15	ISSUED FOR SPA APPLICATION
2021-12-15	ISSUED FOR THIRD RESUBMISSION (OPA, ZBA, AND SUBDIVISION)

PA / PM: C.ROCHA

DRAWN BY: NM

JOB NO.: TOR19-0003-00

SHEET

**A1.0**

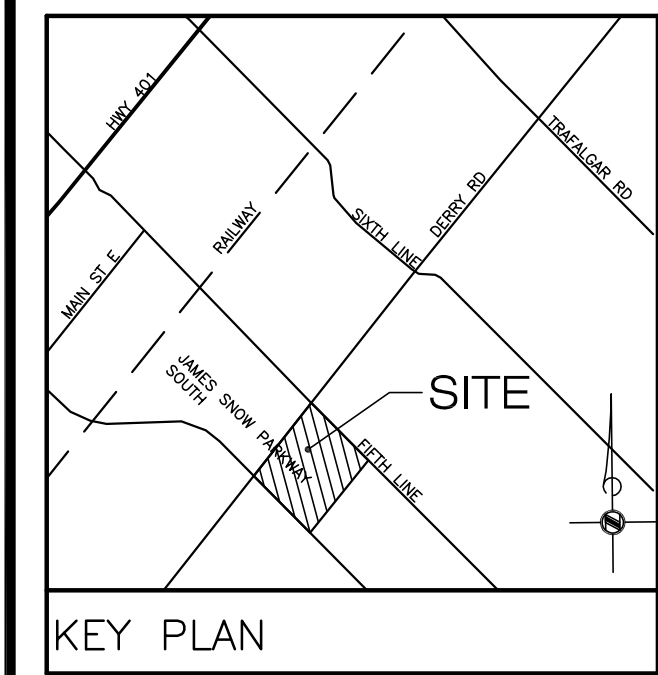
\\Wm-arch.com\wm\TOR\19\0003\00\Architectural\Cad\DD\0003\_A1.0.dwg

PLOT DATE: Fri, 17 Dec 2021

ISSUED FOR THIRD RESUBMISSION (OPA, ZBA, AND SUBDIVISION)



**FIGURE 2  
DS-026-22**



**LEGAL DESCRIPTION**

LOT 10, CONCESSION 5  
TOWN OF MILTON

**SECTION 51, PLANNING ACT, ADDITIONAL INFORMATION**

- A) AS SHOWN ON PLAN
- B) AS SHOWN ON PLAN
- C) AS SHOWN ON PLAN
- D) AS SHOWN IN SCHEDULE OF LAND USE
- E) AS SHOWN ON PLAN
- F) AS SHOWN ON PLAN
- G) AS SHOWN ON PLAN
- H) AVAILABLE
- I) LOAM
- J) AS SHOWN ON PLAN
- K) ALL MUNICIPAL SERVICES AVAILABLE
- L) AS SHOWN ON PLAN

