



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: December 18, 2023

Report No: DS-059-23

Subject: Technical Report: Zoning By-law Amendment Application by 150 Steeles Milton Inc. applicable to lands legally described as Part of Lot 15, Concession 2, former Geographic Township of Trafalgar and municipally known as 150 Steeles Avenue East. (Town File: Z-06/23)

Recommendation: THAT Report DS-059-23 outlining an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to implement the refined limits of the Natural Heritage System BE APPROVED;

AND THAT staff be authorized to bring forward an amending Zoning By-law in accordance with Appendix 1 to Report DS-059-23 for Council adoption;

AND 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;

AND FURTHER THAT the Commissioner of Development Services forward a copy of this report and Decision to the Region of Halton for their information.

EXECUTIVE SUMMARY

150 Steeles Milton Inc. has applied for a zoning by-law amendment to the Town of Milton Zoning By-law 016-2014, as amended, for the lands located at 150 Steeles Avenue East. The purpose of the zoning by-law amendment is to rezone a portion of the subject lands from site-specific Business Park (M1*38) zone to the Natural Heritage System (NHS) zone to implement the true limits of the NHS on the subject lands. The NHS zone will be expanded to include an area of approximately 2.15 hectares on the subject lands. No development is proposed as part of the application.

EXECUTIVE SUMMARY

The statutory public meeting was held on November 13, 2023. No members of the public spoke at the statutory public meeting and staff have not received any written concerns or objections to the proposed zoning by-law amendment.

All internal Town of Milton departments and responding external agencies have provided correspondence to Town planning staff indicating their support for the application as currently presented. Planning staff have reviewed all of the documentation, plans and comments provided to date and is of the opinion that the application as submitted has been prepared in a manner that would allow it to be considered by Town Council for approval.

Conclusions and Recommendations

Planning staff is satisfied that the proposed zoning by-law amendment, as attached in Appendix 1 to this report, is consistent with the land use policies of the Provincial Policy Statement and conforms to the Regional and Town Official Plans.

Therefore, staff recommends approval of the zoning by-law amendment as presented through this report.

REPORT

Background

Owner: 150 Steeles Milton Inc., 775 Main Street East, Suite 1b, Milton, ON.

Applicant: Korsiak Urban Planning, 277 Lakeshore Road East, Unit 206, Oakville, ON.

Location/Description: The subject lands are located in Ward 1, on the south side of Steeles Avenue East, west of the intersection of Steeles Avenue East and Martin Street and are municipally known as 150 Steeles Avenue East. The subject lands are irregular in shape and have frontage on the east side of Bronte Street (8 metres), south side of Steeles Avenue East (249 metres) and west side of Martin Street (15 metres). The subject lands comprise a total area of approximately 20.3 hectares, however the proposed zoning by-law amendment only applies to a portion of the subject lands comprising an area of approximately 2.15 hectares. The subject lands are currently vacant.

The subject lands were formerly occupied by Meritor Suspension Systems Company ('MSSC') that manufactured car parts. MSSC occupied the site from 1954 to 2009. Areas of the site became contaminated as a result of the former industrial use. Contaminants were located primarily around the factory building, which has been demolished, as well as within the limits of the Regional NHS.

Background

The applicant has been working closely with staff from the Town of Milton, Halton Region and Conservation Halton during the ongoing remediation on the subject lands. It is anticipated that remediation of the subject lands will be complete by mid-2024. In order to facilitate remediation on the portion of the subject lands that is within the Regional NHS, the Town, Region and Conservation Halton required the completion of a comprehensive study to address the potential impacts related to remediation on the site and to determine the true limits of the Regional NHS.

The subject lands are surrounded by a range of land uses. Employment uses are located to the north and west of the subject lands and residential uses are located to the east of the subject lands, fronting Martin Street. The Sixteen Mile Creek, valley and surrounding NHS are located to the south and southwest of the subject lands.

Proposal:

The applicant has applied for a zoning by-law amendment to rezone a portion of the subject lands in order to reflect the true limits of the Regional Natural Heritage System. The application proposes to add approximately 2.15 hectares of land into the Natural Heritage System (NHS) zone in the Town's Urban Zoning By-law 016-2014, as amended. No development is proposed as part of the application.

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

- Planning Justification Brief;
- Draft Zoning By-law Amendment;
- Topographic Survey;
- Comprehensive Environmental Management Study (CEMS);
- Archaeological Clearance Letter;
- Preliminary Hydrogeological Investigation;
- Phase 1 and 2 Environmental Site Assessments; and,
- Slope Stability Assessment.

Planning Policy:

The subject lands are designated Urban Area and Regional Natural Heritage System (NHS) in the Halton Region Official Plan. Given that remediation is required within the Regional NHS, the Town of Milton, Halton Region and Conservation Halton requested a

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comprehensive assessment to review the potential impacts of remediating the contaminated areas within the Regional NHS on the subject lands.

In response to the above request, the applicant submitted a Comprehensive Environmental Management Study (CEMS) to demonstrate how the natural heritage features and natural hazards associated on the subject lands may be affected and managed during remediation works. While the primary purpose of the CEMS is to address potential impacts related to remediation works, the CEMS also identifies and proposes refinements to limits of the Regional NHS. It is noted that the refined limits also include a 15-metre buffer to Key Features within the Regional NHS as well.

On October 26, 2023, Town of Milton issued a letter to the applicant indicating that all agencies were satisfied with that the CEMS addressed all comments and that the study was considered complete. The proposed zoning by-law amendment schedule identifies the refined limits of the Regional NHS as identified in the CEMS.

