



The Corporation of the Town of Milton

Report To: Council

From: Barbara Koopmans, Commissioner, Development Services

Date: June 21, 2021

Report No: DS-048-21

Subject: Technical Report - Proposed Plan of Subdivision and Amendments to the Zoning By-law 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 and Z-15/20)

Recommendation: **THAT** the Town of Milton Council supports the granting of Draft Plan Approval by the Commissioner, Development Services for the proposed plan of subdivision and the standard and any site-specific draft plan conditions once Halton Region has signed off on the development as presented or with minor amendments;

THAT application Z-15/20 an amendment to the Town of Milton Comprehensive Zoning By-law 016-2014, as amended, to change the Future Development (FD) and Natural Heritage System (NHS) zones to a site specific Business Park Special (M1*296) Zone, Business Park Special (M1*297), Open Space 2 (OS-2) and a Natural Heritage System (NHS) Zone and a holding zone for the applicable to specific blocks and to permit the development of an industrial/ business park plan of subdivision **BE APPROVED**;

THAT staff be authorized to bring forward an amending Zoning By-law as attached as Appendix 1 to this Report for Council adoption;

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

EXECUTIVE SUMMARY

Staff is in receipt of applications for a Plan of Subdivision and Zoning By-law amendment by Broccolini Real Estate Group and I.G. Investment Management within the Derry Green Corporate Business Park Secondary Plan area to allow for the development of an industrial/ business park plan of subdivision consisting of 13 blocks, which would include

EXECUTIVE SUMMARY

a variety of business park uses including wholesale and warehouse/distribution centre uses. As such, the proposal seeks to replace the current Future Development (FD) and Natural Heritage System (NHS) Zone symbols to site-specific Business Park (M1*296), site-specific Business Park (M1*297), Natural Heritage System (NHS) and Open Space 2(OS-2) and a holding zone on the site-specific Business Park (M1*296) Zone as shown on Schedule A of the draft By-law attached to this report. A holding provision is recommended on the lands facing the Fifth Line to ensure that the urban design and landscape treatments are completed in accordance with the Town's requirements.

Conclusions and Recommendations

Staff recommends that the plan of subdivision and zoning by-Law amendment applications BE APPROVED for the following reasons:

1. The proposals conform to Provincial, Regional and Town planning policy and provides for appropriate land uses that have been contemplated by the both the Town of Milton Official Plan and Derry Green Corporate Business Park Secondary Plan;
2. The proposed land uses are compatible with adjacent land uses and are appropriate uses for the subject lands;
3. The proposal meets all of the technical requirements identified by internal departments and external agencies;
4. The proposal makes efficient use of land and planned services and infrastructure;
5. The proposal provides for the development of designated employment lands to meet and serve the needs of Milton's growing population;
6. Any additional required building and site design, landscaping and buffering requirements can be implemented and enforced through the site plan review process, the associated agreement and performance guarantees (securities); and
7. The minor access related issues that are holding back Halton Region from issuing their support for this development are broader based and include a stretch of Derry Road frontage that goes beyond the developer's lands. The concerns are minor in nature and just need a bit more time to work out the details of the access management approach for this stretch of Derry Road. All other issues related to Regional interests have been addressed to their satisfaction.
8. Staff has included a holding provision on the lands facing the Fifth Line that shall not be removed until such time as a detailed conceptual site plan is prepared to the satisfaction of the Town and that ensures that the urban design and landscape treatments are completed in accordance with the Town's requirements under both the Fifth Line being maintained in the Town's control and the alternative scenario where the Region of Halton uploads a portion of this road to be a Regional Road through their 5 ½ Line Study.

REPORT

Background

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

Applicant/ Authorized Agent: Riepma Consultants Inc, 220 Kempenfelt Drive, Barrie, ON

Location

The subject property has an area of approximately 36 hectares and is located northeast of the intersection of Fifth Line and Derry Road and is legally described as Part Lot 11, Concession 6 (New Survey) 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 (Menkes), 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

Broccolini and I.G. Investment Management “applicants” have made applications for a Plan of Subdivision and Zoning By-law amendment in order to allow for the development of an industrial/ business park plan of subdivision. 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 Business Park Special (M1*296) Zone, a site specific Business Park Special (M1*297) Zone, an Open Space (OS -2) Zone and a Natural Heritage System (NHS) zone. The changes in zoning are required to regulate the development of the lands in accordance with Council’s direction as noted in the approved Secondary Plan policies and to facilitate the proposed industrial/ business park development.

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 and a new municipal road on the north end of the property. The applicant is proposing to develop the lands as a single large business park block with the intent to construct several warehouse/distribution centre type uses on the majority of the lands and some street oriented business park uses fronting onto Derry Road. At this point in time, the applicant appears to have at least one large end user secured and has provided a concept plan,

Background

to illustrate one proposed building for that user. This concept plan can be viewed in Figure 3 to this report. The concept plan shows three proposed building on the site: one of approximately 69,677 sq. metres (750,000 sq. ft.) with a future 23,225 sq. m. (250,000 sq. ft. future expansion), a second future building approximately 26,477 sq. m. (285,000 sq. ft.) in size and the last building fronting onto Derry Road of approximately 9,755 sq. m. (105,000 sq. ft.). This is subject to change depending on the needs of the ultimate end users for the site.

