



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: February 6, 2023

Report No: DS-005-23

Subject: Technical Report: Zoning By-law Amendment Application by Broccolini Real Estate Group and E. Manson Investments Limited applicable to lands known as Part of Lot 5, Concession 1 and Part of Lot 5, Concession 2 Milton. (Town Files 24T-21004/M: Z-16/21)

Recommendation: THAT Zoning Application Z-16/21- for an amendment to the Town of Milton Comprehensive Zoning By-law 016-2014, as amended, to change the current General Industrial Zone, General Industrial with a Holding Zone (M2*H2) and Future Development Zone (FD) to a site specific Business Park Zone (M1*327) and a site specific General Industrial Zone (M2*328), to permit the future development of an Industrial/Employment Plan of Subdivision, **BE APPROVED**;

AND FURTHER THAT staff be authorized to bring forward an amending Zoning By-law for Council adoption.

EXECUTIVE SUMMARY

The applicant is seeking an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to rezone the lands from the current General Industrial Zone, General Industrial with a Holding Zone (M2*H2) and Future Development Zone (FD) to a site specific Business Park Zone (M1*327) and a site specific General Industrial Zone (M2*328) to facilitate the future development of the lands for a Plan of Subdivision, consisting of industrial and business park uses, in accordance with the direction of the Milton 401 Industrial/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 application. Staff has reviewed all of the documentation, plans and comments provided and is of the opinion that the applications as submitted are prepared in a manner that would allow them to be considered by Town Council for approval.

Conclusions and Recommendations

Staff recommends that the application for an amendment to Zoning By-law 016-2014, as amended, **BE APPROVED** for the following reasons:

EXECUTIVE SUMMARY

1. The proposal conforms to Provincial, Regional and Town planning policy;
2. The proposal follows the direction of the Town's Official Plan and Milton 401 Industrial/Business Park Secondary Plan;
3. The proposal meets all of the technical requirements of the affected Civic Departments and all other agencies;
4. The proposed land use is compatible with adjacent land uses and is an appropriate use of the subject land;
5. The proposal makes efficient use of land and planned services and infrastructure;
6. The proposal provides for the development of designated employment lands to meet and serve the needs of Milton's growing population; and
7. Any required building and site design, landscaping and buffering requirements can be enforced through the site plan review process and the associated agreement and performance guarantee (securities).

REPORT

Background

Location/Description:

The subject lands are located within the Milton 401 Industrial/Business Park Secondary Plan and are bounded by James Snow Parkway, Mount Pleasant Way and the former Dublin Line. A Location Map is included as Figure 1.

Proposal:

The applicant is proposing a Plan of Subdivision and seeking an amendment to the Town of Milton Zoning By-law, to accommodate future industrial/employment development of the subject lands in accordance with the Milton 401 Industrial/ Business Park Secondary Plan.

Figure 2 illustrates the proposed Draft Plan of Subdivision. The application proposes the consolidation of various properties currently owned by the applicants into three blocks for future development. Additionally, application has been made to rezone the subject lands from the current Future Development (FD) zone, General Industrial (M2), and General Industrial (M2-H2) to a site specific Business Park Zone (M1*327) and a site specific General Industrial Zone (M2*328) zone. As part of the development of the lands, Mount Pleasant Way will be completed.

The following reports have been submitted in support of this application:

- Planning Justification Study, dated May 2021, revised February 2022, prepared by Riepma Consultants Inc.

Background

- Traffic Impact Study, dated November 10, 2022, prepared by GHD Limited.
- Functional Servicing and Stormwater Management Report, dated July 12, 2021, revised May 3, 2022, prepared by MGM Consulting Inc.
- Phase One Environmental Site Assessment - 8649 Dublin Line, dated January 13, 2012, prepared by Terraprobe Inc.
- Updated Phase One Environmental Site Assessment - Part Lot 5, Concession 1, dated May 16, 2019, prepared by Terraprobe Inc.
- Phase One Environmental Site Assessment - Mount Pleasant Way, dated October 5, 2020, prepared by Terraprobe Inc.
- Phase One Environmental Site Assessment - Block 5, dated November 27, 2015, prepared by Terraprobe Inc.
- Geotechnical Soils Investigation report, dated July 2021, prepared by Soil Engineers Ltd.
- Urban Design Brief, dated June 2021, prepared by Riepma Consultants Inc.
- Stage 1 Archaeological Assessment, dated April 6, 2021, prepared by Earthworks Archaeological Services
- Stage 2 Archaeological Assessment, dated July 5, 2021, prepared by Earthworks Archaeological Services.
- Environmental Noise Study, dated May 21, 2021, prepared by SSWA Inc.
- Arborist Report, dated April 2022, prepared by Beacon Environmental Limited.