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO ADJACENT LINES HAVE BEEN ACCURATELY AND CORRECTLY SHOWN

SIGNED: *[Signature]* DATED: JUN 11, 2021

**OWNER'S CERTIFICATE**

I AUTHORIZE RIEPMA CONSULTANTS INC. TO SUBMIT THIS DRAFT PLAN ON MY BEHALF

OWNER: I.G. INVESTMENT MANAGEMENT  
SIGNED: *[Signature]* DATED: JUN 11, 2021  
DELIS LUS DEVELOPMENT MANAGER

DATE	DESCRIPTION	CHECKED BY
AUG. 9 2021	SECOND SUBMISSION	

**REVISIONS**



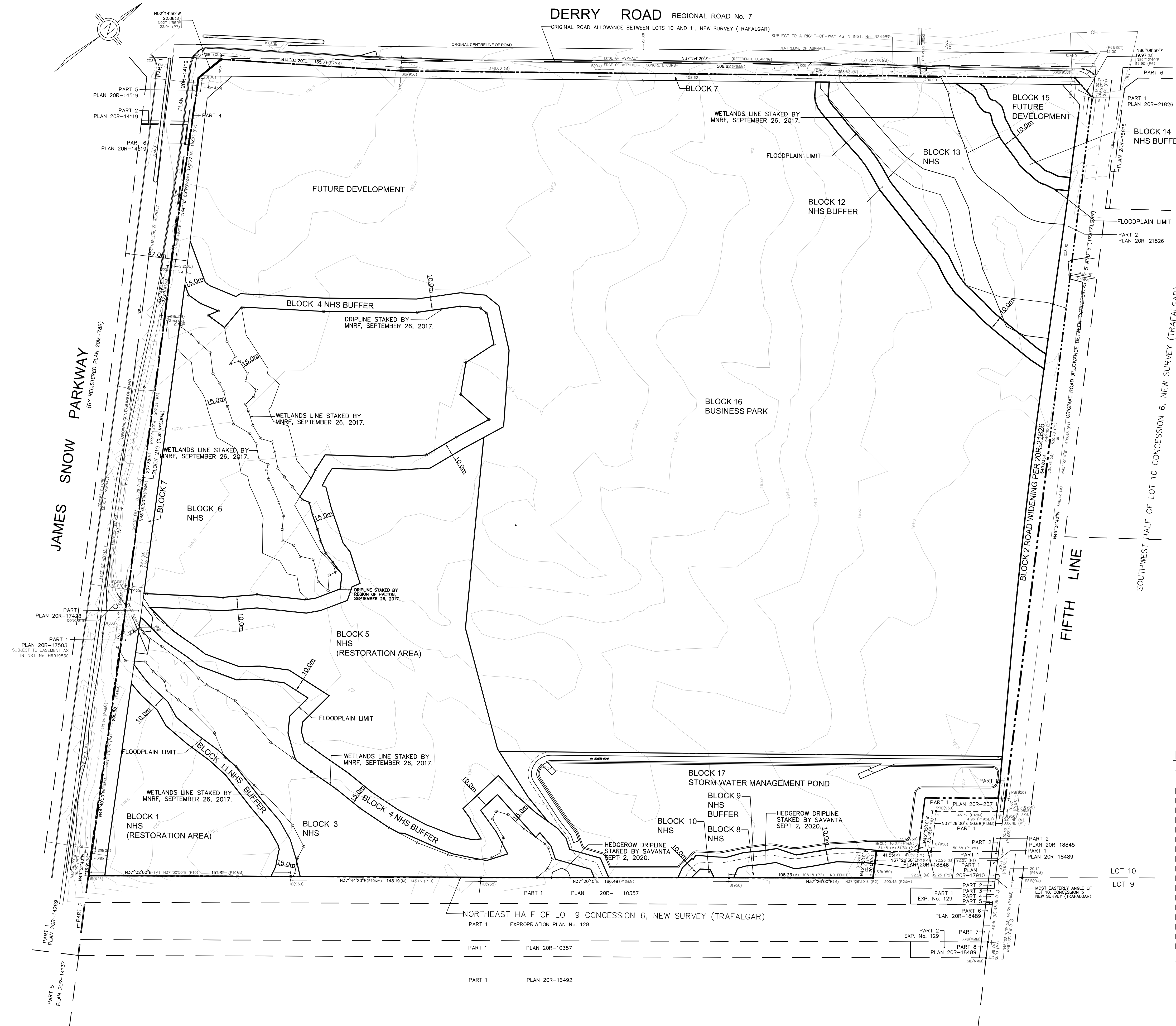
220 Kempenfelt Drive  
Barrie, Ontario  
L4M 1C4  
416-346-8258  
www.riepma.ca  
riepma@riepma.ca

Project Title

6712 FIFTH LINE  
MILTON, ONTARIO

Drawing  
DRAFT PLAN

DATE	ISSUED
July 2021	
JOB NUMBER	DRAWN BY
19-17	D.N.
SCALE	CHECKED BY
1:1500	C.R.
SHEET NUMBER	
	DP.1



**LAND USE SCHEDULE**

TOTAL AREA OF LAND TO BE SUBDIVIDED

BLOCK 1 NHS (RESTORATION AREA)	11,083m <sup>2</sup>
BLOCK 2 ROAD WIDENING	5,312m <sup>2</sup>
BLOCK 3 NHS	16,326m <sup>2</sup>
BLOCK 4 NHS BUFFER	15,328m <sup>2</sup>
BLOCK 5 NHS (RESTORATION AREA)	34,098m <sup>2</sup>
BLOCK 6 NHS	38,091m <sup>2</sup>
BLOCK 7 ROAD WIDENING	11,074m <sup>2</sup>
BLOCK 8 NHS	1,035m <sup>2</sup>
BLOCK 9 NHS BUFFER	1,637m <sup>2</sup>
BLOCK 10 NHS BUFFER	78m <sup>2</sup>
BLOCK 11 NHS BUFFER	2,096m <sup>2</sup>
BLOCK 12 NHS BUFFER	2,744m <sup>2</sup>
BLOCK 13 NHS BUFFER	17,462m <sup>2</sup>
BLOCK 14 NHS BUFFER	1,141m <sup>2</sup>
BLOCK 15 FUTURE DEVELOPMENT	3,144m <sup>2</sup>
BLOCK 16 BUSINESS PARK	221,154m <sup>2</sup>
BLOCK 17 STORM WATER MANAGEMENT POND	24,626m <sup>2</sup>

