

REPORT

REPORT TO: Chair and Members of the Planning, Public Works and Transportation Committee

REPORT FROM: Tony Boutassis, Senior Planner – Development Review

DATE: February 8, 2019

REPORT NO.: PLS-2019-0011

RE: Recommendation Report for Draft Plan of Subdivision Approval to Create 3 Industrial Development Blocks, a Public Road and Stormwater Management Block at 340 Main Street North (Acton)

RECOMMENDATION:

THAT Report No. PLS-2019-0011 dated February 8, 2019, regarding a “Recommendation Report for Draft Plan of Subdivision Approval to Create 3 Industrial Development Blocks, a Public Road and Stormwater Management Block at 340 Main Street North (Acton)”, be received;

AND FURTHER THAT the Commissioner of Planning and Sustainability be authorized to grant Draft Approval and Final Approval to the Plan of Subdivision, File No. D12SUB17.001, as generally shown on SCHEDULE 2 – DRAFT PLAN OF SUBDIVISION of this report, subject to conditions generally set out in SCHEDULE 4 – CONDITIONS OF DRAFT PLAN OF SUBDIVISION of this report.

BACKGROUND:

1.0 Purpose of the Report:

The purpose of this report is to provide Council with recommendations concerning the final disposition of an application for Draft Plan of Subdivision submitted by FPL Holdings (Halton Hills) Ltd. for 340 Main Street North in Acton. The application proposes the creation of three (3) industrial development blocks, a public road, stormwater management block, wetland block and a Town-owned future right-of-way made up of two (2) blocks on the subject lands.

2.0 Location & Site Characteristics:

The subject property, municipally referred to as 340 Main Street North, is located on the west side of Main Street North, north of the Goderich-Exeter Railway in Acton; see **SCHEDULE 1 – LOCATION MAP**. The large, irregular shaped lot is approximately

22.18 hectares (54.8 acres) in size and has roughly 50.0 metres (164.0 feet) of frontage on Main Street North.

The subject lands currently contain a 12,995 m² (139,877 ft²) industrial building (CanWel) and associated infrastructure, which was approved under Site Plan File No. D11SPA17.006. Details of the existing development include:

- the CanWel warehouse and distribution facility;
- a 26 metre wide private road connected to Main Street North;
- a rail spur connecting directly to the CanWel facility;
- a stormwater management pond;
- an enhanced wetland area; and,
- all servicing and utility infrastructure.

Surrounding lands uses to the subject property include:

To the North: Rural properties that contain agricultural operations and associated residences.

To the East: Employment and industrial uses fronting onto Main Street North.

To the West: Rural properties that contain agricultural operations and associated residences.

To the South: The Goderich-Exeter Railway and Highway 7.

3.0 Development Proposal:

The Draft Plan of Subdivision application submitted by FPL Holdings (Halton Hills) Ltd. (the Applicant) was deemed complete on February 28, 2017. The Subdivision application contemplates the separation of the subject lands into three (3) industrial development blocks, a public road, stormwater management block, wetland block and a Town-owned future right-of-way made up of two (2) blocks; see **SCHEDULE 2 – DRAFT PLAN OF SUBDIVISION**.

The table below outlines the proposed configuration of the subject lands based on Schedule 2:

Proposed Land Use	Lot/Block	Area (hectares)
Industrial Development	Lot 1	7.83 ha
Industrial Development	Block 2	6.66 ha
Industrial Development	Block 3	2.61 ha
SWM Pond	Block 4	1.20 ha
Wetlands	Block 5	1.86 ha
Public Road (26 m ROW)	Futura Drive	1.71 ha
Town-Owned (Future ROW)	Blocks 6 & 7	0.31 ha
	Total	22.18 ha

As previously mentioned, the existing 12,995 m² (139,877 ft²) CanWel building was approved through Site Plan File No. D11SPA17.006; see **SCHEDULE 3 – CANWEL SITE PLAN**. The CanWel building is to occupy Lot 1 of the industrial subdivision.

The CanWel Site Plan application was submitted on April 21, 2017, and was intended to be reviewed in conjunction with the Draft Plan of Subdivision application. However, the Draft Plan of Subdivision process encountered challenges with regards to the location of the proposed stormwater management facility, on-site wetlands and potential impacts to the Highway 7 and Main Street North intersection.

Because the Applicant had committed to an occupancy date of May 2018 with CanWel the Subdivision process was put on hold in early 2018 in favour of the Site Plan application moving forward first.

The Site Plan application was approved on May 8, 2018, and construction of the CanWel building was completed shortly thereafter. Because the Site Plan application was approved in advance of the Subdivision application all of the necessary infrastructure that is typically secured through the Subdivision process has been approved and constructed, including:

- a 26 metre wide private driveway connected to Main Street North that has been constructed to municipal standards. Through registration of the subdivision the driveway will be assumed by the Town and become a public road;
- a stormwater management pond that has already been dedicated to the Town and is functioning as intended;
- an enhanced wetland area that will be dedicated to the Town through registration of the subdivision; and,
- all servicing and utility infrastructure required for the existing building and any future development on the property.