There is also an existing watercourse that traverses the property, which will be realigned and zoned with a NHS Zone as part of the application in accordance with the approved Derry Green Block 5A Subwatershed Impact Study. Today the SIS is considered by staff to be substantially complete with only minor editorial changes required before being finalized. In Phase 1 of this development, it is currently contemplated by Broccolini that an Industrial Building of approximately 69,677 sq. metres (750,000 sq. ft.) with a future 23,225 sq. m. (250,000 sq. ft. future expansion) fronting onto the Fifth Line as shown in Figure 3 will be the first building built. These details will be reconfirmed on a go forward basis 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:

Type	Authored	Latest Revision Date
Planning Justification Report	Riepma Consultants Inc.	January 18 th , 2021
Zoning By-Law Amendment	Riepma Consultants Inc.	January 18 th , 2021
Derry Green Zoning By-Law Schedule A	Riepma Consultants Inc.	January 18 th , 2021
Draft Plan of Subdivision	Riepma Consultants Inc.	January 21 st , 2021
Site Plan	Ware Malcomb	January 14 th , 2021
Architectural Elevations	Ware Malcomb	April 24 th , 2020
Transportation Impact Study	LEA Consulting	December 21 st , 2020
Tree Inventory Report	Savanta	December 18 th , 2020
Functional Servicing Report and Stormwater Report	MGM Consulting Inc.	January 22 nd , 2021
Memo Response to FSR 1 st Submission Comments	MGM Consulting Inc.	January 22 nd , 2021
Phase One ESA-11233 Derry Road	EXP	January 15 th , 2021
Phase One ESA-11319 Derry Road	EXP	January 15 th , 2021
Phase Two ESA- 11319 Derry Road	EXP	January 18 th , 2021
Reliance Letter to Halton Region	EXP	January 25 th , 2021
Sub-watershed Impact Study	Jennifer Lawrence & Associates	October 15 th , 2020
Archaeological Letter	Ministry, Health, Sports, Tourism, and Culture Industries	November 16 th , 2019

Discussion

The applicant has made applications for a Plan of Subdivision and Zoning By-law amendment in order to allow the development of an industrial/ business park plan of subdivision. Accordingly, the proposal seeks to replace the current Future Development (FD) and Natural Heritage System (NHS) Zones with a site-specific Business Park Special (M1*296), Business Park Special (M1*297), Natural Heritage System (NHS), Open Space 2 (OS-2) and a holding zone on the site specific Business Park Special (M1*296) Zone symbols (See attached Draft By-law - Appendix 1).

The industrial/ business park plan of subdivision, as illustrated in the draft plan attached as Figure 2, is proposed to consist of the following:

<u>Land Use</u>	<u>Block No.</u>	<u>Area (ha)</u>
Business Park Block	6	25.3
Stormwater Management Pond Block	3	1.4
Natural Heritage System (NHS) Blocks	2, 10	3.1
NHS Buffer Blocks	7, 9, 11	1.7
NHS Enhancement Block	8	0.3
SWM Pond Buffer Blocks	13	0.4
Storm Sewer Block	12	0.1
Road Widening Blocks	4, 5	2.0
0.3 M Reserves	1	0.02
Municipal Road	<u>Street A</u>	<u>1.7</u>
TOTAL	13	36.02ha

The applicant has submitted a number of technical studies as noted above in support of the proposed development. The reports provide the basis to determine that draft plan approval should be granted for the proposed plan of subdivision and that the plan is sufficiently advanced to support the zoning by-law amendment. As a condition of draft plan approval, any additional technical information deemed to be required or reports that need to be updated or revised as noted through the review process, will be required to be completed to the Town's satisfaction prior to registration.

Planning Policy

Provincial Policy Statement (PPS) (2020)

Staff has reviewed the application in relation to the PPS (2020), which provides broad policy direction on matter of Provincial interest related to land use planning and development. The applications are consistent with the relevant sections of the PPS:

Section 1.1.1 - Healthy, Liveable and safe communities are sustained by:

- a) *promoting efficient development and land use patterns, which sustain the financial well-being of the Province and municipalities over the long term;*

Discussion

b) *accommodating an appropriate range and mix of residential, employment (including commercial and institutional uses), recreational and open space uses to meet long term needs;*

e) *promoting cost-effective development standards to minimize land consumption; ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*

Section 1.1.3.1 - Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted;

Section 1.1.3.2 - Land use patterns within settlement areas shall be based on:

a) *densities and a mix of land uses which:*

- *efficiently use land and resources;*
- *are appropriate for, and effectively use the infrastructure and public service facilities that are planned or available, and...;*
- *are transit supportive, where transit is planned, exists or may be developed, and*
- *are freight supportive.*

The proposed development is consistent with the above noted policies as it is located within a settlement area (urban area) and contributes to the range of land uses by providing employment uses within the community. The proposed development relies on and supports existing and planned infrastructure and public services.

Section 1.3 of the PPS (2020) also contains policies related to Employment and Employment Areas and notes:

1.3.1 - Planning authorities shall promote economic development and competitiveness by:

a) *providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;*

b) *providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses, which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*

c) *facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites...;*

d) *encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and*

Discussion

e) ensuring the necessary infrastructure is provided to support current and projected needs.

1.3.2.1 - Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.

1.3.2.6 - Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

Accordingly, staff is of the opinion that the proposal achieves these objectives and is consistent with the relevant policies of the PPS 2020.

Places to Grow (2019)

Places to Grow is the Ontario government's program to manage growth and development in Ontario in a way that supports economic prosperity, protects the environment and helps communities achieve a high quality of life.

The subject lands are located within the “Designated Greenfield Area” designation on Schedule 2 -Places to Grow Concept of the Growth Plan. New development taking place in designated greenfield areas shall be planned, designated, zoned and designed in a manner that contributes to creating a complete community and provides a diverse mix of land uses including residential and employment uses to support vibrant communities.