TOTAL AREA OF LAND 406,429m<sup>2</sup>

**APPENDIX 1  
DS-026-22**



**LEGAL DESCRIPTION**

LOT 10, CONCESSION 5  
TOWN OF MILTON

**SECTION 51, PLANNING ACT, ADDITIONAL INFORMATION**

- A) AS SHOWN ON PLAN
- B) AS SHOWN ON PLAN
- C) AS SHOWN ON PLAN
- D) AS SHOWN IN SCHEDULE OF LAND USE
- E) AS SHOWN ON PLAN
- F) AS SHOWN ON PLAN
- G) AS SHOWN ON PLAN
- H) AVAILABLE
- I) LOAM
- J) AS SHOWN ON PLAN
- K) ALL MUNICIPAL SERVICES AVAILABLE
- L) AS SHOWN ON PLAN

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO ADJACENT LINES HAVE BEEN ACCURATELY AND CORRECTLY SHOWN

SIGNED: *[Signature]* DATED: JUN 11, 2021

**OWNER'S CERTIFICATE**

I AUTHORIZE RIEPMA CONSULTANTS INC. TO SUBMIT THIS DRAFT PLAN ON MY BEHALF

OWNER: I.G. INVESTMENT MANAGEMENT  
SIGNED: *[Signature]* DATED: JUN 11, 2021  
DELIS LUS DEVELOPMENT MANAGER

AUG. 9 2021	SECOND SUBMISSION	CHECKED BY
DATE	DESCRIPTION	CHECKED BY

**REVISIONS**



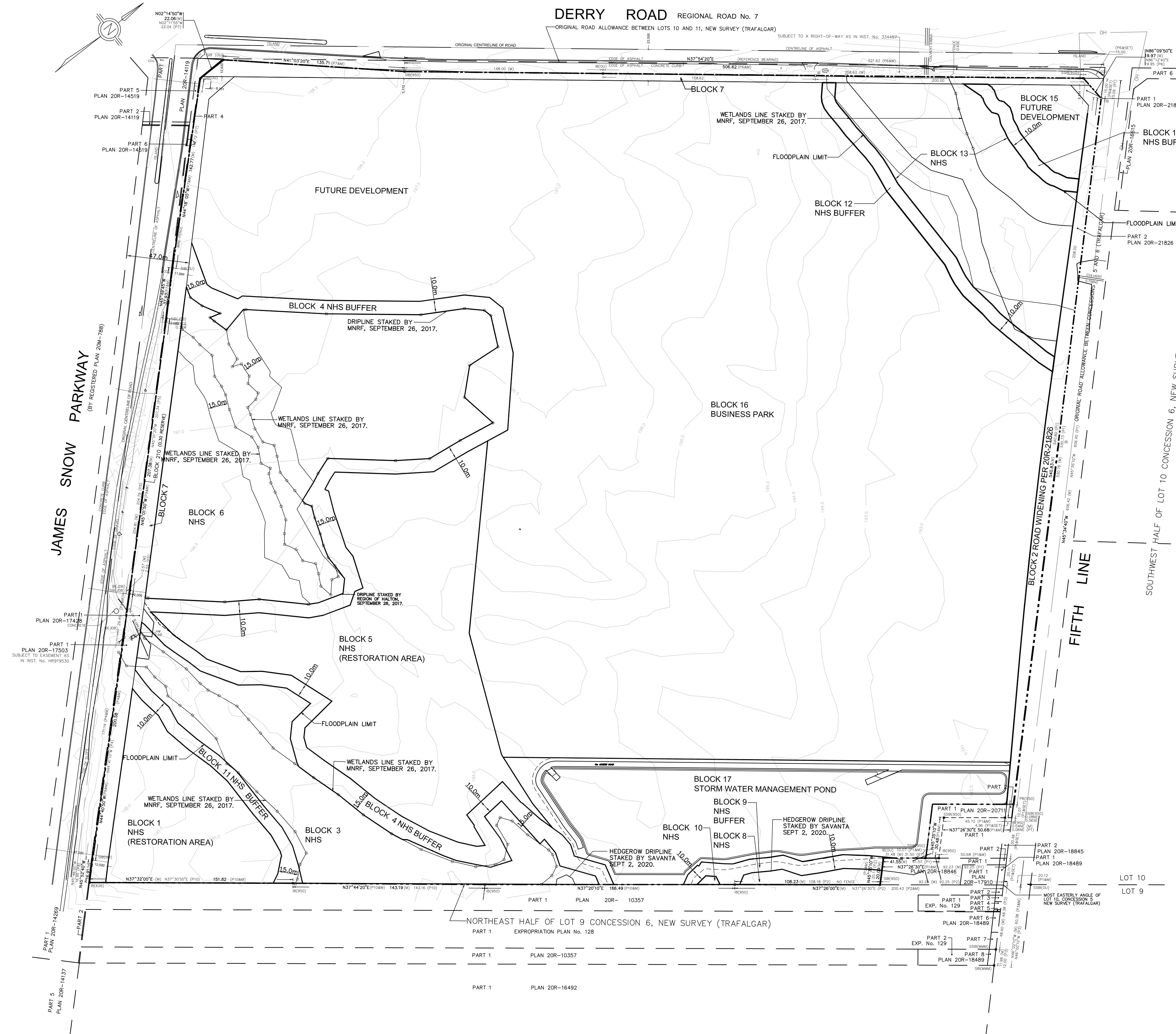
220 Kempenfelt Drive  
Barrie, Ontario  
L4M 1C4  
416-346-8258  
www.riepma.ca  
riepma@riepma.ca

