



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 25, 2024

Report No: DS-016-24

Subject: Technical Report - Official Plan Amendment and Zoning By-law Amendment Applications by Orlando Corporation, Heartland (Seven) Limited and Quarre Properties Inc. to permit the development of two industrial subdivisions (Files: LOPA-09/21, Z-26/21, Z-27/21)

Recommendation: THAT Staff Report DS-016-24 outlining applications for amendments to the Town of Milton Official Plan, Zoning By-law 016-2014, as amended and Zoning By-law 144-2003, as amended, to facilitate the construction of two industrial subdivisions, BE APPROVED;

AND THAT staff be authorized to bring forward Official Plan Amendment No. 79 in accordance with the draft Official Plan Amendment attached as Appendix 1 to Report DS-016-24 for Council adoption;

AND THAT staff be authorized to bring forward amending Zoning By-laws in accordance with the draft By-laws attached as Appendix 2, 3 and 4 to Report DS-016-24 for Council adoption;

AND THAT Town of Milton Council support the granting of Draft Plan Approval by the Commissioner of Development Services for the proposed plans of subdivision (24T-21007/M and 24T-21008/M);

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 the report and Decision to the Region of Halton for their information.

EXECUTIVE SUMMARY

Applications have been submitted for Draft Plans of Subdivision for multiple properties located in the northern area of the Milton 401 Industrial/Business Park Secondary Plan area. The subject lands are collectively referred to as the Halton Business Community (formerly North Porta) and include the East lands (8350 Esquesing Line) and the West lands (8802, 8820, 8830, 8872 and 8880 Boston Church Road). The Draft Plan of Subdivision for the East lands includes one industrial block, a stormwater management pond and buffer blocks, a grading block, a block for the relocated heritage house, a natural heritage system block (that contains a channel, woodlot and buffers), a new road block and three road widening blocks. The applicant's proposed concept plan identifies four industrial buildings on the East lands with one access from Boston Church Road and two new accesses from James Snow Parkway over the Hydro One corridor lands.

The Draft Plan of Subdivision for the West lands includes an industrial block, a natural heritage system channel block and two road widening blocks. The applicant's proposed concept plan identifies three industrial buildings on the West lands with three entrances from Boston Church Road and two entrances from No. 5 Side Road.

In addition to the above, the applicant is seeking to amend the Town of Milton Official Plan, Zoning By-law 016-2014, as amended, and Zoning By-law 144-2003, as amended, to facilitate the construction of the industrial plans of subdivision. The proposed Official Plan Amendment applies only to the East lands and seeks to include a portion of the subject lands into the Town's Urban Area and Milton 401 Industrial/Business Park Secondary Plan area. The proposed Official Plan Amendment also intends to amend the existing site-specific policy area to permit an additional use for land within the Industrial Area designation as well as the Business Commercial Area designation that includes the relocated Aitken-Snow heritage house.

The proposed zoning by-law amendments intend to rezone the lands to appropriate zones to implement the Draft Plans of Subdivision. To facilitate the development, the proposed zoning by-law amendments include site-specific industrial zones and a site-specific business commercial zone with additional uses and special provisions.

Conclusions and Recommendations

Staff recommends that the official plan amendment, zoning by-law amendments and plans of subdivision applications BE APPROVED for the following reasons:

1. the proposed development is consistent with and conforms to Provincial, Regional and Town planning policy and provides for appropriate land uses that have been contemplated by the Town of Milton Official Plan and the Milton 401 Industrial/Business Park Secondary Plan;

EXECUTIVE SUMMARY

2. the proposal will implement the Halton Region Official Plan as it relates to the Urban Area expansion, as adopted by Regional Council through Regional Official Plan Amendment No. 52;
3. the proposal makes efficient use of land and infrastructure and will facilitate employment growth within the Milton 401 Industrial/Business Park Secondary Plan area and would make a positive contribution to meeting the Town's employment growth targets in accordance with Town, Regional and Provincial planning policy; and,
4. the proposal meets all of the technical requirements of the affected Civic Departments and all other agencies.

REPORT

Background

Owner: Orlando Corporation, Heartland (Two) Limited and Quarre (Two) Inc., 6205 Airport Road, Suite 500, Mississauga, ON.

Agent: Glen Schnarr & Associates Inc., 10 Kingsbridge Garden Circle, Suite 700, Mississauga, ON.

Location/Description: The subject lands are located in Ward 2, at the northern limit of the Milton Urban Area and comprise two land areas that are separated by Boston Church Road, referred to as the East lands and the West lands throughout this Report (see Figure 1).

The East lands are municipally known as 8350 Esquesing Line and are situated between Boston Church Road and Esquesing Line, on the north side of the Hydro One corridor lands that abut James Snow Parkway. The East lands do not currently have access to James Snow Parkway. The East lands are currently vacant with the exception of an existing heritage house (referred to as the Aitken-Snow heritage house) located on Esquesing Line. The northern portion of the East lands is within the Protected Countryside Area and Natural Heritage System overlay of the Provincial Greenbelt Plan.

The West lands are located to the southwest of the intersection at Boston Church Road and No. 5 Side Road and are municipally known as 8802, 8820, 8830, 8872 and 8880 Boston Church Road. The largest portion of the West lands (8880 Boston Church Road) is vacant and used for agricultural purposes. Three of the smaller properties each contain a residential dwelling that will eventually be demolished and the fourth smaller property is currently vacant. The property located at 8802 Boston Church Road also contains a business (SignFIELD Inflatable Advertising Inc.) operating in an accessory building that will also be demolished.

Background

Two watercourses traverse the subject lands and these include the Middle Branch of the Sixteen Mile Creek in the northeastern corner of the East lands (within the Greenbelt Plan area) and the tributary of the Middle Branch of the Sixteen Mile Creek. The Middle Branch has a permanent flow while the tributary has an intermittent flow.

Figure 1 to this Report includes a location map of the subject lands.

The surrounding land uses for the East lands include rural residential uses and woodlands (largely contained within the limits of the Greenbelt Plan area) to the north. Beyond these properties are lands used for agricultural purposes. Rural residential uses and lands with natural heritage features are located to the east and lands designated for industrial uses are located to the south and west.

The surrounding land uses for the West lands include rural residential and agricultural uses to the north and east as well as lands designated for industrial uses to the south and west. The CN Railway line abuts the entire western boundary of the West lands.

Proposal

The applicant is seeking an amendment to the Town of Milton Official Plan, Zoning By-law 016-2014, as amended and Zoning By-law 144-2003, as amended, to facilitate the development of two industrial subdivisions. Figure 2 to this Report shows the proposed concept plan for the East and West lands, which includes a total of 7 buildings and approximately 4,915,588 square feet of building area. Below is a description of the proposed development on the East and West lands.

