



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 27, 2023

Report No: DS-019-23

Subject: Public Meeting and Initial Report: Zoning By-law Amendment Application by Menkes Milton Industrial Inc. applicable to lands known municipally as 7472 Fifth Line, Milton (Town File: Z-14/22)

Recommendation: THAT REPORT DS-019-23, BE RECEIVED FOR INFORMATION.

EXECUTIVE SUMMARY

The applicant is seeking an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to rezone the subject lands to a site-specific Business Park (M1*XX) zone to facilitate the development of one industrial warehouse building.

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

REPORT

Background

Owner: Menkes Milton Industrial Inc., 4711 Yonge Street, Suite 1400, Toronto, ON.

Applicant: Menkes Milton Industrial Inc., 4711 Yonge Street, Suite 1400, Toronto, ON.

Location/Description:

The subject lands are located to the southwest of the intersection at Main Street South and Fifth Line and are municipally known as 7472 Fifth Line. Figure 1 to this Report illustrates the location of the subject lands. The subject lands comprise an area of approximately 2.72 hectares. The subject lands are currently vacant.

The subject lands are surrounded by lands that are designated for employment uses. The current surrounding uses include rural residential uses and agricultural land to the north, vacant lands and agricultural uses to the east and vacant lands and industrial uses south.

Proposal:

The applicant has applied for a zoning by-law amendment to facilitate the development of a one-storey industrial warehouse building (13,941 m²) with access from Main Street South and Fifth Line. The proposed building includes a flexible layout accommodating either one large tenant or two smaller ones.

A loading court and 20 loading bays are being proposed on the south side of the proposed building. A screening wall for loading bays is proposed along the eastern portion of the proposed building adjacent to Fifth Line. Surface parking is generally located along the east and west boundaries of the property and 20 bicycle parking spaces are also proposed at the northeast and northwest corners of the proposed building.

Landscaped areas are generally provided along the street frontages of Main Street and Fifth Line.

Figure 2 to this Report includes the proposed site plan. Figure 3 to this Report includes the architectural rendering of the proposed building.

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

- Executed application form for a Zoning Bylaw Amendment, prepared by Menkes Milton Industrial Inc., dated 2022-12-09;
- Cover Letter, prepared by Menkes Milton Industrial Inc., dated 2022-12-13;
- Record of Pre-Consultation, prepared by Town of Milton Staff, dated 2022-05-31;
- Planning Justification Report, prepared by MacNaughton Hermsen Britton Clarkson Planning Limited ('MHBC'), dated 2022-12-09;
- Draft Zoning By-law Amendment, prepared by MHBC, dated 2022-12-09;
- Legal Survey, prepared by R-PE Surveying Ltd., dated 2022-03-14;
- Topographic Survey, prepared by Vujeva Surveys Ltd., undated;
- Subwatershed Impact Study Addendum - Study Area 5B, prepared by Stantec, dated 2022-10-31;
- Site Screening Questionnaire, prepared by Menkes Milton Industrial Inc., dated 2022-12-1;
- Archaeological Assessment Stage 1, prepared by AMICK Consultants Limited, dated 2022-09-19;
- Archaeological Assessment Stage 2, prepared by AMICK Consultants Limited, dated 2022-09-19;
- Functional Servicing and Stormwater Management Report, prepared by Stantec, dated 2022-12-09;
- Preliminary Geotechnical Investigation Report, prepared by Envision Consultants Ltd. ('Envision'), dated 2022-04-08;

Background

- Preliminary Hydrogeological Assessment, prepared by Envision, dated 2022-04-11;
- Phase 1 Environmental Site Assessment, prepared by Envision, dated 2022-03-29;
- Phase 2 Environmental Site Assessment, prepared by Envision, dated 2022-05-11;
- Noise Feasibility Study, prepared by HCG Engineering, dated 2022-12-12;
- Transportation Impact Study, prepared by LEA Consulting Ltd., dated 2022-12-08;
- Truck Access and Circulation, prepared by LEA Consulting Ltd., dated 2022-11-22;
- Photometric Plan, prepared by Turner Fleischer Architects Inc., dated 2022-12-09; and,
- Urban Design Brief, prepared by MHBC, dated 2022-12.