At the timing of subdivision registration the Applicant will be required to dedicate a future right-of-way to the Town (shown as Blocks 6 and 7 on the Draft Plan). The purpose for the future right-of-way is to allow for access to the vacant employment lands (256 Main Street North) to the south of the subject property when it is developed.

It should be noted that as part of the Site Plan process for the CanWel building a rail spur was also approved and constructed for the purpose of delivering large quantities of building materials to the facility. The rail spur can be extended to service Industrial Development Block 2 if required by a future tenant.

Detailed urban design elements including site layout, architectural design, landscaping, setbacks, fencing and screening within the subdivision will be evaluated through future Site Plan applications submitted to develop Blocks 2 and 3.

COMMENTS:

This section of the report will identify, analyze and respond to key matters of interest associated with the Draft Plan of Subdivision application. The section is broken down into the following three subsections:

- 1.0 Planning Context and Policy Framework
- 2.0 Town Department and External Agency Comments
- 3.0 Public Comments

1.0 Planning Context and Policy Framework:

The purpose of this section is to evaluate the proposed Draft Plan of Subdivision applications against the relevant Provincial, Regional and Town policy framework to determine conformity with the applicable policies and guidelines.

1.1 Provincial Policy Statement (PPS):

The 2014 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. Further, the PPS promotes a policy-led system that provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The proposal is required to be consistent with the relevant policies of the PPS in accordance with Section 3 of the Planning Act.

Planning staff is of the opinion that the proposed Draft Plan of Subdivision application is consistent with the policies of the 2014 PPS.

1.2 Growth Plan for the Greater Golden Horseshoe:

The subject lands are part of a larger designated urban area in Acton. The Growth Plan directs new growth to locations that make efficient use of transportation and servicing infrastructure and sets out general policies for employment lands.

Planning staff is of the opinion that the proposed development is in conformity with the Growth Plan for the Greater Golden Horseshoe.

1.3 Region of Halton Official Plan (ROP):

The 2009 Regional Official Plan designates the subject lands as Urban Area (Acton) with an Employment Area overlay. Section 76 of the ROP states that the range of permitted uses and the creation of new lots in the Urban Areas will be in accordance with Local Official Plans and Zoning By-laws.

Regional staff has confirmed that the application is in conformity with the ROP and have provided conditions of approval.

1.4 Town of Halton Hills Official Plan (HHOP):

The General Employment Area designation permits a number of industrial employment type uses (Section D3.4.1.3), including:

- a) *industrial uses within wholly enclosed buildings, such as manufacturing, assembling, processing, fabricating, warehousing, wholesaling and distribution facilities;*
- b) *industrial uses that involve outdoor storage and/or processing such as concrete batching plants, aggregate transfer stations and contractors' establishments, subject to Section D3.4.1.4.2;*
- c) *research and training establishments;*
- d) *computer, electronics and data processing facilities;*
- e) *printing and associated service establishments; and,*
- f) *industrial malls, containing one or more of the uses permitted in this designation.*

In addition to the above, the HHOP provides a number of secondary permitted uses as outlined in Section D3.4.1.4.4.

Planning staff is of the opinion that the proposed Subdivision will achieve the Employment Area objectives of the Official Plan and allow for the development of the subject lands in a manner consistent with Official Plan policies. Any new development proposed for the remaining lots within the Subdivision would be evaluated against the land use permissions and policies in the Plan.

1.5 Town of Halton Hills Zoning By-law 2010-0050:

The site is zoned Employment One (EMP1), which permits a wide range of employment and industrial type uses. Industrial uses are defined in the By-law as:

a premises used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, warehousing and incidental storage of goods and materials and may include accessory retail stores, sales and distribution of such products.

The EMP1 Zone requires a minimum lot frontage of 30.0 metres, which each of the lots in the proposed Subdivision complies with.

At this point in time the Applicant has not proposed development or indicated what the end use for the two (2) remaining industrial development blocks would be. Conformity with the Zoning By-law for the other lots would be determined through subsequent Site Plan applications.

2.0 Town Department and External Agency Comments:

The proposed Draft Plan of Subdivision was circulated to Town departments and external agencies for review and comment, with the most recent circulation occurring on November 2, 2018. Staff from various departments and agencies have completed their review and indicated that they have no concerns or objections to the issuance of Draft Plan Approval.

For information purposes, staff has provided comments on some of the site specific matters that were evaluated through the review of the proposal:

Wetlands and Stormwater Management:

The Region and CVC identified that there were two (2) existing wetlands located on the property; one at the southwest corner and one at the southeast corner of the property.

The location of the southwest wetland coincided with the Applicant's proposed location for their stormwater management pond. Initially, CVC staff had concerns with the wetland being removed in favour of the stormwater management pond; however, through review of the application it was determined that it was not a naturally occurring wetland. As a result, CVC staff was able to support the proposed location of the pond. The stormwater management pond (Block 4) has already been constructed and has been dedicated to the Town as part of the CanWel Site Plan application.