East Lands

The Draft Plan of Subdivision for the East lands includes one industrial block, a stormwater management pond and buffer blocks, a grading block, a block for the relocated Aitken-Snow heritage house, a natural heritage system block (that contains a channel, woodlot and buffers), a new road block and three road widening blocks. Figure 3 to this Report includes the proposed Draft Plan of Subdivision for the East lands.

The proposed concept plan identifies four industrial buildings on the East lands that range in size (Building A - 513,345 square feet, Building B - 1,135,833 square feet, Building D - 1,183,149 square feet and Building F - 681,740 square feet). One access is proposed to Boston Church Road as well as two new accesses from James Snow Parkway over the Hydro One corridor lands connecting to a new road that would eventually become public right-of-way.

With respect to the tributary of the Middle Branch of the Sixteen Mile Creek, the applicant proposes to relocate the channel to the north on the subject lands. To support the relocated

Background

channel, the applicant completed a Comprehensive Environmental and Servicing Study (CESS) which is discussed in further detail later in this Report.

In order to facilitate the proposed development on the East lands, the applicant has submitted applications for an official plan amendment (proposed OPA) and zoning by-law amendments (proposed ZBAs). The purpose of the proposed OPA is to expand the boundary of the Urban Area and the Milton 401 Industrial/Business Park Secondary Plan area in the Town's Official Plan to include approximately 14.25 hectares (35.21 acres) of land. The lands to be added to the Urban Area, referred to as the northern sliver lands, will be designated Industrial Area and Natural Heritage System. The proposed OPA also includes changes to the existing Special Policy Area No. 42 on the subject lands to include a Broadcasting and Communication Facility use in the Industrial Area designation and a standalone Restaurant use in the Business Commercial Area designation. Appendix 1 to this Report includes the proposed OPA.

There are two proposed zoning by-law amendments for the East lands. The portion of the subject lands proposed to be brought into the Urban Area (referred to as the northern sliver lands) will be subject to the Town's Urban Zoning By-law 016-2014, as amended, while the portion of the subject lands that is within the Greenbelt Plan area will be subject to the Town's Rural Zoning By-law 144-2003, as amended.

The proposed ZBA to the Town's Rural Zoning By-law 144-2003, as amended, intends to remove the northern sliver lands from Town's Rural Zoning By-law 144-2003, as amended, and proposes to rezone the natural heritage system features to the appropriate Greenlands A and Greenlands B zones. No development is permitted within these zones.

The proposed ZBA to the Town's Urban Zoning By-law 016-2014, as amended, intends to add the northern sliver lands into the Urban Zoning By-law 016-2014, as amended, and rezone the subject lands to site-specific General Industrial (M2*343), site-specific Business Commercial Area (C6*344), Natural Heritage System (NHS), Open Space (OS) and Open Space 2 (OS-2) zones.

The site-specific M2*343 zone applies to the majority of the subject lands and proposes to include additional permitted uses to those permitted in the parent M2 zone and site-specific standards. The additional permitted uses include Broadcasting/Communication Facility, Courier/Messenger Service and Wholesale Operation uses. The site-specific standards include limits on gross floor area for certain uses, parking configuration for trucks, a reduced landscape buffer as well as a maximum building height of 35.0 metres.

The site-specific C6*344 zone applies to the relocated Aitken-Snow heritage house and proposes to include a Service and Repair Shop as an additional permitted use and establishes a maximum lot area of 4,300 square metres (1.06 acres) for the block.

Background

The NHS zone applies to the relocated watercourse, woodlot and woodlot buffer. The OS zone applies to the grading block between the Hydro One corridor lands and the proposed Street A and the OS-2 zone applies to the stormwater management pond, buffers and servicing block.

West Lands

The Draft Plan of Subdivision for the West lands includes an industrial block, a natural heritage system channel block and two road widening blocks. Figure 4 to this Report includes the proposed Draft Plan of Subdivision for the West lands.

The proposed concept plan identifies three industrial buildings on the West lands that also range in size (Building G - 326,605 square feet, Building H - 537,453 square feet and Building J - 537,453 square feet). The applicant's proposed concept plan identifies three industrial buildings on the West lands with three entrances from Boston Church Road and two entrances from No. 5 Side Road. The proposed entrances on No. 5 Side Road are for automobiles only (no trucks).

In order to facilitate the proposed development on the West lands, the applicant has submitted an application for a zoning by-law amendment (proposed ZBA). The proposed ZBA seeks to amend the Town's Urban Zoning By-law 016-2014, as amended, to rezone the subject lands to a site-specific General Industrial (M2*345) zone and the Natural Heritage System (NHS) zone.

The site-specific M2*345 zone includes additional permitted uses to those permitted in the parent M2 zone and site-specific standards. The additional permitted uses include Courier/Messenger Service, Wholesale Operation use and Stormwater Management Facility. The site-specific standards include limits on gross floor area for certain uses, parking configuration for trucks, a reduced landscape buffer as well as a maximum building height of 35.0 metres. The NHS zone applies to the channel block.

In support of the application, the following reports and additional materials (with their latest revised date) have been submitted:

- Record of Pre-Consultation Form, issued by the Town of Milton, dated April 28, 2021;
- Complete Application Forms for the Official Plan Amendment (East lands), Zoning By-law Amendments (East and West lands) and Draft Plans of Subdivision (East and West lands);
- Draft Plans of Subdivision (East and West lands), dated December 7, 2023, prepared by Glen Schnarr & Associates Inc.;
- Topographic Surveys (East and West lands), dated May 5, 2020, prepared by David B. Searles Surveying Ltd.;



Background

- Draft Official Plan Amendment (East lands), dated December 2023, prepared by Glen Schnarr & Associates Inc.;
- Draft Zoning By-law Amendments (East and West lands), dated December 2023, prepared by Glen Schnarr & Associates Inc.;
- Concept Plan, dated December 14, 2023, prepared by Orlando Corporation;
- Overall Landscape Plan, dated September 8, 2023, prepared by Orlando Corporation, GEI Consultants and Studio tla;
- Landscape Concept Plan, dated April 20, 2023, prepared by Orlando Corporation and Studio tla;
- Planning Justification Report, dated October 2021, prepared by Glen Schnarr & Associates Inc.;
- Planning Justification Report Addendums, dated April 2023 and December 2023, prepared by Glen Schnarr & Associates Inc.;
- Urban Design Brief, dated December 2023, prepared by Glen Schnarr & Associates Inc.;
- Traffic Impact Study, dated December 2023, prepared by TMIG;
- Tree Inventory and Tree Preservation Plan Report, dated April 6, 2021, prepared by Kuntz Forestry Consulting;
- Noise Feasibility Study, dated December 19, 2023, prepared HGC Engineering;
- Milton North Business Park Shadow Study, dated July 2023, prepared by Orlando Corporation;
- Heritage Impact Assessment, dated October 2021, prepared by Architects Rasch Eckler Associates Ltd.;
- Heritage House Graphics, Plans and Perspectives, dated July 22, 2021, prepared by Architects Rasch Eckler Associates Ltd. and Studio tla;
- Architectural Renderings, prepared by Stendel + Reich Architecture, dated September 2021;
- Minimum Distance Separation I Requirements for East Block, dated October 1, 2021, prepared by Colville Consulting Inc.;
- Comprehensive Environmental and Servicing Study, dated March 2023, prepared by TYLin;

