



REPORT

TO: Mayor Bonnette and Members of Council

FROM: Greg Macdonald, Senior Planner

DATE: November 29, 2021

REPORT NO.: PD-2021-0072

SUBJECT: Recommendation Report for a proposed Zoning By-law Amendment that refines the boundary between the Prestige Industrial (M7) and Open Space Conservation Special (O3-1) zone to allow for the development of an industrial warehouse for food distribution purposes at 11450 Steeles Avenue (Premier Gateway Employment Area)

RECOMMENDATION:

THAT Report No. PD-2021-0072, dated November 29, 2021, regarding a “Recommendation Report for a proposed Zoning By-law Amendment that refines the boundary between the Prestige Industrial (M7) and Open Space Conservation Special (O3-1) zone to allow for the development of an industrial warehouse for food distribution purposes at 11450 Steeles Avenue (Premier Gateway Employment Area)”, be received;

AND FURTHER THAT the Zoning By-law Amendment, to amend Town of Halton Hills Zoning By-law 57-91, as amended by By-law 00-138, for the lands municipally known as 11450 Steeles Avenue (Premier Gateway Employment Area), as generally shown in SCHEDULE 3 – ZONING BY-LAW AMENDMENT, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the Town of Halton Hills Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in Report PD-2021-0072, dated November 29, 2021;

AND FURTHER THAT in accordance with Section 34 (17) of the Planning Act, no further notice is determined to be necessary.

KEY POINTS:

The following are key points for consideration with respect to this report:

- Zoning By-law Amendment application D14ZBA21.001 was submitted in December 2020 seeking to refine the boundaries of the lands zoned Conservation Special (O3-1) to facilitate the development of an industrial warehouse for food distribution at 11450 Steeles Avenue (Premier Gateway Employment Area).
- The Statutory Public Meeting for the application was held on March 1, 2021; no comments or concerns from the public have been received to date.
- The submitted Environmental Impact Study (EIS) has been reviewed by Conservation Halton and the Region of Halton who concur with the study conclusion that refinement of the O3-1 Zone will still allow for the Regional Natural Heritage System to be suitably protected.
- This report is recommending approval of Zoning By-law Amendment Application D14ZBA21.001.

BACKGROUND AND DISCUSSION:

1.0 Location and Site Characteristics:

The subject property, known municipally as 11450 Steeles Avenue, is located within the Premier Gateway Employment Area on the south side of Steeles Avenue, west of Fifth Avenue; see **SCHEDULE 1 – LOCATION MAP**. The 3.86 ha (9.5 acre) property is rectangular in shape and has 197.0 m (646 ft.) of frontage on Steeles Avenue. The lands are vacant and contain natural heritage features consisting of a watercourse with associated valley lands, floodplains and wetlands on the east side of the property. Of the 3.86 ha total property size, approximately 2.77 ha (6.85 acres) are proposed for development.

Surrounding land uses to the subject property include:

- To the North: A single detached dwelling and industrial/warehouse uses across Steeles Avenue
- To the East: Natural heritage features (between the subject lands and Fifth Line) and industrial/warehouse uses across Fifth Line
- To the South: Landscape Ontario lands with the 401 Highway further south
- To the West: Industrial/warehouse uses

2.0 Development Proposal:

In December 2020, the Town received a Zoning By-law Amendment application submitted by Leeswood Construction (the Applicant), on behalf of JCS Investments Inc. (the Owner). The application seeks to refine the limits of the on-site natural heritage

features and associated setbacks and buffers to facilitate the development of an industrial warehouse for food distribution; see **SCHEDULE 2 – CONCEPT PLAN & RENDERINGS**. Once refined, the lands containing the natural heritage features are intended to be dedicated to the Town of Halton Hills.

