



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: June 24, 2024

Report No: DS-050-24

Subject: Technical Report: Zoning By-law Amendment Application by CJJ Holdings Limited, applicable to lands known as Part Lot 5, Concession 2 (Esquesing). (Town File: Z-10/23)

Recommendation: THAT Zoning Application Z-10/23- for an amendment to the Town of Milton Comprehensive Zoning By-law 016-2014, as amended, to change the current Future Development (FD) Zone to a site specific Business Park (M1*354) Zone, to facilitate the future development of the lands for employment uses, BE APPROVED;

AND THAT staff be authorized to bring forward an amending Zoning By-law for Council adoption.

EXECUTIVE SUMMARY

The applicant is seeking an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to rezone the subject lands from the current Future Development (FD) zone to a site specific Business Park (M1*354) Zone to facilitate the future development of the lands for employment uses.

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

Conclusions and Recommendations

Staff recommends that the application for an amendment to Zoning By-law 016-2014, as amended, **BE APPROVED** for the following reasons:

1. The proposal conforms to Provincial, Regional and Town planning policy;

EXECUTIVE SUMMARY

2. The proposal meets all of the technical requirements of the affected Civic Departments and all other agencies;
3. The proposed land use is compatible with adjacent land uses and is an appropriate use of the subject land;
4. The proposal makes efficient use of land and planned services and infrastructure;
5. The proposal provides for the development of designated employment lands to meet and serve the needs of Milton's growing population; and
6. Any required building and site design, landscaping and buffering requirements can be enforced through the site plan review process and the associated agreement and performance guarantee (securities).

REPORT

Background

Owners: CJJ Holding Limited, 620 Wilson Avenue, Suite 300, Toronto, Ontario

Applicant/Agent: Clare Riepma, Riepma Consultants Inc., 220 Kempenfelt Drive, Barrie, Ontario

Location/Description: The subject lands are located between No 5 Side Road and James Snow Parkway and are located within the Milton 401 Industrial/Business Park Secondary Plan. Surrounding land uses include employment uses to the south and existing residential uses to the north. A Location Map is included as Figure 1 to this report.

Proposal:

The applicant is seeking an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to rezone the subject lands from the current Future Development (FD) zone to a site specific Business Park (M1*354) zone to accommodate the development of the lands for future employment uses.

Figure 2 and 3 illustrate the site plan and rendering of the proposed development. The development consists of two multi-tenant buildings, totalling 18 units, with associated surface parking. Access is provided via a right-in/right-out on James Snow Parkway and a proposed full moves access onto No. 5 Side Road. It is noted that in May 2023, Town Council passed

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By-law 032-23 prohibiting Heavy Traffic along No. 5 Side Road. As such, all truck traffic will be required to use the James Snow Parkway access.

- Planning Justification Report, dated July 2023, prepared by Riepma Consultants Inc.
- Phase 1 Environmental Site Assessment - 7080 No 5 Sideroad, dated July 16, 2021, prepared by Terraprobe Inc.
- Phase 1 Environmental Site Assessment - 7188 No 5 Sideroad, dated July 16, 2021, prepared by Terraprobe Inc.
- Functional Servicing and Stormwater Management Report, dated November 25, 2022, prepared by MGM Consulting Inc.
- Arborist Report, dated November 2022, prepared by Beacon Environmental Limited.
- Scoped Environmental Impact Study, dated December 2022, prepared by Beacon Environmental Limited
- Geotechnical Investigation, dated October 2022, prepared by Soil Engineers Ltd.
- Hydrogeological Assessment, dated January 2022, prepared by Soil Engineers Ltd.
- Urban Design Brief, dated April 2023, prepared by Riepma Consultants Inc.
- Traffic Impact Study, dated September 14, 2023, prepared by GHD Limited.
- Noise Feasibility Study, dated February 3, 2023, prepared by HGC Engineering Ltd.
- Stage 1-2 Archaeological Assessment, dated February 2006, prepared by Archaeological Assessments Ltd.

Planning Policy

The subject lands are located within the Milton 401 Industrial/Business Park Secondary Plan and are designated Business Park Area, as shown on Schedule C.2.B - Milton 401 Industrial/Business Park Secondary Plan Land Use Plan. The Business Park Area designation is an employment designation which applies to areas where the full range of light industrial and office uses will be permitted.

Section 3.8.3.1 states that development within areas designated Business Park Area shall be permitted subject to the following:

- a) The provisions of the applicable Secondary Plan as outlined in the 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 of the Business Park designation;
- c) No outdoor storage being allowed;

Background

- 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.

It is the opinion of Planning staff that the proposal will satisfy the above noted criteria. The applicant submitted a conceptual site plan demonstrating that the proposed multi-unit buildings can be adequately integrated with the surrounding land uses. The building is set back (approximately 12 metres) from No. 5 Side Road with proposed landscaping and berming providing additional screening from the existing residents. Staff will continue working with the applicant through the detailed design Site Plan process to ensure that adequate landscape treatment is provided on-site. No outdoor storage is proposed nor permitted in the implementing Zoning for the lands. With respect to servicing, the Region has confirmed that the development can be adequately serviced via municipal water and wastewater services.

In conclusion, staff reviewed the application in relation to the policies of the Provincial Policy Statement, the Growth Plan, the Halton Region Official Plan, the Town of Milton Official Plan and the Milton 401 Industrial/Business Park Secondary Plan. Town staff and our agency partners are satisfied that the application for the zoning by-law amendment as presented through this report, conform to the applicable Provincial, Regional and Town land use planning policies and regulations.

