



## REPORT

---

**TO:** Mayor Lawlor and Members of Council

**FROM:** Greg Macdonald – Senior Planner, Development Review

**DATE:** March 31, 2023

**REPORT NO.:** PD-2023-028

**SUBJECT:** Public Meeting for proposed Zoning By-law Amendment to permit 8 industrial warehouses (and the range of industrial uses permitted in the M7 Zone) at 8250 Eighth Line (Premier Gateway Employment Area)

---

### RECOMMENDATION:

THAT Report No. PD-2023-028, dated March 31, 2023, regarding a “Public Meeting for proposed Zoning By-law Amendment to permit 8 industrial warehouses (and the range of industrial uses permitted in the M7 Zone) at 8250 Eighth Line (Premier Gateway Employment Area)”, be received;

AND FURTHER THAT all agency and public comments be referred to staff for further report regarding the disposition of this matter.

### KEY POINTS:

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

- BentallGreenOak (Canada) Ltd., through their agent MHBC Planning has submitted a Zoning By-law Amendment Application proposing the development of 8 industrial warehouses (and the range of industrial uses permitted in the M7 Zone) at 8250 Eighth Line (Premier Gateway Employment Area).
- To date, Town and external agency staff have identified comments regarding natural heritage protection and the proposed relocation of a drainage feature, transportation and access, site-specific zoning provisions and site servicing.
- A Subwatershed Impact Study (SIS) for the subject lands is also currently under review which relates primarily to natural heritage protection, the existing on-site drainage feature that is proposed to be relocated, and storm water management.

- Comments from three nearby property owners have been received. One in support of the proposal; one requesting to be added to the notification list; and one expressing concern over the proposed East/West Collector Road orientation.
- The purpose of the Public Meeting is to obtain comments and feedback from the community. Any comments received will be thoroughly reviewed, evaluated, and included in the Final Recommendation Report to Council at a later date.

## **BACKGROUND AND DISCUSSION:**

The Town has received a Zoning By-law Amendment Application proposing the development of 8 industrial warehouse buildings (including the range of used permitted in the M7 Zone) at 8250 Eighth Line in the Premier Gateway Phase 1B Employment Area. While the overall proposed development consists of buildings identified as industrial warehouses, the Applicant has advised that the ultimate use of the building may vary and include other industrial uses permitted in the M7 Zone. The Applicant is proposing to develop the site in four phases with each phase consisting of two buildings. Development would proceed from west to east and the timing of the phases would be based on both market demand and the timing of the completion of the proposed East/West Collector Road at the south end of the site.

### 1.0 Location & Site Characteristics

The subject property is located on the west side of Eighth Line, east of Trafalgar Road and north of Steeles Avenue in the Premier Gateway Employment Area; see **SCHEDULE 1 – LOCATION MAP**. The lands have an approximate area of 41.8 hectares (103.4 acres), of which approximately 32.8 ha (81.2 acres) are proposed for development (the remainder consists of natural heritage protection, storm water management, a portion of the East/West Collector Road and other road widenings). The property has approximately 612 metres (2008 feet) of frontage on Eighth Line.

The property is currently vacant and contains a drainage feature running in a north/south direction on the westerly side of the site.

- |               |                                                                                                                                                                                                                                                                                                                     |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| To the North: | Farmland (including farm dwelling and various other farm related buildings). Note, as a result of Region of Halton Official Plan Amendment No. 49 (ROPA 49) the lands to the north are now located within the urban boundary and are identified as a new employment area within the Region of Halton Official Plan. |
| To the East:  | Farmland and single detached dwellings. Note, similarly, lands to the east are also now located within the urban boundary and identified as a new employment area within the Region of Halton Official Plan through ROPA 49.                                                                                        |
| To the South: | Vacant Land subject to planning applications to allow for 3 industrial warehouses. Note, preliminary site alteration activities have been approved on the lands.                                                                                                                                                    |
| To the West:  | Regional Natural Heritage System (NHS) consisting of woodland.                                                                                                                                                                                                                                                      |

## 2.0 Development Proposal

On December 22, 2022, the Town deemed complete a Zoning By-law Amendment Application (File No. D14ZBA22.012) submitted by BentallGreenOak (Canada) Ltd., through MHBC Planning. The application is required to obtain the necessary land use approvals to develop the lands for the proposed 8 industrial warehouse buildings; see **SCHEDULE 2 – PROPOSED SITE PLAN**.