Section 2.2.5 of the Growth Plan speaks to Employment Lands and notes:

Municipalities will promote economic development and competitiveness by:

- a. making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;*
- b. ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;*
- c. planning to better connect areas with high employment densities to transit; and*
- d. integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.*

In addition, the Growth Plan notes that municipalities may identify *employment areas* located adjacent to or near *major goods movement facilities and corridors*, including major highway interchanges, as *prime employment areas* and plan for their protection for appropriate employment uses over the long-term by:

- a. prohibiting residential, institutional, and other sensitive land uses;*
- b. prohibiting retail and office uses that are not associated with or ancillary to the primary employment use; and*

Discussion

c. planning for freight-supportive land use patterns.

In order to support goods movement, the Plan calls for a coordinated goods movement network that links *major goods movement facilities and corridors* to the provincial highway network and employment areas.

The proposed development is consistent with the policies of the Provincial Growth Plan as it is located within a Settlement Area, which provides municipal water and wastewater systems and contributes to the mix of land uses by providing employment opportunities and enhancing the economic vitality of the community. The proposal is also located in a planned employment area adjacent to *major goods movement facilities and corridors*, which allows the development to utilize the surrounding transportation infrastructure that has been designed to sufficiently accommodate freight transportation movement.

Region of Halton Official Plan (ROP)

The subject lands are located within the “Urban Area” and “Natural Heritage System” designation with an Employment Area overlay in the Region of Halton Official Plan (ROPA 38). The Urban Area designation under Section 76 permits uses in accordance with Local Official Plan and the Zoning By-law. All development shall be subject to the policies of the Regional Official Plan.

Section 77(6) requires the Local Official Plans are to specify development phasing strategies within the Urban Area, which are consistent with the ROP, giving priority to development of employment lands and completion of existing communities. The subject property is located within the approved Derry Green Corporate Business Park Secondary Plan and it is appropriate to develop this property for employment uses in accordance with provincial, regional and local policies.

Regional Planning staff has reviewed the applications and offered no objection to the approval of these application subject to development of an access management strategy for the section of Derry Road in front of and adjacent to the applicants lands. This is considered to be a minor issue and is anticipated to be finalized in the near future. All other concerns that the Region originally had have been addressed to their satisfaction. Once the access management strategy has been developed with Town staff to their satisfaction, the inclusion of their recommended draft plan conditions would follow.

Town of Milton Official Plan

The subject lands are designated “Industrial Area” and “Business Park Area” as shown on Schedule B of the Town’s Official Plan. The “Industrial Area” and “Business Park Area” designations are both employment designations, which permit a full range of light and general industrial uses.

The Business Park Area designation notes that the main permitted uses shall be a full range of light industrial and office uses, subject to a high standard of building and site

Discussion

design. In addition to the main permitted uses, service commercial uses, office, wholesale and retail functions directly related to industry are also permitted uses.

The Broccolini development proposes among other things warehouse/distribution uses, which are permitted within the Industrial Area and Business Park land use designations. As the buildings being proposed in this development traverse the designation boundaries, the applicant has agreed to up zone the property to achieve a higher order of business park uses and a higher level of site design throughout the development as noted through the Business Park designation. This has been captured in detail in the provisions of the draft zoning by-law provided in Appendix 1.

Section 3.8.3 of the Business Park Area policies outlines and notes that development shall be permitted subject to:

- the submission of a development plan for lands outside of the Milton 401 Industrial Park Secondary Plan area, which demonstrates that the proposed development can be physically integrated with the existing and proposed uses of adjacent lands, including lands outside the Business Park Area designation;
- a high quality of landscaped site development particularly adjacent to Provincial Freeways, Major Highways, Major Arterial, Minor Arterial and Multi-Purpose Arterial roads;
- no outdoor storage;
- the development complies to the Community wide policies of the Plan; and
- applicants can demonstrate that there is sufficient water and wastewater capacity to accommodate the proposed use.

The development proposal is consistent with the above noted policies as a development concept plan has been provided to illustrate the proposed site layout and how these lands can be physically integrated with adjacent lands within the Derry Green Business Park Secondary Plan. The applicant is working collaboratively with the developer to the north (i.e. Menkes Milton Industrial Inc.) to ensure that both plans of subdivision are coordinated and aligned. The applicant is proposing a high quality of landscaping treatment and berming along the Fifth Line along with enhanced architectural features and building façade treatments to ensure an appropriate interface with the future uses of the adjacent business park lands to the west. Staff has included a holding provision on the lands facing the Fifth Line that shall not be removed until such time as a detailed conceptual site plan is prepared to the satisfaction of the Town. This will ensure that the urban design and landscape treatments are completed in accordance with the Town's requirements under both the Fifth Line being maintained in the Town's control and the alternative scenario where the Region of Halton uploads a portion of this road to be a Regional Road through their 5 ½ Line Study.

Discussion

Any outdoor storage that may occur in this development is limited to the area of the plan that is fully screened from view from both Derry Road and the Fifth Line. This is in the area of the plan identified as being within the Industrial Designation not the Business Park Designation. This maintains the intent of the Business Park policies restricting outdoor storage and ensures that should there be a need for outdoor storage it is limited to an area of the property that is not visible to the public right of ways and eliminates the possibility of a visual impacts to the Fifth Line and Derry Road corridors.

The site is proposed to be serviced by water from an existing 300 mm watermain on Trudeau Drive and the sanitary system within the site is proposed to be drained to a 525mm sanitary trunk on Fifth Line, which is currently being constructed by the Region. The applicant has provided a Functional Servicing report, which has been reviewed by the Town and the Region of Halton and while further minor technical revisions are being requested by the Region, the Region is satisfied there is adequate water and wastewater treatment capacity to accommodate the proposed development. The proposed development is also consistent with the Industrial Area policies of the Town's Official Plan for the accommodation of the stormwater generated within this development.