Zoning By-law 016-2014, as amended

The subject lands are currently zoned Future Development (FD) zone under the Town's Zoning By-law. As the Future Development zone does not permit any development, a zoning bylaw amendment is required to facilitate the proposed development. The applicant is proposing to place the lands in a site specific Business Park (M1) zone, following the direction of the Town's Official Plan. The only site specific provision the applicant is proposing is to deem James Snow Parkway as the front lot line, as the lands have frontage along both James Snow Parkway and No 5 Side Road.

A draft zoning by-law is attached as Appendix 1.

Background

Site Plan Control

Should the application be approved, the applicant will require site plan approval prior to the issuance of a building permit and commencement of any development. The applicant will 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.

Discussion

Public Consultation and Review Process

Notice for the public meeting was provided pursuant to the requirements of the Planning Act on November 21, 2023 and the statutory public meeting was held December 18, 2023. No member of the public spoke at the Public Meeting but staff has received written correspondence that will be addressed under the Summary of Issues section of this report.

Agency Consultation

The concept plan, zoning by-law amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region and Town Departments offered no objection to the application. Agencies will continue to work with the applicants through the detailed site plan approval process. At the Public Meeting, a question was posed as to whether the land was regulated by Conservation Halton (CH). Through the pre-consultation process, Conservation Halton had indicated that following a review of the property in 2022, CH had determined that the property is no longer regulated by CH due to the realigned channel and they had no comments on the proposal.

Summary of Issues

Compatibility

The main concern received by staff was the compatibility of the proposed Business Park use with the existing residential uses on the north side of No. 5 Side Road. The subject lands were approved for Business Park uses as part of the Milton 401 Industrial/Business Park Secondary Plan in 2000 by Town Council. The Business Park designation permits light industrial and office uses and acts as a buffer between sensitive land use and the general industrial/heavy industrial uses located within the interior of the Secondary Plan. The subject lands represent one of the last vacant parcels designated for employment uses in the

Discussion

Secondary Plan. The current Zoning By-law Amendment application is to implement the direction of the Official Plan/Secondary Plan and place the lands in the corresponding Business Park (M1) lands. Through the submission of the supporting documents such as Traffic Impact, Noise Impact, Functional Servicing and Stormwater Management, Hydrogeological Report, Landscape Plans and Urban Design Brief, the applicants have demonstrated that proposed development will be compatible with the surrounding land uses and there will be minimal adverse impacts.

Drainage of the Lands

A resident expressed concern with the impact of the development of the lands on drainage for the area. The Town's Development Engineering Department responded that the subject site does not convey drainage from surrounding lands and that the drainage to the north is collected in the roadside ditches. The drainage conveyed through the low channel on the lands is from the subject lands itself. The development will not contribute to any hard surfaced drainage to the road side ditch and any runoff will be captured and controlled to James Snow Parkway where it will travel to the Stormwater Management Pond located on Chudleigh Way via storm sewer.

Traffic Impacts

A number of existing residents on the north side of No. 5 Side Road expressed concern regarding the potential traffic impacts of the development, notably increased vehicular and heavy truck traffic on No. 5 Side Road. In support of their application, the applicants submitted a Traffic Impact Study, prepared by GHD Limited, which concluded that *"The subject site is expected to generate a total of 40 new two-way trips consisting of 31 inbound and 9 outbound during weekday a.m. peak hour and a total of 26 two-way trips consisting of 7 inbound and 19 outbound during weekday p.m. peak hour. Based on the capacity analysis and comparison of the future background and total traffic conditions, the overall impact of proposed development is negligible and does not result in any recommended improvements to the study area intersections. The existing road infrastructure and intersection geometry was confirmed to adequately accommodate the expected site generated traffic from the subject site"*. The Town's Transportation staff, along with Transportation staff from Halton Region, have reviewed the submitted study and concurred with its findings, offering no objections to the proposal.

With regard to heavy truck traffic on No.5 Side Road, on May 29, 2023, Town Council passed By-law 032-2023, which prohibited heavy traffic on No. 5 Side Road between Regional Road

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25 and James Snow Parkway. Through the future Site Plan Approval, staff will ensure that proper signage is posted notifying users of the restrictions.

Noise

A Noise Feasibility Study, prepared by HGC Engineering Limited, was submitted in support of the application. The study investigated the potential noise impacts from the proposed industrial buildings onto the existing sensitive receptors (ie the existing residential dwellings on the north side of No. 5 Side Road. The report concluded that the sound emissions from the proposed development are expected to be within the limits of the Ministry of Environment, Conservation and Parks (MECP) standards, under a worst case scenario. Staff concur with the findings of the report and offer no objection. The potential noise impacts will also be examined through the detailed design process.

Height

The proposed height of the buildings was noted as a concern from residents. The proposed one storey building height is approximately 8.7 metres whereas the Business Park (M1) zone permits a maximum height of 15.0 metres. Furthermore, the buildings are setback 16.0 metres (Building 1) and 19.5 metres (Building 2) from No. 5 Side Road and there will be a 4.5m landscape buffer along No. 5 Side Road consisting of berming and plantings to lessen any adverse impact of the proposed buildings.

Conclusion

It is the opinion of Planning that the proposed amendment to the Town's Zoning By-law conforms to Provincial and Regional planning policy. The proposed use is in conformity with the direction of the Official Plan and the Milton 401 Industrial/Business Park Secondary Plan, and is compatible with adjacent land uses, achieves acceptable engineering and urban design standards resulting in appropriate development of the subject lands. Therefore, staff recommends approval of the zoning by-law amendment as presented through this Report.



Financial Impact

None arising from this report

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact: Aaron Raymond, MCIP, RPP, Phone: Ext. 2313
Senior Planner

Attachments

Figure 1 - Location Map
Figure 2 - Concept Plan
Figure 3 - Concept Rendering
Figure 4 - Public Comments
Appendix 1 - Zoning By-law Amendment

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.