Project Title

6712 FIFTH LINE  
MILTON, ONTARIO

Drawing  
**DRAFT PLAN**

DATE	ISSUED
July 2021	
JOB NUMBER	DRAWN BY
19-17	D.N.
SCALE	CHECKED BY
1:1500	C.R.
SHEET NUMBER	
	DP.1



**LAND USE SCHEDULE**

TOTAL AREA OF LAND TO BE SUBDIVIDED

BLOCK 1 NHS (RESTORATION AREA)	11,083m <sup>2</sup>
BLOCK 2 ROAD WIDENING	5,312m <sup>2</sup>
BLOCK 3 NHS	16,326m <sup>2</sup>
BLOCK 4 NHS BUFFER	15,328m <sup>2</sup>
BLOCK 5 NHS (RESTORATION AREA)	34,098m <sup>2</sup>
BLOCK 6 NHS	38,091m <sup>2</sup>
BLOCK 7 ROAD WIDENING	11,074m <sup>2</sup>
BLOCK 8 NHS	1,035m <sup>2</sup>
BLOCK 9 NHS BUFFER	1,637m <sup>2</sup>
BLOCK 10 NHS BUFFER	78m <sup>2</sup>
BLOCK 11 NHS BUFFER	2,096m <sup>2</sup>
BLOCK 12 NHS BUFFER	2,744m <sup>2</sup>
BLOCK 13 NHS BUFFER	17,462m <sup>2</sup>
BLOCK 14 NHS BUFFER	1,141m <sup>2</sup>
BLOCK 15 FUTURE DEVELOPMENT	3,144m <sup>2</sup>
BLOCK 16 BUSINESS PARK	221,154m <sup>2</sup>
BLOCK 17 STORM WATER MANAGEMENT POND	24,626m <sup>2</sup>
<b>TOTAL AREA OF LAND</b>	<b>406,429m<sup>2</sup></b>

**THE CORPORATION OF THE TOWN OF MILTON**

**BY-LAW XXX-2022**

BEING A BY-LAW OF THE TOWN OF MILTON TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTION 17 OF THE PLANNING ACT, AS AMENDED, IN RESPECT OF THE LANDS MUNICIPALITY IDENTIFIED AS 6712 FIFTH LINE, LEGALLY DESCRIBED AS PART OF LOT 10, CONCESSION 5, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (FILE NO. LOPA 01/21).

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. Amendment No. 69 to the Official Plan of the Town of Milton, to amend Schedule I1 of the Town of Milton Official Plan to provide for permission to allow for parking between Derry Road and Build 1 in the Street Oriented Area overlay, at lands located at 6712 Fifth Line and legally described as Part of Lot 10, Concession 5, Former Geographic Survey of Trafalgar, Town of Milton, consisting of the attached maps and explanatory text, is hereby adopted.
2. 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 Land Tribunal.
3. 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 69 to the Official Plan of the Town of Milton.

**PASSED IN OPEN COUNCIL ON APRIL 11, 2022**

\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Meaghen Reid Town Clerk

**AMENDMENT NUMBER 69**

**TO THE OFFICIAL PLAN OF THE TOWN OF MILTON**

**Part of Lot 10, Concession 5 NS (Trafalgar)  
6712 Fifth Line  
Town of Milton  
(Town File: LOPA-01/21)**

**AMENDMENT NUMBER 69**

**TO THE OFFICIAL PLAN OF THE TOWN OF MILTON**



**PART 1 THE PREAMBLE, does not constitute part of this Amendment**

**PART 2 THE AMENDMENT, consisting of the following text constitutes  
Amendment No. 69 to the Official Plan of the Town of Milton**

## **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. 69  
To the Official Plan of the Town of Milton  
6712 Fifth Line  
(Part of Lot 10, Concession 5 NS (Trafalgar) Town of Milton  
Town File: (LOPA 01/21)

### **PURPOSE OF THE AMENDMENT**

The purpose of this amendment is to add Specific Policy Area 44 to the lands at 6712 Fifth Line.

