



MEMORANDUM

TO: Mayor Lawlor and Members of Council

FROM: Melissa Ricci, Senior Policy Planner

DATE: April 3, 2024

MEMO NO.: PD-2024-005

SUBJECT: Ontario Land Tribunal (OLT) Appeals for Premier Gateway Phase 2B

PURPOSE OF THE MEMORANDUM:

The purpose of this memorandum is to advise Council that two appeals have been filed to the Ontario Land Tribunal in objection to the Region of Halton's Decision to approve the Premier Gateway Phase 2B Employment Area Secondary Plan.

BACKGROUND:

The Premier Gateway Phase 2B Employment Area Secondary Plan (OPA 50) encompasses lands located on the north side of Steeles Avenue, between Eighth Line and Winston Churchill Boulevard. The Secondary Plan was adopted by Town Council on October 10, 2023, and subsequently forwarded to the Region of Halton for approval.

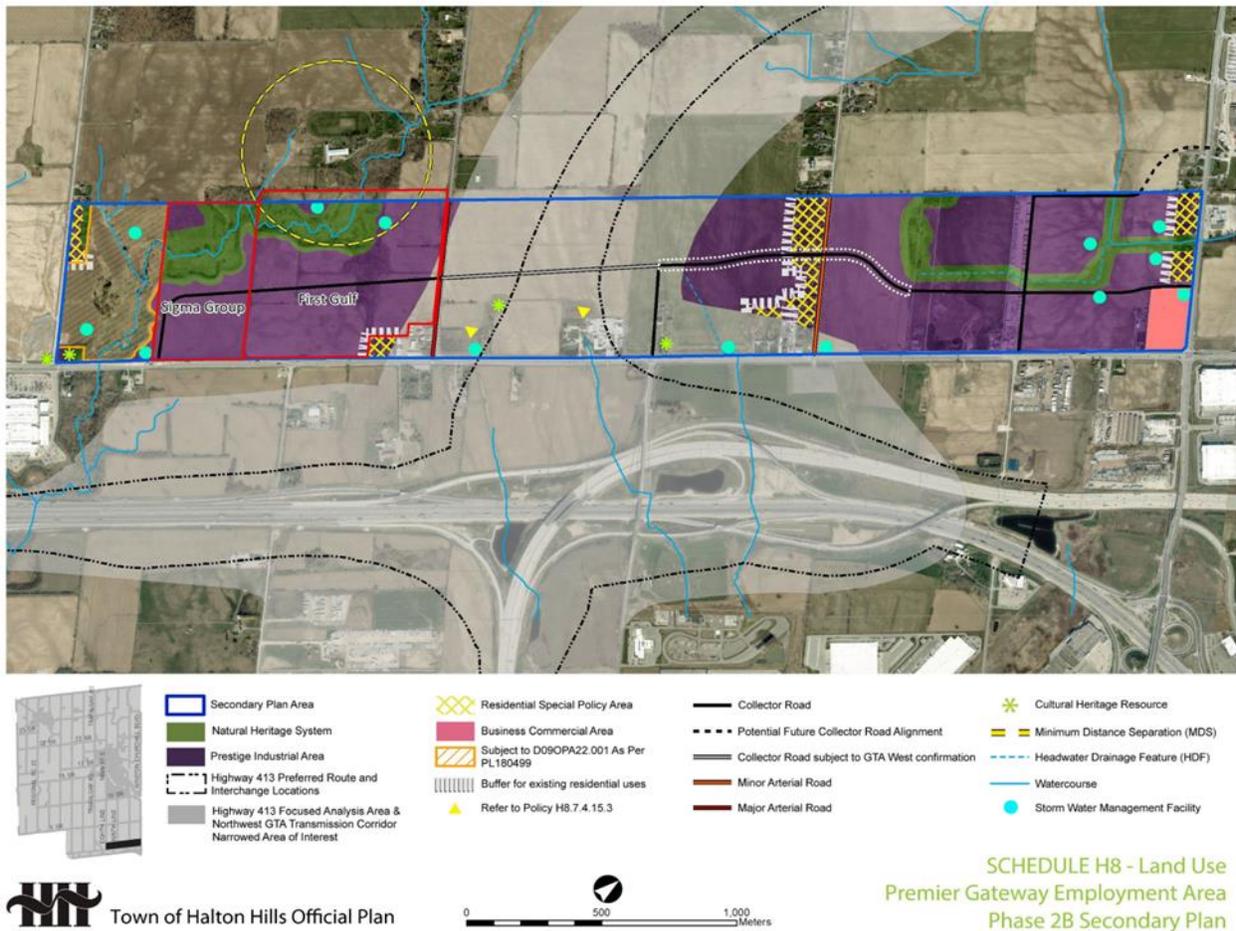
On March 5, 2024, the Region of Halton issued its Notice of Decision approving the Premier Gateway Phase 2B Employment Area Secondary Plan subject to modifications. The modifications were minor in nature and were agreed to by Town staff in accordance with the delegated authority set out in By-law 2023-0046. As is required by the Planning Act, a 20-day appeal period followed the Regional approval, which ended on March 25, 2024. On March 22, the Region of Halton received two appeals on behalf of Sigma Group and First Gulf. Copies of the appeal letters are attached as Appendix A to this memorandum.

COMMENTS:

The principal concern of the appellants is that the future collector road as identified in Schedule H8 and referenced in Section H8.9.2.9 bisects their properties and, in their opinion, hinders the development on the subject properties for Prestige Industrial uses. It should be noted that concerns regarding the proposed collector road were raised prior

to finalizing the Secondary Plan. At that time, Town staff and Regional staff met on a number of occasions with the landowners to discuss these concerns. As a result of these meetings, additional policy language was included to grant some flexibility to the location of the collector road with the understanding that based on the Transportation Study completed in support of the Secondary Plan the east-west collector road is considered critical for traffic flow in the area and any deletions or additions to the proposed road would require an Official Plan Amendment.

Figure 1: Land Use Premier Gateway Phase 2B Employment Area Secondary Plan



In addition to the concerns raised regarding the proposed collector road, First Gulf also raised the following reasons for appeal:

- **Outdoor Storage:** Outdoor storage usage should be permitted within the Prestige Industrial Area in certain circumstances to better position the lands within the Secondary Plan to respond to the changing needs of the employment market; however, it is specified that this is to be considered as part of a future zoning by-law amendment application and/or site plan approval.

- **A Portion of the subject property is omitted from the Secondary Plan Area:**
The Secondary Plan should be revised to include a small northerly portion of the subject property which is outside of the Premier Gateway Phase 2B Employment Area. It is important to note, that the Secondary Plan already includes a policy (G13.2) which states that “the boundaries between land uses designated on the Schedules of this Plan are approximate except where they meet with roads, railway lines, rivers, pipe routes, transmission lines, lot lines or other clearly defined physical features and in these cases, are not open to flexible interpretation. Where the general intent of the document is maintained, minor adjustments to boundaries will not require an amendment to this Plan”.

CONCLUSION:

This memo is provided to Council for information only. As this is a litigation matter, more detailed updates will be provided in closed session at the appropriate time.

Reviewed and approved by,

Bronwyn Parker, Director of Planning Policy

John Linhardt, Commissioner of Planning & Development

Chris Mills, Chief Administrative Officer