Planning Policy

The subject lands are located within the Milton 401 Industrial/Business Park Secondary Plan and are designated Business Park Area and General Industrial as shown on Schedule C.2.B - Milton 401 Industrial/Business Park Secondary Plan Land Use Plan. The Business Park Area designation is an employment designation which applies to areas where the full range of light industrial and office uses will be permitted. The industrial Area designation is an employment designation which applies to areas where the full range of light industrial and general industrial area uses will be permitted.

Section 3.8.3.1 states that development within areas designated Business Park Area shall be permitted subject to the following:

- a) The provisions of the applicable Secondary Plan as outlined in the Plan;
- b) The submission of a development plan which demonstrates that the proposed development can be physically integrated with existing and proposed uses of adjacent lands, including lands outside of the Business Park designation:

Background

- c) No outdoor storage being allowed;
- d) A high quality of landscaped site development particularly adjacent to Provincial Freeways, Highways, Major Arterial, Minor Arterial or Multi-Purpose Arterial roads;
- e) The proposed development complies with the Community-wide policies of Section 2.0 of this Plan; and
- f) Applicants can demonstrate that there is adequate wastewater and water treatment capacity to accommodate the proposed use.

Section 3.9.3.1 of the Plan states similar policies related to the development of Industrial Area lands:

- a) The provisions of the applicable Secondary Plan as outlined in the Plan;
- b) The submission of a development plan which demonstrates that the proposed development can be physically integrated with existing and proposed uses of adjacent lands, including lands outside of the Industrial Area designation;
- c) The proposed development complies with the Community-wide policies of Section 2.0 of this Plan; and
- d) Applicants can demonstrate that there is adequate wastewater and water treatment capacity to accommodate the proposed use.

It is the opinion of staff that the proposed Plan of Subdivision will satisfy the above development criteria of the respective designations. At this time and through this application, no development is being proposed beyond the assembly and consolidation of the various properties currently owned by the two applications into three development parcels. Staff will ensure through the future Site Plan applications that the specific development criteria as outlined through the above policies, and implemented through the Zoning By-law and Urban Design principles are satisfied.

Zoning By-law 016-2014, as amended

The majority of the subject lands are currently zoned General Industrial (M2) and General Industrial (M2-H2) with a Holding Provision and has had zoning in place since 2007. The remainder of the lands are zoned Future Development (FD) zone and a Zoning Amendment is required to facilitate any future development.

The applicants have made application to rezone the entirety of the lands to a site specific Business Park Zone (M1*327) and a site specific General Industrial Zone (M2*328) zone to accommodate future industrial/business park development. The applicant has requested site specific provision to allow an increase in building height to 18.5 metres where the permitted height is 15.0 metres in the Zoning By-law. The applicant has indicated that this increase in height is to accommodate the requirement for cold storage uses and automated racking systems that are more common in industrial developments.

Background

Staff have supported such increases through minor variances in the past and have no objection to its inclusion within the site specific. Any impact of the increased height will be evaluated through the future Site Plan application. Other site specific provisions related to the configuration of the lots as they related to the curvature of James Snow Parkway. The site specific Zoning By-law is attached as Appendix 1.

Site Plan Control

Should the application be approved, the applicants will require site plan approval prior to the issuance of a building permit and commencement of any development. The applicants will be required to enter into a site plan agreement with the Town and provide securities to guarantee the completion of works in accordance with the approved drawings.

Discussion

Public Consultation and Review Process

Notice for the public meeting was provided pursuant to the requirements of the Planning Act on October 21, 2021 and the statutory public meeting was held November 15, 2021. No member of the public spoke at the Public Meeting or provided written correspondence.

Agency Consultation

The Draft Plan of Subdivision, zoning by-law amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region, Town Departments, School Boards and other agencies offered no objection to the application. Agencies will continue to work with the applicants through the detailed site plan approval process.

Summary of Issues

Completion of Mount Pleasant Way

Currently, Mount Pleasant Way has been partially constructed to accommodate an existing development. The approval of the proposed development will result in the completion of the Mount Pleasant Way as envisioned within the Milton 401 Business Park Secondary Plan. The applicant has indicated their eagerness to begin construction as soon as the appropriate approvals have been granted.

