



The Corporation of the Town of Milton

Report To:	Council
From:	Barbara Koopmans, Commissioner, Development Services
Date:	December 14, 2020
Report No:	DS-053-20
Subject:	Public Meeting and Initial Report- Plan of Subdivision and Zoning By-law Amendment Application by Broccolini Real Estate Group and I.G. Investment Management, to permit the development of an industrial/ business park plan of subdivision. (Files: 24T-20006/M & Z-15/20)
Recommendation:	THAT Development Services Report DS-053-20 BE RECEIVED FOR INFORMATION.

EXECUTIVE SUMMARY

The applicant is seeking an amendment to the Town of Milton Zoning By-law to rezone the subject lands from the current Future Development (FD) Zone and Natural Heritage System (NHS) Zone to a site specific Industrial (M2*XXX) Zone, a site specific Business Park (M1*_XXX) Zone, an Open Space (OS -2) Zone and a Natural Heritage System (NHS) zone. The changes to the Town of Milton Comprehensive Zoning By-law are requested to facilitate the development of the lands for an industrial/ business park plan of subdivision consisting of 12 Blocks.

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

REPORT

Background

Owner: Broccolini Real Estate Group and I.G. Investment Management, 2680 Matheson Blvd., Mississauga ON L4W 0P5

Applicant: Riepma Consultants Inc, 220 Kempenfelt Drive, Barrie, ON L4M 1C4

Location: The subject property has an area of approximately 36.1 hectares and is located northeast of the intersection of Fifth Line and Derry Road and is legally described as Part



Background

Lot 11, Concession 6 Former Geographic Survey of Trafalgar in the Town of Milton. The subject lands are also located within the Derry Green Corporate Business Park Secondary Plan area. The lands are predominantly vacant with a single detached dwelling on the south east portion of the property. The existing house is proposed to be removed from the property. Surrounding land uses include existing vacant/agricultural lands to the west, east and south, an already approved industrial development to the north, rural residential uses to the south and east and the Trafalgar Golf and Country Club to the south east. It should be noted that the residential lots on the north side of Derry 11179 Derry, 11233 Derry Road, 11275 Derry Road are not part of this application and are owned by other interests (see Figure 1: Location Map for more details on the property location).

Proposal

The applicant is seeking an amendment to the Town of Milton Comprehensive Zoning By-law to rezone the subject lands from the current Future Development (FD) Zone and Natural Heritage System (NHS) Zone to site specific Industrial (M2*XXX) Zone, a site specific Business Park (M1*_XXX) Zone, an Open Space (OS -2) Zone and a Natural Heritage System (NHS) zone. The changes in zoning are requested to regulate the development of the lands to facilitate the proposed industrial/ business park plan of subdivision.

Figure 2 illustrates the Plan of Subdivision being proposed by Broccolini and I.G. Investment Management. The plan consists of one large industrial block and several smaller blocks intended for stormwater management and for NHS purposes. The lands identified for NHS are to ensure that the existing woodland and tributary on the property are protected in perpetuity. A concept site plan for a 61,000 square meter (656,000 sq. ft.) building on one large industrial block (Block 6) has also been prepared (not formally submitted for approval) for the western portion of the property and will be developed as Phase 1 of the development (See Figure 3: Proposed Concept Plan). In addition to the Phase 1 development noted above, it is contemplated by Broccolini that in the future one or more additional industrial buildings will occupy the northeastern portion of the property and a smaller business park use will occur along the frontage of Derry Road. These details will be determined on a go forward basis partially through the site plan approval process.

The following reports and additional materials have been submitted in support of the application and are currently under review:

- Draft Plan of Subdivision prepared by Riepma Consultants Inc., dated November 2017;



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Background

- Functional Servicing and Stormwater Report prepared by MGM Consultants Inc., dated May 15, 2020;
- Geotechnical Reports prepared by EXP Services Inc., dated December 22, 2016 and February 16, 2016;
- Architectural Elevations and Site Plan Package prepared by Ware Malcomb dated April 24, 2020 and May 6, 2020;
- Urban Design Brief prepared by Riepma Consultants Inc., dated May 2020;
- Hydrogeological Letter prepared by Burnside Consultants dated June 29, 2020;
- Photometric Plans prepared by Inviro Engineering Systems Ltd., dated April 30, 2020;
- Tree Inventory and Preservation Plan prepared by Savanta, dated February 2019;
- Traffic Impact Study prepared by LEA, dated June 2020
- Environmental Noise Impact Study prepared by GHD, dated April 28, 2020;
- Phase 1 Environmental Site Assessments prepared by EXP Services Inc., dated December 23, 2016 and February 8, 2016;
- Planning Justification Report and Draft Zoning By-law prepared by Riepma Consultants Inc., dated March 2020;
- Landscape Plans prepared by Brody & Associates, dated May 7, 2020;
- Archaeological Assessment prepared by Earthworks Archaeological Services Inc., dated April 8, 2018; and
- Boundary Survey prepared by Cunningham McConnell Limited, dated January 19, 2019.

