



# The Corporation of the Town of Milton

---

**Report To:** Council

**From:** Jill Hogan, Commissioner, Development Services

**Date:** March 25, 2024

**Report No:** DS-014-24

**Subject:** LOPA-02-24 & Z-03-24 - 11801 Derry Road (Takol CMCC Derry Limited Partnership) - Initial Report and Public Meeting

**Recommendation:** That Development Services Report DS-014-24 BE RECEIVED FOR INFORMATION.

## EXECUTIVE SUMMARY

The purpose of the proposed applications is to facilitate the development of four (4) multi-unit buildings totalling approximately 34,040 square metres of general and light industrial space, with 61 units currently proposed. The Official Plan Amendment seeks to adjust the limits of the Industrial and Business Park designations to accommodate the proposed building envelopes, along with allowing surface parking spaces within the Street Oriented Area overlay, located between the proposed building and Derry Road. The Zoning By-law Amendment seeks to rezone the lands to permit the proposed uses, and further establish zone standards specific to the proposed development.

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

## REPORT

### Background

**Owner:** TAKOL CMCC DERRY Limited Partnership, 2300 Yonge Street, Toronto ON, M4P 1E4

**Applicant:** Mainline Planning Services Inc., P.O Box 319, ON L0J 1C0

**Location/Description:**

The subject lands are located in Ward 2 and are municipally known as 11801 Derry Road. The property is located at the north-west corner of the intersection at Derry Road and Sixth



## Background

Line. The subject lands comprise an area of approximately 7.61 hectares (18.81 acres) and are currently vacant, being used for agricultural purposes.

Surrounding land uses include agricultural operations, single detached dwellings (along Sixth Line), natural heritage features (north and east of the subject lands) and industrial developments (west of the subject lands).

A Location Map is included as Figure 1 to this report.

## Proposal:

The applicant is proposing an industrial development comprised of four (4) multi-unit buildings (3D Renderings have been provided as Figure 2 to this report). There are 67 units proposed which are anticipated to be under condominium tenure. A full movement access is proposed at Sixth Line and a right-in and right-out access at Derry Road.

A Concept Site Plan is included as Figure 3 to this report.

The Official Plan Amendment seeks to amend the Official Plan and Derry Green Corporate Business Park Secondary Plan by adjusting the limits of the Industrial Area and Business Park Area designations to accommodate the proposed building envelopes of Buildings A and B which are contemplated as business park, while Buildings C and D are contemplated as industrial. Further, the amendment would permit parking along Derry Road, which is otherwise prohibited as it is the direction of the Plan, through Section C.9.5.1.5, that parking shall not be located between the building and the street.

The Zoning By-law Amendment application proposes to re-zone the lands from the current Future Development Zone (FD) to three site specific zones: Business Park Zone (M1\*XA), Business Park Zone (M1\*XB), and General Industrial Zone (M2\*XX). Each site specific zone will establish a range of permitted uses, along with parking rates. General zone standards are proposed for the entire site to address setbacks, site configuration, and maximum building heights; such provisions seek to facilitate the proposed development in relation to the site's configuration and existing constraints.

The following information has been submitted in support of this application:

- Official Plan Amendment / Zoning By-law Amendment Application Form
- Cover Letter, prepared by Mainline Planning Services Inc.
- Draft Official Plan Amendment, prepared by Mainline Planning Services Inc.
- Draft Zoning By-law Amendment, prepared by Mainline Planning Services Inc.
- Planning Justification Report, prepared by Mainline Planning Services Inc., dated January 22, 2024
- Concept Site Plan, prepared by Mainline Planning Services Inc., dated June 2023
- 3D Renderings, prepared by Ware Malcombs, dated January 03, 2024
- Architectural Package, prepared by Ware Malcombs, dated January 22, 2024
- Noise Impact Study, prepared by DBA Acoustical Consultants Inc., dated October 2023
- ESA Site Summary Letter (Ph. I and Ph. II), prepared by Premier Environmental Services, dated December 21, 2022



## Background

- Grading Plan, prepared by TYLin, dated October 2022
- Hydrogeological Investigation, prepared by Palmer, dated January 22, 2024
- Photometric Plan, prepared by Inviro Engineered Services Ltd, January 02, 2024
- Traffic Impact Study, prepared by TYLin, dated January 2024
- Urban Design Brief, prepared by Ware Malcomb, dated January 12, 2024
- Arborist Report and Tree Preservation Plan, prepared by Palmer, dated December 12, 2022
- Constraint Mapping, prepared by TYLin and Palmer, dated November 2022
- Stage I - III Archeological Assessments, prepared by ASI, dated June-November 2022
- Stormwater Management Report, prepared by TYLin, dated June 2023
- Confirmation of a Substantially Complete Comprehensive Environmental Servicing Study, prepared by Rachel Ellerman, dated February 1, 2024.

## Discussion

### Planning Policy:

The northern portion of the subject lands are designated as Industrial Area and the southern portion as Business Park Area on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan. The Business Park designation permits a range of light industrial and office uses, with an emphasis on a high standard of design. The Industrial Area designation permits a range of general industrial uses, along with general criteria that should be considered in support of a development proposal.