The southeast wetland (shown as Block 5) was filled in and much of the vegetation removed by the previous owner of the property. The Applicant has worked with CVC staff to come up with a plan to enhance and restore the wetland through replacement of vegetation and grading works. Further, the size of the wetland has been increased to compensate for locating the stormwater management pond in the southwest wetland. The Applicant will continue to work with the CVC through the registration process to complete the restoration and compensation work required for the southeast wetland prior to the dedication of Block 5 to the Town.

Traffic and Transportation:

The Ministry of Transportation (MTO) has identified concerns with the volume of traffic, especially transport trucks, which could be generated by the proposed Subdivision. Of specific concern is that most of the traffic would be directed to the Highway 7 and Main Street North intersection, which the MTO believes is not currently designed to accommodate such a volume of trucks. Numerous discussions have taken place between Town and MTO staff to determine a solution to allow for the Subdivision to move forward to approval.

To advance the application to Draft Approval the MTO has issued conditions that will require their concerns to be satisfied before the Subdivision can be registered. The MTO, Applicant and Town staff are currently working on a solution to resolve the intersection issues, which will likely include the Applicant paying for temporary traffic

signals to be installed at the Highway 7 and Main Street North intersection until the MTO identifies a permanent long term solution for that stretch of Highway 7.

3.0 Public Comments:

Town staff has received a number of phone calls and inquiries from the public regarding the proposed Draft Plan of Subdivision, but no concerns or objections have been raised.

The application was presented to the Public by way of Report No. P&I-2017-0072 through a Statutory Public Meeting on June 19, 2017. There was one (1) interested person in attendance at the meeting (the owner of 256 Main Street North, which abuts the site to the south).

Town staff previously met with the Owner of 256 Main Street North to discuss the development potential of their lands and the possibility of gaining access to Futura Drive on the 340 Main Street North site. In response to these discussions, Blocks 6 and 7 were included on the Draft Plan to provide access from Futura Drive to 256 Main Street North in the future, if required.

It should be noted that Town staff has received one complaint related to the CanWel Site Plan application from a resident living on the south side of Highway 7. The home owner claims that the vibration generated by trains passing their property has changed since the CanWel building was constructed and that the vibration is now affecting their quality of life. The Town has forwarded the resident's concerns to Metrolinx and continues to correspond with the resident and Metrolinx to try and determine a potential cause for any increase in vibration.

RELATIONSHIP TO STRATEGIC PLAN:

The proposed development is most closely aligned with Strategic Direction C – Foster a Prosperous Economy, the goal of which is:

To maintain and enhance the economic vitality of the Town through the provision of a wide range of opportunities for economic development.

The Strategic Direction is to be achieved as it relates to this application in part through Strategic Objectives:

- C1.** *To ensure an adequate supply of employment lands to provide flexibility and options for the business community and provide a range of job opportunities.*
- C4.** *To protect strategic employment lands from conversions to non-employment uses.*
- C7.** *To promote the Town's strategic location in the Greater Golden Horseshoe for economic development purposes.*
- C8.** *To facilitate the establishment of a competitive business environment that is easily able to adapt to changing circumstances and priorities.*

FINANCIAL IMPACT:

There is no immediate financial impact to the Town budgets as a result of this application.

CONSULTATION:

Planning staff has consulted with the appropriate Town Departments, Region of Halton, Credit Valley Conservation Authority (CVC) and the Ministry of Transportation (MTO) in the preparation of this Report.

PUBLIC ENGAGEMENT:

The proposed Draft Plan of Subdivision application was presented to the Public through a Statutory Public Meeting on June 19, 2017 (Report No. P&I-2017-0072).

SUSTAINABILITY IMPLICATIONS:

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life. The recommendation outlined in this report advances the Strategy's implementation.

This report supports the Environmental Health and Economic Prosperity pillars of Sustainability and in summary the alignment of this report with the Community Sustainability Strategy is Very Good.

Compliance with the Town's Green Development Standards will be addressed through the approval of the required Site Plan applications for each of the industrial blocks. The application of the Green Development Standards to this project will help achieve energy and water efficiencies with other sustainable objectives.

COMMUNICATIONS:

Public Notice of Council's decision regarding the passage of the Draft Plan of Subdivision will be completed in accordance with the requirements of the Planning Act.

CONCLUSION:

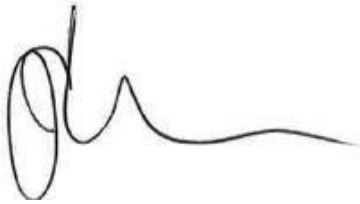
Staff has completed our review of the application and is of the opinion that the proposal has merit and should be supported. The proposed Draft Plan of Subdivision, in conjunction with the recommended draft plan conditions, conforms to the Growth Plan for the Greater Golden Horseshoe, is consistent with the Provincial Policy Statement (PPS) and conforms to the Region and Town Official Plans.

Therefore, Staff recommends approval of the Draft Plan of Subdivision, subject to the conditions as outlined in **SCHEDULE 4 – CONDITIONS OF DRAFT PLAN OF SUBDIVISION**. Should Council concur, the recommendation contained in this report can be adopted.

Reviewed and Approved by,



Jeff Markowiak, Manager of Development Review



John Linhardt, Commissioner of Planning and Sustainability



Brent Marshall, Chief Administrative Officer