



# The Corporation of the Town of Milton

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Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 17, 2025

Report No: DS-018-25

Subject: Technical Report: Town-Initiated Official Plan and Zoning By-law Amendments to implement Provincial direction on “Area of Employment”, as a result of Bill 97: Helping Homebuyers, Protecting Tenants Act, 2023 (Town Files: LOPA-08/24 and ZBLA-20/24).

**Recommendation:** **THAT** Council approve Development Services Report DS-018-25 regarding Official Plan and Zoning By-law Amendments for amending the Employment Areas;

**THAT** Council adopt Official Plan Amendment 86, regarding proposed Official Plan policies to update the Town’s policy framework related to Areas of Employment, attached as Appendix 1 to Report DS-018-25;

**THAT** Council enact Official Plan Amendment 86, regarding proposed Official Plan policies to update the Town’s policy framework related to Areas of Employment, attached as Appendix 1 to Report DS-018-25;

**THAT** Council enact the Amendment to the Comprehensive Zoning By-law 016-2014, as amended, attached as Appendix 2 to Report DS-018-25;

**AND THAT** Town Clerk be directed to forward copies of Official Plan Amendment No. 86 and Amendment to the Comprehensive Zoning By-law 016-2014 to Halton Region and the Ministry for Municipal Affairs and Housing for information.

**AND FURTHER THAT** the Commissioner of Development Services forward this report to the Provincial Ministers of Health, Education, Transportation and Infrastructure and Metrolinx with a request to review and plan for future Milton District Hospital, school, and transportation expansions.

## EXECUTIVE SUMMARY

- Staff recommends approval of proposed Official Plan and Zoning By-law amendments that implement Provincial direction on “Areas of Employment” that are intended to regulate and protect the Town of Milton’s employment areas.
- Provincial legislative and policy changes were made to Employment Areas. The changes amended the definition of “Area of Employment” and expressly exclude institutional and commercial uses, including retail and office uses not associated with primary employment uses. In addition, the changes provided municipalities with the authority to continue allowing lawfully established uses excluded in the definition. Proposals to convert lands that are designated as Employment Areas in an Official Plan, but which do not meet the new definition for an “Area of Employment”, would no longer be protected from appeal under the *Planning Act*.
- The proposed Official Plan amendment will ensure that lands designated “Employment Area” continue to benefit from provisions in the *Planning Act* that control the removal of lands from an Area of Employment.
- The report addresses comments received during and after the Statutory Public Meeting and summarizes proposed revisions to the draft OPA and ZBLA that were presented at the Public Meeting. Where necessary, Staff has proposed revisions to effectively implement the Provincial direction.

## REPORT

### Background

On April 6, 2023, the Province introduced Bill 97: *Helping Homebuyers, Protecting Tenants Act*, that would make changes to the *Planning Act*, including a new definition to be added for “area of employment”.

On the same day the Province provided an updated, proposed *Provincial Planning Statement* (PPS) for review and comment. The proposed PPS 2023 contained employment area policies and a definition for “employment areas” that corresponded to the proposed, new *Planning Act* definition for “area of employment”.

On August 20, 2024, the Province released the final *Provincial Planning Statement 2024* (PPS 2024), which came into effect on October 20, 2024, and advised that municipalities should make timely amendments to their official plans to align with the new definition of Employment Areas.

The amended definition excludes institutional and commercial uses, which includes retail and offices uses that are not associated with research and development, manufacturing, and

## Background

warehousing. The Official Plan may authorize the continuation of uses that are excluded from the new definition of “area of employment”, so long as they were lawfully established on the parcel of land prior to October 20, 2024.

Staff drafted Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBLA) implementing the provincial direction regarding employment areas. On November 4, 2024, a statutory Public Meeting was held. The Public Meeting report [DS-075-24](#), included the draft OPA and ZBLA along with a discussion of the proposed changes to policies and regulations.