Discussion

Planning Policy

The subject lands are designated Urban Area and Natural Heritage System (NHS) on Schedule 1 - Town Structure Plan and Business Park and Industrial Area and NHS on Schedule B - Urban Area Land Use Plan of the Town of Milton Official Plan. The purpose of the Natural Heritage System is to protect areas, which have been identified as having environmental significance and to establish a Natural Heritage System that achieves an enhanced natural habitat and ecological functions that are resilient to the impacts of the adjacent urban development. The Industrial and Business Park permissions are further clarified in the Derry Green Corporate Business Park Secondary Plan as noted below.

The subject property is also located within the Derry Green Corporate Business Park Secondary Plan. The subject lands are identified on Schedule C.9.A -Structure Plan as Natural Heritage System (NHS), Stormwater Management and Trail or On-Street Bike System; on Schedule C.9.B. - Land Use Plan as designated Industrial Area, Business Park Area, Street Oriented Site, NHS and Stormwater Management; and on Schedule

Discussion

C.9.C - Phasing Plan as being located within the area identified as the Phase 1 Lands and are in an area identified for a Conceptual Road Option (road between Menkes and Broccolini).

Within the Derry Green Secondary Plan policy framework, the Industrial Area designation permits a full range of light and general industrial land uses including warehouse/distribution centres. Policy C.9.5.3 notes that certain land uses may not provide the best opportunity for high quality site design and uses such as truck terminals and other types of uses that have elements that detract from the industrial area's high quality industrial appearance may not be permitted. Furthermore, outdoor storage on these lots may be limited and/ or specific buffering may be required.

Within the Business Park Designation uses such as offices, light industrial, which includes a significant office component, research and development excluding biomedical waste, restaurants and service commercial, which form part of the industrial commercial or office mixed use building including an industrial mall and commercial recreational uses and public indoor recreational facilities are permitted. It should be noted, however, that the following uses are not permitted: service commercial, hotels, conference centre and banquet facilities, institutional uses, theatres and entertainment uses, auto sales and service establishments.

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 including a significant office component.

Within the Natural Heritage System designation there are specific policies to ensure that developments are designed to be sensitive to and limit impacts on the surrounding Natural Heritage System.

The Subwatershed Impact Study (SIS) for the Derry Green Corporate Business Park Secondary Plan 5A (Carvalho/Sereda Lands) has not been approved to date and needs to be approved to the satisfaction of the Town of Milton, Halton Region and Conservation Halton prior to any development approvals being granted by the Town in this area. The wooded area and the relocated watercourse(s) need to be identified and protected in accordance with the approved SIS. This watercourse once approved in a new location through the SIS and all associated buffers will need to be clearly identified on the draft plan and any site plan/ concept plan.

There will also be a need to protect a 47 metre right-of-way along Fifth Line for the possibility of a future Region of Halton Regional Road, which is currently being considered through the Region's 5 ½ Line initiative. This may include the establishment

Discussion

of a building set back from the future property line (with a road widening taken) possibly in excess of 12 metres. As a result, a dedication of up to 27 metres from the existing eastern edge of Fifth Line may need to be protected from development on the subject lands due to the Regional Study requirements and existence of a gas easement on the western edge of the right of way. This is the approach taken in the development north of the subject property that has been registered and is currently under construction. These requirements will need to be confirmed and documented through the preparation of detailed surveying on a go forward basis.

Coordination of the construction of the east-west collector road on the north boundary of the subject property is required in consultation with Menkes Development in order to provide a public road through which the main accesses to the subject property from the north can be connected. Only right-in right-out access will be supported by the Town in the interim and long term from Fifth Line.

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

Zoning By-law 016-2014, as amended

The lands are currently zoned Future Development (FD) Zone and Natural Heritage System (NHS) Zone. The changes in zoning are requested to provide the necessary regulations to allow the development of the lands for an industrial/ business park plan of subdivision (Appendix 1).