Background

- Comprehensive Environmental and Servicing Study - Addendum No. 1 (West lands), dated November 2023, prepared by TYLin;
- Stage 1-3 Archaeological Assessment (East Parcel) Report, dated July 27, 2020, prepared by Archaeological Assessments Ltd.;
- Stage 1-3 Archaeological Assessment (West Parcel) Report, dated July 29, 2020, prepared by Archaeological Assessments Ltd.;
- Stage 4 Archaeological Assessment of the Andrew Aitkin Site (East lands) Report, dated September 14, 2020, prepared by Archaeological Assessments Ltd.;
- Stage 4 Archaeological Assessment of the Laidlaw 1 Site (West lands) Report, dated September 15, 2020, prepared by Archaeological Assessments Ltd.;
- Phase 1 Environmental Site Assessment (East Block), July 6, 2020, prepared by Terrapex;
- Phase 1 Environmental Site Assessment (West Block), July 3, 2020, prepared by Terrapex;
- Phase 2 Environmental Site Assessment (East Block), August 5, 2020, prepared by Terrapex;
- Phase 2 Environmental Site Assessment (West Block), dated July 31, 2020, prepared by Terrapex;
- Phase 1 and 2 Environmental Site Assessment Update Letter (East lands), dated August 15, 2023, prepared by Terrapex;
- Phase 1 and 2 Environmental Site Assessment Update Letter (West lands), dated August 15, 2023, prepared by Terrapex;
- Environmental Assessment Reports - Letter of Reliance (East and West lands), dated August 15, 2023, prepared by Terrapex; and,
- Environmental Site Screening Questionnaire (northern sliver lands only), May 31, 2021, prepared by Orlando Corporation.

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 proposed Draft Plan of Subdivision for the East and West lands and that the Draft Plans are sufficiently advanced to support the proposed OPA and ZBAs. 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 for the

Background

East and West lands, will be required to be completed to the Town's satisfaction prior to subdivision registration.

Discussion

Provincial Policy Statement (PPS)

The Provincial Policy Statement (2020)(PPS) provides policy direction on matters of Provincial interest related to land use planning and development. As set out in the PPS, the Province's long-term prosperity depends on a coordinated approach to wisely managing change and promoting efficient development patterns. Section 1.1.3 of the PPS includes policies that apply to land use planning in settlement areas. This section of the PPS promotes efficient development patterns by directing growth to settlement areas, discouraging inefficient expansion of these areas, encouraging the effective use of existing and planned infrastructure and accommodating a range and mix of uses. The relevant policies in section 1.1.3 of the PPS reads as follows:

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- f) are transit-supportive, where transit is planned, exists or may be developed;*
- g) are freight-supportive.*

The proposed OPA and the proposed development is consistent with the above-noted policies as the subject lands are/will be located within a settlement area (Town's Urban Area) and will contribute to employment uses within the community. The proposed development will utilize municipal services to service the proposed buildings.

Sections 1.1.3.8, 1.1.3.9, 2.3.5 and 2.3.6 of the PPS address settlement area expansions and removal of land from Prime Agricultural Areas and these policies apply to the northern sliver lands in the proposed OPA. The justification for a settlement expansion to remove the northern sliver lands from the Prime Agricultural Area and bring them into the Urban Area was addressed through Halton Region's approval of Regional Official Plan Amendment No. 52 (ROPA 52).

On June 15, 2022, Halton Region Council adopted ROPA 52, which had the effect of bringing the northern sliver lands into the Town of Milton Urban Area. In this regard, the proposed

Discussion

OPA will implement ROPA 52 in the Town's Official Plan. Staff are satisfied that the proposed development is consistent with the PPS policies that address settlement area expansions and the removal of land from Prime Agricultural Areas.

Section 1.3 of the PPS also contains policies related to Employment and Employment Areas and the relevant subsections read as follows:

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed 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;*
- 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.

1.3.2.3 Within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility

Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment areas.

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.

The proposed development can be adequately serviced by planned upgrades to Halton Region's municipal water and wastewater infrastructure. The addition of the northern sliver lands is consistent with the Provincially Significant Employment Zone (PSEZ) mapping prepared by the Province and in accordance with the Region's Official Plan Urban Area established by ROPA 52. The proposed development is also in proximity to the Highway 401 corridor, a primary goods movement and transportation corridor, with uses that complement and make use of the access to a major goods corridor. On this basis, it is Staff's opinion that the proposed development is consistent with the above-noted policies.

Section 2.1 of the PPS includes policy directives related to preservation and protection of natural heritage features and functions, as follows:

Discussion

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

The applicant prepared a Comprehensive Environmental and Servicing Study (CESS) that identified natural features such as candidate significant valley lands, significant woodlands, regionally significant wetlands, habitat for endangered or threatened species, significant wildlife habitat and fish habitat. None of these features were identified within lands proposed to be developed with industrial uses.

The CESS also identified and assessed drainage features on the subject lands. On the West lands, an existing drainage feature is present and is proposed to be realigned to the west side of the property, parallel to the Canadian National Railway line.

On the East lands, a number of drainage features are present and two watercourses traverse the property as well. The watercourses include the Middle Branch of the Sixteen Mile Creek located in the northeastern corner of the East lands (within the Greenbelt Plan area) and the Tributary of the Middle Branch of the Sixteen Mile Creek. The Middle Branch is proposed to be maintained in its current location in the Greenbelt Plan area, while the Tributary is proposed to be realigned to the north on the East lands.

The proposed OPA identifies natural features within the natural heritage system and the proposed ZBAs include these areas in the Natural Heritage System (NHS), Greenlands A (GA) and Greenlands B (GB) zones where development is not permitted. The proposed ZBAs will ensure that the natural heritage features on the subject lands will be protected from development. In this regard, Staff are satisfied that the proposed development is consistent with the natural heritage policies in the PPS.

Section 2.6 of the PPS contains policies for cultural heritage and archaeology and the relevant subsections read as follows:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The applicant completed Stage 1-4 Archaeological Assessments for the subject lands. On the East lands, the assessment identified the Aitken-Snow heritage house and its surroundings as an area of significance. On the West lands, the Laidlaw I site was identified

Discussion

as an area of significance. Both sites were stripped of topsoil, fully excavated and catalogued and the Laidlaw I site was determined to have no further cultural value.