### **LOCATION OF THE AMENDMENT**

The subject lands are located on the south side of the Derry Road, on the east side of James Snow Parkway, and west of Fifth Line. The lands are municipally identified as 6712 Fifth Line and are legally described as Part of Lot 10, Concession 5 NS (Trafalgar), Town of Milton

### **BASIS OF THE AMENDMENT**

The proposed amendment would permit personal automobile parking between Derry Road and buildings on the south side of Derry Road in order to provide separation between auto and truck traffic and to facilitate the functioning of the buildings on the site. The height and length of the proposed building will maintain the urban design principles of the Official Plan by maintaining a significant building presence adjacent to the street thereby creating a strong and attractive street edge.

## **PART II: THE AMENDMENT**

All of this part of the document entitled Part II: THE AMENDMENT consisting of the following text constitutes Amendment No. 69 to the Town of Milton Official Plan.

### **DETAILS OF THE AMENDMENT**

The Official Plan of the Town of Milton is hereby amended by Official Plan Amendment no. 69 pursuant to Section 17 and 21 of the Planning Act, as amended, as follows:

#### 1.0 Map Change

- 1.1 Amending Schedule I1 – “Urban Area Specific Policy Areas” by adding Special Policy Area No.44 to the lands at 6712 Fifth Line (known legally as Part of Lot 10, Concession 5 NS (Trafalgar) Town of Milton.

#### 2.0 Text Change

- 2.1 Adding the following text to Section 4.11 “Specific Policy Area”:

- 4.11.3.44 The land identified as Specific Policy Area No. 44 on Schedule I1 of this Plan, being the lands at 6712 Fifth Line are permitted to allow surface parking between the building and the street within the Street Oriented Business Park overlay designation on the south side of Derry Road between James Snow Parkway and Fifth Line.

End of text






# TOWN OF MILTON OFFICIAL PLAN

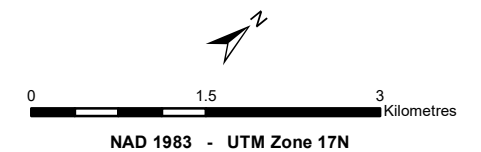
## Schedule I1

### URBAN AREA SPECIFIC POLICY AREAS

(Refer to sections 4.11 & 3.8.3.2)

Files: LOPA-01/21 & Z-01/21

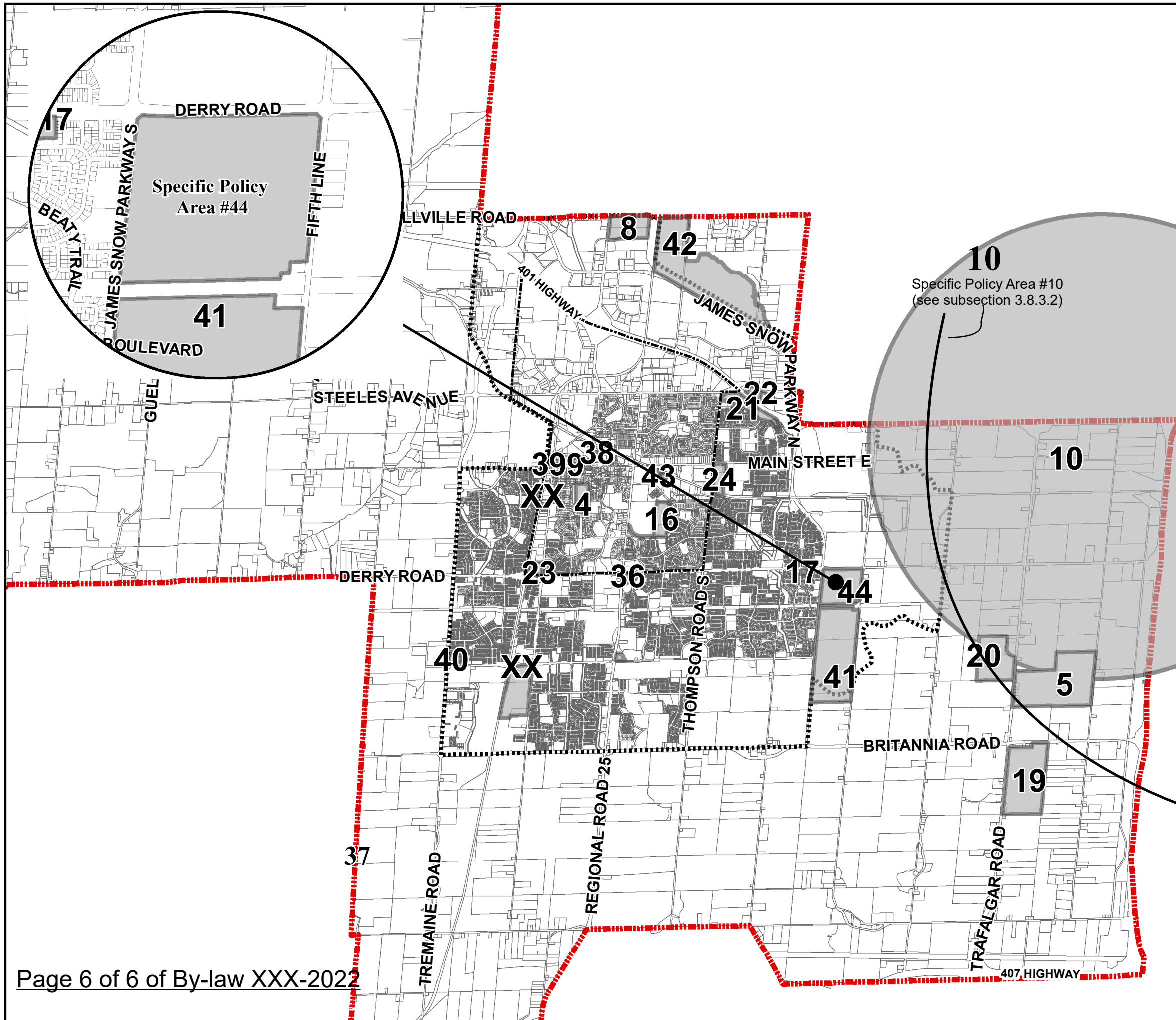
-  TOWN OF MILTON BOUNDARY
-  URBAN EXPANSION AREA BOUNDARY
-  EXISTING URBAN AREA BOUNDARY
-  RAILWAY
-  SPECIFIC POLICY AREA
- 44 SPECIFIC POLICY NUMBER