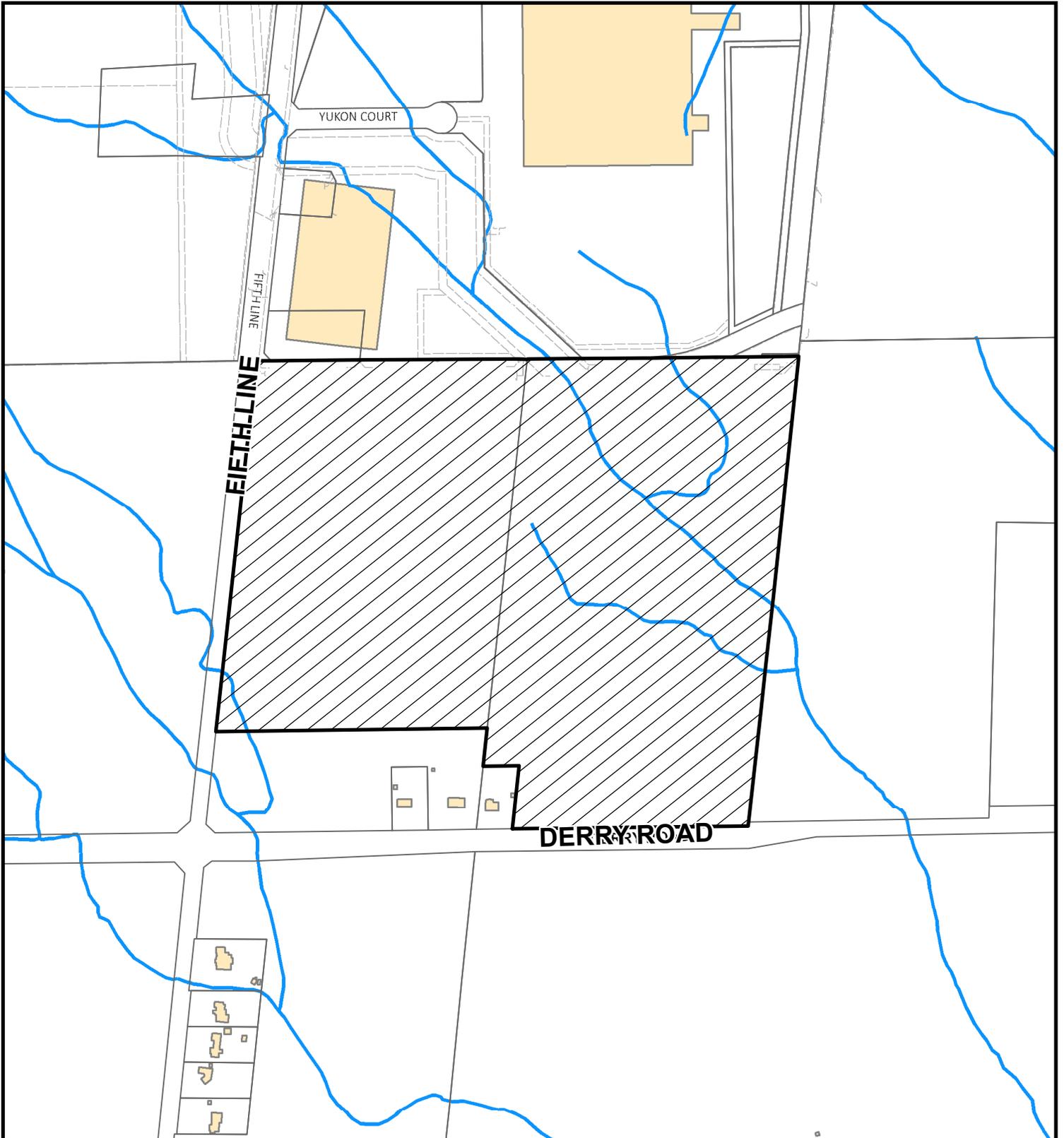
Public Consultation and Review Process

Notice for the public meeting was provided pursuant to the requirements of the Planning Act and the Town of Milton on November 19, 2020.

Staff has identified, among other things, the following issues that will need to be assessed further on a going forward basis:

- Implications with any delays in the approval of the SIS for area 5a in Derry Green;
- Development composition in the Business Park designation;
- Uses being proposed for the property;
- Site design, built form, screening of industrial buildings and overall urban design approach for the property;
- Traffic impacts and vehicle access/ circulation;
- Environmental impacts related to the creek relocation and NHS lands;
- Fifth Line implications related to the Halton Region 5 ½ Line initiative;

FIGURE 1 LOCATION MAP



Council Meeting Date: December 14, 2020	Scale: 1: 1,700	File: 24T-20006/M	Development Services Department
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DRAFT PLAN
LOT 11, CONCESSION 6
NEW SURVEY
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 LANDS HAVE BEEN ACCURATELY AND CORRECTLY SHOWN

