



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: May 13, 2024

Report No: DS-032-24

Subject: Technical Report: Local Official Plan Amendment and Zoning By-law Amendment Applications by TAKOL CMCC Derry Limited Partnership applicable to lands located at 11801 Derry Road. (Town File: LOPA-02/24 & Z-03/24)

Recommendation: THAT Staff Report DS-032-24 outlining applications for amendments to the Town of Milton Official Plan and Zoning By-law 016-2014, as amended, to facilitate the construction of four industrial buildings, BE APPROVED;

AND THAT staff be authorized to bring forward Official Plan Amendment No. 82 in accordance with the draft Official Plan Amendment attached as Appendix 1 to Report DS-032-24 for Council adoption;

AND THAT staff be authorized to bring forward an amending Zoning By-law in accordance with the draft By-law attached as Appendix 2 to Report DS-032-24 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 the report and Decision to the Region of Halton for information.

EXECUTIVE SUMMARY

The purpose of the proposed applications is to facilitate the development of four (4) multi-unit buildings totalling approximately +/- 39,772 square metres of general and light industrial area, 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

EXECUTIVE SUMMARY

building envelopes, along with allowing surface parking spaces within the Street Oriented Area overlay, located between the proposed building and Derry Road, and to add permitted uses to the designations. The Zoning By-law Amendment seeks to re-zone the lands to establish permitted uses and further, zone standards specific to the proposed development.

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

Conclusions and Recommendations

Staff recommends that the Official Plan Amendment and Zoning By-law Amendment 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 Derry Green Corporate Business Park Secondary Plan;
2. The proposal makes efficient use of land and infrastructure and will facilitate employment growth within the Derry Green Corporate 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,
3. The proposal meets all of the technical requirements of the affected Civic Departments and all other agencies.

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 Line; the property has frontage on Derry Road and Sixth Line. The subject lands comprise an area of approximately 7.61 hectares (18.81 acres) and are currently vacant, being used for agricultural purposes.

Background

Vacant agricultural lands immediately to the north and west of the subject lands are intended for future Industrial and Business Park development. To the south of the subject lands, across Derry Road, is vacant land approved for future Business Park development. To the east of the subject lands is low density residential uses, along with natural heritage features and a watercourse.

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

Proposal:

The application proposes an industrial development comprised of four (4) multi-unit buildings (3D Renderings have been provided as Figure 2 to this report) with a proposed +/- 39,772 square metres (approximately 428,102.00 square feet) of employment uses, along with 495 parking spaces at grade for motor vehicles and heavy trucks. There are 61 units proposed and range in size from 160 square metres (approximately 1,700 square feet) to 1,086 square metres (11,700 square feet). The units are anticipated to be under condominium tenure, subject to a future Planning Act application. Two full movement accesses are proposed at Sixth Line, with the northerly access intended for heavy trucks, and a right-in/right-out access at Derry Road.

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

The Official Plan Amendment (OPA) 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 siting and building envelopes: Buildings A and B are contemplated as Business Park Area, while Buildings C and D are contemplated as Industrial Area. Further, the OPA seeks to permit surface parking between Building B and Derry Road within the Street Oriented Business Park designation, 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. Finally, the OPA introduces a Banquet Facility use, within the Industrial Area designation, and Motor Vehicle Dealership use, within the Business Park Area designation, on the subject lands.

The proposed OPA is included as Appendix 1 to this report.

The Zoning By-law Amendment (ZBA) application to the Town's Urban Zoning By-law 016-2014, as amended, proposes to re-zone the lands from the current Future Development Zone (FD) to four site specific zones: Business Park Zone (M1*347*82), Business Park Zone (M1*348*82), General Industrial Zone (M2*349*82), and General Industrial Zone (M2*350*82). Each site specific zone establishes a range of permitted uses, in conformity with the Derry Green Corporate Business Park Secondary Plan designations, 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. A Holding Provision (H82) is proposed for the entirety of the subject lands to ensure that select technical studies and reports are updated at time of detailed design, including an assessment of Sixth Line to accommodate heavy truck traffic, a site plan and landscaping plan is provided

Background

to ensure adequate screening is proposed along Derry Road, in order to implement the principles set out in the Derry Green Corporate Business Park Secondary Plan, and to update the Environmental Site Assessment (ESA) requirements per the Region of Halton.