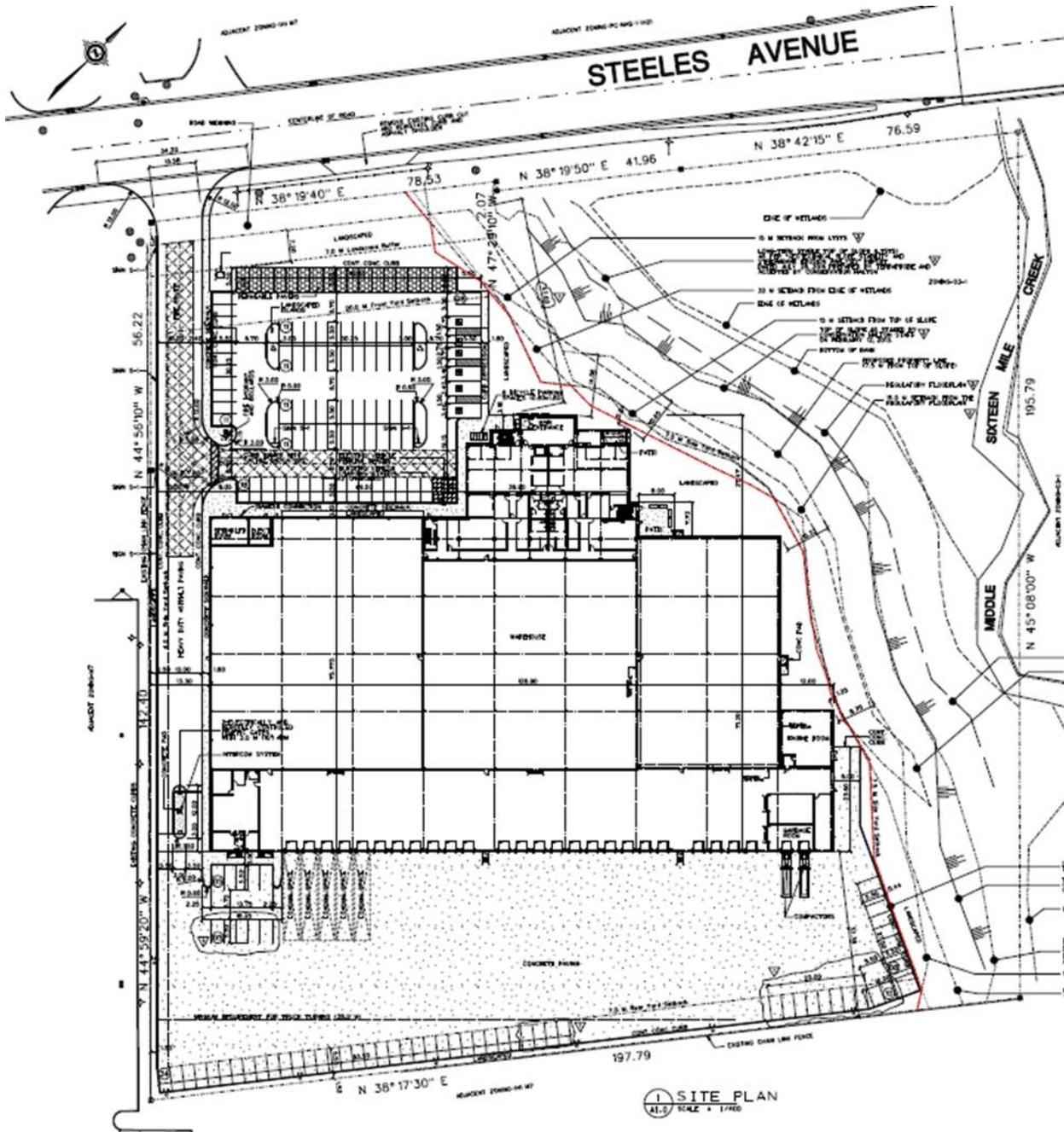


Figure 1: Proposed Site Plan

Further details regarding the proposal are outlined in the table below:

Design Elements	Application Proposal
Gross Floor Area	11,743 sq. m. (of which 1,789 sq. m. is office)
Height (Storeys)	1-storey with office mezzanine
Parking	161 spaces (including 6 accessible spaces)
Loading Spaces	5 spaces (excluding additional shipping bays)
Lot Coverage	38.6% (post land dedication)
Vehicular Access Points	1 (from Steeles Avenue)

The Zoning By-law Amendment proposes to rezone a small portion of land within the Conservation special Zone (O3-1) to the 401 Corridor Prestige Industrial Zone (M7) to achieve enough land to accommodate the proposed industrial development. An even smaller portion of land currently within the M7 Zone is proposed to be rezoned to the O3-1 Zone; see **SCHEDULE 3 – ZONING BYLAW AMENDMENT**. The site-specific provisions that are designed to facilitate the current proposal are outlined and evaluated within the Halton Hills Zoning By-law discussion under Section 3.0 “Planning Context and Policy Framework” of this report.

The Town has also been reviewing a Site Plan application (File No. D11SPA21.006) for the proposed warehouse concurrently with the Zoning By-law Amendment application. Should the Zoning By-law Amendment be approved, the Applicant will need to obtain Final Site Plan approval before construction of the warehouse can begin.

The portion of the property intended for the warehouse is also subject to a Holding (H) Provision. The Holding (H) Provision will have to be removed through a subsequent application and passing of a by-law by Council before a building permit can be issued

3.0 Planning Context and Policy Framework:

The purpose of this section is to evaluate the proposed Zoning By-law Amendment application against the relevant Provincial, Regional and Town policy framework to determine conformity with the applicable policies and guidelines.

Provincial Policy Statement:

The 2020 Provincial Policy Statement (PPS) provides broad based policies that promote an appropriate range and mix of employment, including industrial and commercial uses, to meet the long-term needs of residents and make appropriate use of infrastructure to support the development of healthy communities. Policy direction pertaining to employment areas are set out in Section 1.3 of the PPS.

Section 2.1 of the PPS addresses the protection of natural heritage features including a requirement that development not be permitted on adjacent land without studies to determine that there would be no negative impact to the subject feature.

Planning staff is of the opinion that the proposed Zoning By-law Amendment application is consistent with the policies of the 2020 PPS.

Growth Plan for the Greater Golden Horseshoe:

The Growth Plan directs new growth to locations that make efficient use of transportation and servicing infrastructure and sets out general policies for employment and commercial lands. Under the 2019 Growth Plan (with 2020 amendments), the subject lands fall within the new Provincially Significant Employment Zone, which is considered an area of high economic output that is strategically located to provide stable, reliable employment across the Region.

The Growth Plan also contains policies to support the protection of natural heritage features (although Natural Heritage System policies only apply outside of urban areas and the subject lands are within an urban area).

Planning staff is of the opinion that the proposed Zoning By-law Amendment application is in conformity with the Growth Plan for the Greater Golden Horseshoe.

Region of Halton Official Plan:

The 2009 Regional Official Plan (ROP) designates the subject lands as Urban Area with an Employment Area overlay. Section 76 of the ROP states that the range of permitted uses and creation of lots within the Urban Area are to be in accordance with Local Official Plans and Zoning By-laws. The ROP includes several objectives that speak to providing an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet the long-term needs. More detailed policies for Employment Areas are set out in Section 77.1 of the ROP. Section 89 of the ROP requires all development within the Urban Area to be on full municipal services.

The portion of the subject property that contains the natural heritage features that are proposed to be conveyed to the Town, are identified as forming part of the Regional Natural Heritage System (RNHS). The goal of the Natural Heritage System is to increase the certainty that the biological diversity and ecological function within Halton will be preserved and enhanced for future generations. ROP policies direct that there should be no alteration of any component of the RNHS, unless it has been demonstrated that there will be no negative impact on the natural features or their functions. Section 116.1 of the ROP allows for the boundaries of the RNHS to be refined through the submission of an Environmental Impact Assessment/Study (EIS), which could result in additions, deletions and/or boundary adjustments.