Discussion

Planning Policy

The subject lands are designated Business Park Area on Schedule B - Urban Land Use Plan of the Town of Milton Official Plan.

Section 3.8.1.1 of the Town's Official Plan indicates that the Business Park Area designation is an employment designation that applies to areas where the full range of light industrial and office uses are permitted, subject to a high standard of design.

Section 3.8.2 of the Town's Official Plan sets out the permitted uses in the Business Park Area which includes light industrial and office uses as well as accessory service, wholesale, retail and office uses directly related to and within the industrial building, research and development uses (excluding produce biomedical waste) and restaurants that are part of and located wholly within a light industrial or office building, other than an industrial mall.

Section 3.8.2.3 of the Town's Official Plan also identifies uses that are not permitted in the Business Park Area designation and these include truck terminals, fuel depots, cement batching and asphalt plants and waste management or composting facilities.

In addition to the above, the subject lands are also designated Business Park Area on Schedule C.9.B - Derry Green Corporate Business Park Secondary Plan ('Derry Green SP') in the Town's Official Plan.

Section C.9.5.1.1 of the Derry Green Secondary Plan indicates that the permitted uses are the same as those contained in Section 3.8.2.2 of the Town's Official Plan. However,

Discussion

the Business Park Area designation in the Derry Green Secondary Plan specifies that limited open storage may be permitted at the rear of a lot, subject to a zoning by-law amendment, where it can be demonstrated to the Town that the open storage can be buffered by landscaping, berms or other screening mechanisms.

In addition to the above, Schedule C-9-B of the Derry Green Secondary Plan identifies the general location of Stormwater Management Facilities and identifies a facility on the southwest corner of the subject lands. The final location and configuration of such facilities is to be refined through an applicable Subwatershed Impact Studies. The applicant has submitted a Subwatershed Impact Study addendum ('SIS addendum') to support the proposed development. The SIS addendum will determine the stormwater management requirements for the development of the subject lands.

Schedule C-9-C of the Derry Green Secondary Plan includes a phasing plan for lands within the secondary plan area. The subject lands are identified as being within Phase 3. The phasing policies of the Derry Green Secondary Plan apply to the proposed development of the subject lands.

Official Plan policies relevant to the proposal include:

- 2.3.21 Noise and Vibration - design requirements to address noise and vibration.
- 2.3.3.23 Site Contamination - assessment requirements for contaminated sites.
- 2.4.3.8 Attraction of New Industry - policies that promote available industrial lands with adequate water and sewage capacity to support resource efficient industries.
- 2.6.3.16 and 2.6.3.17 Travel Demand Management - policies that enable the Town to require travel demand management ('TDM') for industrial uses over 9,290 square metres and support a reduced parking rate where it has been demonstrated through TDM that a reduced parking rate is appropriate.
- 2.6.3.34 Servicing - requires all development in the Urban Area to be connected to municipal wastewater and water systems, provided that adequate capacity is available.
- 2.6.3.39 Stormwater Management - requires development proponents to obtain approval of a stormwater management plan to support proposed development.
- 2.8.3.50 Landscape Design - policies that address landscape design for development proposals.
- 2.8.3.3 Urban Design - factors to assess urban design for development proposals.
- 3.7.1.4 General Employment Policies - assessment criteria for development in the employment designations.
- 3.8.3 Business Park Area - policies that apply to development within the Business Park Area designation.

Discussion

- C.9.5.1.1 Derry Green SP Business Park Area - policies that apply to land uses in the Business Park Area designation.
- C.9.5.9 Derry Green SP Stormwater Management Facilities - policies that apply to the location, configuration and design considerations for stormwater management.
- C.9.6.1 Derry Green SP Phasing and Finance - policies that address phasing and finance requirements for new development.