The proposed ZBA is included as Appendix 2 to this report.

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
- 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
- Traffic Impact Study - Parking Addendum, prepared by TYLin, dated April 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

Provincial Policy Statement (2020)

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

Discussion

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 development is consistent with the above-noted policies as the subject lands are 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.

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.

Discussion

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 will be adequately serviced by planned upgrades to Halton Region's municipal water and wastewater infrastructure. The lands are identified within the Provincially Significant Employment Zone (PSEZ) mapping prepared by the Province. 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 the basis of the above, Staff is 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.*

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 located within a settlement area that will be serviced with municipal water and wastewater systems and will provide for employment opportunities that



Discussion

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. The subject lands are within a PSEZ and as a result, are identified within Region of Halton and the Town of Milton Official Plans as an employment areas. The proposed OPA and ZBA are consistent with the intent of the PSEZ mapping whereby the development will contribute to job creation and local economic development.

On the basis of the above, Staff is of the opinion that the development applications submitted for the subject lands conform to the policies of the Growth Plan.

Region of Halton Official Plan

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

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

Regional Planning Staff has reviewed the applications and offered no objection to the approval of these application subject to an updated Environmental Site Assessment being provided in accordance with revised provincial standards. This is considered to be a minor outstanding matter and has been incorporated into the proposed ZBA by way of Holding Provision (H82). All other concerns that the Region originally had have been addressed to their satisfaction.

Town of Milton Official Plan

The southern portion of the subject lands, adjacent to Derry Road, are designated Business Park Area and the northern portion designated as Industrial Area on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan. The Industrial Area and Business Park 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

Discussion

employment opportunities within the Town of Milton by permitting a range of business and economic activities.

Given the proposed small-bay multi-unit buildings being proposed, the development achieves the direction of Section 3.7 by providing for a range of employment uses of various size and scale. Further to, the proposed development will fulfill a demand within the local market for small-scale employment units, specifically as lands within the Town's Major Transit Station Area (MTSA), which currently accommodate small-scale employment uses, is being re-developed to high-density, multi-use development.

Through the OPA, the Business Park Area and Industrial Area designation mapping on Schedule C.9.B is proposed to be adjusted to accommodate the development's building envelopes. Buildings A and B are contemplated as Business Park Area, while Buildings C and D are contemplated as Industrial Area. Staff is of the opinion that the amended mapping proposed through the OPA is in keeping with the intent of the Official Plan and provides for orderly development.

Business Park Area

Section 3.8 of the Town's Official Plan speaks to the Business Park Area designation. Section 3.8.2 sets out permitted uses within the designation, which include a range light industrial and office uses. The designation also permits accessory service, wholesale, retail, and restaurants. Uses specifically prohibited within the Business Park Area designation include truck terminals, fuel depots, cement batching and asphalt plants, and waste management and composting facilities.

Through Special Policy Area No. 50, a Motor Vehicle Dealership use is proposed as an explicit land use on the subject lands within the Business Park Area designation. Staff is satisfied that the proposed use will maintain the policies, including permitted uses, of the Official Plan as it represents a hybrid between retail and office uses, both of which are permitted through the Business Park Area designation.

Section 3.8.3 of the Town's Official Plan includes policies with respect to development criteria for the Business Park Area designation:

3.8.3.1 Development within areas designated "Business Park 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 Business Park Area designation;*
- c) no outdoor storage is being allowed.*

Discussion

- d) a high quality of landscaped site development particularly adjacent to Provincial Freeways, Highways, Major Arterial, Minor Arterial, or Multi-Purpose Arterial roads.*
- e) the proposed development complies with the Community-wide policies of Section 2.0 of this Plan; and,*
- f) applicants can demonstrate that there is adequate wastewater and water treatment capacity to accommodate the proposed use.*

The development proposal is consistent with the above noted policies as a development concept plan has been provided to illustrate the proposed site layout and how the subject property will be physically integrated with adjacent lands within the Derry Green Corporate Business Park Secondary Plan. The applicant is proposing a high quality of landscaping treatment along Derry Road and Sixth Line, in addition to enhanced architectural features and building façade treatments to ensure an appropriate interface with future development to the north-west. Staff have included a Holding Provision (H82) with respect to the lands adjacent to Derry Road that shall not be removed until such time as a detailed conceptual site plan and landscape plan is prepared to the satisfaction of the Town. Through the implementing Zoning By-law, as proposed, outdoor storage is prohibited.