Regional staff has confirmed that the application is in conformity with the ROP and support the refinement of the boundaries of the RNHS.

Town of Halton Hills Official Plan

Under the Town's Official Plan, the property is located within Phase 1A of the Premier Gateway Employment Area. The west portion of the subject lands are designated "Prestige Industrial Area" which permits a wide range of employment related industrial uses up to 6-storeys in height, including warehouses and office buildings.

The easterly portion of the subject lands are designated “Greenlands”. Boundary adjustments to the limits of the “Greenlands” designation are permitted without an Official Plan Amendment subject to the appropriate environmental studies. In this regard, the Applicant has submitted an Environmental Impact Study (EIS) to evaluate the environmental features on the subject lands and to determine a more precise limit to the designation. The EIS has been reviewed and approved by the Region of Halton and Conservation Halton who have concurred with its conclusions as to the refined boundaries of the RNHS and Greenlands designation.

For the reasons above, Planning staff is of the opinion that the proposed Zoning By-law Amendment will allow for the development of the subject lands in a manner consistent with the Official Plan.

Town of Halton Hills Zoning By-law:

Most of the west portion of the subject lands, upon which the proposed industrial warehouse would be constructed, is currently zoned Corridor Prestige Industrial Zone – Holding (M7)(H). This zone permits industrial uses.

The east portion of the subject lands, most of which contain natural heritage features, is zoned Conservation Special Zone (O3-1). Some of the proposed development limits (the building and associated parking) overlaps with the existing O3-1 Zone, which is not currently permitted. Therefore, the Applicant proposes to rezone a small portion of the O3-1 lands to the M7 Zone to achieve enough land to accommodate the development. An even smaller portion of land currently within the M7 Zone is proposed to be rezoned to the O3-1 Zone.

Town staff are recommending approval of the new limits of the M7 and O3-1 Zones as the newly refined limits are supported by an approved Environmental Impact Study, which itself has been reviewed and approved by internal and external technical staff. Finally, the portion of the property currently zoned M7 (and the portion that will be rezoned to M7) is within a Holding (H) Provision. The Holding (H) Provision will have to be removed through a subsequent application and passing of a by-law by Council.

Through the Zoning By-law Amendment, the Applicant is also proposing to modify some of the M7 zone standards, as follows:

- a reduction in landscaped open space from the required 20% to approximately 15% (after land dedication);
- to allow all of the required parking to be located in the (front) yard abutting Steeles Avenue instead of a maximum of 20% of the required parking being located in the (front) yard abutting Steeles Avenue; and
- Elimination of the requirement to provide a 7.5 m setback from the O3-1 Zone.

Town staff are recommending approval of the proposed site-specific modifications for the following reasons:

Landscaped Open Space Reduction from 20% to 15%:

- Through the related Site Plan Control application (File No. D11SPA2021.006) all the lands within the RNHS, as well as half of the required 15 m buffer to the features, will be dedicated to the Town of Halton Hills (approximately 1 ha). This accounts for at least 28% of the current property. However, because it is being dedicated to the Town of Halton Hills it does not count toward the 20% requirement as it would no longer be part of the subject lands post land dedication.
- The Applicant will be providing substantial streetscape plantings along Steeles Avenue and will be providing habitat restoration plantings within the 15 m buffer lands (which are split between private and public ownership). Additional landscaped islands within the front parking area are also provided.
- The amount of the reduction is minor in the context that almost 39% of the current limits of the property would be maintained as landscaped open space/RNHS.