Further details about the development are outlined below:

Design Elements	Application Proposal
Gross Floor Area	Building 1 (Phase 1) – 15,330 m <sup>2</sup> (165,000 sq. ft.) Building 2 (Phase 1) – 15,330 m <sup>2</sup> (165,000 sq. ft.) Building 3 (Phase 2) – 22,958 m <sup>2</sup> (247,121 sq. ft.) Building 4 (Phase 2) – 22,995 m <sup>2</sup> (247,515 sq. ft.) Building 5 (Phase 3) – 22,995 m <sup>2</sup> (247,515 sq. ft.) Building 6 (Phase 3) – 22,995 m <sup>2</sup> (247,515 sq. ft.) Building 7 (Phase 4) – 20,520 m <sup>2</sup> (220,888 sq. ft.) Building 8 (Phase 4) – 20,520 m <sup>2</sup> (220,888 sq. ft.)
Height	1 storey (14 m)
Parking	1,485 spaces
Loading Spaces	384 loading spaces (loading docks)
Vehicular Access Points	2 accesses to Eighth Line for smaller vehicle access only (no large trucks) and 2 accesses to the future East/West Collector Road for truck access.

The proposed overall concept plan is provided for illustrative purposes:

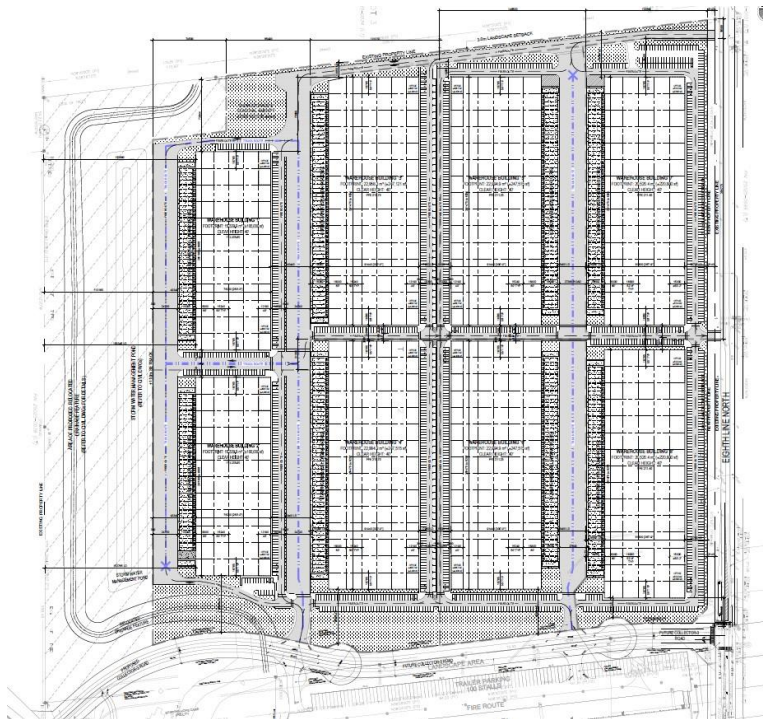


Figure 1

The Applicant has indicated a desire to develop the property in four phases, with the most western two buildings being the first phase and the three additional phases consisting of two buildings each, constructed from west to east. The reasoning for the phasing pertains to construction management, market demand timing and the timing of the construction of the East/West Collector Road, which is intended to connect Trafalgar Road with Eighth Line. Primary vehicular access to the site (and the lands owned by Prologis to the south) is to occur from the collector road. Under the current proposed configuration, the new road would connect to Trafalgar Road and then may terminate in one or more temporary cul-de-sacs as the different phases progress. The final orientation of the roadway and where it specifically will connect to Eighth Line is still being evaluated.

Under Town of Halton Hills Zoning By-law 2010-0050 the entire property is zoned Agricultural (A), which does not permit industrial uses. To implement the policy permissions of the Phase 1B Secondary Plan, the proposed Zoning By-law Amendment seeks to rezone the portion of the site proposed for industrial uses from an Agricultural (A) Zone to a 401 Corridor Prestige Industrial (M7) Zone. The proposed concept plan (see Figure 1 above) appears to comply with much of the (M7) Zone provisions; however, the Applicant continues to review the Zoning By-law and refine the concept plan to determine whether any site-specific provisions would be necessary to provide some flexibility in site design at the future Site Plan Control stage of development. Should any site-specific zoning provisions be identified they will be fully evaluated as part of the future recommendation report as to their suitability and whether they can be supported.