On May 9, 2022, Town Council approved the relocation of the Aitken-Snow heritage house and barn timber frames and further directed staff to prepare a Heritage Easement Agreement (HEA) to preserve the house and timber frames as part of the conservation strategy. On September 7, 2022, the applicant entered into the HEA with the Town of Milton and posted financial securities to ensure that the relocation and restoration works are completed in accordance with the HEA. In October 2023, the applicant moved the Aitken-Snow heritage house and barn timber frames to the southeast corner of the subject lands on Esquesing Line, adjacent to the Hydro One corridor lands. In this regard, Staff are satisfied that the proposed development is consistent with the cultural heritage and archaeology policies in the PPS.

On the basis of the above, staff are of the opinion that the development applications submitted for the subject lands are consistent with the Provincial Policy Statement.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)(Growth Plan), as amended, is a Provincial plan to manage growth and development in a way that supports economic prosperity, protects the environment and helps achieve complete communities. The Growth Plan builds on the policies in the PPS.

The subject lands are located within the Designated Greenfield Area designation on Schedule 2 - A Place to Grow Concept of the Growth Plan. New development taking place in Designated Greenfield Areas is required to 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 includes policies that apply to employment lands and section 2.2.5.1 reads as follows:

2.2.5.1 Economic development and competitiveness in the GGH will be promoted 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.*

Discussion

2.2.5.5 Municipalities should designate and preserve lands within settlement areas located adjacent to or near major goods movement facilities and corridors, including major highway interchanges, as areas for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities.

The proposed development is/will be located within a settlement area that will be serviced with municipal water and wastewater systems and will provide for employment opportunities that enhance the economic vitality of the community. The proposed development is also located in a planned employment area adjacent to major goods movement facilities and corridors that allow the development to utilize surrounding transportation infrastructure that has been designed to sufficiently accommodate freight transportation movement.

In addition to the above, Section 2.2.5.12 and 5.2.2 d) of the Growth Plan enable the Ministers of the Crown to identify Provincially Significant Employment Zones (PSEZs), which are areas intended to support long-term planning for job creation and economic development. In this regard, the Province identified PSEZs across municipalities that are subject to the Growth Plan and these areas are to be included in Official Plans. Halton Region and the Town of Milton have both included employment areas in their respective Official Plans.

The majority of the subject lands are within a PSEZ. The entirety of the West lands are within the PSEZ as well as most the East lands (including the northern sliver lands), save and except for the portion of the East lands that is within the Provincial Greenbelt Plan area. The proposed OPA intends to bring these lands into the Town's Urban Area and Milton 401 Industrial/Business Park Secondary Plan area consistent with ROPA 52 and the PSEZ mapping in order to facilitate development on the subject lands.

Sections 2.2.8.3, 2.2.8.5 and 2.2.8.6 of the Growth Plan includes policies that apply to the expansion of settlement area boundaries. As noted in the PPS section, the approved ROPA 52 provided the justification to expand the Town's Urban Area to include the northern sliver lands.

Section 4.2.2 of the Growth Plan contains policies for the natural heritage system and section 4.2.2.3 reads as follows:

4.2.2.3 Within the Natural Heritage System for the Growth Plan:

- a) new development or site alteration will demonstrate that:*
- b) there are no negative impacts on key natural heritage features or key hydrologic features or their functions;*
 - ii. connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be*

Discussion

maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;

- iii. the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible.*

As noted earlier, the completed CESS has documented and assessed the existing natural heritage features on the subject lands and identified the extent of these features in order to ensure their protection from future development. The development applications have implemented the direction in the CESS to ensure that natural heritage features will be protected from development.

Section 4.2.7 of the Growth Plan includes a policy that addresses cultural heritage resources and it reads as follows:

4.2.7.1 Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

As noted in the PPS section, the Aitken-Snow heritage house has been relocated and the applicant has entered into a HEA and posted financial securities to ensure that the relocation and restoration works are completed in accordance with the HEA.

On the basis of the above, staff are of the opinion that the development applications submitted for the subject lands conforms to the policies of the Growth Plan.

Greenbelt Plan (2017)

The Greenbelt Plan (2017) guides urban structure, including where and how future growth should be accommodated and what must be protected for current and future generations. The Greenbelt Plan identifies where urbanization should not occur and aims to provide permanent protection of the agricultural land base and ecological features and functions occurring within the Greenbelt Plan area.

The northern portion of the East lands is located within the Greenbelt Plan area and is designated Protected Countryside Area. The East lands are also within the Natural Heritage System overlay in the Greenbelt Plan. No development is proposed on lands within the Greenbelt Plan area, however a realigned bioswale and replicated table wetland are proposed within the Greenbelt Plan area. The Greenbelt Plan's definition of Green Infrastructure includes the proposed features and are permitted within the Protected Countryside Area of the Greenbelt Plan.

Section 3.2.2 of the Greenbelt Plan includes policies that apply to the natural heritage system and the relevant subsections read as follows:

Discussion

- a) *There will be no negative impacts on key natural heritage features or key hydrologic features or their functions;*
- b) *Connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement to native plants and animals across the landscape;*
- c) *The removal of other natural features not identified as key natural heritage features and key hydrologic features should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible;*

As detailed in the CESS, the proposed bioswale is designed to convey discharge from the wetland in the same manner as the current headwater drainage feature does in an effort to avoid any changes in wetland hydrology due to outflow conditions. The proposed design of the replicated table wetland includes a shallow marsh intended to replicate the function of the feature that currently exists. In addition, the proposed location of both the proposed bioswale and replicated table wetland is within existing agricultural fields, which means that there is no removal of natural heritage features and hydrologic features from the Greenbelt Plan area.

On the basis of the above, staff is of the opinion that the proposed development conforms to the policies of the Greenbelt Plan.

Halton Region Official Plan

The subject lands are designated Urban Area and Regional Natural Heritage System and are within the Employment Area overlay in the Halton Region Official Plan (ROP). On June 15, 2022, Halton Region approved Regional Official Plan Amendment No. 52 (ROPA 52) which had the effect of bringing the northern sliver lands into the Urban Area in a manner that is consistent with the Provincially Significant Employment Zone mapping as well as Provincial and Regional growth plan objectives and policy directives.

All development is subject to the policies of the ROP. Section 76 of the ROP states that the permitted uses in the Urban Area are to be in accordance with a Local Official Plan and Zoning By-law. The proposed OPA will implement ROPA 52 in the Town of Milton Official Plan by including it within the Town's Urban Area and within the Milton 401 Industrial/Business Park Secondary Plan area, which is designated for employment uses.

Section 77(6) of the ROP requires Local Official Plans to specify development phasing strategies within the Urban Area, which are consistent with the ROP, giving top priority to development of employment lands and completion of existing communities. The majority of the subject lands are located within the approved Milton 401 Industrial/Business Park Secondary Plan, with the exception of the northern sliver lands and the portion of the East

Discussion

lands within the Greenbelt Plan. staff is of the opinion that the proposed development OPA to facilitate employment growth on the subject lands is appropriate and conforms to the policies of the Halton Region Official Plan.

