



REPORT

TO: Mayor Lawlor and Members of Council

FROM: Ruth Conard, Planner – Development Review

DATE: September 24, 2024

REPORT NO.: PD-2024-074

SUBJECT: Recommendation Report for a proposed Zoning By-law Amendment to permit a 1-storey industrial building at 8131 Hornby Road (Premier Gateway Employment Area)

RECOMMENDATION:

THAT Report No. PD-2024-074, dated September 24, 2024, regarding a “Recommendation Report for a proposed Zoning By-law Amendment to permit a 1-storey industrial building at 8131 Hornby Road (Premier Gateway Employment Area)”, be received;

AND FURTHER THAT the Zoning By-law Amendment, to amend the Town of Halton Hills Zoning By-law 2010-0050, as amended, for the lands municipally known as 8131 Hornby Road (Premier Gateway Employment Area), as generally shown on SCHEDULE 3 – ZONING BY-LAW AMENDMENT, be approved on the basis that the application is consistent with all applicable Provincial plans and policies, 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-2024-074, dated September 24, 2024;

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:

- In June 2023 MHBC Planning, on behalf of Jamil Daoud, submitted a Zoning By-law Amendment application seeking to obtain the necessary land use permissions to construct a 29,520 m² industrial warehouse with offices at the front of the building.

- The Statutory Public Meeting was held on October 10, 2023; two members of the public spoke at the meeting citing questions/concerns related to truck traffic on Hornby Road, hours of operation of the anticipated businesses, setbacks, snow storage and other site conditions. Two members of the public also provided written comments citing similar concerns; one letter was also received from the immediate neighbour to the west that expressed support for the Zoning By-law Amendment.
- Town and external agency staff have completed their review of the application and development proposal and are satisfied that all matters have been addressed sufficiently. Any outstanding items can be appropriately addressed through the Site Plan Control process.
- This report recommends approval of the proposed Zoning By-law Amendment.

BACKGROUND AND DISCUSSION:

1.0 Location and Site Characteristics:

The subject property is located on the east side of Hornby Road, north of Steeles Avenue in the Premier Gateway Employment Area; see SCHEDULE 1 – LOCATION MAP. The lands are approximately 9.05 hectares (22.36 acres) in size with frontage of approximately 136.0 metres (446 ft.) on Hornby Road. The property is currently vacant.

Surrounding land uses to the subject property include:

To the North:	A woodlot, residential property and agricultural uses further north
To the East:	Agricultural uses and lands currently the subject of development applications for industrial uses across Trafalgar Road further east
To the South:	Single detached dwellings and vacant lands further south
To the West:	Single detached dwellings, Hornby Glen golf course and lands currently the subject of a development application for industrial uses further west

2.0 Development Proposal:

On June 28, 2023, the Town received a Zoning By-law Amendment application (File No. D14ZBA23.005) submitted by MHBC Planning (the Applicant), on behalf of Jamil Daoud (the Owner), seeking to obtain the necessary permissions to construct a 1-storey, 29,520 m² industrial building which will accommodate leasable units (number of units to be confirmed) which are proposed to contain offices at the front and warehouse towards the rear. A large stormwater management facility is proposed on the east side of the property, with the remaining lands on the east side of the site intended to be dedicated to the Town and contain future trail networks for long-term conservation purposes; see SCHEDULE 2 – SITE PLAN.