Dublin Line

At the time of the initial application. Dublin Line, although closed, was still in the ownership of the Town of Milton. Since that time, the applicants have acquired the former right-of-way and have incorporated it into their proposed subdivision for future employment uses.

Draft Plan of Subdivision

The applicant has made a concurrent application for a Draft Plan of Subdivision which will result in the consolidation of various properties into three blocks for future development of



Discussion

employment uses. The applicant is nearing Draft Plan Approval, which is delegated to the Commissioner of Development Services.

Proposed Zoning

The majority of the subject lands already have existing General Industrial zoning, implemented through a previous Zoning Amendment application in 2007. The applicant has requested a special provision to allow an increase in overall building height to 18.5 metres whereas the Zoning By-law currently permits 15.0 metres. The applicant has indicated this minor increase in height is to accommodate future cold storage uses and automated racking systems that are more common in industrial developments. As indicated previously, staff has no concerns with this request. A portion of the subject lands currently zoned Future Development (FD) at the northwestern portion of the development is proposed to be rezoned to a site specific Business Park (M1) zone, in accordance with the direction of the Official Plan and the Milton 401 Business Park Secondary Plan.

Financial Impact

None arising from this report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact: Aaron Raymond, Senior Phone: Ext. 2313
Development Planner

Attachments

Figure 1- Location Map
Figure 2- Draft Plan of Subdivision
Appendix 1- Zoning By-law Amendment