Zoning By-law 016-2014, as amended

The subject lands are zoned Future Development ('FD') under the Town of Milton Zoning By-law 016-2014, as amended. The FD zone recognizes existing uses only, which means a zoning by-law amendment is required to permit any new development. The applicant has made an application for a zoning by-law amendment to permit the following uses: industrial use, accessory open storage, medical clinic, office building, office use, research and technology use (excluding uses which produce biomedical waste), restaurant as part of an industrial use, warehouse/distribution centre or wholesale operation (but not as part of an industrial mall, adult education school, warehouse/distribution centre and wholesale operation).

The proposed zoning by-law amendment also seeks to reduce the required setbacks for loading areas, parking areas and the front yard as well as be exempt from the height restrictions that apply to exterior lighting fixtures. Appendix 1 to this Report includes the proposed Zoning By-law Amendment.

Site Plan Control

Should the application be approved, the applicant will be required to receive Site Plan Approval prior to the commencement of any development.

Public Consultation and Review Process

Notice for the statutory public meeting was provided pursuant to the requirements of the Planning Act on March 2, 2023.

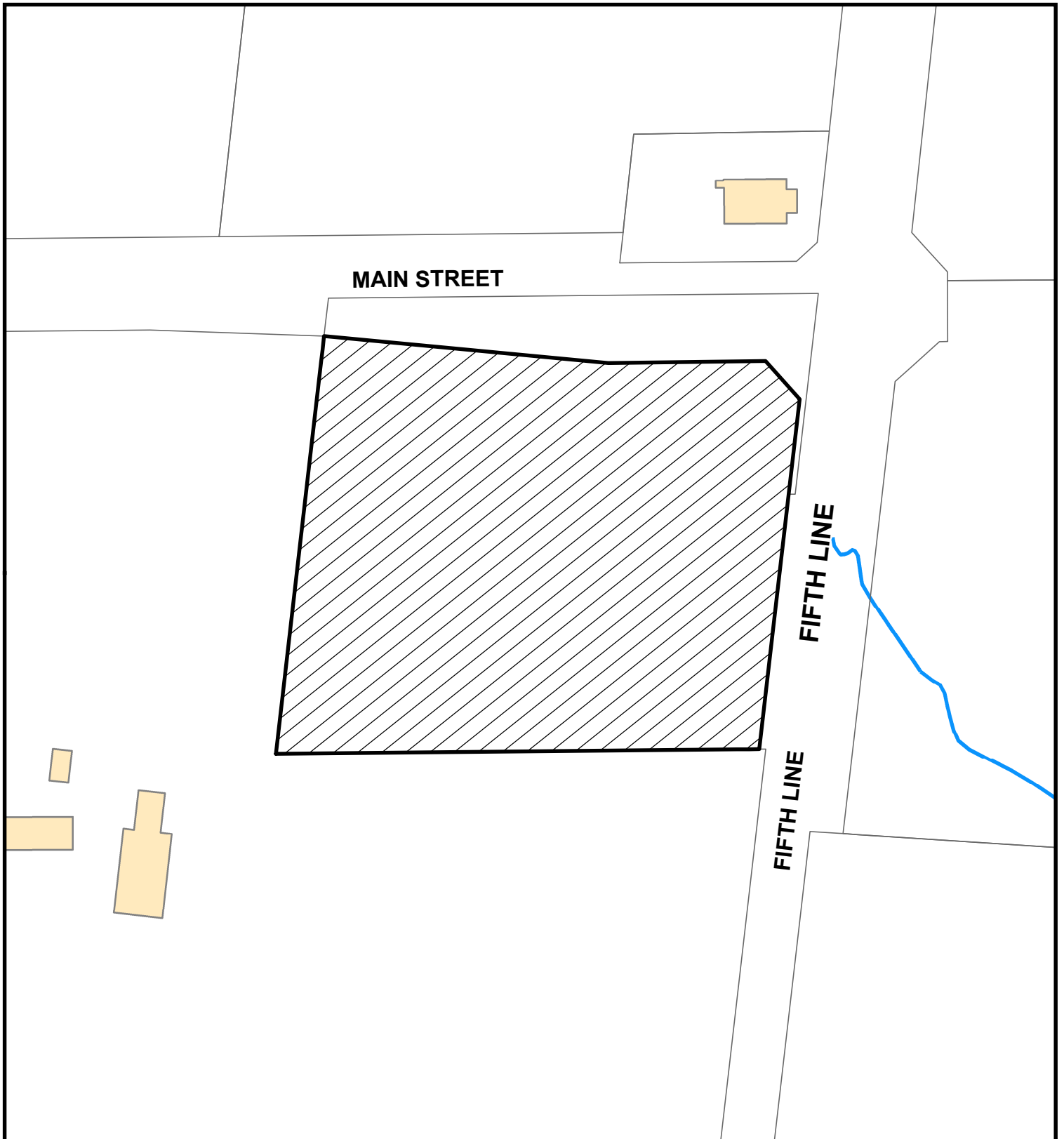
With regard to the proposal, staff has identified the following matters to be addressed through the review process:

- Urban design and landscaped areas;
- Parking and vehicle access/circulation;
- Servicing and stormwater management; and,
- Consistency with Provincial Policy Statement and conformity with Growth Plan for the Greater Golden Horseshoe.

Upon completion of the evaluation of the application, a Technical Report with recommendations will be brought forward for Council consideration.

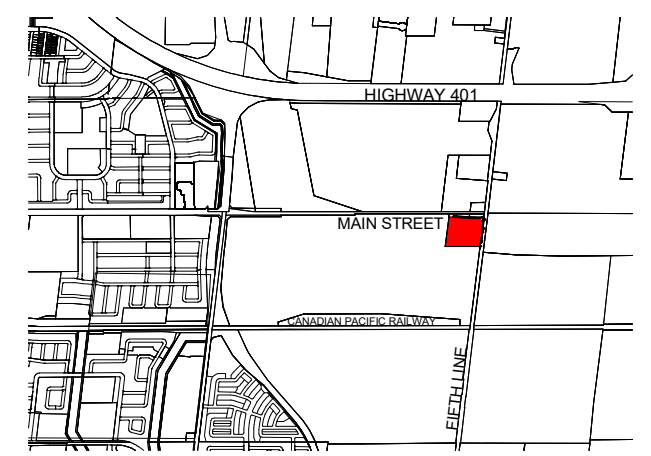


FIGURE 1 LOCATION MAP (7472 Fifth Line)



Council Meeting Date: March 27, 2023	Scale: 1: 2,000	Files: Z-14/22	Development Services Department
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The issue of this report drawing is a representation by Turner Fleischer Architects Inc. for the construction, arrangement or alteration of the above described work. It is issued as a condition of the contract and is not to be used for any other purpose. The client is responsible for the accuracy of the information provided to Turner Fleischer Architects Inc. and the client is responsible for the accuracy of the information provided to the contractor. Turner Fleischer Architects Inc. shall not be held responsible for the accuracy or completeness of the information provided to the contractor.



LEGEND

- PROPOSED ENTRANCE ARROW
- PROPOSED EXIT ARROW
- PROPOSED FIRE HYDRANT
- PROPOSED SIAMESE CONNECTION
- PROPOSED SIGN
- PROPOSED FIRE & TRUCK ROUTE (HEAVY DUTY ASPHALT)
- PROPOSED CONCRETE SIDE WALK
- PROPOSED CONCRETE APRON

NOTE: MUNICIPAL DRAWINGS OF MAIN STREET EAST AND FIFTH LINE HAVE BEEN PROVIDED ON 2022-06-23.

#	DATE	DESCRIPTION	BY
8	2022-12-09	ISSUED FOR REVIEW	RLA
7	2022-12-06	ISSUED FOR COORDINATION	RLA
6	2022-11-08	ISSUED FOR COORDINATION	RLA
5	2022-10-11	ISSUED FOR COORDINATION	RLA
4	2022-06-28	ISSUED FOR COORDINATION	RLA
3	2022-06-17	ISSUED FOR COORDINATION	RLA
2	2022-06-09	ISSUED FOR COORDINATION	RLA
1	2022-06-03	ISSUED FOR COORDINATION	RLA