Regional Planning staff has reviewed the proposed OPA, zoning by-law amendments and Draft Plans of Subdivision for the East and West lands and are of the opinion that the applications are consistent with the Provincial Policy Statement and conform to the Growth Plan, Greenbelt Plan and Halton Region Official Plan.

Town of Milton Official Plan

The majority of the subject lands are currently designated Industrial Area and Business Commercial Area on Schedule B: Urban Area Land Use Plan in the Town of Milton Official Plan (Town Official Plan). On August 23, 2021, Town of Milton Council adopted Official Plan Amendment No. 67 (OPA 67) which brought the majority of the subject lands into the Town's Urban Area and Milton 401 Industrial/Business Park Secondary Plan area. OPA 67 also established Site-Specific Policy Area No. 42 that included policy direction to guide future development on the subject lands and certain surrounding lands and set out specific requirements and permitted uses for the Aitken-Snow heritage house.

The northern sliver lands are currently designated Agricultural Area and Natural Heritage System on Schedule A: Rural Land Use Plan in the Town's Official Plan. On the same Schedule A, the lands to the north of the northern sliver lands on the subject lands are identified as being within the Protected Countryside Area and Greenbelt Natural Heritage System overlay in the Greenbelt Plan.

The Industrial Area and Business Commercial Area designations are employment area designations. Section 3.7 of the Town's Official Plan addresses employment areas and characterizes these areas as providing a major source of employment opportunities within the Town of Milton by permitting a range of business and economic activities.

Section 3.9.2 of the Town's Official Plan sets out the permitted uses in the Industrial Area designation, which include a range of light and general industrial uses. The Industrial Area designation also permits accessory service, wholesale, retail and office uses directly related to the industrial use. Office use, research and development and technology uses (excluding biomedical waste) are permitted in a one-to-two storey multi-unit building. However, a multi-unit building shall not include an office building. Uses that are considered to represent a significant health or safety hazard to residents or the natural environment are also not permitted.

Section 3.9.3 of the Town's Official Plan includes policies that apply to development within the Industrial Area and section 3.9.3.1 reads as follows:

Discussion

3.9.3.1 Development within areas designated "Industrial Area" within the Established Urban Area on Schedule "B" or within an approved Secondary Plan, shall be permitted subject to:

- a) the provisions of the applicable Secondary Plan as outlined within Part C of this Plan;*
- b) the submission of a development plan which demonstrates that the proposed development can be physically integrated with existing and proposed uses of adjacent lands, including lands outside the Industrial Area designation;*
- c) the proposed development complies with the Community-wide policies of Section 2.0 of this Plan; and,*
- d) applicants can demonstrate that there is adequate wastewater and water treatment capacity to accommodate the proposed use.*

Staff are of the opinion that the development proposal is consistent with the above-noted policy. The proposed development concept illustrates the site layout that shows how these lands can be integrated with adjacent lands. The concept plan also demonstrates integration with lands outside of the Secondary Plan area by providing for substantial setbacks from existing non-employment uses outside of the Secondary Plan area.

Staff have reviewed the community-wide policies in section 2.0 of the Town's Official Plan and are also of the opinion that the development proposal satisfies the applicable policies. The applicant is proposing a high quality of landscaping treatment to the periphery of the subject lands. Site Plan approval will be required for all proposed buildings and will include a subsequent review of site layout, circulation, building location, architectural elevations and landscaping requirements. With respect to servicing, the applicant has demonstrated that there is adequate water and wastewater capacity to service the proposed development following upgrades to the municipal services that will extend to the subject lands.

A small portion of the subject lands where the relocated Aitken-Snow heritage house is now situated is designated Business Commercial Area on Schedule B - Urban Land Use Plan in the Town's Official Plan. Section 3.7.6 of the Town's Official Plan sets out the permitted uses in the Business Commercial Area designation. However, Special Policy Area No. 42 restricts the permitted land uses at this location to only include business and professional offices and service commercial uses.

The northern sliver lands are currently designated Agricultural Area in the Town's Official Plan. Section 5.3.3.9 of the Town's Official Plan indicates that expansions to the Urban Area are only undertaken by Halton Region and that any changes to the new Urban Area Boundary for the Town of Milton, as determined by Halton Region, shall be incorporated by an amendment to the Town's Official Plan. As noted previously in this Report, Halton Region adopted ROPA 52, which had the effect of bringing the northern sliver lands into the Town's Urban Area in the Halton Region Official Plan. The proposed OPA intends to implement

Discussion

ROPA 52 by bringing the northern sliver lands into the Town's Urban Area and Milton 401 Industrial/Business Park Secondary Plan area and designate the area as Industrial Area and Natural Heritage System.

Section 4.9.3 of the Town's Official Plan includes policies that direct the Town to implement a systems based approach for the lands within the natural heritage system. This approach includes prohibiting development and site alteration within certain natural features in order to protect features and their ecological functions as well as provide for enhancements to ecological functions where possible. The portion of the northern sliver lands proposed to be designated Natural Heritage System will ensure that natural heritage features and their associated functions will be protected and preserved.

In addition to the above, a portion of the subject lands is also within the Greenbelt Natural Heritage System. Section 4.10 of the Town's Official Plan includes policies that apply to the Greenbelt Natural Heritage System and states that it includes the same features as the Regional Natural Heritage System. As with the lands proposed to be designated Natural Heritage System, there is no development proposed within the Greenbelt Natural Heritage System.

Milton 401 Industrial/Business Park Secondary Plan

Most of the subject lands are designated Industrial Area on Schedule C.2.B - Milton 401 Industrial/Business Park Secondary Plan (Secondary Plan). A small portion of the subject lands where the relocated Aitken-Snow heritage house is now situated is designated Business Commercial Area.

The Secondary Plan permits uses in these designations in the same manner as set out in the previous section of in this Report. In the Industrial Area designation, section C.2.5.3 of the Secondary Plan indicates that the permitted uses are the same as those set out in Section 3.9 of the Town's Official Plan. Section 2.5.1.2 sets out permitted uses in the Business Commercial Area designation, however the Special Policy Area No. 42 restricts the uses for the relocated Aitken-Snow heritage house.

Section 4.11.3.42 of the Town's Official Plan establishes policies that apply to Special Policy Area No. 42, which includes the subject lands, and includes development application requirements for lands within this area. The policies speak to required studies to assess traffic impacts to the local road network (James Snow Parkway, Boston Church Road and Esquesing Line) as a result of proposed development as well as financing and construction responsibilities to implement any required upgrades to the local road network. There is also a policy that includes the requirement to complete a Comprehensive Environmental and Servicing Study to assess the existing conditions and potential impacts of proposed development with respect to hydrology, hydraulics, hydrogeology, fluvial processes, erosion

Discussion

and slope stability and the natural environment (including, but not limited to, ecological functions).