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and

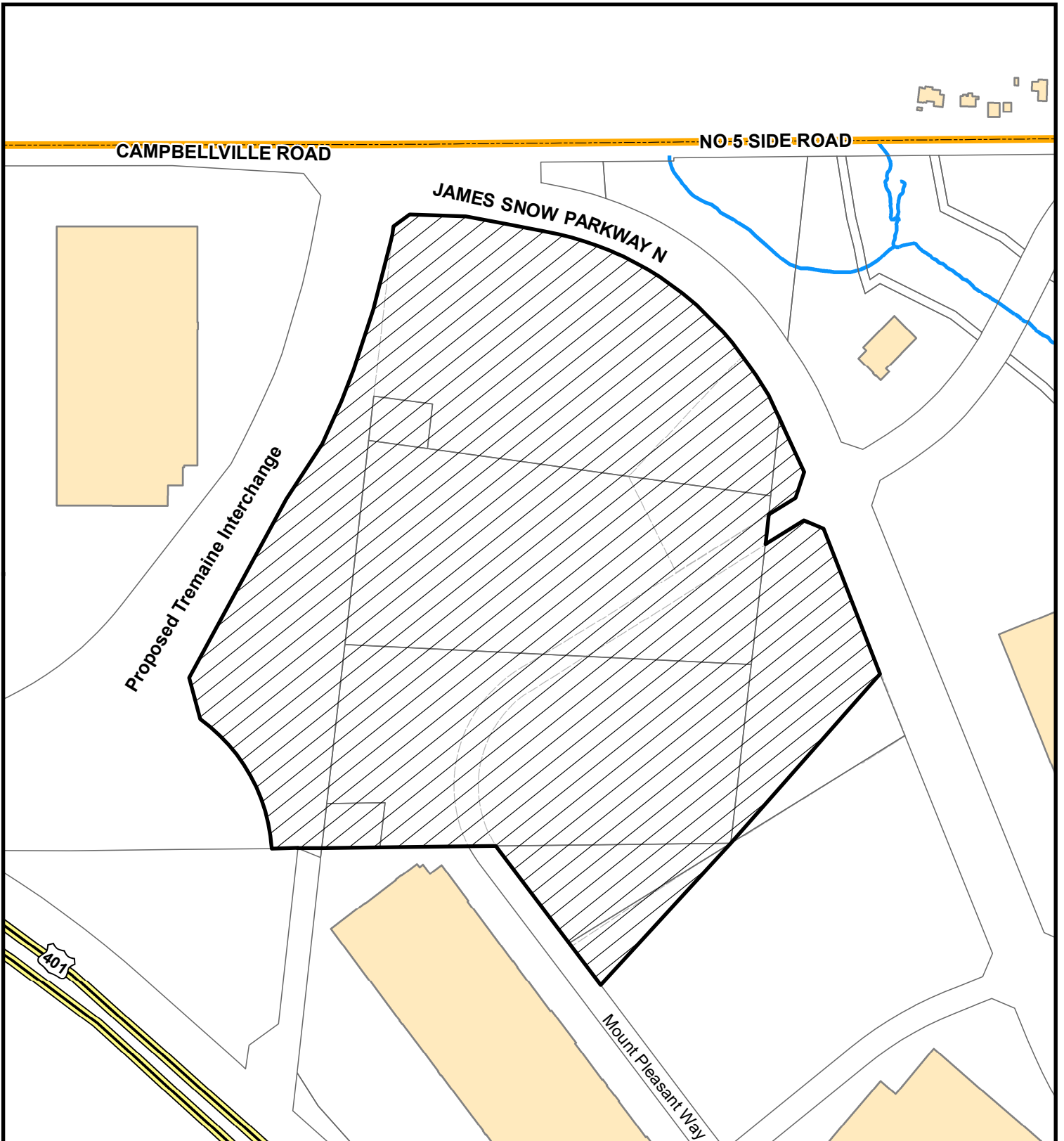


The Corporation of the Town of Milton

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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:
February 6th, 2023

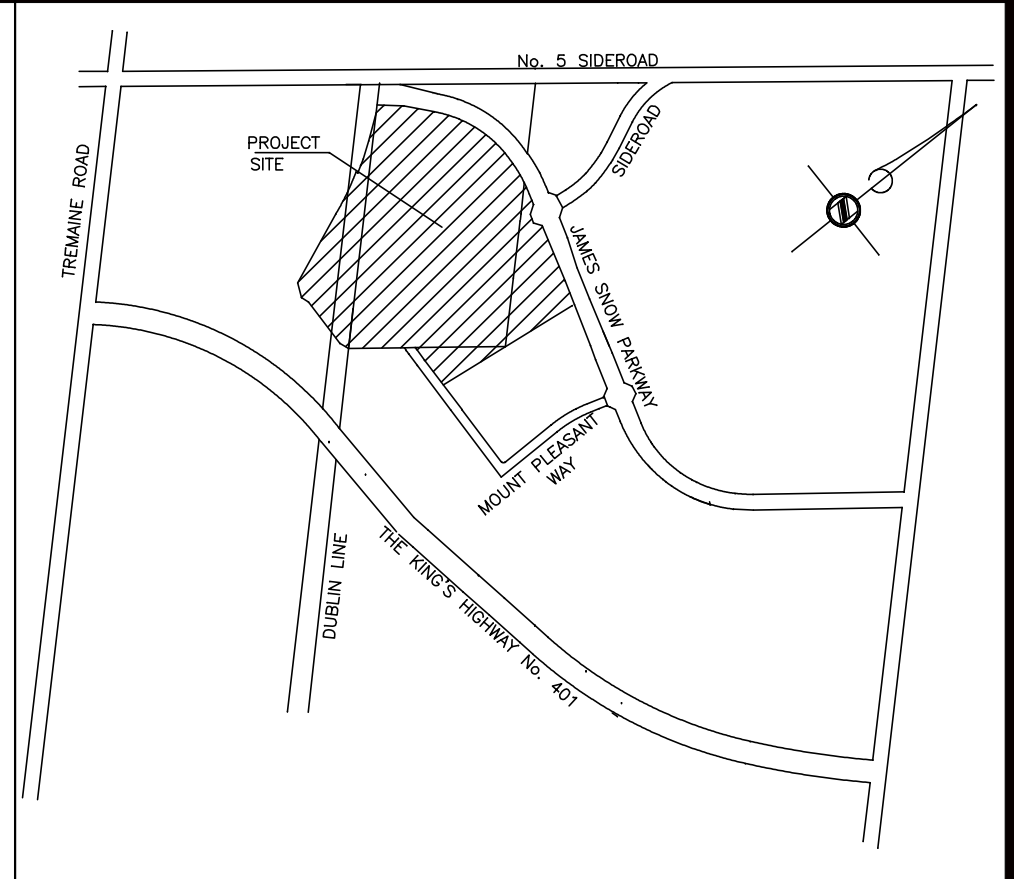
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Files: Z-16/21

Development Services Department



Subject Property
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KEY PLAN (NOT TO SCALE)