Derry Green Corporate Business Park Secondary Plan

The subject lands are further designated as "Industrial Area", "Business Park", "Street-Oriented Business Park" and "Natural Heritage System" within the Derry Green Corporate Business Park Secondary Plan.

The Industrial Area designation permits a full range of light and general industrial uses in accordance with policies of Section 3.9.2.1 of the Official Plan. Notwithstanding this policy, specific more intensive industrial uses (i.e. fuel depots, concrete and asphalt batching plants, waste management facilities etc.) may be restricted in sites adjacent to the railway, Fifth and Sixth Lines and lands adjacent to the Natural Heritage System. As such, within the draft zoning By-law attached to this report, a number of more intensive industrial uses have been removed as permitted uses within this development and are not permitted within the proposed Business Park (M1) Zones. This is consistent with the up-zoning of the uses used for this development and the high quality of building and site design sought by the applicants.

Within the Business Park Area designation, the policies permit uses in accordance with policies of Section 3.8 of the Official Plan. This includes light industrial land uses including warehouse/distribution centres. Section C.9.4.6.7 of the Secondary Plan requires an enhanced level of streetscape design along both the Fifth Line and Derry Road and notes that significant vehicular and truck/ trailer parking areas will be screened by berms and landscaping and that service, loading and open storage facilities shall not be permitted in the yard abutting major roads and shall be screened at all times from these roads. This has all been accommodated in the proposed development and captured in the implementing provisions of the zoning by-law amendment.

Discussion

The Business Park Area with a “Street Oriented Area” overlay designation permits office uses and light industrial uses, which include a significant office component. The area of the plan identified as the “Street Oriented” overlay designation will not be developed initially. When developed, the area will be with street oriented sites and buildings including a continuous frontage of buildings along Derry Road as required in the secondary plan policies and as noted in the attached Concept Plan (Figure 3). No parking shall be located between the building and Derry Road and surface parking shall be located to the side or rear of the building and no closer to Derry Road than the front of the building. Furthermore, the buildings shall be pedestrian oriented and have a minimum building heights of 6m. These requirements have all been captured in the attached Zoning By-Law Amendment included in Appendix 1 to this report.

Section C.9.4.6.7 of the Secondary Plan, seeks an enhanced level of streetscape design along Fifth Line and Derry Road and notes that significant parking areas will be screened by berms and landscaping and that service, loading and open storage facilities shall not be permitted in the yard abutting major roads and shall be screened from these roads. These policy requirements have been included in the attached Zoning By-law Amendment as provide on Appendix 1 to ensure that the development of these areas are in accordance with the high quality of site and building design envisioned in the Secondary Plan.

The Natural Heritage System designation is intended to recognize areas within the Urban Area boundary where preservation of natural areas and features is considered to be essential from an environmental sustainability perspective. This designation reflects the natural watercourses that traverse the lands that will be channelized as per the recommendations of the overall Subwatershed Update Study (SUS), Functional Stormwater and Environmental Management Strategy (FSEMS) and Conceptual Fisheries Compensation Plan (CFCP) for the entire Derry Green Secondary Plan. A specific Subwatershed Impact Study (SIS 5A) has been prepared and submitted by a team of consultants on behalf of the applicant. The SIS is intended to implement the recommendations that have come out of the overall SUS, FSEMS and CFCP and has been substantially advanced with input and review from the Region of Halton, Conservation Halton and the Town of Milton and its peer review consulting team. Through the implementation of the SIS, an appropriate NHS system and features including their buffers are proposed to be protected as shown on the subdivision plan and corresponding Zoning By-law Amendment. The SIS for Block 5A is substantially complete and has been deemed to be generally acceptable by the Town, Region and Conservation Halton. Only minor editorial revisions are required before it is finalized and approved by the Town. This will need to be completed prior to registration of the plan of subdivision.

Section C.9.6.1 of the Secondary Plan speaks to phasing and finance policies and in this instance, staff is satisfied that these requirements of the Secondary Plan have been met.

Zoning By-law

Discussion

In order to ensure that the subdivision is developed as proposed, a number of uses, which are currently permitted within the Industrial designation have been removed to ensure conformity with the permitted uses of the Business Park policies. This has the effect of ensuring that cleaner, higher order industrial uses will be permitted in this development in accordance with the vision of a high quality business park setting. Site-specific provisions related to increased parking setbacks and loading spaces are included with the draft by-law attached as Appendix 1 to this Report to ensure that a high quality of built form and landscape character is achieved in accordance with the vision approved by Council for these lands and as illustrated in the Derry Green Corporate Business Park Secondary Plan. The applicant is in agreement with this approach as it creates the type of high quality development they had envisioned for these lands.

Site Plan Control

Should the application be approved, the developer is required to obtain site plan approval prior to any building permits being issued. Detailed site plan drawings addressing such matters as building elevations, lot grading and drainage, site design, lighting and landscaping will be required to be submitted for review and approval. The developer will also 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. Detailed reports addressing issues such as noise, servicing, traffic, etc. will also be required through the site plan review process in response to specific development applications.

Public Consultation

Notice for the public meeting was provided pursuant to the requirements of the Planning Act and the Town of Milton on November 19, 2020. The statutory public meeting was held on December 14, 2020. No members of the public made oral submissions and no member of the public signed the public register. Since that time, Town staff has not received any oral or written submissions from any members of the public related to the applications under consideration.