The proposed OPA and ZBLA, attached as Appendices 1 and 2, address changes to the *Planning Act* and PPS 2024 as it relates to areas of employment and conversion policy within the Town’s Official Plan, and housekeeping updates to policy and mapping.

Other changes that were introduced through the PPS 2024 are to be addressed through the Town’s comprehensive new Official Plan project.

## Discussion

### Public Consultation

Pursuant to the requirements of the Planning Act, notice for the statutory Public Meeting was provided by the Town of Milton on October 15, 2024. Members of the public were invited to provide input at the statutory public meeting.

### Public Meeting Questions and Comments

As noted during the Public Meeting, The Town received two written delegations. Sajecki Planning expressed support for the draft OPA and ZBLA and recommended allowing mixed-use permissions with higher densities at appropriate locations within Office Employment Area lands. The Remington Group indicated that consideration be given to the removal of lands designated Business Park from Employment Areas in Derry Green.

At the Public Meeting, Staff provided additional information in response to questions from Council regarding the process to change a use in an employment designation as technologies and markets transform.

Council raised questions regarding the interpretation of “Prescribed Uses”, the definition of “Lawfully Established Uses” and the ability for truck parks to locate in employment areas.

“Prescribed” is defined under s. 1(1) of the Act as “prescribed by the regulations.” This provision allows the Province to add uses to the definition of areas of employment by passing a regulation.

## Discussion

The OPA proposes to allow lands occupied by uses on a parcel of land within employment areas that are excluded from the new definition for “area of employment” in the Planning Act to continue”, so long as a building permit was granted prior to October 20, 2024.

While truck parking can be permitted with an associated building, the OPA will not facilitate the parking of trucks on their own. A more fulsome review of specific land use policies for truck parking will take place through the next phase of the new Official plan project.

Council also raised questions regarding the potential impact of the proposed changes on the overall availability of employment lands in the Town. Staff clarified that the OPA ensures that lands designated “Industrial Area” and “Business Park Area”, and lands designated for future employment uses continue to benefit from provisions in the *Planning Act* that restrict the removal of lands from an area of employment.

Under the PPS 2024, the municipality can consider - and landowners can apply for - a change of use or the removal of land from employment areas subject to criteria.

Staff concluded that they would take all submissions into consideration within the scope of the Provincial policy direction and that changes would be made to the amendment as necessary before bringing it forward to Council for approval.

No other oral comments from the public were received at the Public Meeting.

## Public Written Comments

Subsequent to the Public Meeting, the Town received three written comments and inquiries on the draft OPA and ZBLA. Appendix 3 summarizes and provides responses to each comment.

Comments primarily focused on land use permissions, employment area protections, and Planning Act application processes. Suggestions included reconsidering the employment area overlay in Derry Green Business Park and expanding permitted uses in Prestige Office Areas to include light industrial and stand-alone commercial uses or in Industrial and Business Park areas to permit data centre uses. Staff’s responses emphasize maintaining employment protections, restricting non-employment uses per the *Planning Act*, and addressing other land use permissions through future processes.

## Internal Town Departments and Agency Consultation

On October 30, 2024, Town departments and external agencies were circulated the draft OPA and ZBLA with a 30-day commenting period. No agencies or Town departments have provided any objection to the approval of the proposed Amendments.

## Discussion

### Modifications Since Public Meeting

Based on comments received from Council and stakeholders during and subsequent to the Public Meeting, Staff have revised the draft OPA and ZBLA that were presented at the Public Meeting where necessary and appropriate.

For the draft OPA, Staff incorporated minor wording changes for clarity and consistency with the PPS 2024 and to correct omissions. Further, modifications were made in policy to add light industrial uses and ancillary retail and office uses directly related to the light industrial use to the list of permitted uses within the Prestige Office Area designation.