DRAFT PLAN OF SUBDIVISION OF
REGISTERED PLAN 20M-1119
 PART OF LOT 5, CONCESSION 1
 PART OF LOT 5, CONCESSION 2
 PART OF ROAD ALLOWANCE
 BETWEEN CONCESSIONS 1 AND 2
 (FORMERLY IN THE TOWNSHIP OF ESQUEWING, COUNTY OF HALTON)
 TOWN OF MILTON
 REGIONAL MUNICIPALITY OF HALTON
 SCALE 1: 1000

David B. Scarles Surveying Ltd.
 ONTARIO LAND SURVEYORS

METRIC
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT
 INFORMATION REQUIRED UNDER CLAUSES A,B,E,F,G AND J ARE SHOWN ON FACE OF DRAFT PLAN AND ON THE KEY PLAN
 H: MANHOLES, PIPED WATER IS AVAILABLE ON ADJACENT STREETS
 I: CLAY SOIL - LOW FERTILITY
 K: SANITARY AND STORM SEWERS, MUNICIPAL WATER AND PAVED ROADS

LAND USE SCHEDULE

LAND USE	BLOCK	AREA (a1)	AREA (a2)
INDUSTRIAL	1	6.98	17.25
INDUSTRIAL	2	1.41	3.48
INDUSTRIAL	3	13.83	34.18
WIDENING	4	0.02	0.05
WIDENING	5	0.24	0.59
0.30 RESERVE	6	0.02	0.05
MOUNT PLEASANT WAY		0.01	2.00
TOTAL		23.31	57.60

CAUTION:
 AREAS SUBJECT TO CHANGE UPON COMPLETION OF FINAL SURVEY
 0.30M RESERVES HAVE BEEN ENLARGED FOR PLOTTING PURPOSES

ZONING BY-LAW

OWNER'S CERTIFICATE
 OWNER - BROCCOLINI REAL ESTATE GROUP INC.
 I HEREBY CONSENT TO THE SUBMISSION OF THIS PLAN FOR APPROVAL

DATE _____ DELIS LUIS
 I HAVE THE AUTHORITY TO BIND THE CORPORATION

OWNER'S CERTIFICATE
 OWNER - E. MANSON INVESTMENTS LIMITED
 I HEREBY CONSENT TO THE SUBMISSION OF THIS PLAN FOR APPROVAL

DATE _____ RICHARD GOLDMERS
 I HAVE THE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE DEVELOPED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN

DATE _____ BONEY OHERAN - ONTARIO LAND SURVEYOR

David B. Scarles Surveying Ltd.
 ONTARIO LAND SURVEYORS
 4255 Sheppard Avenue Blvd., Suite 205, Markham, Ontario L4Z 1Y5
 Tel: (905) 273-8440 Fax: (905) 936-4410
 Email: info@scarles.ca

Calculator File: 10-21CALC.DWG
 Drawing File: 10-11-21.DWG
 Plot File: 10-11-21



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2023

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 5, CONCESSION 1 AND 2, FORMER GEOGRAPHIC TOWNSHIP OF ESQUESING, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (BROCCOLINI REAL ESTATE GROUP & E. MANSON INVESTMENTS LIMITED) - FILE: Z-16/21

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 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) zone symbol, General Industrial (M2) zone symbol and General Industrial with a Holding Symbol (M2*H2) to a site specific Business Park (M1*327) symbol and a site specific General Industrial (M2*328) symbol on the lands shown on Schedule A attached hereto.
2. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.327 to read as follows:
 - a. Notwithstanding any provisions of the By-law to the contrary, for lands zoned site specific Business Park (M1*327), the following standards and provisions shall apply:
 - i. Notwithstanding Section 8.2 - Table 8B, the maximum building height shall be 18.5 metres
 - ii. For the purposes of administering the Zoning By-law, James Snow Parkway shall be deemed to be the front lot line.
3. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.328 to read as follows:
 - a. Notwithstanding any provisions of the By-law to the contrary, for lands zoned site specific General Industrial (M2*328), the following standards and provisions shall apply:

- i) Notwithstanding Section 8.2 - Table 8B, the maximum building height shall be 18.5 metres.
 - ii) For the purposes of administering the Zoning By-law, James Snow Parkway shall be deemed to be the front lot line.
- 4. If no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the Ontario Land Tribunal dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Land Tribunal amends the by-law pursuant to Section 34 (26) of the *Planning Act*, as amended, the part or parts so amended come into force upon the day the Tribunal's Order is issued directing the amendment or amendments.

