



## REPORT

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

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

**DATE:** May 19, 2023

**REPORT NO.:** PD-2023-042

**SUBJECT:** Recommendation Report for a proposed Official Plan Amendment seeking to allow a range of entertainment, hospitality and employment related uses at 8079 Eighth Line (Premier Gateway Employment Area)

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### **RECOMMENDATION:**

THAT Report No. PD-2023-042, dated May 19, 2023, regarding a “Recommendation Report for a proposed Official Plan Amendment seeking to allow a range of entertainment, hospitality and employment related uses at 8079 Eighth Line (Premier Gateway Employment Area)”, be received;

AND FURTHER THAT Town of Halton Hills Official Plan Amendment No. 52, which amends the Town of Halton Hills Official Plan, for the lands municipally known as 8079 Eighth Line (Premier Gateway Employment Area), as generally shown in SCHEDULE 3 – OFFICIAL PLAN AMENDMENT, be adopted as an exempt Local Official Plan Amendment, 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 (as amended), has regard for matters of Provincial interest, and represents good planning for the reasons outlined in Report No. PD-2023-042, dated May 19, 2023;

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:

- Official Plan Amendment application D09OPA22.001 for 8079 Eighth Line was submitted in March 2022 seeking to establish the appropriate land use

designation and policy framework to allow for a waterpark, hotel, and conference centre use along with the range of uses allowed under the Prestige Industrial Area designation (i.e., manufacturing, warehouses, logistics, etc.). The application also seeks permission to incorporate the lands within the Premier Gateway Phase 1B Employment Area, subject to criteria, instead of the Phase 2B Employment Area.

- A scoped sub-watershed study was submitted in support of the application with the purpose of delineating the developable limits of the subject land; to address wetland compensation; and, to ensure appropriate protection of natural heritage features. This study has been approved by the Town, Region and Conservation Halton.
- A range of other technical and planning-related studies have been reviewed. Staff are satisfied that any outstanding matters from these reviews can be addressed through the subsequent stages of development review (i.e., the required Zoning By-law Amendment and/or Site Plan Control applications).
- The Statutory Public Meeting for the application was held on June 13, 2022, and no members of the public spoke at the meeting. However, comments from 4 nearby property owners have been received; one in favor of the development, one expressing concern about traffic, and two whom requested to be added to the notification list.
- This report recommends approval of Official Plan Amendment application D09OPA22.001.

## **BACKGROUND AND DISCUSSION:**

The Town has received an Official Plan Amendment application proposing to allow a range of entertainment, hospitality, and employment related uses at 8079 Eighth Line within the Premier Gateway Employment Area.

### **1.0 Location & Site Characteristics**

The subject lands, municipally known as 8079 Eighth Line, are located within the Premier Gateway Employment Area, generally at the northeast corner of Steeles Avenue and Eighth Line; see **SCHEDULE 1 – LOCATION MAP**. The subject lands have an approximate area of 19 hectares (47 acres) with approximately 320 metres (1,050 ft.) of frontage on Eighth Line and 253 metres (830.0 ft.) of frontage on Steeles Avenue. Roughly 7.8 hectares (19.25 acres) of the site are proposed for development, with the remaining lands containing natural heritage features.

The subject lands are currently vacant; however, a portion of the property is being used for agricultural purposes. Various natural heritage features, including a tributary of the Sixteen Mile Creek, are also located on-site. Surrounding land uses to the subject lands include:

To the North: Single detached dwellings (immediately abutting to the north-west) and agricultural lands. Note, because of Region of Halton Official Plan Amendment No. 49 (ROPA 49) the agricultural lands and

some of the rural residential properties 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: Agricultural lands across the tributary of Sixteen Mile Creek (which are considered future employment lands within the draft Premier Gateway Employment Area Phase 2B Secondary Plan)
- To the South: Hornby Presbyterian Cemetery, natural heritage features, the Toronto Premium Outlet Mall and vacant employment lands
- To the West: Vacant employment lands across Eighth Line which are part of the Phase 1B Secondary Plan (OPA 31A) and currently subject to planning applications proposing 3 industrial warehouses (Prologis lands)

## 2.0 Proposal Context

In 2018, the previous owners of 8079 Eighth Line (in partnership with Gilbach, who are now the current owners) sought to advance a development proposal for a waterpark, hotel, conference centre and other associated entertainment uses on the lands. At that time Hodero had also appealed Halton Regional Official Plan Amendment (ROPA) No. 47, which addressed a 75-ha shortfall of employment lands in the Town's Premier Gateway due to the GTA West and HPBATS corridor protection requirements. More specifically, ROPA 47 incorporated approximately 75 hectares of replacement employment land in the second concession lot north of Steeles between the Eighth Line and Sixth Line into the Urban Boundary in conjunction with the preparation of the Phase 1B Secondary Plan (OPA 31A and 31B) by the Town. Hodero's appeal essentially sought inclusion of their lands into the Phase 1B Secondary Plan to enable development to occur earlier than otherwise would be the case.