MENKES MILTON INDUSTRIAL INC.
4711 YONGE STREET, SUITE 1400
TORONTO, ON, M2N 7E4

PROJECT **7472 FIFTH LINE**
MILTON, ON

DRAWING **SPA SITE PLAN**

PROJECT NO. 22.067
PROJECT DATE 2022-05-30

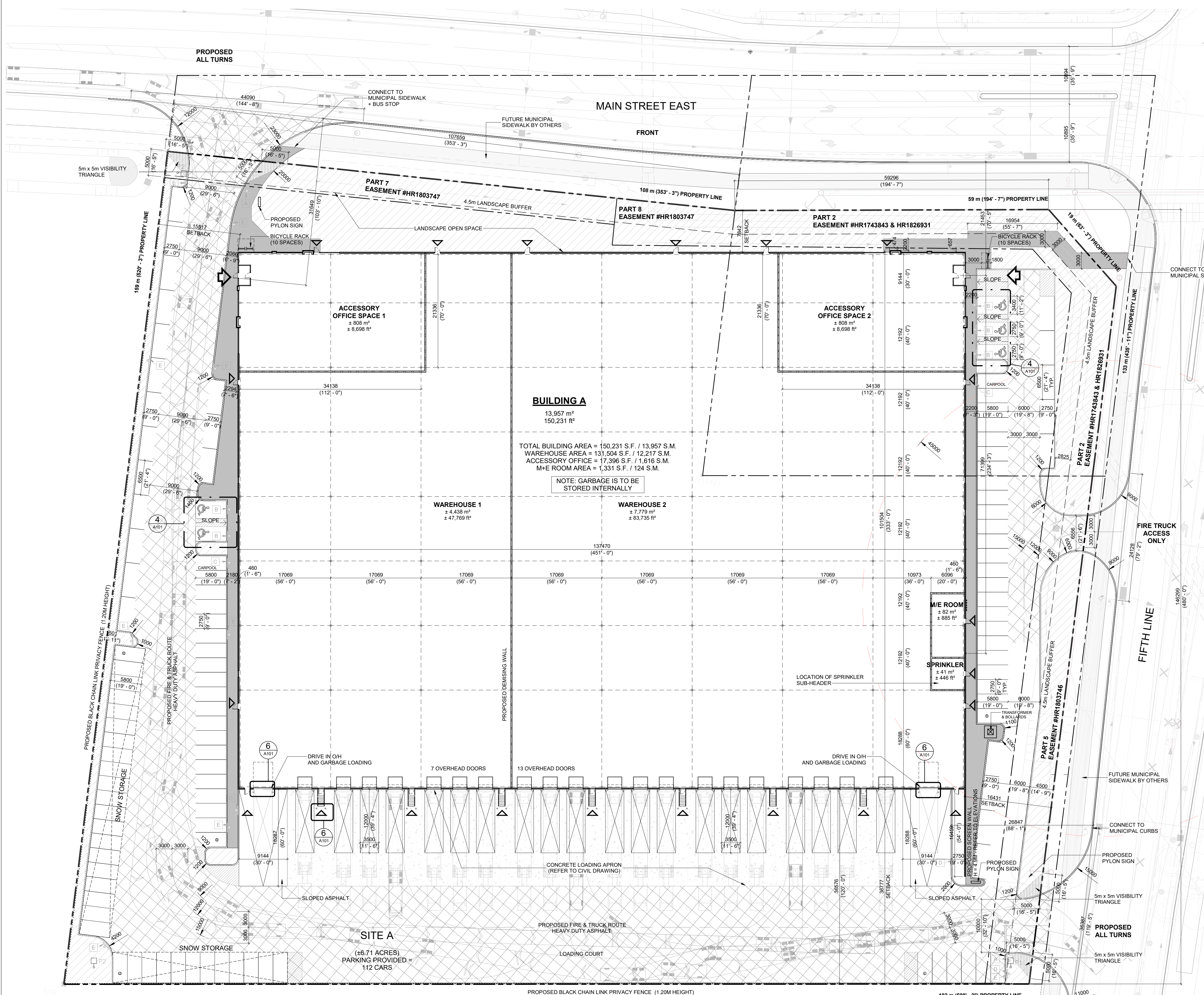
DRAWN BY RLA
CHECKED BY JJJ
SCALE As indicated