Further details about the proposed development are outlined below:

Design Elements	Application Proposal
Gross Floor Area	Warehouse = 29,435 m ² (316,835 sq.ft.) Mechanical Room = 47 m ² (500 sq.ft.) Electrical Room = 38 m ² (410 sq.ft.) Total = 29,520 m ² (317,745 sq.ft.)
Height	1-storey = 13.95 m (45.77 ft.)
Parking Spaces	249 spaces including 8 barrier-free 12 bicycle spaces
Loading Spaces	39 spaces
Access	2 access points on Hornby Road

A conceptual rendering is provided for illustrative purposes in Figure 1 below:



Figure 1 – Conceptual Rendering

Under the Town of Halton Hills Zoning By-law 2010-0050, as amended, the majority of the property is zoned Development (D) which limits the type of uses to those that legally existed as of the effective date of the By-law (2010). The rear of the property is zoned Environmental Protection One (EP1) which prohibits development. The proposed Zoning By-law Amendment is seeking to implement the policy permissions of the Phase 1B Secondary Plan to rezone the portion of the land zoned D to a 401 Corridor Prestige Industrial (M7) zone. As a result of the review of the submitted Subwatershed Impact Study (SIS) some of the boundaries between the current EP1 and proposed M7 zone

are also being refined to reflect on-site conditions and updated buffers. No site-specific provisions or standards are being sought to accommodate the proposed development.

Should the Zoning By-law Amendment be approved the Applicant will need to obtain Site Plan approval before construction of the building can begin.

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.

a) Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe and Provincial Planning 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.

The Growth Plan 2020 directs new growth to locations that make efficient use of transportation and servicing infrastructure and sets out general policies for employment and commercial lands.

Both the 2020 PPS and Growth Plan contain policies addressing the protection of natural heritage features and areas including a requirement that development not be permitted on adjacent land without studies to determine that there would be no negative impact to the natural feature and related ecological functions. As discussed in further detail in an ensuing section of this report, a Subwatershed Impact Study (SIS) has been prepared that appropriately addresses such matters.

It should be noted that the Province announced that the new Provincial Planning Statement 2024 will come into effect on October 20, 2024. The new Provincial Planning Statement will integrate the PPS 2020 and Growth Plan 2020 into a singular province-wide policy document. Although the new Provincial Planning Statement maintains the general intent of the PPS 2020 and Growth Plan 2020 as it pertains to most of the main permitted uses typically seen within employment areas, it makes some substantial changes by redefining employment areas to exclude standalone commercial, office, retail and institutional uses. Many of the Town's existing employment areas, including the subject lands, may not fit this new definition. Moving forward, municipalities are required to assess and update employment area policies in their Official Plan to ensure that the designation is appropriate to the planned function of employment areas. This will be further considered as part of the Official Plan review and/or updates to Secondary Plans, as appropriate.

The new Provincial Planning Statement also contains policies addressing the protection of natural heritage features and areas.

Planning staff is of the opinion that the proposed Zoning By-law Amendment application is consistent with the policies of the 2020 PPS, in conformity with the 2020 Growth Plan and is consistent with the new 2024 Provincial Planning Statement.

b) Region of Halton Official Plan:

The subject property is designated Urban Area, with an Employment Area overlay and partially as Regional Natural Heritage System in the Regional Official Plan (ROP).

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. Section 72(10) states an objective of the ROP is to provide for an appropriate range and balance of employment uses including industrial, office, retail and institutional uses to meet long-term needs. More detailed policies for Employment Areas are set out in Section 77.1 of the ROP.

As a result of Bill 185, the Town has assumed responsibility for the Regional Official Plan as it pertains to lands within our municipal boundaries. Planning staff are of the opinion that the development conforms to the Urban Area and Employment Area policies of the ROP.

c) Town of Halton Hills Official Plan:

Under the Town's Official Plan, the property is located within the Premier Gateway Employment Area Phase 1B Secondary Plan area (OPA 31A). The Plan identifies the subject property as being designated Prestige Industrial Area which permits a wide range of employment related uses, including manufacturing, assembling, processing, fabricating, warehousing, wholesaling and distribution facilities located primarily within wholly enclosed buildings. The rear of the property is designated Greenlands which prohibits development.

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

The proposed rezoning to a 401 Corridor Prestige Industrial (M7) zone is considered appropriate and will implement the Prestige Industrial Area designation applied through the Secondary Plan process. Staff is also satisfied that the site and building have been designed in a manner that is consistent with the applicable urban design policies and guidelines.