A settlement of this appeal was reached in 2019 (decision issued in 2020) which had the effect, through Minutes of Settlement, of allowing the subject lands to seek the necessary permissions for a major employment use consisting of a waterpark, hotel, and conference centre use through a local Official Plan Amendment application. The settlement also granted the Owner the ability to incorporate the lands within the Phase 1B Secondary Plan area, subject to criteria, rather than the Phase 2B Employment Area lands, thereby accelerating development timelines.

## 3.0 Development Proposal

On March 30, 2022, the Town deemed complete Official Plan Amendment application D09OPA22.001 submitted by Gilbach (the Owner), through their agent Corbett Land Strategies Inc. (the Applicant). Consistent with the Minutes of Settlement discussed above, the application is seeking to obtain land use permissions to allow for a range of entertainment and hospitality related uses, including but not limited to, a waterpark, hotel, convention centre, spa, restaurant(s) and flying theatre; see **SCHEDULE 2 – PROPOSED CONCEPT PLAN**. The main entertainment complex containing the waterpark, hotel and convention centre would be located adjacent to Eighth Line, while

separate buildings for the spa and flying theatre would be situated towards the rear of the site, across the watercourse.

Further details about the proposed entertainment complex development are outlined below:

Design Elements	Application Proposal
Gross Floor Area	23,400 sq. m (252,000 sq. ft) – combined GFA of all proposed uses
Height	Up to 8-storeys for the hotel; other uses would have varying heights, all less than the height of the hotel
Parking	662 spaces located at main entertainment/water park/hotel complex and 132 spaces at the spa/flying theatre complex
Vehicular Access Points	2 accesses from Eighth Line

The proposed overall site concept plan is provided for illustrative purposes; see Figure 1 below.