Agency Circulation

The applications were circulated to internal/external agencies and their comments as noted below. The majority of comments did not identify any significant concerns with the application. The following agencies had no further concerns and offered either their final approval, no objection or conditions of draft plan approval for inclusion in the Town's approval should that be endorsed by Town Council. They also have no concerns regarding the approval of the Zoning By-law Amendment as included in Appendix 1:

External Agencies

Bell Canada, Hydro One, Halton District School Board, Halton Catholic District School Board, Conservation Halton, Milton Hydro

Internal Departments



Discussion

Zoning, Urban Design/ Policy Planning, Fire Department, Corporate Services

The following agencies and internal departments had more significant comments through the circulation process. All have signed off on this plan and do not object to this plan being draft plan approved with the appropriate conditions and for the Zoning By-law Amendment to be approved:

External Agencies

Region of Halton

The Region has confirmed that the development as proposed is consistent with both Provincial and Regional land use policy frameworks, that the environmental components of the subdivision and zoning by-law are consistent with the SIS and delineated to their satisfaction. They have also confirmed that the archaeological resources have been cleared by the Ministry, that adequate water and wastewater services are available along the Fifth Line and that the regional road requirements both for along Derry Road and the potential Regional 5 1/2 Line initiative have been accommodated to their satisfaction. The Region is also satisfied that the building setbacks identified in the draft zoning by-law are sufficient to protect for the possibility of the future 5 1/2 Line should the Region decide in support of an alignment along the current 5th Line corridor. The only remaining outstanding matter is the final access arrangements for the Derry Road frontage for both the applicants' lands and the lands under the control of the neighbouring property owners. Once the access management strategy for this section of Derry Road is finalized by the Town and Halton Region, the Region will be in a position to sign off on the approval of this development as currently proposed. These discussions are underway and a satisfactory resolution is anticipated to be achieved in the near future. This issue is considered by Town staff to be minor in nature and easily resolved.

Internal Departments

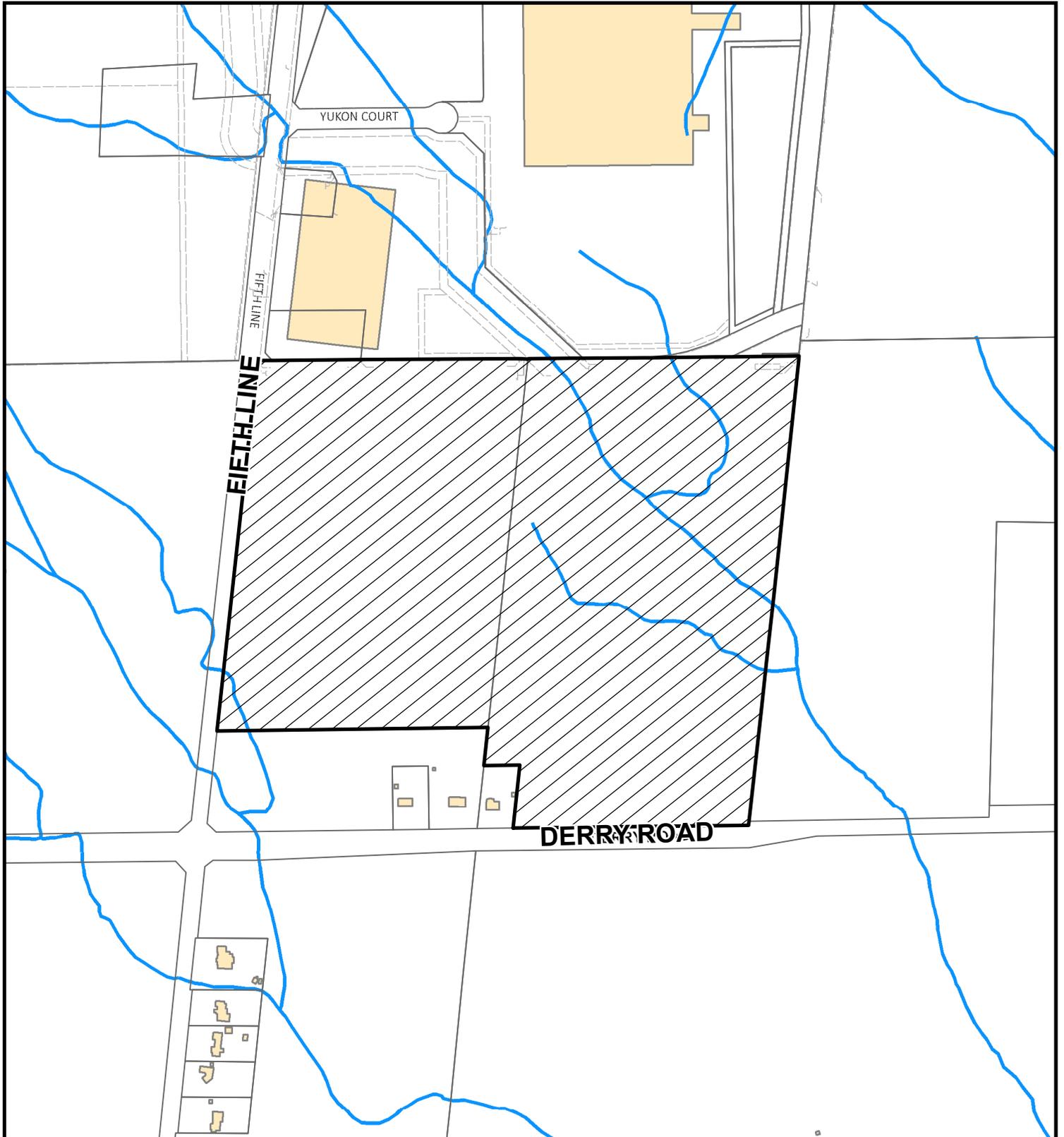
Community Services

Community Services staff has noted that cash-in-lieu of parkland dedication will be required. The amount payable will be determined on the basis of the Town's by-laws and policies in effect at the time of collection of the cash-in-lieu payment, which is prior to issuance of building permit. In the case of development or redevelopment for commercial or industrial purposes, 2% of the value of the lands is the applicable rate for the calculation of cash-in-lieu. No parkland is required to be dedicated from this plan and conditions of draft plan approval have been provided.