With respect to the requirements above, the applicant has submitted a Traffic Impact Study that has been reviewed by Regional and Town staff and has also been peer reviewed. The Traffic Impact Study and other road-related improvements are discussed in further detail later in this Report. The CESS has also been completed to the satisfaction of Halton Region, Conservation Halton and the Town of Milton and has been implemented in the proposed OPA, ZBAs and on the Draft Plans of Subdivision.

In addition to the above, Special Policy Area No. 42 includes policy language that enables the relocating of the Aitken-Snow heritage house and also sets out the only permitted uses which include business and professional offices and service commercial uses that are complementary to and serve the employment area.

The proposed OPA intends to amend Special Policy Area No. 42 to specifically include a Broadcasting/Communication Facility as a permitted use on the East lands. Town staff are of the opinion that the proposed use is an employment use and would be compatible with other uses permitted in the Industrial Area designation on the East lands.

The proposed OPA also includes an amendment to Special Policy Area No.42 as it relates to the Business Commercial Area designation on the subject lands. In this regard, the applicant is proposing to add a standalone restaurant as a permitted use in the Business Commercial Area designation that applies to the relocated Aitken-Snow heritage house. Town staff are supportive of the proposed standalone restaurant being proposed for the Aitken-Snow heritage house.

On the basis of the above, Town staff are satisfied that the proposed applications conform/will conform to the Town of Milton Official Plan.

Zoning By-law 144-2003, as amended

On the East lands, the northern sliver lands and those within the Greenbelt Plan area are currently zoned Agricultural (A1) and Greenlands A (GA) within the Town's Rural Zoning By-law 144-2003, as amended. The A1 zone permits agricultural and rural uses, a detached dwelling, home industry and home occupation uses as well as veterinary clinics and veterinary hospitals. The GA zone only permits existing uses and conservation uses.

The applicant has made an application to amend the zoning on the East lands to remove the northern sliver lands from the Town's Rural Zoning By-law 144-2003, as amended, and add them into the Town's Urban Zoning By-law 016-2014, as amended. In addition, the ZBA intends to rezone lands within the Greenbelt Plan area to the Greenlands A (GA) zone and Greenlands B (GB) zones in accordance with the CESS. The GB zone applies to lands

Discussion

identified on the Draft Plan as woodlot and buffer area and the GA zone applies to lands that are between the realigned channel and the buffer area.

Appendix 2 to this Report includes the proposed ZBA to the Town's Rural Zoning By-law 144-2003, as amended, for the East lands.

Staff is satisfied that the proposed ZBA for the East lands implements the CESS and the Draft Plan of Subdivision for the East lands.

Zoning By-law 016-2014, as amended

The majority of the subject lands are zoned Future Development (FD) and a portion are within the Natural Heritage System (NHS) zone under the Town of Milton Zoning By-law 016-2014, as amended. The FD zone only permits existing uses, buildings and structures. A rezoning is required to permit new uses, buildings or structures. Development is generally not permitted within the NHS zone.

On the East lands, the applicant has made an application for a zoning by-law amendment to rezone the subject lands to a site-specific General Industrial (M2*343) zone, site-specific General Commercial (C6*344) zone, Open Space 2 (OS-2) zone, Open space (OS) zone and Natural Heritage System (NHS) zone.

The M2*343 zone applies to the majority of the subject lands and it includes three additional permitted uses: broadcasting/communication facility, courier/messenger service and a wholesale operation. Special provisions are proposed for this zone including: a maximum building height of 35 metres, an exemption from restrictions on the type of building where an office use is permitted, an increase in the permitted gross floor area for office uses and retail sale of goods, relief from parking requirements as it relates to the parking of trucks and a reduction in the required landscape buffer.

The C6*344 zone applies to the block where the Aitken-Snow heritage house has been relocated and includes a service and repair shop as an additional permitted use. An alternative maximum lot area of 4,300 m² (1.06 acres) is also included as a special provision.

The OS zone applies to a grading block between the proposed Street A and the Hydro One corridor lands, while the OS-2 zone is applies to the stormwater management pond block, buffer blocks and servicing block. The NHS zone applies to the lands that are within the natural heritage system block on the proposed Draft Plan of Subdivision for the East lands, and as identified through the CESS.

Appendix 3 to this Report includes the proposed ZBA to the Town's Urban Zoning By-law 016-2014, as amended, for the East lands.

Discussion

On the West lands, the applicant made an application for a zoning by-law amendment to rezone the subject lands with to a site-specific General Industrial (M2*345) zone and Natural Heritage System (NHS) zone.

The M2*345 zone includes three additional permitted uses: courier/messenger service, wholesale operation and a stormwater management facility. The stormwater management facility on the West lands is proposed as a private stormwater management pond as it does not convey public drainage.

The NHS zone applies to a channel block along the western portion of the West lands, parallel with the CN Railway line.

Appendix 4 to this Report includes the proposed ZBA for the West lands.

Staff is satisfied that the proposed ZBAs for the East lands and West lands conforms to the Town's Official Plan and implements the CESS and Draft Plan of Subdivisions for both the East West lands.

Site Plan Control

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

On February 24, 2022, the applicant held a virtual Public Information Centre (PIC) session. The applicant provided a presentation of the proposed development applications followed by a period for questions and discussion. The purpose of the PIC was to provide the public with an informal opportunity to not only view the drawings and concepts illustrating the proposal, but also to ask questions of the applicant and technical consultants and learn about the application process.

Approximately 20 individuals attended the virtual PIC and 5 individuals from the public provided comments. Town staff were present at the PIC as well. Concerns were raised about the ongoing site alteration works, traffic impacts, potential impacts to groundwater and stormwater management and drainage onto Esquering Line. Following the PIC, Town staff also received comments about the existing public transit service levels in the Milton 401 Industrial/Business Park Secondary Plan area.



Discussion

Notice for the statutory Public Meeting was provided pursuant to the requirements of the Planning Act on May 26, 2022. The statutory Public Meeting was held on June 20, 2022. No members of the public spoke to the proposed development applications.

Agency Circulation

The initial applications were circulated to internal and external agencies in December 2021, with subsequent resubmissions in April 2023 and December 2023.

Region of Halton

Regional staff has considered the applications in the context of the Provincial Policy Statement, the Growth Plan, the Greenbelt Plan and the Halton Region Official Plan. Regional staff are of the opinion that the applications are consistent with and conform to the relevant planning documents and represent good planning from a Regional perspective. Halton Region through the Chief Planning Official exempted the proposed Official Plan Amendment from Regional approval, in accordance with By-law No. 19-99. Regional staff have also indicated that they are supportive of the implementing zoning by-law amendments. Halton Region has also provided Draft Plan conditions for the East lands and West lands in support of Draft Plan approval.