The portions of the property proposed for storm water management purposes and natural heritage protection for the relocated drainage corridor (portions of the west side of the property) are intended to be zoned Conservation Special (O3-1); see **SCHEDULE 3 – DRAFT ZONING BY-LAW AMENDMENT**.

A list of reports and drawings submitted in support of the application is attached as **SCHEDULE 4 – SUBMISSION MATERIALS** to this report. Should the Zoning By-law Amendment be approved, the proposed buildings would require Site Plan approval.

### 3.0 Planning Context

In Ontario, when reviewing applications looking to amend Zoning By-laws, development proposals are expected to conform with and meet the intent of applicable Provincial, Regional and Municipal policy documents. This section discusses the relevant policy framework that applies to the subject site and proposal.

#### 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 is 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 on the feature.

The proposal is required to be consistent with the relevant policies of the PPS in accordance with Section 3 of the Planning Act.

#### 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.

As per Section 3 of the Planning Act, the proposal shall conform and not conflict with the Growth Plan.

#### 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 a number of objectives that speak to providing an appropriate range and balance of employment uses including industrial, office, 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.

A portion of the westerly limits of the subject lands are designated as Regional Natural Heritage System (RNHS). Further, Map 1G identifies Key Features of Regional Natural Heritage directly adjacent to the subject property. 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 (EIA), which could result in additions, deletions and/or boundary adjustments.

#### Town of Halton Hills Official Plan – Phase 1B Secondary Plan

Under the Town's Official Plan, the property is located within the Premier Gateway Employment Area Phase 1B Secondary Plan area (OPA 31A). See Figure 2 below for an excerpt from the Phase 1B Secondary Plan Land Use Plan. This plan identifies most of the subject lands as being designated "Prestige Industrial Area" which permits a wide

range of employment related industrial uses including warehouses. This designation generally covers the portion of the property proposed for industrial land use.

Additional parts of the property are identified as “Natural Heritage System” with an overlay denoting “Relocated Drainage Feature”. Policy H5A.8 notes that a Subwatershed Impact Study (SIS) is required in support of any complete development application. The natural heritage system limits are permitted to be refined without an Official Plan Amendment through review of a detailed Environmental Impact Assessment or similar study.

A new Collector Road that would connect Trafalgar Road to Eighth Line is also identified as running generally along the southerly limits of the subject lands under the Secondary Plan.

The Official Plan also states that all new development requiring Planning Act approval shall conform to the Urban Design policies in Section F2 of the Plan (Section D1.4.1). The proposal must also demonstrate conformity with Section H5A.14 of the Secondary Plan and the Premier Gateway Employment Area Urban Design Guidelines.



Figure 2

### Town of Halton Hills Zoning By-law

The subject property is zoned Agricultural (A) under Zoning By-law 2010-0050, as amended, which does not permit industrial uses. The Applicant is proposing to rezone the property from Agricultural (A) to a Corridor Prestige Industrial (M7) Zone and to a Conservation Special Zone (O3-1) Zone to facilitate the proposed development. As

noted above, further review and analysis is required to determine whether any site-specific zoning provisions are necessary and/or warranted.

#### 4.0 Department and Agency Circulation Comments

The Zoning By-law Amendment Application was circulated to Town departments and external agencies for review. The below sections outline the comments, issues and concerns identified by staff to date:

##### Planning

- Internal departmental and external agency staff continue to review the Subwatershed Impact Study (SIS) submitted in support of the Zoning By-law Amendment application. Given the recommendations of the SIS may impact the locations of different aspects of the development proposal (e.g., relocated drainage feature and stormwater management pond, etc.) as well as the zoning limits of the proposed M7 and 03-1 Zones, the SIS review must be advanced sufficiently for a recommendation report and planning position to be finalized.
- It has been identified by Regional and Town staff that permanent, primary truck access to the lands must occur from the new East/West Collector Road identified in the Phase 1B Secondary Plan. The SIS must be advanced to a satisfactory stage to allow for proper design of the road, which also requires cooperation of abutting landowners. Regardless of phasing and determination of the final alignment of the road, particularly where it will intersect with Eighth Line, the Applicant, along with other abutting landowner, will be responsible for the design and construction of the East/West Collector. The future Development Agreement would include the financial arrangement to secure the construction of the road.
- The Applicant's current preferred orientation of the roadway is not consistent with the approved Secondary Plan as it relates to where the East/West Collector Road would intersect Eighth Line; further discussions on the orientation of the roadway must still occur. An interim solution to only construct half of the road to provide the property with access to Trafalgar Road until the final design is confirmed, may be considered.
- Identification of any site-specific zoning modifications sought by the Applicant and whether they would be appropriate for the development of the site requires further discussion.
- Appropriate landscaping improvements, berming and architectural design on the portions of the property adjacent to existing and future public roadways must be properly demonstrated.