Development Services: Infrastructure and Development Engineering

Infrastructure staff has confirmed that the development and proposed interim and permanent access locations have been delineated to their satisfaction. Staff has also noted that the portion of the internal private storm water management system, which will accommodate the Fifth Line road drainage and the system of conveyance, has been sized to convey up to 100-year event, which is in accordance with Town policies. There will be

FIGURE 1 LOCATION MAP



Council Meeting
Date: June 21 2021

Scale: 1: 1,700

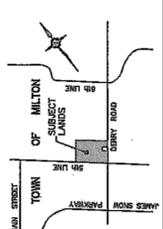
File: 24T-20006/M

Development Services Department



Subject Property

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) LOCAL ZONING ON PLAN
 J) ALL MUNICIPAL SERVICES AVAILABLE
 K) AS SHOWN ON PLAN
 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: JAN. 17, 2019.

OWNER'S CERTIFICATE

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

OWNER: LG INVESTMENT MANAGEMENT

SIGNED: _____ DATED: JAN. 17, 2019.

DELEGATED DEVELOPMENT MANAGER

Land Use Schedule

Block Number	Land Use	Area
1	0.3m reserve	169m ²
2	Natural Heritage System (NHS)	1.4 ha
3	Stormwater Management Pond	1.4 ha
4	Road Widening	0.07 ha
5	Road Widening	1.93 ha
6	Business Park	25.3 ha
7	NHS Buffer Block	0.8 ha
8	NHS Enhancement Block	0.3 ha
9	NHS Buffer Block	0.5 ha
10	Natural Heritage System (NHS)	1.7 ha
11	NHS Buffer Block	0.4 ha
12	Storm Sewer Block	0.1 ha
13	Stormwater Management Pond Buffer	0.4 ha
	Road allowance	1.7 ha
TOTAL		36 ha

REVISIONS

NO.	REVISION	DATE	BY
1	SECOND SUBMISSION	DEC 11/20	



220 Kempenfelt Drive
 Barrie, Ontario
 L4M 1C4

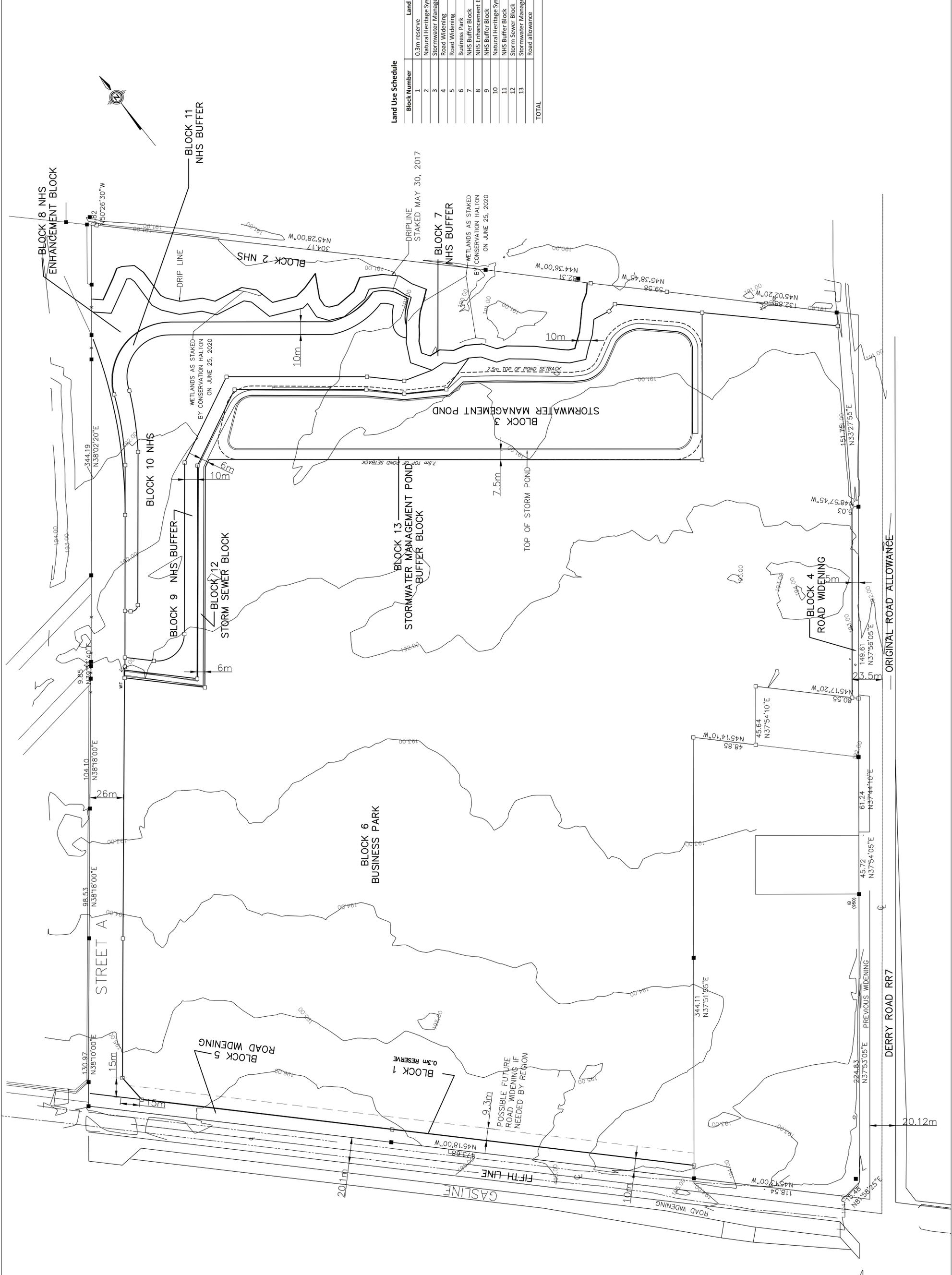
416-346-8258
 www.riepma.ca
 riepma@riepma.ca

