

September 28, 2022

GSAI File: 925-001

(Via Email – minister.mah@ontario.ca)

Hon. Steven Clark

Ministry of Municipal Affairs and Housing

777 Bay Street, 17th Floor

Toronto, ON M5G 2E5

**RE: Halton Regional Official Plan Amendment No. 49
Derry Eighth Line Holdings Limited
PT LT 10, CON 9 TRAFALGAR, Town of Milton**

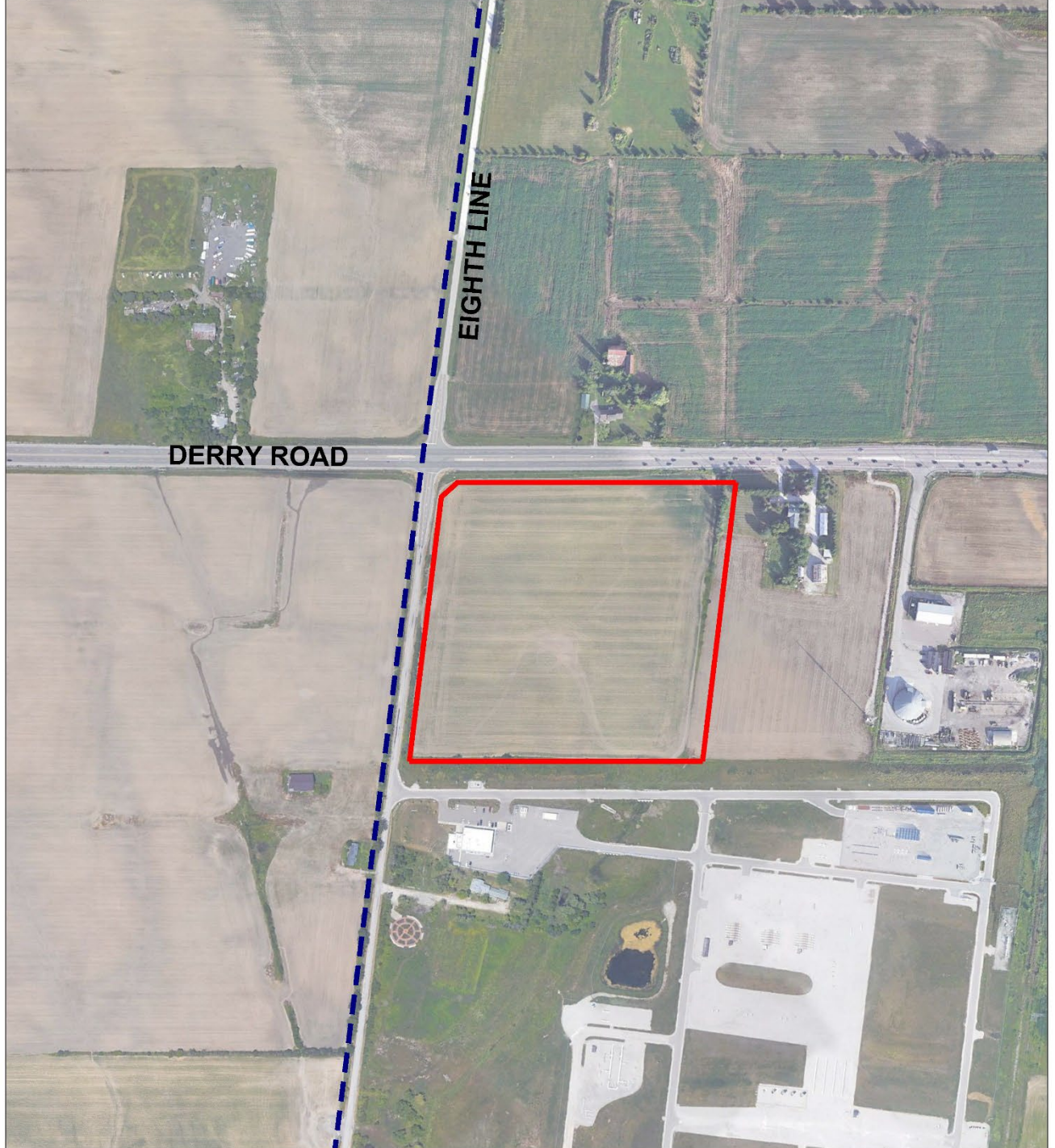
Glen Schnarr & Associates Inc. (GSAI) are the planning consultants to Derry Eighth Line Holdings Limited (the 'Owner') of the above-noted lands, located in the southeast quadrant of Derry Road and Eighth Line in the Town of Milton (the 'Subject Lands' or 'Site'). The Subject Lands have been under consideration for inclusion in a Settlement Area Boundary Expansion to the Halton Regional Official Plan during the recent Municipal Comprehensive Review ('MCR') exercise. We note that the Site is also situated in proximity to lands that were previously brought into the Region of Halton and Town of Milton Urban Area as part of the Sustainable Halton Regional Official Plan review process ('ROPA 38') as shown in the Aerial Context Map on the next page.

On behalf of the Owner and further to previous correspondences submitted to the Region dated February 28, 2019, January 13, 2022 and May 13, 2022, included as **Appendix I** to this Letter, we are pleased to provide this Letter to you in relation to the Halton Municipal Comprehensive Review ('MCR') process.

GSAI has been participating in the Region's MCR process. We understand that this process will culminate in comprehensive Regional Official Plan Amendments ('ROPAs') that will modify policy permissions for lands across Halton, including the Subject Lands. We have reviewed the Halton Regional Official Plan Amendment No. 49 ('ROPA 49'), as adopted by Regional Council. Based on the adopted ROPA 49, the Regional Urban Boundary remains unchanged and intact until 2041.