SIGNED: _____ DATED: _____

OWNER'S CERTIFICATE

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

OWNER: I.G. INVESTMENT MANAGEMENT

SIGNED: _____ DATED: _____
DELUS LUS DEVELOPMENT MANAGER

SCHEDULE OF LAND USE

TOTAL AREA OF LAND TO BE SUBDIVIDED	359,776m ²
BLOCK 1 0.3m RESERVE	203m ²
BLOCK 2 WOODLAND BLOCK	13,635m ²
BLOCK 3 STORM WATER MANAGEMENT	56,207m ²
BLOCK 4 ROAD WIDENING	747m ²
BLOCK 5 ROAD WIDENING	19,286m ²
BLOCK 6	257,772m ²
BLOCK 7 WOODLAND BUFFER	7,905m ²
BLOCK 8 NHS RESTORATION	2,995m ²
BLOCK 9 WATERCOURSE BUFFER	4,917m ²
BLOCK 10 WATERCOURSE CORRIDOR	17,517m ²
BLOCK 11 WATERCOURSE BUFFER	4,449m ²
BLOCK 12 STORM SEWER BLOCK	1,411m ²

REVISIONS

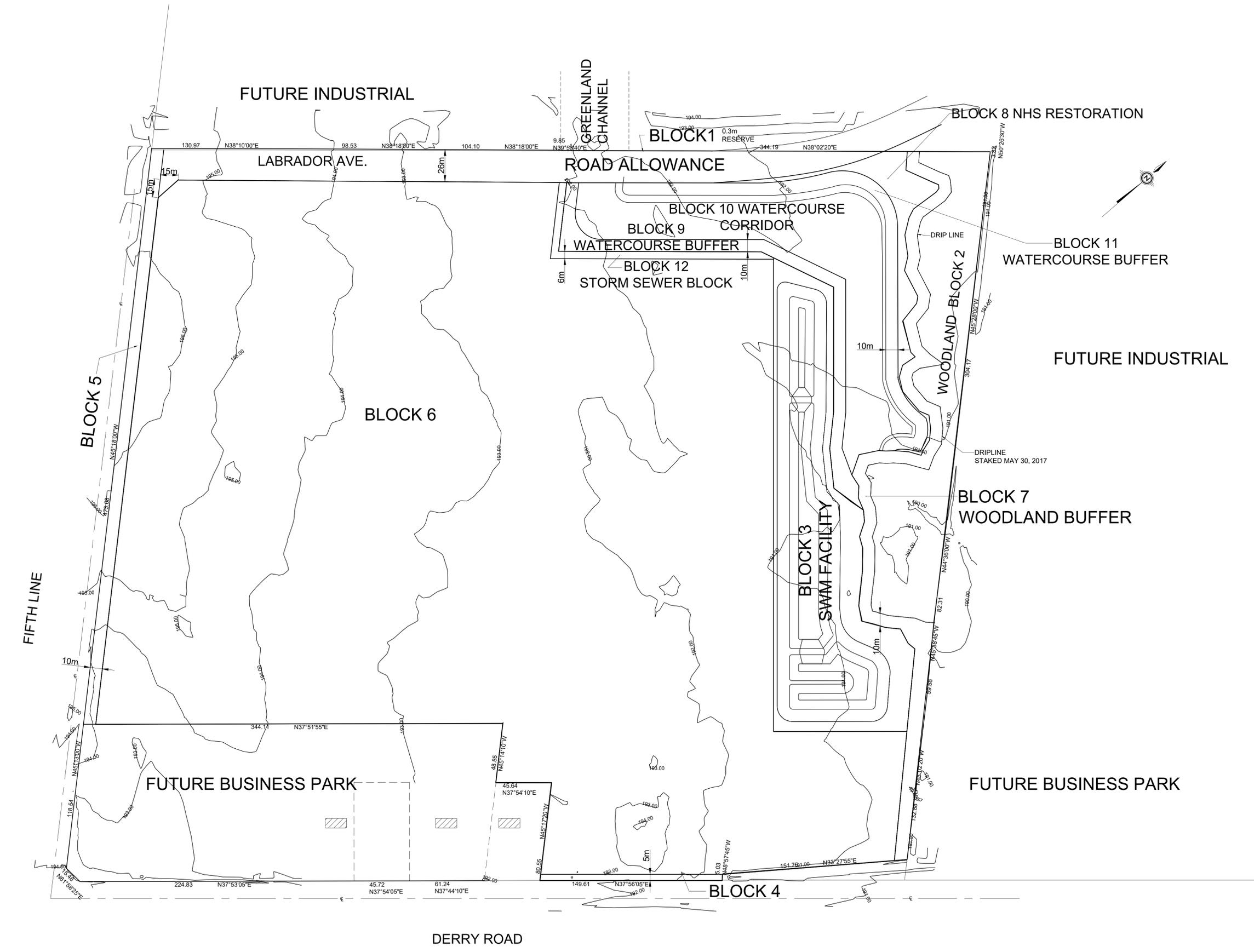
NO.	REVISION	DATE	BY
1	-	-	-



DRAFT PLAN

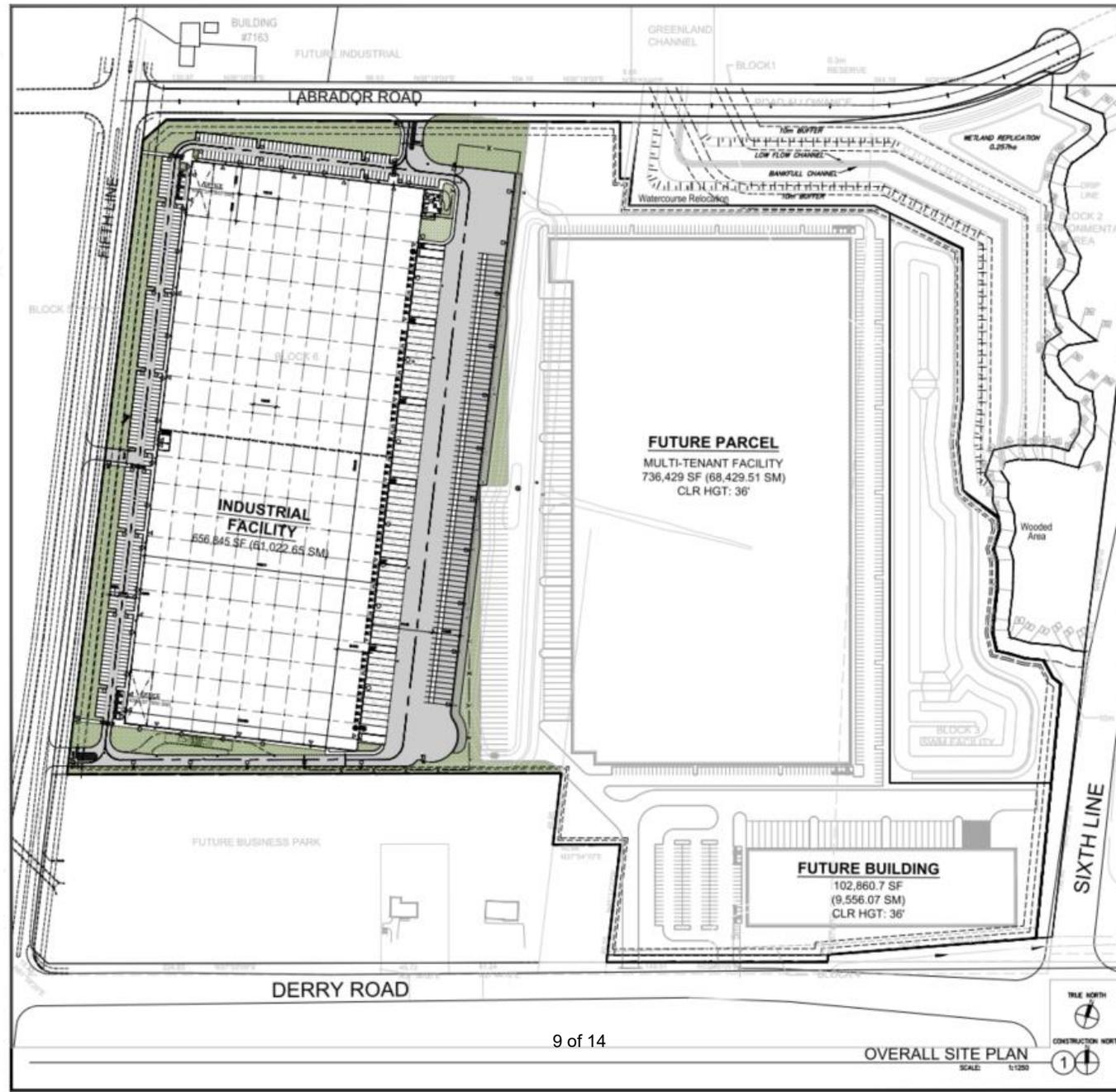
11233 + 11319 DERRY ROAD
MILTON, ONTARIO