DRAFT PLAN

11233 + 11319 DERRY ROAD
 MILTON, ONTARIO

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

FIGURE 2
DS-048-21



THE CORPORATION OF THE TOWN OF MILTON
BY-LAW NO. XXX-2021

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 11, CONCESSION 6 (NEW SURVEY) FORMER TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (BROCCOLINI AND IG WEALTH MANAGEMENT) FILE Z-15/20 M

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 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) and Natural Heritage (NHS) Zone symbols to a site-specific Business Park Special (M1*296) Zone, Business Park Special (M1*297) Zone, Open Space 2 (OS-2) Zone and Natural Heritage System (NHS) Zone symbols on the Lands and adding the Holding (H) symbol "H53" to the zone symbols on this property as 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 13.1.1.296 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Business Park Special *296 (M1*296), the following standards and provisions shall apply:

- A. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following shall be the only uses permitted:
 - 1) Industrial Use
 - 2) Medical Clinic
 - 3) Office Use
 - 4) Office Building
 - 5) Research and Technology Use, excluding uses which produce biomedical waste
 - 6) Restaurant
 - 7) School – Adult education

- 8) Warehouse/Distribution Centre
 - 9) Wholesale Operation
- B. Special Site Provisions:
- 1) For the lands zoned General Industrial Special *296 (M1*296) 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 15 metres from a building and shall not be located in a front yard or exterior side yard within 50 m of Labrador Avenue.
 - d) Notwithstanding Section 5.12, Table 5L, parking areas can be setback 0.0 metres from the property line located within the shared access driveway.
 - e) A minimum 2.2 metre landscape buffer from any interior side lot line is required.
 - f) A minimum 6.0 metre landscape buffer is required along the 5th Line frontage.
 - g) A minimum 6.0 metre landscape buffer is required between a building and any property line between a building and Derry Road.
 - h) All parking spaces, truck parking spaces and loading areas, spaces and outdoor storage shall be screened from view from the 5th Line and Derry Road.
 - i) No truck queuing is permitted in the front yard.
 - j) Notwithstanding anything to the contrary, accessory service, wholesale and retail associated with an *Industrial Use, Warehouse/Distribution Centre* or a *Wholesale Operation* shall be permitted provided that the retail area does not exceed 15% or 480 sq.m. of the gross floor area of the premises, which ever is less.
 - k) Outside storage shall only be permitted in a rear yard and shall be adequately screened from view from all public streets.
 - l) Research and Technology Use shall only be permitted where such use does not produce biomedical waste.
 - m) Notwithstanding Section 8.2, Table 8B, the maximum building height shall be 27.5 metres.

- n) Notwithstanding Section 8.2, Table 8B, the minimum landscaped open space shall be 7.5%.

3.0 THAT Section 13.1.1 of Comprehensive Zoning By-Law 016-2014, as amended, is hereby further amended by adding subsection Section 13.1.1.297 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Business Park Special*297 (M1*297), the following standards and provisions shall apply:

- A. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following shall be the only uses permitted:
 - 1) Fitness Centre
 - 2) Industrial Uses
 - 3) Medical Clinic
 - 4) Office Building
 - 5) Office Use
 - 6) Recreation and Athletic Facility
 - 7) Research and Technology Use – excluding uses which produce biomedical waste
 - 8) U-Brew Establishment
 - 9) Warehouse/Distribution Centre
 - 10) 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:
 - 1) Bank
 - 2) Commercial School – Skill
 - 3) Commercial School – Trade
 - 4) Dry Cleaning Depot
 - 5) Dry Cleaning Establishment
 - 6) Motor Vehicle Rental Agency
 - 7) Personal Service Shop
 - 8) Restaurant
 - 9) School – Adult Education
 - 10) Service and Repair Shop
 - 11) Specialty Food Store

C. Special Site Provisions

- 1) For the lands zoned Business Park Special *297 (M1*297) the following additional special site provisions shall apply:
 - a) The lot line abutting Derry Road is considered the Front Lot Line.
 - b) The minimum building height shall be 6 metres.
 - c) The minimum building setback from Derry Road – 5.0 metres.
 - d) Notwithstanding Section 5.12, Table 5L, parking areas can be setback 0.0 metres from the property line located within the shared access driveway.
 - e) No parking areas shall be located between a building and a public street.
 - f) Parking spaces shall only be permitted to be located in the side and rear yards and no closer to the street than the front wall of a building facing a public street.
 - g) That the maximum gross floor area for a detached accessory waste storage building shall be 70 m², shall be located in the rear yard only and screened from all public streets.
 - h) All parking areas shall be screened from view from Derry Road.
 - i) A minimum of fifteen percent (15%) or 929.03 square metres of gross floor area, which ever is greater, for an Industrial Use, Warehouse / Distribution Centre and a Wholesale Operation shall be dedicated to the office component for such use.
 - j) For an Industrial Use, Warehouse / Distribution Centre and Wholesale Operation, a minimum of fifteen percent (15%) or 929 square metres of *gross floor area*, which ever is greater, shall be dedicated to the office component for such use.
 - k) Research and Technology Use shall only be permitted where such use does not produce biomedical waste.
 - l) a Restaurant shall only be permitted as part of an Industrial Use, Warehouse/Distribution Centre, or Wholesale Operation, and shall not be permitted as part of an Industrial Mall.