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

Copyright 2021: Town of Milton, Teranet Inc.

Consolidated August 2008, Edited Mar 2022



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO.XXX.2022

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 10, CONCESSION 5, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (BROCCOLINI REAL ESTATE GROUP/SUN LIFE ASSURANCE COMPANY OF CANADA) – TOWN FILE - Z-01/21

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

**AND WHEREAS** the Town of Milton Official Plan will provide for the lands affected by this By-law to be zoned as set forth in this By-law upon the approval of Official Plan Amendment Number 69.

**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) zone symbol to the to a new site-specific Business Park Zone with a Holding Provision (M1\*306\*H57) Zone symbol on the lands shown on Schedule A attached hereto.
2. **THAT** Section 13.1 of Comprehensive By-law 016-2014, as amended, is hereby further amended by adding subsection 13.1.1.306 as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Business Park with a Holding Provision (M1\*306\*H57), the following standards and provisions shall apply:

- a) Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following shall be the only permitted uses:
  - a. Fitness Centre
  - b. Industrial Uses
  - c. Medical Clinic
  - d. Office Building
  - e. Office Use
  - f. Recreation and Athletic Facility

- g. Research and Technology Use – excluding uses which produce biomedical waste
  - h. U-Brew Establishment
  - i. Warehouse/Distribution Centre
  - j. Wholesale Operation
- b) Notwithstanding Section 8.1 – Table 8A permitted uses, the following uses may be permitted if located in an office, light industrial or mixed use building including an industrial mall:
- a. Bank
  - b. Commercial School – Skill
  - c. Commercial School – Trade
  - d. Dry Cleaning Depot
  - e. Dry Cleaning Establishment
  - f. Motor Vehicle Rental Agency
  - g. Personal Service Shop
  - h. Restaurant
  - i. School – Adult Education
  - j. Service and Repair Shop
  - k. Specialty Food Store
- c) For the lands zoned site-specific Business Park (M1\*306) the following additional special site provisions shall apply:
- a. That the maximum gross floor area for a detached accessory waste storage building shall be 70 square metres, shall be located in the rear yard only, and screened from all public streets.
  - b. A minimum of 15% or 929 square metres of gross floor area, whichever is greater, for an Industrial Use, Warehouse/Distribution Centre, and a Wholesale Operation shall be dedicated to the office component for such use.
  - c. A minimum 26.5 metre setback from the exterior side yard lot line along the Fifth Line Right-of-Way shall apply.
- d) Notwithstanding Section 5.6.1 ii Table 5B(\*1), the maximum width of a two-way driveway shall be 25 metres.
- e) Notwithstanding Section 5.13 i., wall mounted lights are permitted at a maximum height of 9.62 metres above grade.

3. **THAT** Section 13.2.1.100 of By-law 016-2014, as amended, is hereby further amended by adding the following conditions for removal of this “H57” Holding Provision:

“H57” shall not be removed until:

- a. An updated Transportation Impact Study has been reviewed and approved by the Region in accordance with the Region’s Transportation Impact Study Guidelines and approved Terms of Reference for the lands.
  - b. A satisfactory site plan for the proposed development approved by the Region which complies with the Region’s Access Management Guideline and Access By-law No. 32-17 demonstrating the minimum spacing requirement of 300 metres for full movement accesses and 115 metres for right-in/right-out (RI/RO) accesses on Regional Roads.
4. **THAT** if no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the Ontario Land Tribunal dismisses the appeal, this by-law shall come into force on the day of the passing. If the Ontario Land Tribunal amends the by-law pursuant to Section 34(26) of the *Planning Act*, as amended, the part or parts so amended come into force upon the day the Tribunal’s Order is issued directing the amendment or amendments.