The lands are further designated as Business Park Area and Industrial Area with a portion of the site being subject to the Street-Oriented Area overlay and Gateway Area overlay on Schedule C.9.B - Derry Green Corporate Business Park Land Use Plan within the Derry Green Corporate Business Park Secondary Plan. The Business Park Area designation supports light industrial and office uses, while establishing overlay policies that permit a wider range of uses. The Industrial Area designation supports the general industrial policies in addition to uses that should be restricted in order to support the vision of the Secondary Plan area. The Street-Oriented Area overlay (affecting Building B) permits additional uses such as convenience commercial and office. The Gateway Area overlay (affecting Building A) permits the uses set-out in the Street-Oriented Area overlay, along with general commercial uses such as banquet facilities and entertainment uses.

It is staff's opinion that the proposed development generally conforms to the policies of the Town's Official Plan and the Derry Green Corporate Business Park Secondary Plan. However, an Official Plan Amendment is required to amend the boundaries of the Business Park Area and Industrial Area designations and address the Street Oriented Area overlay adjacent to Derry Road.

The applicant is proposing to amend Schedule C.9.B - Derry Green Corporate Business Park Land Use Plan to adjust the limits of Business Park Area and Industrial Area designations in an effort to accommodate the proposed building envelopes. Buildings A



## Discussion

and B are contemplated as business park, while Buildings C and D are contemplated as general industrial.

The Street Oriented Area overlay requires development to be designed with street related sites and buildings, including a continuous frontage of buildings wherever feasible. It does not allow for parking to be located between the building and the street with the intention of minimizing the visual impact of the parking area from the public right-of-way and establishing a continuous frontage. The applicant is requesting two rows of parking to be located between the front façade of Building B and Derry Road; enhanced screening and landscaping is proposed in an effort to maintain the vision of the Secondary Plan policies previously mentioned.

As a result of the aforementioned, an Official Plan Amendment is required. The Draft Official Plan Amendment and Schedules are attached as Appendix 1 to this Report.

Official Plan policies relevant to this proposal include:

- Section 3.8 - Business Park Area: Policies that establish permitted uses within the Business Park Area.
- Section 3.7 - Industrial Area: Policies that establish permitted uses within the Industrial Area.
- Section C.9.4.6 - Urban Design: Policies that set-out the vision for the Secondary Plan area, including enhanced streetscape design along Derry Road.
- Section C.9.5.1 - Business Park Area: Policies that establish permitted uses within the Business Park Area, including the Street-Oriented Area and Gateway Area overlays.
- Section C.9.5.3 - Industrial Area: Policies that establish permitted uses within the Industrial Area, along with those that shall be prohibited.

### Zoning By-law 016-2014, as amended:

The subject lands are zoned as Future Development (FD) under the Town's Zoning By-law 016-2014, as amended. The only permitted uses within this zone are those that were legally existing on the date that the applicable FD Zone took effect; in this instance, the only use currently permitted on site is agricultural operations.

The Zoning By-law Amendment application propose to re-zone the subject lands from Future Development (FD) to three site specific zones, including a Business Park Zone (M1\*XA), Business Park Zone (M1\*XB), and a General Industrial Zone (M2\*XX). The amendment will establish a range of permitted uses for each zone, along with general provisions related to site configuration and parking rates.

The Draft Zoning By-law is attached as Appendix 2 to this Report.

### Site Plan Control:



## Discussion

Should the development applications be approved, the applicant is required to obtain Site Plan Approval prior to any building permits being issued. Detailed site plan drawings addressing matters such as building elevations, lot grading and drainage, site design, lighting and landscaping will be required for review and approval. The applicant 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.

### Public Consultation and Review Process:

Notice of Public Meeting was provided pursuant to the requirements of the Planning Act on February 29, 2024. Signage providing information on the proposed application was posted on the property along Derry Road and Sixth Line, in addition to notice being sent by mail to all properties within 200 metres of the subject lands.

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

- Consistency with the Provincial Policy Statement and conformity with the Growth Plan for the Greater Golden Horseshoe, Regional Official Plan and Town Official Plan (including the Derry Green Secondary Plan);
- Proposed uses, including ancillary uses;
- Proposed parking rates and traffic impacts;
- Stormwater management and site servicing; and,
- Urban Design, specifically as it relates to the Street-Oriented and Gateway Areas.

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

## Key Milestones

Milestone	Date
Pre-Consultation Meeting	10/21/2021
Pre-Submission Review	7/28/2023
Application Deemed Complete	2/2/2024
Statutory Public Meeting	3/25/2024
Date Eligible for Appeal for Non-Decision	6/1/2024



## Financial Impact

There are no financial impacts associated with this report.

Respectfully submitted,

Jill Hogan, MCIP RPP  
Commissioner, Development Services

For questions, please contact: Rachel Suffern, MPA, M.Sc., Phone: Ext. 2263  
MCIP, RPP  
Planner - Development Review

## Attachments

Figure 1 – Location Map  
Figure 2 – 3D Renderings  
Figure 3 – Concept Site Plan  
Appendix A – Draft Official Plan Amendment  
Appendix B – Draft 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.