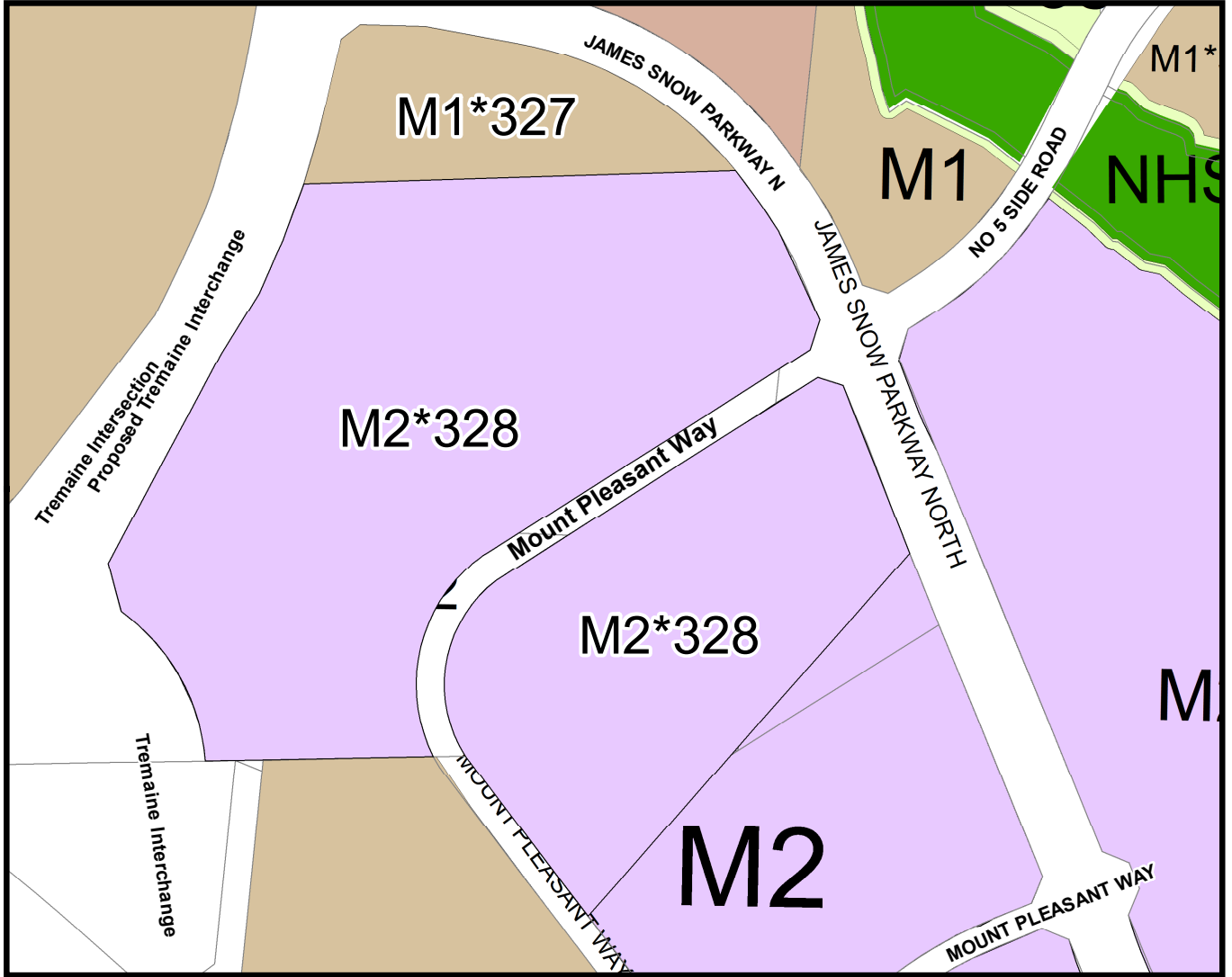
PASSED IN OPEN COUNCIL ON FEBRUARY 6, 2023

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

SCHEDULE A
 TO BY-LAW No. -2023
 TOWN OF MILTON

ESQUESING CON 2 PT LOT 5 RP 20R20039 Parts 11-12
 TOWN OF MILTON



THIS IS SCHEDULE A
 TO BY-LAW NO. _____ PASSED
 THIS __ DAY OF _____, 2023.

 MAYOR - Gordon A. Krantz

 CLERK- Meaghen Reid

- M2*328 - General Industrial Zone Special
- M1*327 - Business Park Zone Special