DRAWING NO. **A100**

ZONING AND STATS

SITE A - AREA	±6.71 ACRES	±2.72 HA.
BUILDING A AREA	±150,231 S.F.	±13,957 S.F.
WAREHOUSE 1	±47,769 S.F.	±4,438 S.M.
WAREHOUSE 2	±83,735 S.F.	±7,779 S.M.
OFFICE	±17,396 S.F.	±1,616 S.M.
M-E ROOM	±1,331 S.F.	±124 S.M.
TOTAL LEASIBLE AREA (GFA)	±148,900 S.F.	±13,833 S.M.
PARKING REQUIRED (TOTAL)	111 SPACES	
1/30 FOR FIRST 1000 S.M.	33 SPACES	
1/100 FOR BETWEEN 1000-5000 S.M.	40 SPACES	
1/200 THEREAFTER	37 SPACES	
BARRIER FREE REQUIRED (1+3%)	5 SPACES	
SITE A - BARRIER FREE PARKING PROVIDED	5 SPACES	
SITE A - TOTAL PARKING PROVIDED	112 SPACES	
	751,000 S.F.	±9/100 S.M.
BICYCLE SPACES REQUIRED (3% OF PARKING SPACES REQUIRED)	3 SPACES	
BICYCLE SPACES PROVIDED 0.6M...	20 SPACES	
LOADING SPACES REQUIRED (3+19,300 S.M.)	4 SPACES	
3 SPACES FOR FIRST 7,441 S.M.	3 SPACES	
1/9,300 S.M. THEREAFTER (90% GFA)	1 SPACES	
LOADING SPACES PROVIDED 3.5...	22 SPACES	
M1 ZONE / BUSINESS PARK COVERAGE	REQUIRED N/A	PROPOSED 51%
FRONT YARD	9.0 M	7.8 M
REAR YARD	12.0 M	36.7 M
INT. YARD	3.0 M	15.5 M
EXT. YARD	9.0 M	16.4 M
MIN. GFA INDEX	N/A	-
MAX. BUILDING HEIGHT	15.0 M	14.94 M
LANDSCAPE	10%	10%
LANDSCAPE BUFFER	4.5 M	4.5 M
ABUTTING A STREET LINE		