**PASSED IN OPEN COUNCIL ON APRIL 11, 2022.**

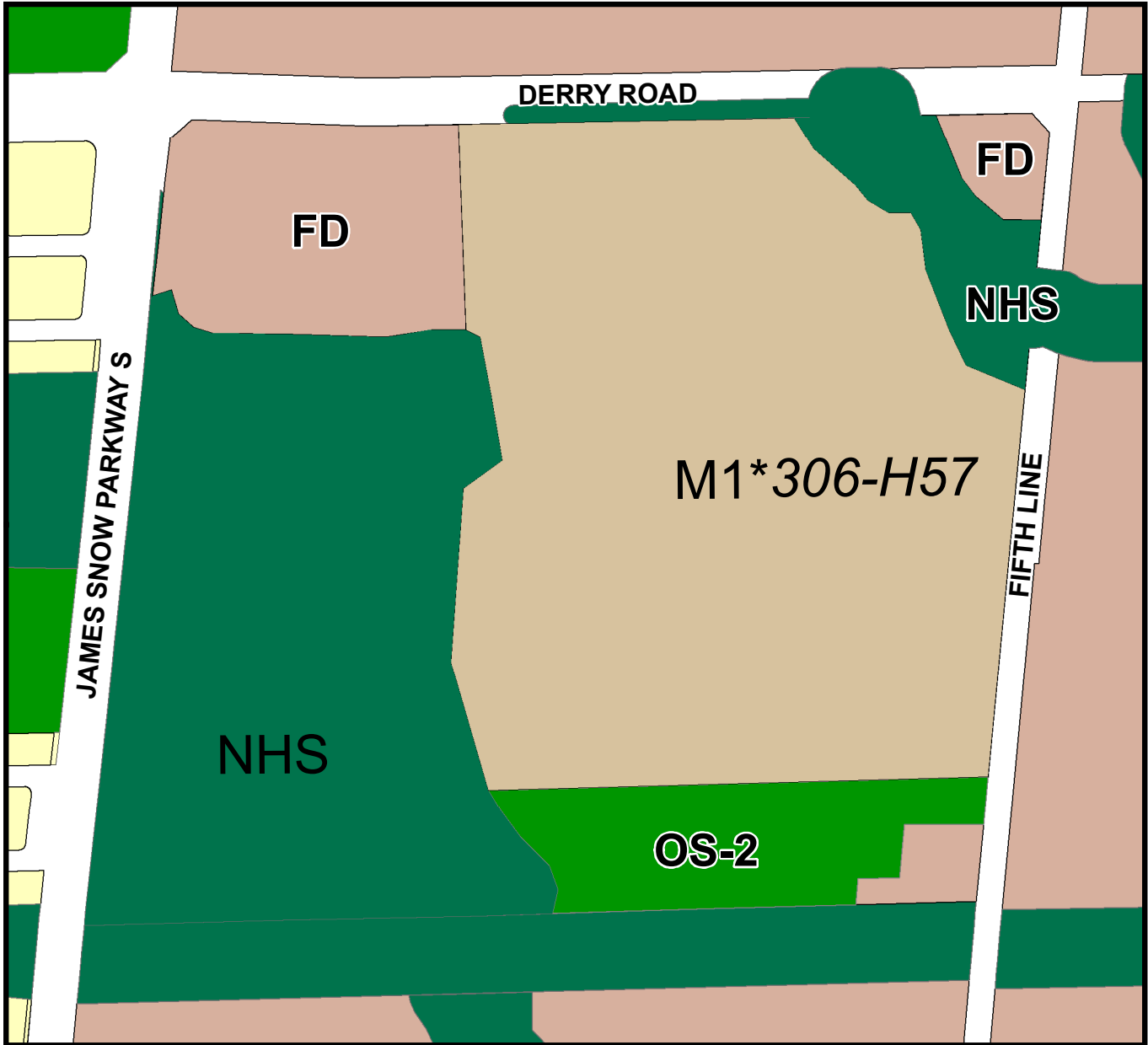
\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Meaghen Reid Town Clerk

SCHEDULE A  
 TO BY-LAW No. -2022

TOWN OF MILTON  
 PART OF LOT 10, CONCESSION 5 NS  
 TOWN OF MILTON

Town of Milton



THIS IS SCHEDULE A  
 TO BY-LAW NO. \_\_\_\_\_ PASSED  
 THIS \_\_ DAY OF \_\_\_\_\_, 2022.