Permission for Front Yard Parking:

- The purpose of only allowing 20% of required parking in a yard abutting Steeles Avenue is to maintain the prestige nature of the Premier Gateway Employment Area by not having large parking areas dominate the streetscape. However, of the 197 metres of total lot frontage, approximately 130 metres consists of either the existing RNHS open space lands or a 15 metre planted buffer. Some of this parking is behind the planted buffer and the remainder would be screened by the required 7 m landscaped planting strip.
- The portion of the site containing RNHS features is triangular, with the wide portion of the feature abutting Steeles Avenue. It would not be possible to situate a functional warehouse close to Steeles Ave. without impacting the RNHS.
- The need for the vehicle parking to be predominantly in front of building is also to separate employee parking of personal vehicles with the transport truck loading operations at the rear of the facility.

Elimination of the 7.5 m setback to the O3-1 Zone:

- The purpose of the 7.5 m setback to the O3-1 Zone is to ensure natural heritage lands are protected and to allow spatial separation from the building to the feature both during construction and during site operations (i.e., building and property maintenance, etc.). In this regard the lands zoned O3-1 already include the required minimum 15 m setback from the core RNHS lands. This buffer will be substantively planted. Therefore, this spatial separation from natural heritage features is already established.
- For most of the property the actual building setback from the O3-1 Zone would meet the 7.5 setback requirement. However, due to the design of the building and the irregular shape of the limits of the O3-1 Zone there are only three 'pinch-points' where the reduction would occur.
- Neither the Region of Halton nor Conservation Halton have advised of a concern with the location of the building in the context of the location of the O3-1 Zone.

4.0 Department and Agency Comments:

Zoning Amendment application D14ZBA21.001 was circulated to Town departments and external agencies for review and comment. Staff from the various departments and agencies have completed their review and have indicated that they have no concerns or objections with the proposed Zoning By-law Amendment being approved.

Comments provided by the departments and agencies pertaining to grading, storm water management, landscape design, restoration plantings, green development standards, site servicing and environmental monitoring will be addressed through the on-going Site Plan Control application review process.

5.0 Public Comments:

The proposed Zoning By-law Amendment was presented to Council and the Public by way of Report No. PD-2021-0007 through a Statutory Public Meeting on March 1, 2021. No members of the public attended the meeting, and no correspondence was received as a result of the Notice of Received Application and Notice of Public Meeting that were mailed to all property owners within 120 m of the subject lands.

STRATEGIC PLAN ALIGNMENT:

This report aligns to the Town's Strategic plan recognizing the value to foster a healthy community that provides a clean environment and range of economic and social opportunities to ensure a superior quality of life in our community.

This report also identifies shaping growth as one of the Town's Strategic priorities.

RELATIONSHIP TO CLIMATE CHANGE:

This report impacts and/or helps address climate change and the Town's Net Zero target through climate mitigation.

The Green Development Standards (GDS) checklist submitted by the Applicant proposes to include several environmental initiatives that should help reduce climate change impacts from the development. These include but are not limited to:

- The use of Low Impact Development (LID) techniques and rainwater retention by including permeable pavers within a portion of the parking lot;
- Providing electric vehicle charging stations;
- Bicycle infrastructure (accessible bike parking spaces and indoor amenities to encourage cycling);
- Walkway connections to future possible transit opportunities;
- Shade trees to be planted within parking areas;
- Use of "cooling" roofing materials to reduce energy use; and,
- Native plantings to reduce watering needs.

PUBLIC ENGAGEMENT:

Public Engagement has been conducted as follows: A Statutory Public Meeting was held on March 1, 2021. This meeting fulfilled the requirements for public participation under the Planning Act, and provided for Transparency, Notification and Participation, as defined in the Town's Public Engagement Charter.

INTERNAL CONSULTATION:

Planning staff have consulted with the appropriate Town Departments, the Region of Halton and Conservation Halton in preparation of this report.

FINANCIAL IMPLICATIONS:

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Jeff Markowiak, Director of Development Review

John Linhardt, Commissioner of Planning and Development

Chris Mills, Chief Administrative Officer