SCALE: 1:1500	DRWG:
DATE: NOV 2017	S-1
DRAWN BY: EMG	
CHECKED BY: CR	
PROJECT: 16-21	





Conceptual Site Plan



PROJECT STATISTICS

Property Address	FIFTH LINE & DERRY ROAD	
Zoning Category	City of Milton Zoning By-Law 216 2014 M1 (MEDIUM DENSITY INDUSTRIAL ZONING)	
Proposed Use	1-STORY INDUSTRIAL/SMALL BUILDING	
Development Standards	City of Milton Zoning By-Law 216 2014	
	Required	Proposed
MIN LOT FRONTAGE (m)	45.0	45.0
MIN FRONT YARD (m)	5.0	5.0
MIN SIDEYARD SIDE YARD (m)	3.0	3.0
MIN EXTERIOR SIDE YARD (m)	3.0	3.0
MIN REAR YARD (m)	1.5	1.5
MIN LANDSCAPED BUFFER (m)	4.5	4.5
LANDSCAPED PERCENTAGE	1%	1%

Site Area and Coverage	Proposed
SITE AREA (AC)	70.04
SITE AREA (FT)	287,002.52
MIN COVERAGE	NO MINIMUM WITH MUNICIPAL SERVICES

Building Area and Density	Proposed
Proposed Industrial Building	1,130.08
INDUSTRIAL OFFICE (GR/INT)	50,398.57
TOTAL BUILDING GR (INT)	61,528.65

Parking	Required	Proposed
INDUSTRIAL USE, FOR THE FIRST 1000SM ²	14	14
PARKING SPACE PER 300SM ² GFA		
FOR SPACES BETWEEN 1001 TO 5000 SM ² PARKING SPACE PER 1000SM ² GFA	40	40
FOR SPACES BETWEEN 1001 TO 5000 SM ² PARKING SPACE PER 2000SM ² GFA	201	215
TOTAL PARKING SPACES	205	219
BARRIER FREE PARKING SPACES (80% TO 100% SPACES & ACCESSIBLE PARKING SPACE PLUS 2%)	9	11
PARKING STALL DIMENSIONS	2.75 x 5.80M	2.75 x 5.80M
BARRIER FREE PARKING STALLS TYPE A	5 x 4000	5 x 4000
BARRIER FREE PARKING STALLS TYPE B	2.75 x 6000	2.75 x 6000
LOADING SPACE DIMENSIONS	12.5m x 3.5m	12.5m x 3.5m
BICYCLE & PARKING REQUIREMENTS (2% OF REQUIRED PARKING SPACES)	4	11

Loading Requirements	City of Milton Zoning By-Law 216 2014
TYPE OF LOADING SPACE DIMENSIONS	12.5m x 3.5m x 4.2m
NO. OF LOADING SPACES	Required: 0 Proposed: 05

Door Statistics	Proposed
DOOR-HIGH TRUCK DOORS	54
WALK-OUT PANELS	5
GRADE-LEVEL TRUCK DOORS	7

SITE LEGEND

- [Hatched] NEW HEAVY DUTY PAVEMENT (HATCHED)
- [Dotted] NEW LANDSCAPED AREA (HATCHED)
- [Dashed] PARKED DIAGONAL LINES WHERE INDICATED
- [Dashed] FIRE ACCESS ROUTE WITH 12.0M TURNING RADIUS
- [Solid] PROPERTY LINE
- [Circle with dot] PARKING STALL COUNT TOTAL
- [Circle with dot] EXISTING LIGHT POLE
- [Circle with dot] GAS METER LOCATION
- [Triangle] MAN DOOR ENTRY
- [Triangle] FIRE DEPT CONNECTION
- [Triangle] DERRY LOCATION WITH CIVIL DRAWINGS
- [Circle with dot] EXISTING FIRE HYDRANT
- [Circle with dot] DERRY LOCATION WITH CIVIL DRAWINGS
- [Circle with dot] PROPOSED FIRE HYDRANT
- [Circle with dot] DERRY LOCATION WITH CIVIL DRAWINGS
- [Circle with dot] LIGHT POLE
- [Circle with dot] WALL MOUNTED LIGHT
- [Circle with dot] NEW STOP SIGN
- [Circle with dot] 1000mm WIDE DEPRESSED CURB FOR ACCESSIBLE PARKING AND PEDESTRIAN ACCESS - REFER TO DETAIL 4/A1.2
- [Circle with dot] EXISTING CATCH-BASIN
- [Circle with dot] EXISTING HYDRO POLE
- [Circle with dot] EXISTING CATCH-BASIN
- [Circle with dot] PROPOSED CATCH-BASIN
- [Circle with dot] TACTILE INDICATING AT DEPRESSED CURB
- [Circle with dot] BICYCLE RACK
- [Circle with dot] DENOTES MANHOLE
- [Circle with dot] EXISTING HYDRO POLE
- [Circle with dot] EXISTING CATCH-BASIN
- [Circle with dot] PROPOSED CATCH-BASIN
- [Circle with dot] TACTILE INDICATING AT DEPRESSED CURB
- [Circle with dot] BICYCLE RACK
- [Circle with dot] FENCE
- [Circle with dot] DOOR-HIGH TRUCK DOOR
- [Circle with dot] WALK-OUT PANEL
- [Circle with dot] GRADE-LEVEL TRUCK DOOR