The Halton Region Official Plan also requires the applicant of a development proposal on contaminated lands to undertake the necessary steps to bring the lands to a condition suitable for redevelopment, in accordance with Halton Region's Protocol for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites. While no development is contemplated as part of the proposed zoning by-law amendment, the applicant has been undertaking remediation works on the subject lands in advance of submitting future development applications to redevelop the lands.

Prior to site alteration to establish any future land uses, the applicant will be required to file a Record of Site Condition (RSC) to the Ministry of the Environment, Conservation and Parks (MECP) that indicates that the site is suitable for the proposed land uses. Halton Region requires the applicant to submit all environmental documentation used for the filing of the RSC. Given that there is no development being proposed at this time, the Regional staff are satisfied that the proposed zoning by-law amendment can advance prior to the filing of the RSC, however the applicant will be required to file the RSC prior to future site alteration associated with redevelopment of the subject lands.

Regional staff have indicated that the proposed zoning by-law amendment conforms to the Regional Official Plan and the applicable Provincial policies.

The subject lands are designated Business Park Area and Natural Heritage System Area on Schedule B - Urban Area Land Use Plan in the Town of Milton Official Plan. The subject lands are also located within the Milton 401 Industrial/Business Park Secondary Plan and

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are designated Business Park Area and Natural Heritage System on Schedule C.2.B - Milton 401 Industrial/Business Park Secondary Plan Land Use Plan.

The Business Park Area designation is an employment designation that permits a full range of light industrial and office uses. While the majority of the subject lands are currently within the Business Park Area designation in the Town's Official Plan, the southern portion of the subject lands contains natural heritage features and would not be suitable for employment uses. The Town's Official Plan includes policies that enable adjustments to the limits of the NHS without an amendment to the Official Plan. However, it is noted that future Official Plan Amendment application will be required to redevelop the subject lands and the refined limits of the NHS will be implemented at that time.

The purpose of the Natural Heritage System Area designation is to protect areas which have been identified as having environmental significance. Permitted uses are limited and development is generally not permitted.

The Town's Official Plan requires all lands within the Regional NHS to be zoned appropriately in the Town's Zoning By-law. The proposed zoning by-law amendment intends to implement the refined limits of the NHS as determined through the CEMS.

Staff reviewed the application in relation to the policies of the Provincial Policy Statement (2020), the Growth Plan (2019), the Halton Region Official Plan and the Town of Milton Official Plan. Town staff and our agency partners are satisfied that the application for the zoning by-law amendment as presented through this report, conforms to the applicable Provincial, Regional and Town land use planning policies and regulations.

Zoning By-law 016-2014, as amended

The subject lands are currently zoned Business Park with a special exception (M1*38) and Natural Heritage System (NHS) under the Town of Milton Urban Zoning By-law 016-2014, as amended.

The proposed zoning by-law rezones a portion of the subject lands to the NHS zone to implement the refined limits of the Regional NHS as determined through the CEMS. There are limited permitted uses in the NHS zone and these include existing uses, conservation uses and forestry uses. New development is not permitted within the NHS zone. Appendix 1 to this Report includes the proposed zoning by-law.

Discussion

Public Consultation and Review Process

Notice of the statutory public meeting was provided pursuant to the requirements of the Planning Act on October 16, 2023 and the statutory public meeting was held on November 13, 2023. No members of the public spoke at the statutory public meeting. At the time of writing this report, Planning staff have not received any written letters of concern or objections to the proposed zoning by-law amendment.

Agency Consultation

The proposed zoning by-law amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region, Conservation Halton, Town departments and other agencies offered no objection to the proposed zoning by-law amendment.

Comprehensive Environmental Management Study and Continued Remediation

The Town, Region and Conservation Halton requested that the applicant prepare the Comprehensive Environmental Management Study (CEMS) to support the continued remediation on the portion of the subject lands that is within the Regional natural heritage system. On October 26, 2023, the Town of Milton issued a letter to the applicant indicating that all agencies were satisfied that the CEMS addressed their comments and that the study is considered complete.

The primary purpose of the CEMS is to demonstrate how natural heritage features and hazards may be affected during remediation works and includes environmental management strategies to mitigate potential adverse effects. The CEMS also describes restoration measures that will be implemented following the completion of remediation works, which will ultimately lead to enhancing the Regional NHS on the subject lands. The CEMS will be relied upon as the applicant continues to remediate and restore the Regional NHS on the subject lands.

In addition to the above, the CEMS proposes refinements to the limits of the Regional NHS that reflected in the zoning by-law amendment. The new refined limit includes a 15-metre buffer to Key Features within the Regional NHS as well. Staff is of the opinion that the proposed zoning by-law amendment implements the refined limits of the Regional NHS in the Town's Urban Zoning By-law 016-2014, as amended, in accordance with the requirements of the Town's Official Plan.



Discussion

Conclusion

Staff is satisfied that the site-specific zoning by-law, as attached as Appendix 1 to this report, will implement the Official Plan requirements to appropriately zone lands within the Natural Heritage System. Planning staff is also satisfied that the proposed zoning by-law amendment is consistent with Provincial Policy and conforms to the Region of Halton and Town of Milton Official Plans. Therefore, staff recommends approval of the draft zoning by-law amendment.

Financial Impact

None arising from this Report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact: Jessica Tijanic, MSc., MCIP, RPP Phone: Ext. 2221
Senior Planner

Attachments

Figure 1 - Location Map
Appendix 1 - Zoning By-law Amendment

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

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