Conservation Halton

Conservation Halton staff has reviewed the applications in accordance with their responsibilities under Ontario Regulation 162/06 and their Provincially delegated responsibilities under Ontario Regulation (686/21) (Provincial interests under the PPS). In a letter dated April 28, 2023, Conservation Halton staff advised that they were satisfied with the third submission of the CESS (dated March 2023) and the associated limits of the regulated natural hazards and natural features on the subject lands. Conservation Halton staff has indicated that they are satisfied that all regulated natural hazards and natural heritage features with associated allowances/setbacks/other areas as described in the CESS will be contained within appropriately sized Natural Heritage System blocks on the Draft Plans, on designations within the proposed OPA and zones in the proposed ZBAs. Conservation Halton has also provided Draft Plan conditions for the East and West lands in support of Draft Plan approval.

Town of Milton Engineering

The Town's Development Engineering staff has reviewed the applications and offers no objection to the approval of the proposed OPA and proposed ZBAs. Development Engineering staff will continue to work with the applicant to ensure that the technical requirements are satisfied through Draft Plan conditions for Draft Plan approval, subdivision registration and future Site Plan Approvals.

Discussion

The Town's Transportation staff has reviewed the submitted Traffic Impact Study and offers no objections to the approval of the proposed OPA and proposed ZBAs. However, the Town's Transportation staff has identified concerns with the two accesses proposed onto No. 5 Side Road as shown on the proposed Concept Plan. Access to the subject lands will be addressed through detailed design.

Town of Milton - Infrastructure

The Town's Infrastructure staff has reviewed the applications and offers no objection to the approval of the proposed OPA and proposed ZBAs.

To support the proposed development, the applicant is proposing to redesign Boston Church Road between James Snow Parkway to No. 5 Side Road from a rural road with a 20-metre right-of-way to a collector road with a 26-metre right-of-way. The proposed redesigned road includes a sidewalk, landscaping and utilities on lands owned by the applicant.

The applicant has submitted proposed road cross-sections and design concepts for Town staff to review and Town staff have had several meetings with the applicant to discuss the options provided. Through detailed design, Town staff will work with the applicant to ensure that the redesign of Boston Church Road includes adequate active transportation facilities, streetscape elements, protection for the accommodation of future transit amenities and other requirements, to the satisfaction of the Town.

Town of Milton - Fire Department

The Town's Fire Department staff has reviewed the applications and offers no objection to the approval of the proposed applications. Fire Department staff will require additional information regarding fire hydrants and fire department connection placements that to be reviewed as part of future applications for Site Plan approval.

Town of Milton - Community Services

The Town's Parks and Facility Planning staff has reviewed the applications and notes that cash-in-lieu (CIL) of land for park and/or other public recreational purposes is required at a rate of 2% of the land value, to be determined by way of a site-specific appraisal (for each block/phase) at the Owner's expense. The building phase includes all privately owned land within the limits of each future site plan application. The required CIL of parkland is payable prior to the issuance of the first above-grade building permit (for the first building to be constructed in each block/phase, inclusive of conditional or partial permits) and will be subject to the requirements in effect at that time.

Issues of Concern

Comprehensive Environmental Servicing Study

As required by the Town's Official Plan, the applicant completed a Comprehensive Environmental and Servicing Study (CESS) in support of the proposed applications. In the absence of an existing Subwatershed Impact Study, the purpose of the CESS is to assess the existing conditions and potential impacts of the proposed development with respect to the natural environment and ecological functions, hydrology, hydraulics, fluvial processes, erosion and hydrogeology. As a result of the CESS, the proposed Draft Plans for the East lands and the West lands have been updated to include block sizes of sufficient size to capture the extent of the natural heritage system, stormwater management pond and buffers as well as other servicing requirements. The zone limits on the proposed ZBAs were prepared based on the Draft Plans for the East lands and the West lands.

Halton Region, Conservation Halton and Town of Milton staff were involved in the review of the CESS. On February 22, 2024, the Town of Milton deemed the CESS as substantially complete. The CESS requirements will be implemented through Draft Plan Approval and detailed design.

Hydro One Corridor Crossings

In order to access the East lands, the proposed development includes two proposed crossings over the Hydro One corridor lands. These corridor crossings, in conjunction with a proposed road on the East lands, will form a new public right-of-way owned by the Town of Milton. Approval for these crossings is required from Hydro One Networks Inc. as well as Infrastructure Ontario.

Infrastructure Ontario, on behalf of the Ministry of Government and Consumer Services, is responsible for the execution of all secondary land use agreements on the Hydro One corridor lands, subject to the technical approval of Hydro One Networks Inc.. Hydro One Networks Inc. is responsible for reviewing the crossings from a technical perspective to ensure that any proposal will not negatively impact or interfere with transmission capacity, reliability or safety. Infrastructure Ontario has its own due diligences to complete when it comes to the sale application for the Hydro One corridor crossings and these include archaeological and environmental assessments, Duty to Consult and an Order in Council.

On February 3, 2023, Hydro One Networks Inc. issued a letter to the applicant indicating that the technical review is complete and provided a conditional approval for the Hydro One corridor crossings. The applicant has been working towards satisfying the conditions set out in the conditional approval letter and will continue to work with Infrastructure Ontario through their approval process.

Potential Noise Impacts

In support of the proposed development, the applicant completed a Noise Feasibility Study,

prepared by HGC Engineering, to examine the potential noise impacts resulting from the proposed industrial development on both the East and West lands. The Noise Feasibility Study used predictive noise modelling to assess potential impacts from mechanical equipment and trucking activities. The Noise Feasibility Study assessed equipment and trucking activities at the 'worst-case' busiest operating hour and found that sound levels may exceed acceptable levels of noise on surrounding lands.

In response to the above, the Noise Feasibility Study recommended three noise barriers on the East lands between the north side of the buildings and the proposed new channel and two noise barriers on either side of the proposed access at the southeast corner of the West lands. Noise barriers could include an earthen berm or a noise wall on top of an earthen berm.

The applicant's Noise Feasibility Study was peer reviewed by WSP. The peer review determined that the proposed noise controls will adequately address noise generated from the proposed development. The location and height of the recommended noise barriers are identified on the proposed Concept Plan for the East and West lands and will be reviewed by Town staff through detailed design.

Increased Building Height

The proposed ZBAs include a maximum building height of 35 metres where the parent M2 zone permits a maximum of 15 metres. The proposed applications are seeking an increase in building height for both the East and West lands to provide flexibility that responds to recent building trends for the industrial market which in turn attract a wider range of suitable tenants. In order to assess any potential impacts from an increased building height, the applicant completed a Shadow Study in accordance with the Town's Terms of Reference for a Sun Shadow Analysis. The purpose of the Sun Shadow Analysis is to assess the potential of a shadow cast by a proposed development on its surroundings. The analysis is to determine whether there are undue shadow impacts on the subject lands or surrounding lands including on building facades, private and public outdoor amenity and open spaces, public parkland, sidewalks and other components of the public realm.