The site is proposed to be serviced by water from an existing 400 mm watermain on Derry Road that will extend east to the subject lands, along with a wastewater servicing connection, which is currently being designed and will be extended along the full frontage of the subject lands along Derry Road. The applicant has provided a Functional Servicing Report that has been reviewed by the Town and the Region of Halton. While minor technical revisions are being requested, the Region of Halton is satisfied that there is adequate water and wastewater treatment capacity to accommodate the proposed development.

Industrial Area

Section 3.9 of the Town's Official Plan speaks to the Industrial Area designation. Section 3.9.3 sets out permitted uses within the designation, which includes a range of light and general industrial uses. The designation also permits accessory service, wholesale, retail and office uses directly related to the industrial use. The policies provide for an implementing zoning by-law amendment to restrict outdoor storage.

Through Special Policy Area No. 50, a Banquet Facility use is proposed on the subject lands within the Industrial Area designation, specifically within Building C which is situated directly adjacent to Sixth Line. It is Staff's opinion that the introduction of the proposed use maintains the intent of the Industrial Area policies whereby the use will serve as a source of employment opportunity and fulfill a demand locally within the Town. Further to, through the implementing ZBA, the applicant only seeks to permit this use within Building C to minimize land-use compatibility conflicts. Given the building fronts on Sixth Line directly adjacent to the proposed full-movement access, patrons accessing a potential Banquet Facility use in Building C would be able to park and enter the building with safe access away from the northerly truck route, which is located north of Building C. Further, the majority of heavy truck traffic is anticipated within the interior of the site, specifically between Buildings C and D,

Discussion

where it is shielded to minimize disruption to other less-intensive uses on the site. Staff is satisfied in this regard and through the future Site Plan Application will ensure safe site circulation through review of vehicular movements and signage with the intention of minimizing any pedestrian-vehicle conflict.

Section 3.9.2 of the Town's Official Plan includes policies with respect to development criteria for the Industrial Area designation:

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.*

Similar to the policy analysis set out with respect to Section 3.8.3, Staff is satisfied that the proposed development achieves the above noted criteria. The development proposal concept illustrates a comprehensive site design that demonstrates integration with adjacent lands through appropriate setbacks and thoughtful design elements. As such, the proposal conforms to the Secondary Plan as discussed above. Through future infrastructure upgrades, the subject lands will meet the provision of adequate municipal water and wastewater services.

Derry Green Corporate Business Park Secondary Plan

The subject lands are further designated as Business Park Area and Industrial on Schedule C.9.B - Derry Green Corporate Business Park Land Use Plan within the Derry Green Corporate Business Park Secondary Plan. The lands designated as Business Park Area are subject to the Street-Oriented and Gateway overlays.

Per Section C.9.2.1.1, the Secondary Plan area should accommodate 45 employees per net hectare. The proposed development is anticipated to accommodate +/- 77 jobs per net hectare which will create a significant employment contribution to the local economy and achieve conformity with the Secondary Plan.

Through the OPA, the Business Park Area and Industrial Area designations are proposed to be adjusted to accommodate the development's anticipated building envelopes as illustrated in the OPA included as Appendix 1 to this report. Buildings A and B are contemplated as Business Park Area, while Buildings C and D are contemplated as Industrial Area. Staff is of the opinion that the amended mapping proposed through the OPA is in keeping with the

Discussion

intent of the Official Plan and provides for orderly development. No mapping changes are proposed to the overlays.

Section C.9.4.6.7 - Enhanced Streetscape Design identifies Derry Road as a major access route and gateway within the Secondary Plan. Accordingly, the policy requires buildings be designed to front on Derry Road, parking and loading facilities are to be screened, safe pedestrian and vehicular access is to be provided, and appropriate landscaping and Low Impact Development (LID) practices are to be included within the streetscape design.