BROCCOLINI

OVERALL SITE PLAN

DATE	REVISIONS
11/03/2020	1. 100% PROGRESS SET
11/03/2020	2. 100% PROGRESS SET

PA / PW	CR
DRAWN BY:	MS
JOB NO.:	10920-0008-00

SHEET
A1.0



INDUSTRIAL BUILDING
FIFTH LINE & DERRY RD
MILTON, ONTARIO

**THE CORPORATION OF THE TOWN OF MILTON
BY-LAW NO. XXX-2020**

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 (NEW SURVEY) FORMER TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (BROCCOLINI AND IG WEALTH MANAGEMENT) TOWN FILE: Z-15/20

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 and the Derry Green Corporate 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) and Natural Heritage (NHS) Zone symbols to a site-specific General Industrial (M2*XXX) Zone, (M1*XXX Zone), Open Space 2 (OS-2) Zone and Natural Heritage System (NHS) Zone symbols on the Lands shown on Schedule "A" attached here to.
- 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 General Industrial *XXX (M2*XXX), the following standards and provisions shall apply:

- A. Notwithstanding Section 8.1 - Table 8A Permitted Uses, the following additional use shall be permitted:
- 1) Wholesale Operation
 - 2) Transportation Terminal
 - 3) Warehouse/Distribution Centre
- B. Notwithstanding Section 8.1 - Table 8A Permitted Uses, the following uses shall not be permitted:

- 1) Aggregate Recycling Facility
- 2) Bulk Fuel Depot
- 3) Bulk Propane Storage Facility
- 4) Concrete Batching Plant
- 5) Contractor's Yard
- 6) Motor Vehicle Body Shop
- 7) Motor Vehicle Repair Garage
- 8) Motor Vehicle Rental Agency
- 9) Motor Vehicle Washing Establishment
- 10) Recycling Facility
- 11) Towing Yard

C. Special Site Provisions:

- 1) For the lands zoned General Industrial (M2*XXX) the following additional special site provisions shall apply:
 - a) For the purposes of this By-law, Fifth Line shall be deemed the front lot line.
 - b) Notwithstanding Section 8.2, Table 8B, the minimum front yard setback shall be 12.0 metres.
 - c) Notwithstanding Section 5.11.1, Table 5K, loading spaces are permitted to be setback greater than the maximum 20 metres setback from a building.
 - d) Notwithstanding Section 5.11.1, Table 5K, loading spaces are permitted to be setback less than the minimum 20 metres setback from a street line.
 - a) Notwithstanding Section 5.12, Table 5L, parking areas can be setback 0 metres from the property line located within the shared access driveway.
 - e) Notwithstanding Footnote 7, Table 8A associated with the wholesale operation use, up to a maximum of 15% of the gross floor area of the principal use, may be used for the retail sale of goods or products produced on the premises.
 - f) Outside storage shall not be permitted in a front or side yard and shall be adequately screened from view from a roadway.

- 3.0 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, the following uses shall not be permitted:

- 1) Animal Training Facility
- 2) Auto sales and service establishments
- 3) Commercial School - Trade
- 4) Commercial School - Skill/Profession
- 5) Convenience Store
- 6) Convention Centre
- 7) Conference centre and banquet facilities
- 8) Motor Vehicle Rental Agency
- 9) Day Nursery
- 10) Dry Cleaning Depot
- 11) Entertainment Uses
- 12) Funeral Home
- 13) Hotel
- 14) Institutional uses
- 15) Food Bank
- 16) Place of Assembly
- 17) Place of Entertainment
- 18) Place of Worship
- 19) Service Commercial
- 20) Theatres
- 21) U-Brew Establishment
- 22) Veterinary Clinic - Small Animal
- 23) Veterinary Clinic - Large Animal
- 24) Veterinary Hospital - Small Animal

- B. Special Site Provisions

- 1) For the lands zoned Business Park (M1*XXX) the following additional special site provisions shall apply:
 - a. Notwithstanding Section 5.11.1, Table 5K, loading spaces are permitted to be setback greater than the maximum 15 m setback from a building.

- b) Notwithstanding Section 5.12, Table 5L, parking areas can be setback 0 metres from the property line located within the shared access driveway.
- c) That the maximum gross floor area for a detached accessory waste storage building shall be 70 m².