- M1\*306-H57
- FD
- OS-2 - Open Space Zone 2
- NHS

\_\_\_\_\_  
 MAYOR - Gordon A. Krantz

\_\_\_\_\_  
 CLERK- Meaghen Reid



24T/21001/M,  
 LOPA-01/21  
 & Z-01/21



**Debbie Johnson**

---

**Subject:** FW: 6712 Fifth Line - Zoning By-Law Amdendment

**From:** richardwyong@gmail.com [REDACTED]  
**Sent:** Thursday, April 8, 2021 9:38 AM  
**To:** Mollie Kuchma <Mollie.Kuchma@milton.ca>  
**Cc:** Debbie Johnson <debbie.johnson@milton.ca>  
**Subject:** Re: 6712 Fifth Line - Zoning By-Law Amdendment

Good morning Mollie,

I have had a chance to review the provided files and it appears a lot of planning and assessment including traffic, noise and environmental assessments have been completed which is great. It is also great to see that the woodlot will be preserved. The following thoughts and questions come to mind:

1. Traffic - With the warehouses, looks like we would be expecting heavy 18 wheeler trucks at potentially 42 trucks per hour between 7 AM and 11 PM. I was hoping/ expecting prestigious office buildings when I bought my property years ago. Do you have an assessment of how many trucks go by Derry and James Snow today on a per hour basis? I know there are trucks, however would be good to understand the potential increase based on this project.
2. Noise - any additional noise is not good even though it is anticipated to be 45 DB - it is still added noise. I know there are sound barriers planned for the East side for those residents on 5th line, however, how about for the West side for those living on the other side of James Snow (where I'm at). Any consideration there?
3. Employment - I reviewed and saw that there is anticipated to be 45 employed per hectare. I am not aware of what kind of jobs are required at warehouse, but 45 employees per hectare. I think we can do much better if we had office buildings - just like densification of residences via condos, the space to me is wasted if only 45 employees per hectare. Plus many/most residences are not working in city/town they live - they are travelling to elsewhere (when Pandemic is over) which creates traffic gridlock and environmental concerns etc.
4. Warehouses in Milton - There seems to be so many warehouses in Milton, mostly around 401 which makes sense. As no tenants have signed on, why do we think we need more? How many warehouses are vacant right now? Plus, with warehouses mostly on the block, would this deter future businesses to lease the prestigious office corners slated as Future Development? As a business, I would not want to lease if I have trucks coming in (approx, 42 trucks per hour)
5. Parks and park space - in the original plan, I thought I saw some plan for park space/ playground. It is great that we have the Sports Centre and the fields there - awesome; and the one near Main and Tremaine - that is great. But on the East side, I don't think there are any plans for a large sports field or trails - it would be great if we can plan for some more trails - not just besides major roads (which is nice), but does not compare to areas like Georgetown, Oakville, Mississauga which has nice trails in between homes and along businesses too where it is quieter. Yes, we have the conservation areas, however they are a drive away.

These are just some of my thoughts as a nearby resident and resident of Milton for the past 10 years.

Look forward to hearing your thoughts and responses,

PS. Debbie, thanks again for sending me the information - it is really helpful.

Regards,  
Richard

## Debbie Johnson

---

**From:** Huzefa J [REDACTED]  
**Sent:** Friday, February 12, 2021 9:01 PM  
**To:** Mollie Kuchma; MB-Planning@milton.ca  
**Subject:** Re :Town Files: 6712 Fifth Line 24T- 21001/M, LOPA-01/21 & Z-01/21

Dear Mollie

We are in receipt of this proposed development notice and we are quite upset about the same and we object the construction activities. The proposed lot is right across our home in our immediate line of sight. When we moved in 2016 there was no apparent proposal or plan to build anything in that area for at least 10 years and more, hence it was a decision making point for us to move in this home which we love so much.

This proposed industrial site is indeed going to upset everything. Undoubtedly the construction phase itself will cause all sorts of problems ranging from dust to noise pollution and adding to hazards. We have seniors in home who are highly allergic to dust and noise which will render us to live in a non habitable environment which we did not choose for. This will affect the serenity of the location heavily.

Even after it's built, this being industrial buildings , there will be constant movement of trucks adding to the pollution and causing safety hazards for kids and adults around . It will indeed add to traffic congestion as well and thereby unduly affect the quality of life adversely. This will also increase the probability of the crime rate being increased in the area.

Moreover it will also impact the valuation of our home!!.

In summary this project will cause us immense financial, emotional ,safety , environmental, physical and mental health , quality of life and location aesthetic impacts, thereby causing us enough stress and strain affecting our mental wellbeing and peace.

All these conditions might force us to relocate which is not easy at all !!!

We strongly object to this construction and seek to address our concerns without having to compromise

Thanks  
Warm Regards  
Huzefa  
[REDACTED]