1 SITE PLAN
A100 1:350



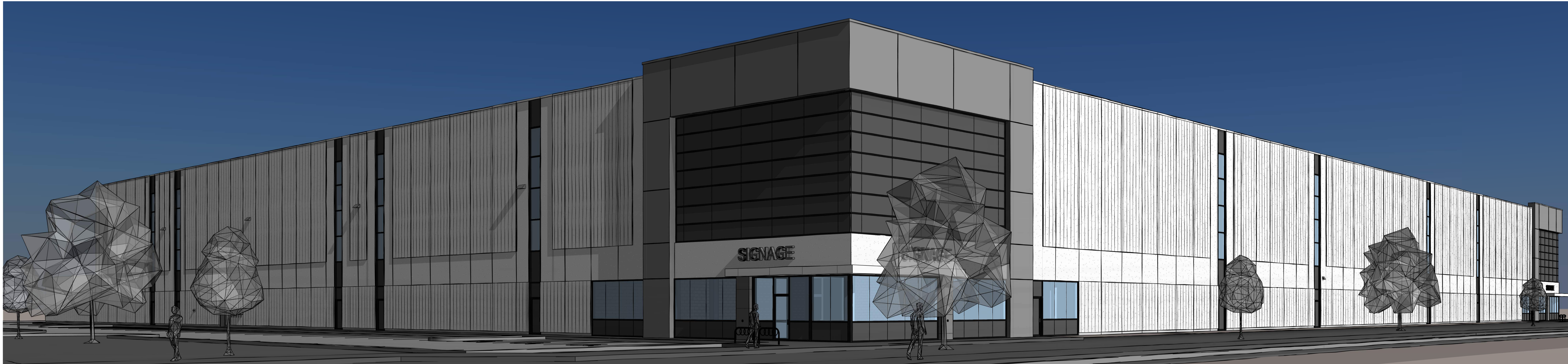
3D FROM MAIN STREET EAST & FIFTH LINE
• FOR ILLUSTRATIVE PURPOSES ONLY



2 EYE-LEVEL PERSPECTIVE FROM MAIN STREET EAST ACCESS
A001



3 EYE-LEVEL PERSPECTIVE FROM FIFTH LINE ACCESS
A001



1 EYE-LEVEL PERSPECTIVE FROM MAIN STREET EAST & FIFTH LINE
A001

#	DATE	DESCRIPTION	BY
7	2022-12-09	ISSUED FOR REVIEW	RLA
6	2022-12-06	ISSUED FOR COORDINATION	RLA
5	2022-11-08	ISSUED FOR COORDINATION	RLA
4	2022-10-11	ISSUED FOR COORDINATION	RLA
3	2022-06-28	ISSUED FOR COORDINATION	RLA
2	2022-06-17	ISSUED FOR COORDINATION	RLA



MENKES MILTON INDUSTRIAL INC.
4711 YONGE STREET, SUITE 1400
TORONTO, ON, M2N 7E4

PROJECT
7472 FIFTH LINE

MILTON, ON

DRAWING
3D PERSPECTIVES

PROJECT NO.
22.067CS
PROJECT DATE
2022-06-03
DRAWN BY
RLA
CHECKED BY
JJJ
SCALE



DRAWING NO.
A001

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 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, AS AMENDED, IN RESPECT TO THE LANDS MUNICIPALLY IDENTIFIED AS 7472 FIFTH LINE, AND LEGALLY DESCRIBED AS PART OF LOT 13, CONCESSION 5, NEW SURVEY, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: xxxxx)

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 and the Derry Green Corporate Business Park Secondary 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:

1.0 THAT Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) to a special provision Business Park (M1*xxx) Zone Symbol on the Lands shown on Schedule A attached hereto.

2.0 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, only the following uses shall be permitted:
- 1) *Industrial Use*
 - 2) *Medical Clinic*
 - 3) *Office Building*
 - 4) *Office Use*
 - 5) *Research & Technology Use*, excluding uses which produce biomedical waste
 - 6) *Restaurant, as part of an Industrial Use, Warehouse/Distribution Centre, or Wholesale Operation* but not as part of an *Industrial Mall*
 - 7) *School, Adult Education*
 - 8) *Warehouse/Distribution Centre*

9) Wholesale Operation

B. Special Site Provisions

- 1) For the lands zoned Business Park (M1***xxx**) the following additional special site provisions shall apply:
 - a) Notwithstanding section 13.1.1.**xxx**.A above, Outdoor Storage shall be permitted as an accessory use in the rear and internal side yard provided that it is screened from street view.
 - b) Notwithstanding Section 5.11.1, Table 5K, loading spaces shall be permitted within 19 m a street line.
 - c) Notwithstanding Section 5.12, Table 5L, *Parking Areas* are permitted to be setback within 0.0 metres from the southerly line.
 - d) Section 5.13 shall not apply.
 - e) Notwithstanding the definition of *Front Lot Line*, the lot line abutting Main Street East shall be considered the *Front Lot Line*.
 - f) Notwithstanding Section 8.2, Table BB, a minimum front yard of 7.5 m shall be permitted.

3.0 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 Ontario Land Tribunal dismisses the appeal, this By-law shall come into force upon the day which 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 of the Tribunal's Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON , 2023

Gordon A. Krantz

Meaghan Reid






Schedule A

SCHEDULE A TO BY-LAW XXX-2023

7475 Fifth Line,
Milton, Ontario

LEGEND

 Change in zoning from
Future Development (FD)
Zone to Business Park
(M1*xxx) Zone

 Natural Heritage System
 Future Development

Date: Dec 09, 2022

Drawn By: RM

File: 19161 - C

Scale: 1:4,000

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Folder: N:\19161\C - 7472 Fifth Line, Milton\1 - MHBC Documents\Technical Data\19161\C GIS Data\