##### Urban Design and Recreation & Parks

- Details pertaining to compliance with the Town's Urban Design Guidelines, tree preservation, site plan standards (including landscaping) and cash-in-lieu of parkland will be addressed at the Site Plan Control stage of development.

## Engineering

- Development Engineering is reviewing all technical documents, including the SIS and Functional Servicing Report, to ensure the site can be adequately engineered, graded, serviced and that storm water management can be appropriately addressed to meet all Town guidelines and requirements. In this regard it is likely that additional information will be required to address this and to ensure the E/W Collector Road can be suitably designed and secured.

## Transportation

- Transportation staff continue to review the submission materials including the Traffic Impact Study (TIS). The review is focusing primarily on the need for the East/West Collector Road and its configuration; how to ensure Eighth Line is not used for truck access and general on and off-site transportation matters (on-site maneuvering, pedestrian and cycling improvements, etc.).

## Region of Halton

- The Regional review of this proposal is progressing in collaboration with Conservation Halton staff. This review is focusing on matters of Regional interest such as: conformity with applicable Provincial and Regional policies and standards; SIS review; potential impacts to the Regional natural heritage system; potential impacts to archaeological resources; addressing any potential contamination on the subject property; evaluating the proposed municipal servicing in the context of Regional standards and the approved Area Servicing Plan; potential impacts to groundwater and private wells in the vicinity of the property; stormwater management as it relates to potential impacts to Regional Roads; implications to Regional Roads (Trafalgar Road and Steeles Avenue); review of the east-west collector road.

## Conservation Halton

- Conservation Halton's review of this proposal is progressing as they focus on technical matters relating to the Subwatershed Impact Study; ensuring it meets requirements under Ontario Regulation 162/06, the Natural Hazards policies of the PPS, and the objectives of the Scoped Subwatershed Study (SWS) and Secondary Plan for the Premier Gateway Employment Area Phase 1B lands. In this regard, it is likely that additional information is required to address CH's regulatory requirements and objectives of the SWS.

## 5.0 Public Comments

As of the date of this report, Planning staff has received written correspondence from three area property owners:



- One requested to be added to the notification list;
- One identified support of the application; and,
- One expressed concern over the proposed orientation of the East/West Collector Road and how the proposed alignment in the development concept, which differs from the alignment indicated in the Phase 1B Secondary Plan, may impact the future development potential of their lands located on the east side of Eighth Line across from the subject property.

The purpose of the Public Meeting is to obtain additional comments and feedback from the community.

**STRATEGIC PLAN ALIGNMENT:**

This Public Meeting report is administrative in nature and does not have an impact on the Town’s Strategic Plan.

**RELATIONSHIP TO CLIMATE CHANGE:**

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

**PUBLIC ENGAGEMENT:**

Public Engagement has been conducted as follows:

- |                   |                                                                                                        |
|-------------------|--------------------------------------------------------------------------------------------------------|
| January 6, 2023:  | Notice of Received Application was mailed out to all property owners within 120 m of the subject lands |
| January 11, 2023: | Sign posted on the subject lands explaining the purpose of the application                             |
| March 23, 2023:   | Notice of Public Meeting published in the Independent & Free Press                                     |
| March 24, 2023:   | Public Meeting Notice was mailed out to property owners within 120 m of the subject lands              |
| April 13, 2023:   | Courtesy Notice of Public Meeting to be published in the Independent & Free Press                      |

**FINANCIAL IMPLICATIONS:**

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

**INTERNAL CONSULTATION:**

The proposed Zoning By-law Amendment was considered at the May 27, 2021, Development Review Committee Pre-Consultation Meeting (File No. D00ENQ21.028). The Applicant was provided with preliminary comments from various Town Departments and external agencies at the meeting.

Reviewed and approved by,

Jeff Markowiak, Director of Development Review

John Linhardt, Commissioner of Planning & Development

Chris Mills, Chief Administrative Officer