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 and Phase 1B Secondary Plan.

d) Town of Halton Hills Zoning By-law:

The subject property is zoned Development (D) under Zoning By-law 2010-0050, as amended, which limits the type of uses to those that legally existed as of the effective date of the By-law (2010). The rear of the property is zoned Environmental Protection One (EP1) which prohibits development.

The Applicant is proposing to rezone the portion of the property zoned Development (D) to a 401 Corridor Prestige Industrial (M7) zone to facilitate the proposed development. The proposed amendment would also serve to incorporate some additional lands into the current EP1 zone and further refine the EP1 zone limits as a result of the completed review of the submitted Subwatershed Impact Study (SIS). All lands zoned EP1 are intended to be dedicated to the Town for future trail networks and long-term conservation purposes.

It is noted that a Holding (H) Provision is being recommended to apply to the By-law which contains conditions regarding site contamination and servicing.

4.0 Department and Agency Comments:

Zoning By-law Amendment application D14ZBA23.005 was circulated to Town departments and external agencies for review and comment. Staff have completed their review of the application and associated Subwatershed Impact Study (SIS) and have indicated that they have no concerns or objections to the proposed Zoning By-law Amendment being approved, subject to Holding (H) Provision conditions, which are outlined above. Any remaining technical comments will be addressed through the Site Plan Control 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-2023-059 through a Statutory Public Meeting on October 10, 2023. Two members of the public spoke at the meeting. Other property owners in the area provided written comments about the proposal, including one immediate neighbour who expressed support for the application. Below is a summary and response to the public comments expressed at the Public Meeting and through written correspondence:

1. Concerns were raised about truck traffic on Hornby Road and the width of the road not being sufficient to handle the use.

Staff Response:

Hornby Road currently has a Heavy Traffic Prohibition and only local truck delivery is permitted. The road will need to be upgraded to support the anticipated increase in truck traffic volume and to provide active transportation. Through the Site Plan approval process the Town will secure the necessary road restoration to Hornby Road, which may include improvements to the road granular base and asphalt.

2. A question was raised about the hours of operation of the proposed use.

Through the Premier Gateway Employment Area Phase 1B Secondary Plan process it was identified that the properties along Hornby Road are envisioned to be redeveloped for industrial and employment related uses over time. The Applicant is proposing to amend the Zoning By-law to permit a warehouse, consistent with the intention and vision of the Phase 1B Secondary Plan. It is anticipated that the future tenants of the warehouse would operate during typical working hours for the most part.

3. A question was asked about setbacks, buffering and noise.

Staff Response:

The proposed development meets and exceeds all setback requirements in the Zoning By-law. Most importantly are the setbacks adjacent to the street (front yard) and existing residential lots to the west and south (interior side yard) of the property, which are 69.34 metres (227.5 ft.) and 29.07 metres (95.4 ft.) respectively, whereas 7.5 metres (24.6 ft.) and 15 metres (49.2 ft.) are required.

The Applicant is proposing a 1.8 metre acoustic fence and landscape buffering adjacent to the existing residential lots. A noise impact and vibration study will be required through the Site Plan process which must identify requirements of noise abatement for the residential properties.

4. A concern was raised regarding snow storage and the potential of flooding residential properties.

Staff Response:

The site design includes snow storage on the north side of the lot and a stormwater management pond on the east side. In addition, the site design was configured to take into account grading and drainage, which considers the location of snow storage and the potential for flooding. Further detailed drawings will also be reviewed during the Site Plan process, which is the more detailed design stage.

STRATEGIC PLAN ALIGNMENT:

This report identifies a thriving economy as one of the Town's Strategic priorities.

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: A Statutory Public Meeting was held on October 10, 2023. This meeting fulfilled the requirements for public participation

under the Planning Act, and provided 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 & Development

Chris Mills, Chief Administrative Officer