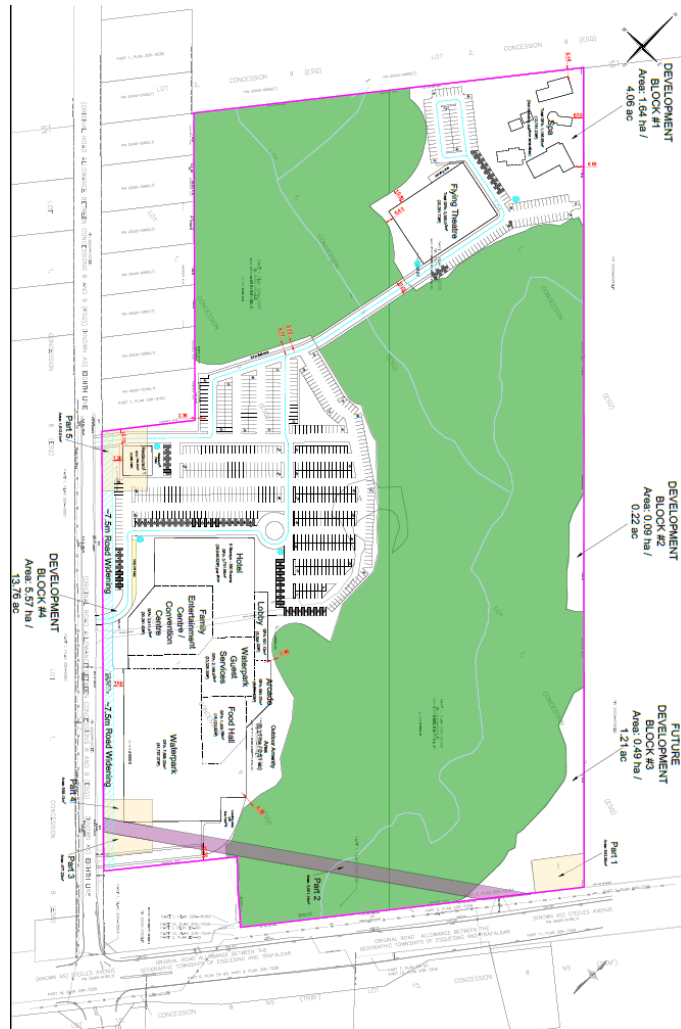


Figure 1

While the primary intent of the proposed OPA is to facilitate development of the entertainment complex, the Applicant is also seeking permission for the range of employment related industrial uses that are otherwise permitted in the “Prestige Industrial Area” designation, including manufacturing, warehousing, and logistics, amongst others. The Owner maintains the waterpark and related hotel and convention centre, remains the preferred development for the site; however, should market or other economic factors make the waterpark proposal unviable, the Applicant wants to ensure permission for suitable alternative employment uses are also included in the amendment.

Should the subject application be approved, any future development of the site will first require the submission of Zoning By-law Amendment and Site Plan Control applications to implement the OPA permissions. Through these subsequent applications a greater detailed review will occur, including the final site design, parking lot configuration, architectural and urban design of the buildings, landscaping, and buffers. It should be noted that the necessary Zoning By-law Amendment application will also require a public consultation process.

#### 4.0 Planning Context and Policy Framework:

The purpose of this section is to evaluate the proposed Official Plan 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 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.

Planning staff is of the opinion that the proposed waterpark, hotel, conference centre and entertainment complex is a unique “Major Employment Use”, pursuant to the Minutes of Settlement, and is therefore consistent with the policies of the 2020 PPS. The proposed Official Plan Amendment would also allow for the range of other employment uses commonly permitted in employment areas and serves to protect the existing natural heritage system.

##### 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 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 Official Plan Amendment 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 portion of the subject lands intended to be redeveloped as Urban Area with an Employment Area overlay. Section 76 of the ROP states that the range of permitted uses 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.

Under the Regional Official Plan, the subject site falls within the Urban Area lands that are intended to accommodate development post 2021. As per Section 77 of the Regional Plan, development of these lands is not to occur prior to approval of a municipally led Secondary Plan. However, because of the OLT settlement process associated with Regional Official Plan Amendment 47 (ROPA 47), development of the site may proceed via an Official Plan Amendment application and in an earlier phase of development than otherwise would be permitted, subject to criteria. To do so, the application must address how the lands could be integrated into the Phase 1B Secondary Plan, including through satisfying the appropriate requirements of Section 77(5) of the ROP. In addition, the proposal shall support the development of a major employment use to benefit from accelerated development timelines. Regional Planning staff have confirmed that the Employment Analysis and Scoped Needs Assessment submitted in support of the OPA application has established that the proposed waterpark, hotel, conference centre and entertainment complex use shall be considered a major employment use, satisfying Section 77(5) of the ROP.

The portion of the subject property that contains natural heritage features 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 appropriate environmental impact study, which could result in additions, deletions and/or boundary adjustments. In this

regard, concurrent with the subject Official Plan Amendment application, the Applicant has also submitted a Scoped Sub-Watershed Study to review the environmental features on the subject lands and determine the extent of developable land. This study has since been approved by the Region of Halton and Conservation Halton and supports minor adjustments to the natural heritage system, including removal of non-regionally significant wetland with additional wetland compensation.

Regional staff have confirmed that the proposed Official Plan Amendment is in conformity with the Region of Halton Official Plan.

### Town of Halton Hills Official Plan

Under the Town's Official Plan, the property is designated Phase 2B Employment Area (Schedule A8 - Premier Gateway Employment Area Land Use Plan). The objective of the Phase 2B Employment Area is to provide an expansion of the Premier Gateway Employment Area to accommodate employment growth for the 2021 to 2031 planning period. The Official Plan identifies criteria that must be satisfied prior to any development occurring within the Phase 2B designated lands, including the completion of a Secondary Plan. The land use planning exercise for the Phase 2B Secondary Plan is currently underway and is targeted to seek Town Council adoption in the fourth quarter of 2023, following which it will be required to obtain approval by the Region of Halton.

Notwithstanding the site's designation as Phase 2B Employment Area, through the OLT issued Minutes of Settlement associated with ROPA 47 (discussed earlier in this report), the subject lands have allowance to seek the following permissions:

- submit a local Official Plan Amendment application to obtain development permissions for a waterpark, hotel, conference centre and entertainment complex use, provided the amendment demonstrates the use is considered a major employment use and the site can be integrated into the approved Phase 1B Secondary Plan (which applies to the lands across from the site, west of Eighth Line); and,
- incorporate the subject lands in the pre-2021 Urban Area planning phase.