The test dates for a Sun Shadow Analysis are April 21, June 21 and September 21. The following criteria, relevant to the proposed development, must demonstrate that:

- 60% of the opposing sidewalks receive direct sunlight for at least 3 consecutive hours (between 10 am and 3 pm); and,
- Private front yards, rear yards, windows and rooftop patios receive sunlight for at least two continuous hours (between 10 am and 3 pm).

Based on the Sun Shadow Analysis results, the above criteria have been satisfied. Staff are of the opinion that the proposed maximum building height of 35 metres is acceptable.

Ongoing Site Alteration



Discussion

At the PIC, concerns were raised over dust and dirt on Boston Church Road when site alteration began on the subject lands. To date, the Town has issued site alteration permits for a temporary sediment pond and grading works on the subject lands. The Town's Road Fouling By-law 115-2005 includes standards that apply to cleaning up dirt and debris, while the Town's Noise By-law 133-2012 set outs requirements with respect to acceptable noise and working hours. Both of these by-laws are applicable to the site alteration permits issued for the subject lands.

To date, the applicant has been responsive to Development Services staff in responding to the complaints received by the Town related to ongoing site alteration works. Town staff will continue to work with the applicant should the Town receive future complaints related to ongoing site alteration works.

Traffic Impacts and the Local Road Network

At the PIC, concerns were expressed regarding the impact of the proposed development on Boston Church Road, No. 5 Side Road and the surrounding local road network. The applicant submitted a Traffic Impact Study, prepared by TYLin, in support of the applications. In addition to the reviews completed by Town staff, an external peer review of the TIS was also undertaken by CIMA+.

Automobile traffic will be able to access the proposed development from James Snow Parkway, Boston Church Road and No. 5 Side Road. On the West lands, truck traffic will be restricted to the accesses along Boston Church Road. On Esquesing Line, the only access will be to the relocated Aitken-Snow heritage house.

As part of the proposed development, the applicant is proposing to reconstruct the existing rural section of Boston Church Road between James Snow Parkway and No. 5 Side Road to its ultimate right-of-way width on lands that they currently control and exclusive of lands owned by others. The reconstructed Boston Church Road would include boulevard treatments such as sidewalks, landscaping and utilities.

With respect to the West lands, the TIS indicated that the proposed development is projected to generate 241 vehicle trips (212 automobiles and 29 heavy vehicles) during the weekday AM peak hour and 270 vehicle trips (228 automobiles and 42 heavy vehicles) during the PM peak hour. Given the truck restrictions on No. 5 Side Road, the TIS did not assign any truck traffic to No. 5 Side Road and assumed that all heavy vehicles would access the site from James Snow Parkway and Boston Church Road. The proposed Concept Plan also identifies truck accesses to the West lands only from Boston Church Road.

With respect to the East lands, the TIS indicated that the proposed development is projected to generate 597 vehicle trips (526 automobiles and 71 heavy vehicles) during the weekday

Discussion

AM peak hour and 669 vehicle trips (565 automobiles and 104 heavy vehicles) during the PM peak hour.

The TIS also assessed all of the intersection movements at each study intersection on the subject lands. The TIS recommended signalized intersections at the new accesses to the East lands from James Snow Parkway as well as at Esquesing Line and No. 5 Side Road. No other intersection improvements and/or upgrades were recommended.

In addition to the above, the TIS recommended the following turn lanes:

- Signalized accesses onto James Snow Parkway: eastbound left-turn lane and westbound right-turn lane;
- West lands access 1 and No. 5 Side Road - westbound left-turn lane; and,
- Esquesing Line and No. 5 Side Road - westbound left-turn lane and southbound left-turn lane.

The Town's Transportation staff, in conjunction with the peer review, reviewed the Traffic Impact Study and are satisfied that the existing road structure, addition of signalized intersections and turning lanes as well as other road upgrades will effectively support new trips generated by the proposed development.

Potential Groundwater Impact

At the PIC, concerns were raised about the impacts to groundwater in the area and on private wells that are located on rural residential properties in the surrounding area. Prior to the submission of the development applications, the applicant initiated a Voluntary Water Well Monitoring Program, conducted by Palmer Environmental Consulting Group, to measure groundwater from existing wells within 250 metres of the development boundary.

The hydrogeological conditions of the subject lands is documented in the CESS and the hydrogeology investigations identified low permeability soil in the area. The CESS notes that findings from the hydrogeological conditions indicate that construction impacts are not anticipated from the proposed development due to minimal to no groundwater dewatering required for nearby infrastructure (e.g. the stormwater management pond) and the low permeability soil in the area.

Monitoring is expected to continue through the construction phase of the project. In the event that there are changes in the quality or quantity of water in any monitored wells, an investigation would be carried out and if attributed to the construction activity on the subject lands, the applicant would be responsible for rectifying the situation.

Drainage and Stormwater Management



Discussion

At the PIC, concerns were raised about the size of the stormwater management pond on the East lands (adjacent to Esquesing Line) and drainage onto Esquesing Line. The proposed development includes a stormwater management pond adjacent to Esquesing Line as well as a realigned watercourse that travels under Esquesing Line and across properties to the east.

The stormwater management system for the proposed development is required to maintain or decrease current discharge rates to the receiving watercourse from a range of storm events up to a Regulatory 100-year storm event. As part of the CESS, the applicant was required to provide specifications for the stormwater management pond and the realigned watercourse on the East lands to determine the outlet and channel configuration near the Esquesing Line culvert to address any adverse drainage concerns for areas downstream of the proposed development. Halton Region, Conservation Halton and the Town of Milton are satisfied that the CESS has demonstrated that there will be no adverse impacts to downstream properties from proposed development drainage. Engineering staff will review the stormwater management pond and realigned watercourse through detailed design.

Transit Service Levels

Following the PIC, Town staff also received concerns regarding the existing public transit service levels in the Milton 401 Industrial/Business Park Secondary Plan area. Milton Transit OnDemand currently serves the Milton 401 Industrial/Business Park Secondary Plan area. Milton Transit OnDemand is a flexible shared-ride service that provides transit without following a fixed route or schedule. The Town's Transit staff have indicated that the subject lands are currently outside of the Milton Transit service area and beyond coverage standards until such time that implementation targets are achieved. If targets are achieved, the Town may introduce and deliver transit services and facilities such as bus stops, illuminated advertising shelters, accessible boarding/alighting pads, benches and other associated amenities on any Town right-of-way.

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, Development Review

Attachments

Figure 1 - Location Map
Figure 2 - Concept Plan
Figure 3 - Draft Plan of Subdivision - East Lands
Figure 4 - Draft Plan of Subdivision - West Lands
Appendix 1 - Draft Official Plan Amendment and By-law
Appendix 2 - Draft Zoning By-law (Rural By-law) - East Lands
Appendix 3 - Draft Zoning By-law (Urban By-law) - East Lands
Appendix 4 - Draft Zoning By-law - West Lands

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.