Staff made further modifications to the Comprehensive Zoning By-law 016-2014 amendment to add transition clauses to:

- allow building permit applications for which an associated site plan approval has been granted prior to the date the ZBLA comes into effect to continue to be reviewed under the same regulations that were in effect when the complete application was received;
- allow site plan or building permit applications for which an associated site-specific ZBLA approval has been granted prior to the date the ZBLA comes into effect to continue to be reviewed under the same regulations that were in effect when the complete application was received; and
- permit the “additional uses” included in the special provisions of a site-specific zoning by-law amendment for properties zoned M1 and M2 that was passed on or after January 1, 2024, in addition to the uses permitted in the M1 or M2 zone in the By-law prior to the date the proposed ZBLA comes into effect, excluding sensitive land uses.

The revised draft OPA and ZBLA proposed for Council adoption are attached as Appendices 1 and 2 respectively.

### Additional Internal Review

### Proposed Official Plan and Zoning By-law Amendments Details

The OPA and ZBL amendments are intended to maintain the integrity of the Town’s employment areas and ensure these areas continue to benefit from the current employment protection policies, while maintaining the planned function of lands designated for additional service commercial, office, and other supportive uses ancillary to the broader employment areas.

The proposed amendment to the Local Official Plan (OPA):

- updates the definition of “Employment Area”, and revises the definitions of “light industrial use”, and “general industrial use”;

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- updates the general policies for employment areas, and amends policy to permit the Town to remove lands from employment areas subject to criteria;
- designates lands currently designated Office Employment Area, Business Commercial Area, and Prestige Office Area from “Employment Area” to “Commercial Area”; and remove these lands from the Employment Area overlay in Local and Regional Official Plan mapping;
- retains land use permissions within the Office Employment Area, Business Commercial Area, and Prestige Office Area land use designations and prohibits the development of residential uses;
- updates the land use permissions on lands designated Business Park Area and Industrial Area;
- adds light industrial uses and ancillary retail and office uses directly related to the light industrial use to the list of permitted uses within the Prestige Office Area;
- authorizes the continuation of uses that are excluded from the new definition of “area of employment”, provided that the use was lawfully established before October 20, 2024.
- revokes Sections 83.2 (1), 83.2 (1.1), 83.2 (4), and 229.1 in the Halton Region Official Plan;
- updates Local Official Plan mapping at various locations within the Sustainable Halton Plan (SHP) Urban Area Boundary to conform to the Regional Official Plan Employment Overlay designation; and
- updates the 401 Industrial Business Park, Derry Green Corporate Business Park Secondary Plan and Bristol Survey Secondary Plan policy and mapping frameworks to streamline interpretation of existing permissions and improve policy to meet intended objectives.

The proposed amendment to the Comprehensive Zoning By-law 016-2014 (ZBLA):

- updates the list of permitted uses within the Business Park (M1) and General Industrial (M2) zones to be consistent with the revised definition of “area of employment” in the Local Official Plan;
- adds to Section 7 of the Urban ZBL new Prestige Office (C7) and Employment Office (C8) zones consistent with the removal of lands designated “Office Employment Area”, “Business Commercial Area” and “Prestige Office Area” from the Employment Area, and
- adds transition clauses.



## Discussion

### Next Steps

As per July 1, 2024 amendments to Ontario Regulation 525/97 under the *Planning Act*, most official plan amendments of the Town of Milton are exempt from the requirement to obtain the Minister's approval. This Official Plan Amendment is exempt from approval by the Ministry.

If Council approves the proposed OPA and ZBLA, a 20-day appeal period, in accordance with the Planning Act, will be provided after the Notice of Passing is issued. If no appeals are filed, the OPA and ZBLA will come into effect the day after the last day of the appeal period.

The OPA will be incorporated in the new Official Plan, when it comes into full force and effect, which is occurring concurrently.

## Financial Impact

There are no immediate financial impacts associated with this Report.

Respectfully submitted,

Jill Hogan  
Commissioner, Development Services

For questions, please contact: Hugo Rincon, Senior Planner, Phone: Ext. 2307  
Policy

## Attachments

Appendix 1: Official Plan Amendment 86  
Appendix 2: Zoning By-Law Amendment  
Appendix 3: Comment Response Table

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



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## Recognition of Traditional Lands

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.