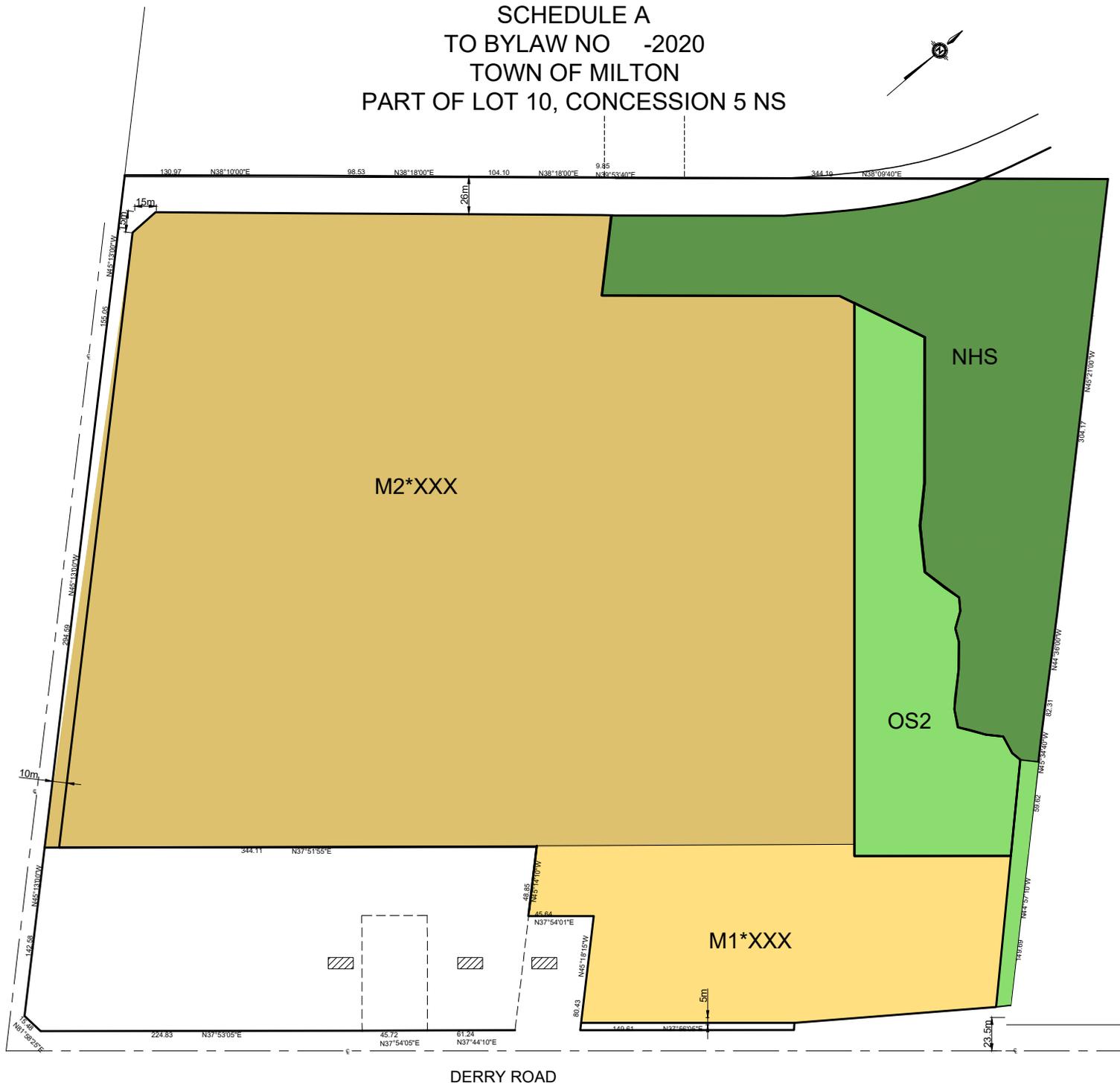
5.0 THAT if no appeal is filed pursuant to Section 34 (19) of the Planning Act, RSO 1990, c. P13, as amended, or if an appeal is filed and the Local Planning Appeal Tribunal dismisses the appeal, this By-law shall come into force on the day of the passing. If the Tribunal amends the By-law pursuant to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

PASSED IN OPEN COUNCIL ON

Gordon A. Krantz Mayor

Meaghan Reid Clerk

SCHEDULE A
TO BYLAW NO -2020
TOWN OF MILTON
PART OF LOT 10, CONCESSION 5 NS



DERRY ROAD

THIS IS SCHEDULE A
TO BY-LAW NO. -2020 PASSED
THIS __ DAY OF _____, 2020

- NHS - Natural Heritage System Zone
- OS2 - Open Space - Stormwater Management Zone
- M2*XXX - General Industrial Zone Special
- M1*XXX - Business Park Zone Special

MAYOR - Gordon A Krantz

CLERK - Troy McHarg