4.0 THAT Section 13.2 of By-law 016-2014, is amended by adding the following conditions for removal of this H53 Holding Provision:

“H53” shall not be removed until:

- a) A detailed conceptual site plan is prepared to the satisfaction of the Town and that ensures that the urban design and landscape treatments are completed in accordance with the Town’s requirements under both the Fifth Line being maintained in the Town’s control and the alternative

scenario where the Region of Halton uploads a portion of this road to be a Regional Road through their 5 ½ Line Study.

5.0 THAT Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new definition for the use “Industrial Mall” as follows:

“Means a multi-unit industrial building with a minimum of five (5) separate units, which are managed by a single owner, tenant, or through a condominium corporation.”

6.0 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 Planning 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 Tribunal’s Order is issued directing the amendment or amendments.

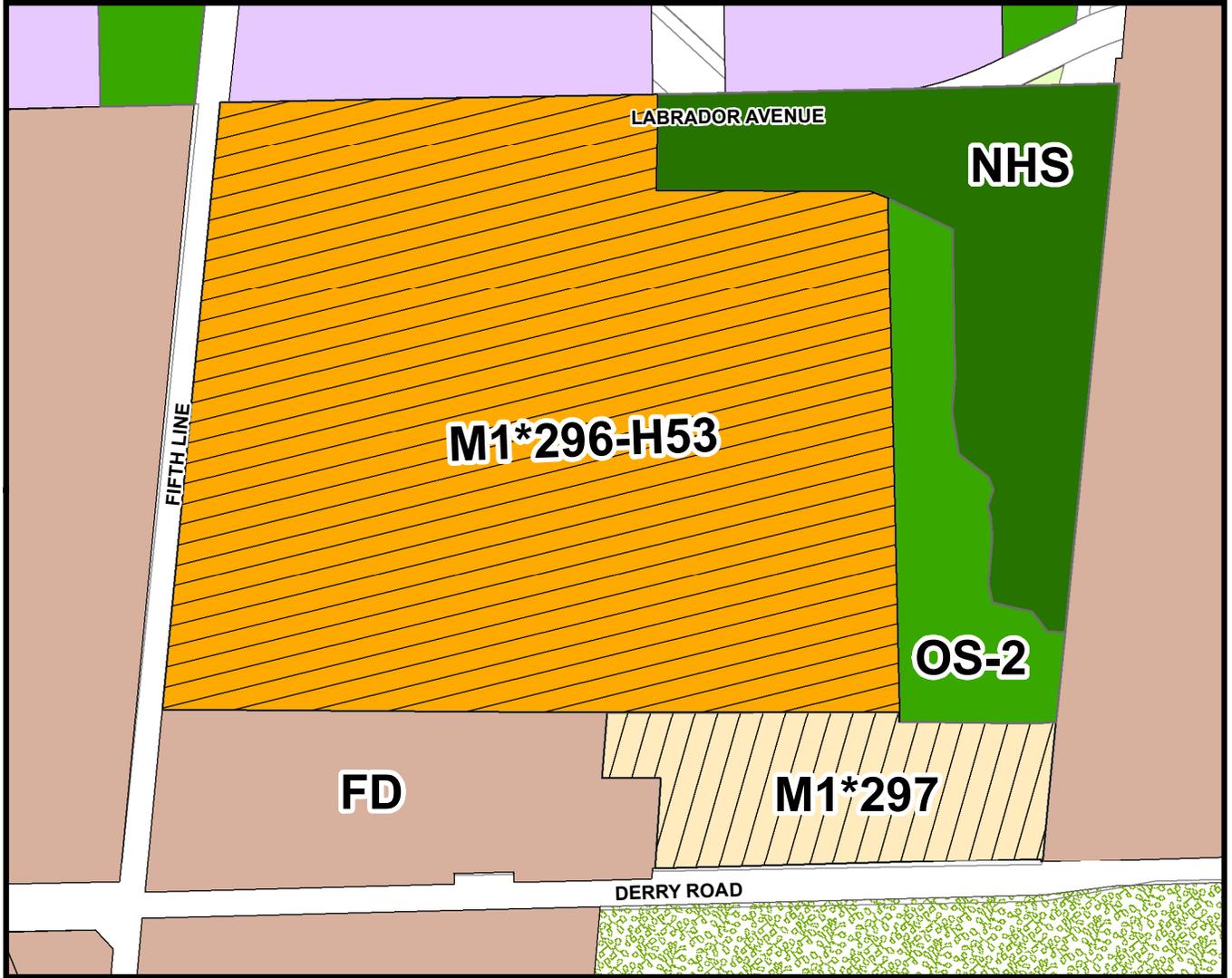
PASSED IN OPEN COUNCIL ON JUNE 21, 2021

Gordon A. Krantz Mayor

Meaghen Reid Clerk

SCHEDULE A
 TO BY-LAW No. -2021
 TOWN OF MILTON

Part Lot 11, Concession 6 (New Survey) Former Geographic Survey of Trafalgar
 TOWN OF MILTON



THIS IS SCHEDULE A
 TO BY-LAW NO. _____ PASSED
 THIS ___ DAY OF _____, 2021.

 MAYOR - Gordon A. Krantz

 CLERK- Meaghen Reid

-  M1*296-H53 - Buisness Park Zone Special with Holding Provision H53
-  M1*297 - Buisness Park Zone Special
-  OS-2 - Open Space Zone 2
-  NHS - Natural Heritage System
-  FD - Future Development