This policy direction above has been accommodated in the proposed development and captured in the implementing provisions of the ZBA. Staff has proposed a Holding Provision (H82) that shall not be lifted until such time that the applicant provides a detailed site plan and landscaping plan, to the satisfaction of Town Staff, that achieves the streetscape design envisioned through the Secondary Plan and identifies the LID elements proposed along the street frontages.

Business Park Area

Within the Business Park Area designation, the policies permit uses in accordance with policies of Section 3.8 of the Official Plan, such as light industrial and warehouse uses. Section C.9.5.1.1 includes uses that shall be prohibited unless otherwise permitted through the applicable overlay and further, allows an implementing zoning by-law amendment to limit outdoor storage unless adequate buffering can be achieved.

Gateway Area Overlay - Building A

Building A is designated as Business Park Area with a Gateway overlay. Through Section C.9.5.1.2, the only permitted uses within the overlay area shall be offices, light industrial uses which include a significant office component, restaurants and service commercial uses, commercial recreation facilities, banquet facilities, and theatre and entertainment uses.

The draft ZBA attached as Appendix 2 to this report maintains the direction of the Gateway Area overlay by only permitting uses in accordance with Section C.9.5.1.2. Further, outdoor storage and outdoor displays are prohibited in order to achieve the high-level of urban design required for the gateway area. To ensure that a significant office component is included in Building A, a site specific provision is incorporated into the Zoning By-law that requires that for an Industrial Use, Warehouse / Distribution Centre and Wholesale Operation, a minimum of ten percent (10%) shall be dedicated to the office component for such use.

Section C.9.5.1.6 further sets out the vision for the overlay designation with respect to urban design, including the provision of high-profile buildings with strong architectural elements, buildings having a minimum of two storeys in height, and a campus-like site design and massing.

The proposed development achieves the direction of the Gateway Area overlay as Building A has strong architectural features such as a clock tower at the corner of Derry

Discussion

Road and Sixth Line which anchors the site and creates a strong street presence at the strategic gateway location within the Town. Further, Building A is proposed to be two storeys with a maximum height of 20 metres and contributes to creating a compact campus-like site with clear vehicle and pedestrian access throughout the development.

Street-Oriented Area Overlay

Building B is designated as Business Park Area with a Street-Oriented Area overlay. Through Section C.9.5.1.2 - Overlay Designations, the only permitted uses within the overlay area shall be offices, light industrial uses which include a significant office component, restaurants and service commercial uses, and commercial recreation uses.

The draft ZBA attached as Appendix 2 to this report maintains the direction of the Gateway Area overlay by only permitting uses in accordance with Section C.9.5.1.2. To ensure that a significant office component is included in Building B, a site specific provision is incorporated into the Zoning By-law that requires that for an Industrial Use, Warehouse / Distribution Centre and Wholesale Operation, a minimum of ten percent (10%) shall be dedicated to the office component for such use.

Section C.9.5.1.5 - Street Oriented Area further establishes the vision for the area, including oriented sites and buildings that present a continuous frontage of buildings along Derry Road. No parking shall be located between the building and Derry Road and surface parking shall be located to the side or rear of the building and no closer to Derry Road than the front of the building. Furthermore, the buildings shall be pedestrian oriented and have a minimum building heights of 6 metres.

Building B is street-oriented, including the provision of pedestrian access and movement along the interface at Derry Road and has a proposed height of 9.3 metres which includes a mezzanine. To accommodate the proposed site configuration and parking requirements, Special Policy Area 50 proposes limited parking between Building B and Derry Road. The height and façade of the proposed building will be in keeping with the urban design principles of the Official Plan by creating a significant building presence. The built form, in tandem with enhanced landscaping and berming, will result in a strong and attractive street edge on Derry Road. Staff is satisfied that the development is in keeping with the intent of the Official Plan.