An application must also demonstrate that the Region of Halton and Town of Halton Hills Official Plan policies pertaining to the preparation of a new Secondary Plan have been met, which include requirements for a sub-watershed study, transportation planning, a land use compatibility assessment, a market study (i.e., the Employment Analysis and Needs Assessment), and engineering and servicing feasibility review.

Consistent with the ROPA 47 settlement permissions, the subject Official Plan Amendment application seeks to:

- apply a Special Policy Area (with underlying Prestige Industrial) designation to the site to allow the proposed range of entertainment and hospitality related uses contemplated as part of the proposed development; and,
- redesignate the site from Phase 2B Employment Area to Phase 1B Employment Area, which is a designation that is subject to an approved and in force

Secondary Plan that allows lands to develop sooner than otherwise would be the case.

To accommodate the proposed hotel the amendment also seeks to increase the maximum allowable height from six storeys to eight.

In support of the local Official Plan Amendment the Applicant submitted a Commercial Needs Study, Scoped Sub-Watershed Study and Traffic Impact Study to demonstrate that the use can be considered a major employment use and that the site can be appropriately integrated into the Phase 1B Secondary Plan area. These studies have been reviewed by staff and are generally considered acceptable, thereby satisfying the requirements of the ROPA 47 Minutes of Settlement.

In addition to facilitating the intended entertainment and hospitality use, the proposed Official Plan Amendment also seeks to allow other employment generating uses on-site such as manufacturing, warehousing, distribution, and offices, consistent with the permissions of the Prestige Industrial Area land use designation that applies elsewhere within the Premier Gateway Employment Area.

The portion of the property containing the Sixteen Mile Creek tributary and other natural heritage features is designated as "Greenlands". As per Section D6.4.4.4 of the Town's Official Plan, the Greenlands designation implements the Regional Natural Heritage System policies contained in the Regional Official Plan. Through the submitted and approved Scoped Sub-Watershed Study, minor refinements in the limits of the natural heritage lands have been approved and the proposed Official Plan Amendment mapping includes these modifications.

Given the above, staff are satisfied that the proposed Official Plan Amendment satisfied the general intent and objectives of the Town's Official Plan and the Minutes of Settlement approved through the ROPA 47 settlement. Further planning analysis of the proposed OPA is contained in Section 5.0 of this Report below.

#### Town of Halton Hills Zoning By-law

The portion of the subject lands proposed for development is zoned Agricultural (A) while the portion of lands containing natural heritage features is zoned Environmental Protection One (EP1) under Zoning By-law 2010-0050, as amended. The (A) Zone only permits agricultural uses, not the range of uses proposed for the subject lands.

Therefore, should the subject Official Plan Amendment application be approved, prior to any future development of the lands a Zoning By-law Amendment would be required to rezone the site to an appropriate employment related zone to facilitate the proposed entertainment and hospitality complex or any other employment uses allowed through the OPA. The Zoning Amendment would also need to address any necessary site-specific zoning provisions required to implement the development proposal (i.e., parking, height, setbacks, etc.) and would update the limits of the (EP1) Zone to reflect the approved scoped sub-watershed study. A Holding (H) Provision may also be required to address development phasing, transportation, development timelines, servicing, etc.



## 5.0 Planning Analysis

The intent of Official Plan Amendment is to establish the general land use permissions and framework to allow for the waterpark, hotel, conference centre and entertainment complex use (as well as Prestige Industrial employment uses) and the development timeframe for the lands. The necessary Zoning By-law Amendment and Site Plan applications required to be submitted in the future will be used to implement the OPA permissions and further design/refine the concept once the Applicant has a better understanding of the detailed operational and market demands for the uses.

Recognizing the nature and intent of the proposed OPA, planning staff can advise:

- The concept plan submitted as part of the OPA for the waterpark, hotel and conference centre is consistent with the range of commercial, entertainment and hospitality uses put forward as part of the ROPA 47 Minutes of Settlement;
- Staff are satisfied that the Employment Analysis and Scoped Needs Assessment submitted in support of the application has established both the economic and market viability for the concept and that the use would be considered a major employment use;
- The proposed height increase to eight storeys for the hotel use can be supported due to the nature and desire for the use within the Premier Gateway and that the policy framework in the OPA requires the hotel to consider setbacks, buffering and a transition from abutting rural residential properties through the future Zoning By-law Amendment process. At that time additional urban design and sun-shadow studies may be required to support the height and design.
- The other planning and technical submission materials, including the scoped sub-watershed study, have been deemed to be generally acceptable by staff and determined to satisfy the materials required to be submitted by the Minutes of Settlement. These studies further demonstrate that the proposed range of uses are suitable for the subject lands from a land use compatibility, transportation and engineering perspective.
- Due to the geographic constraint of the tributary of Sixteen Mile Creek that bisects the site, there are natural access, transportation and site servicing synergies that justify the lands developing within the planning timeframe intended for the Phase 1B Secondary Plan rather than the Phase 2B Secondary Plan.
- Performance criteria are included in the amendment that only apply to the range of employment related industrial uses that are otherwise permitted in the “Prestige Industrial Area” designation, including manufacturing, warehousing, and logistics. The performance criteria are intended to ensure conformity with the ROPA 47 Minutes of Settlement, that appropriate conditions exist to support the site’s re-development and alignment with recent planning and economic development objectives for the Premier Gateway. The criteria include:
  - these uses are only permitted to develop at such time that the Town deems appropriate (the ROPA 47 settlement was meant to apply to the waterpark concept use, not Prestige Industrial uses);
  - the area transportation improvements (Eighth Line and Steeles intersection improvements and/or construction of an east/west collector road between Trafalgar Road and Eighth Line) are in place or that a TIS

has been prepared demonstrating that the existing road network and intersections can safely accommodate truck traffic and turning movements to the satisfaction of the Town and the Region (based on the work completed to date, staff is of the view that the existing road network can accommodate the waterpark concept, but not truck-dominated employment uses); and,

- additional policies to ensure that low density development such as warehousing/logistics still supports appropriate levels of employment density consistent with ROPA 49 and policies within the Phase 2B Secondary Plan.

Based on the above, Planning staff is of the opinion that the proposed Official Plan Amendment should be approved.

#### 6.0 Department and Agency Comments:

Official Plan Amendment application D09OPA22.001 and the accompanying planning and technical reports were 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 Official Plan Amendment being approved.

Where commenters have identified the need for minor refinements to reports or additional information needs, they have advised that these matters can be addressed through the required future planning processes (i.e., the Zoning By-law Amendment and/or Site Plan Control stages of development).

#### 7.0 Public Comments:

The Official Plan Amendment application was presented to Council and the Public by way of Report No. PD-2022-0035 through a Statutory Public Meeting on June 13, 2022. No members of the public spoke at the meeting. However, four pieces of written communication have been received throughout the application review process from nearby property owners. Two were requests to be added to notification lists; one was in support of the application; and one expressed a concern over traffic generated by the use.

With regards to the concern raised pertaining to transportation, a Traffic Impact Study (TIS) was submitted and reviewed by transportation staff for the Town of Halton Hills, Region of Halton and Ministry of Transportation (MTO). While comments were provided to the Applicant that the TIS would need further revisions to be considered fully acceptable, staff from the different agencies are satisfied that the OPA can proceed and the regional and local road network and nearby intersections can accommodate the increase in traffic expected to be generated by the development of these lands, recognizing the following improvements to the area road network:

- widening of Eighth Line being planned by the Town (new centre turning lane and multi-use pathway);

- intersection improvements at Eighth Line and Steeles Avenue to improve turning movements that will allow transport trucks to safely maneuver through the intersection) and,
- construction of an East/West Collector Roadway that will connect Trafalgar Road with Steeles Avenue, which is required to support active development applications submitted on the west side of Eighth Line.

Staff are satisfied that the Traffic Impact Study can be updated and refined through the future Zoning By-law Amendment application process.

#### **STRATEGIC PLAN ALIGNMENT:**

This report aligns to the Town's Strategic plan recognizing the value to foster a prosperous economy, maintain and enhance the economic vitality of the town through the provision of a wide range of opportunities for economic development.

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.

Any future development of the subject lands will have to address the Town of Halton Hills' Green Development Standards.

#### **PUBLIC ENGAGEMENT:**

Public Engagement has been conducted as follows: A Statutory Public Meeting was held on June 13, 2022. 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, Conservation Halton, and MTO 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 & Development

Damian Szybalski, Commissioner of Business, Environment & Culture and Acting Chief  
Administrative Officer