Industrial Area

The Industrial Area designation permits a full range of light and general industrial uses in accordance with policies of Section 3.9.2.1 of the Official Plan. Notwithstanding this policy, specific more intensive industrial uses (i.e. fuel depots, concrete and asphalt batching plants, waste management facilities etc.) may be restricted in sites adjacent to the Sixth Line and lands adjacent to the Natural Heritage System. As such, within the draft ZBA attached to this report as Appendix 2, a number of more intensive industrial uses have been removed as permitted uses within this development. Further, outdoor storage and display has been prohibited.

Discussion

Zoning By-law 016-2014, as amended

The subject lands are currently zoned Future Development (FD) Zone within the Town's Urban Zoning By-law 016-2014, as amended. The lands are proposed to be zoned site specific Business Park with a Holding (M1*347*H82) Zone, site specific Business Park with a Holding (M1*348*H82) Zone, site specific General Industrial with a Holding (M2*349*H82) Zone, and site specific General Industrial with a Holding (M2*350*H82) Zone. The site-specific zoning has been updated to ensure conformity with the Derry Green Corporate Business Park Secondary Plan as noted above, as well as apply site specific provisions required to facilitate the development. The additional site specific provisions relate to the following:

1. Amended definitions relating to Motor Vehicle Dealership, Motor Vehicle Rental Agency, and Tradesperson's Shop to ensure conformity with the Official Plan and functionality of the site;
2. Maximum gross floor area associated with Banquet Facility and Restaurant uses to ensure adequate parking supply;
3. Minimum office component associated with Industrial, Warehouse/Distribution Centre or Wholesale Operations to achieve the provision of a 'significant office component';
4. Maximum retail component associated with Industrial, Tradesperson's Shop, Warehouse/Distribution Centre, or Wholesale Operations to limit retail in accordance with the Official Plan;
5. Prohibition of various uses, such as drive-through facilities, outdoor storage and outdoor retail display to ensure a high-order of urban design and site functionality;
6. A site-specific parking rate for each zone to ensure adequate parking supply with respect to the proposed uses and overall demand of the site, including the minimum number of accessible parking spaces in accordance with the *Accessibility for Ontarians with Disabilities Act (AODA)*;
7. Maximum height of buildings and light standards from grade;
8. Establish Derry Road the as the front lot line;
9. Setbacks from lot lines, including the consideration of future land dedication for road-widenings; and,
10. Provisions related to minimum required landscaping and associated buffers.

Development Engineering, Development Review, and the Region of Halton have also requested a Holding Provision (H82) be applied to the lands to ensure that the applicable studies/reports shall be updated at detailed design, a structural analysis of Sixth Line is undertaken, the appropriate landscaping and buffering is accommodated along Derry Road, and that the Environmental Site Assessment is updated. All departments and agencies are satisfied in regard and offer no objection to the approval of the Zoning By-law Amendment as proposed.

Discussion

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

Notice for the public meeting was provided pursuant to the requirements of the Planning Act and the Town of Milton 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.

The statutory public meeting was held on March 25, 2024. No members of the public made oral submissions and no member of the public signed the public register. To date, staff have received written public comments (attached as Appendix 3 to this report) with respect to the applications. Public concerns include:

- Traffic impacts including truck traffic on Sixth Line and future upgrades;
- Parking;
- Building heights, including privacy and sightlines to adjacent residential properties; and,
- Proposed permitted uses.

Agency Circulation

The Official Plan Amendment and Zoning By-law Amendment and all supportive documents were circulated to both internal and external commenting agencies and their comments are summarized below. The majority of agencies had no significant concerns with the applications. Subject to the proposed Holding Provision (H82), the department and external commenting agencies offered no objection to the Town issuing approval for the OPA and ZBA.

Development Engineering

Development Engineering Staff is satisfied with the proposed OPA and ZBA in principle and offer no objection, subject to the inclusion of the proposed Holding Provision (H82). An analysis of Sixth Line is required to address the northerly access contemplated as the primary access for heavy truck traffic; any future upgrades or road improvements to support this access must be undertaken by the applicant to facilitate the development.

The following reports must be updated to address minor comments and modifications: Hydrogeological Report, Functional Servicing Report, Stormwater Management Report, and

Discussion

Noise Report. Coordination among all reports and drawings is required and must be consistent with the final approved Subwatershed Impact Study (SIS) Addendum 5A.

Transportation

Transportation Staff is satisfied with the Transportation Impact Assessment (TIS) and Parking Addendum submitted in support of the applications. The demand associated with the various uses proposed through the ZBA have been analyzed in support of the site-specific parking rates - Transportation Staff offered no objection in this regard.

In conjunction with Development Engineering, Transportation Staff have requested that through the proposed Holding Provision (H82) that an updated TIS be provided to demonstrate that Sixth Line has the structural integrity to accommodate the proposed heavy truck traffic accessing the site and/or any upgrades required to do.

Infrastructure

Sixth Line is identified as Collector Road and land dedication is required; any lands within 30 metres of the centreline on Sixth Line shall be dedicated to the Town of Milton for future road widening and/or improvements.

Milton Fire

Milton Fire offered no objection to the approval of the proposed OPA and ZBA; information such as fire hydrant locations is required at time of detailed design.

Conservation Halton

Conservation Halton Staff is satisfied with the proposed development and offered no objection, subject to the approval of the Subwatershed Impact Study (SIS) Addendum 5A being approved prior to Site Plan Approval and the relevant Conservation Halton permits being obtained prior to commencing any development, including floodplain alterations.

Region of Halton

Regional Staff is of the opinion that the proposed OPA and ZBA are consistent with the PPS, and conforms to the Growth Plan and ROP. The recommendations set out through the Subwatershed Impact Study (SIS) Addendum 5A shall be implemented at time of detailed design. An update to the Environmental Site Assessment provide is required in accordance with CSA standards. Staff is satisfied that this can be addressed through the proposed Holding Provision (H82).

Staff acknowledge the future infrastructure upgrades, including water and wastewater services, are to be extended east along the frontage of Derry Road; in part, the proposed Functional Servicing Report shall ensure that there is no adverse impact on Derry Road or existing downstream storm water facilities. The applicant is advised that a Regional Servicing Agreement must be entered into prior to Site Plan Approval.

Finally, Regional Staff is satisfied with the Transportation Impact Study (TIS) submitted and the proposed right-in/right-out access to Derry Road; at time of detailed design, the applicant

Discussion

is required to address access geometrics, physical restrictions and traffic control. Land dedication is required; any lands within 23.5 metres of the centreline right-of-way of Derry Road and a daylight triangle measuring 15 metres along Derry Road and Sixth Line shall be dedicated to the Region of Halton for future road widening and improvements.

Summary of Issues

Traffic Impacts on Road Network

A resident expressed concerns regarding traffic impacts from the proposed development to the existing residential neighbourhood properties to the east and overall impact on Sixth Line and Derry Road. Two full moves accesses are proposed at Sixth Line with a right-in/right-out access at Derry Road; heavy truck access to the site will be directed to the northerly full moves access on Sixth Line.

The applicant has provided a Transportation Impact Study (TIS) that analyzes the proposed trip generation to and from the subject lands which confirmed that upon build out, the road network and intersections have sufficient capacity with minimal impacts anticipated. Town and Regional Transportation Staff are satisfied with the TIS and its subsequent findings.

Sixth Line is identified as a Collector Road within the Town's Transportation Master Plan. Through this classification, a 30 meter right-of-way is proposed and land dedication will be required to support future road widenings and/or improvements. In part, Sixth Line is contemplated in the future to accommodate heavy truck traffic, whereas it currently prohibits truck traffic in absence of the appropriate analysis and upgrades. The applicant will be undertaking work to determine the viability of Sixth Line to accommodate the proposed truck access to the site in its current state and if upgrades are required, the work will be privately initiated by the applicant. Concurrently, a Municipal Class Environmental Assessment (MCEA) with respect to Sixth Line is being initiated by the Town in 2024 and as such, there is no ultimate alignment or detailed design identified at this time. In absence of the completion of the MCEA, any upgrades to Sixth Line that are required to facilitate the proposed development is the responsibility of the benefiting landowner.

Parking

A resident expressed concerns with respect to the proposed development and parking supply. The development proposes 495 parking spaces, with a minimum requirement of 12 accessible parking spaces per AODA. Through technical review, Transportation Staff reviewed the proposal to ensure the development has an adequate parking supply and is self-sufficient in this regard. Specifically, the development should function independently without reliance on other lands and/or facilities, including off-site and on-street parking.

The applicant provided a Transportation Impact Study and Parking Justification Addendum to specifically address the proposed parking supply and site-specific parking rates

Discussion

established in the respective zones. The Parking Justification Addendum analyzed the permitted uses being proposed in context of parking rates set-out in the current Zoning By-law 016-2014, as amended, and the anticipated demand. As a result, select uses will have a maximum gross floor area permission - specifically, banquet facility and restaurant uses - to ensure that adequate parking supply is provided to meet the needs of both uses with higher parking demand and others on the site. The implementing ZBA has been proposed with such provisions.

Town Transportation Staff are satisfied with the analysis and findings of the Parking Justification Addendum and the provisions proposed within the ZBA.

Urban Design

A resident expressed concerns with the proposed height and design of the development, particularly adjacent to the residential properties on the east side of Sixth Line.

The Derry Green Secondary Plan is prescriptive with respect to urban design policies that must be demonstrated through a development concept. Policies such as a minimum building height, architectural features, and landscaping are to be included.

The applicant provided an Urban Design Brief that addressed the policy direction of the Official Plan and Derry Green Urban Design Guidelines. Urban Design Staff reviewed the Urban Design Brief, including site design and elevations, and are satisfied. The development achieves the principles of the Official Plan by providing a campus-like development that establishes a high-level of urban design through elements such as architectural features (for example, the clock tower anchoring Building A), appropriate landscaping and berming, and setbacks. Through the implementing ZBA, the proposed Holding Provision (H82) includes opportunity for Staff to review the detailed site plan and landscaping plan to ensure the urban design policies are upheld through detailed design.

Staff notes that the proposed building heights are unlikely to have any impact on the existing residential uses on the east side of Sixth Line. The ultimate right-of-way set out in the current Transportation Master Plan for Sixth Line is planned to be 30 metres, in addition to the minimum 4.4 metre exterior side yard setback for Building A. Building C is situated along Sixth Line as well and includes a setback of 23.2 metres from the lot line, in addition to the ultimate right-of-way. Therefore, the proposed buildings are generously setback from adjacent residential properties.

Staff are satisfied that the location and setbacks of the proposed buildings will not impact existing uses on the east side of Sixth Line.



Discussion

Permitted Uses

A resident expressed concerns with the range of permitted uses proposed on the subject lands, including restaurants and service commercial uses.

By virtue of the Business Park Area and Industrial Area designations applied to the site, a range of permitted uses can be established. Uses, such as restaurants, service commercial, and office, are further specified through the Gateway Area and Street-Oriented Area overlays set out in the approved Derry Green Corporate Business Park Secondary Plan.

Planning Staff have reviewed the permitted uses and is satisfied that the zones conform to and implement the direction of the Secondary Plan. Provisions have been included in the ZBA to ensure the size and scale of the various uses are appropriate and that restrictions, such as prohibition of outdoor storage, are also included to ensure compatibility between the Industrial Area and Business Park Area.

Conclusion

Staff is satisfied that Official Plan Amendment No. 82, including Special Policy Area No. 50, attached as Appendix 1, along with the site specific Business Park with a Holding (M1*347*H82) Zone, site specific Business Park with a Holding (M1*348*H82) Zone, site specific General Industrial with a Holding (M2*349*H82) Zone, and site specific General Industrial with a Holding (M2*350*H82) Zone provisions attached as Appendix 2, will conform to Provincial, Regional and Town planning policies and Conservation Halton regulations. Further, the applications achieve acceptable engineering, design and technical standards. Therefore, Staff recommends approval of the Official Plan Amendment and Zoning By-law Amendment as presented through this report.

Financial Impact

There are no financial impacts arising from this report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact: Rachel Suffern, MPA, M.Sc.
MCIP, RPP

Phone: Ext. 2263



Attachments

Figure 1 - Location Map

Figure 2 – 3D Renderings

Figure 3 – Concept Plan

Appendix 1 – Proposed Official Plan Amendment No. 82 By-law and Text

Appendix 2 – Proposed Zoning By-law Amendment

Appendix 3 – Public Comments

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.