Halton Region Planning Staff initially identified four (4) Growth Concepts for Halton. Under all four of these Growth Concepts, the Subject Lands were identified by Staff for inclusion in a Settlement Area Boundary Expansion ('SABE') as new Employment Area.



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AERIAL CONTEXT PLAN

TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON

LEGEND

-  Subject Lands
-  Halton Regional Urban Area Boundary



SCALE: NTS
AUGUST 25, 2022

Then, Halton Region Planning Staff proposed a 'Preferred Growth Option' that was released for consultation and feedback in February 2022. In this Preferred Growth Option, the Subject Lands were recommended for inclusion in an expanded Urban Area for the Region and the Town of Milton as new Employment Area lands.

Despite the recommendations of Halton Region Planning Staff, Halton Regional Council chose to adopt an Official Plan Amendment ('ROPA 49') with no Settlement Area Boundary Expansion to the year 2041, and no decision on planning for the period between 2041 and 2051.

In our opinion, Regional Council's decision to maintain a firm urban boundary to the year 2041 and not plan to the year 2051 does not conform to the policy requirements outlined in A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (the 'Growth Plan'). Specifically, Policy 2.2.5.1 of the Growth Plan states:

'2.2.5.1. Economic development and competitiveness in the GGH will be promoted by:

- b) ensuring the availability of sufficient land, in appropriate locations for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;*
- c) planning to better connect areas with high employment densities to transit; and*
- d) integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.'*

Inclusion of the Subject Lands as Employment Area lands will advance the above-noted Growth Plan policies and objectives. In our opinion, ROPA 49 does not conform with the above Growth Plan requirements.

The Subject Lands are located in proximity to the proposed GO Station along Trafalgar Road, northwest of the Site (see Area Context Map on the next page). This new Station will be served by the Milton GO Transit Line, operated by Metrolinx. Metrolinx released an Initial Business Case for this new Station in January 2021. Following this, preliminary planning consideration has been given to this new Station by Halton Regional Planning Staff, with the Station and surrounding area being identified as the Milton-Trafalgar GO Major Transit Station Area as shown in the Area Context Map.

The Subject Lands are within convenient walking distance of the Milton-Trafalgar GO Major Transit Station Area ('MTSA') along Derry Road, which is intended to be planned by the Region as the future higher order transit and pedestrian corridor that would connect the future GO Station. The lands immediately west of the Subject Lands are part of the existing Community Use urban area so the Subject Lands would also be walkable to the future residents and their potential place of employment. For these reasons, the Subject Lands have the locational attributes to be part of the planned Milton-Trafalgar GO MTSA.




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AERIAL CONTEXT PLAN

TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON

LEGEND

-  Subject Lands
-  Future GO Transit Station
-  Major Transit Station Area



SCALE: NTS
SEPTEMBER 23, 2022

In addition, the Subject Lands are in proximity to the Derry Road interchange of Highway 407, and a short distance from the Trafalgar Road interchange of Highway 401. The high concentration of highway and future GO Transit services for this Site makes it good planning for the lands to be included in a Settlement Area Boundary Expansion. These above-noted transportation and transit infrastructure elements represent a significant public investment.

Inclusion of the Subject Lands conforms to Policy 2.2.1.3 of the Growth Plan which states:

‘2.2.1.3. Upper and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:

- b) be supported by planning for infrastructure and public service facilities by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term;*
- c) provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.’*

The Subject Lands, if included in the Urban Area, will help ensure that the existing and future planned public investment in infrastructure, including the nearby Provincial Highways and the planned GO Transit Station, is optimized as required by the Growth Plan.

Furthermore, the Growth Plan provides policy guidance for determining the appropriate locations for Settlement Area Boundary Expansions to occur. Specifically, Policy 2.2.8.3 of the Growth Plan states:

‘2.2.8.3. Where the need for a settlement area boundary expansion has been justified in accordance with policy 2.2.8.2, the feasibility of the proposed expansion will be determined and the most appropriate location for the proposed expansion will be identified based on the comprehensive application of all of the policies in this Plan, including the following:

- a) there is sufficient capacity in existing or planned infrastructure and public service facilities;*
- b) the infrastructure and public service facilities needed would be financially viable over the full life cycle of these assets.’*

Inclusion of the Subject Lands in a Settlement Area Boundary Expansion is appropriate and is consistent with the above-noted policy direction. Specifically, inclusion of the Site would make efficient use of infrastructure, and make it more financially viable over the long-term. It would also represent a natural, contiguous expansion of the existing settlement area.

Based on the above, it is our opinion that the decision of Halton Regional Council to adopt ROPA 49

is not in conformity with the Growth Plan. It is our opinion that ROPA 49 is also not in conformity with the Provincial Land Needs Assessment Methodology pursuant to the Growth Plan. A proper Land Needs Assessment, aiming to achieve the population and employment forecasts set out in Schedule 3 of the Growth Plan, needs to deliver an employment forecast of 500,000 jobs by 2051. This would require 218,700 new jobs over the 2021 total Halton employment of 281,300 jobs.

Hemson Consulting, in their Land Needs Assessment work for the Region of Halton in February 2021 calculated that forty percent (40%) of these jobs will be accommodated on Employment Area lands. In their various options, the range of new employment land required ranged from 980 hectares (2,422 acres) up to 1,220 hectares (3,015 acres) – with each scenario including the Subject Lands as being located within these new Employment Area lands. Notwithstanding, ROPA 49, as adopted, includes new no Employment Area lands.

In addition, ROPA 49 is not in conformity with the Growth Plan requirement to plan to the planning horizon of 2051. By planning to only 2041, the Region has failed to meet their Growth Plan responsibility to provide for growth to the horizon of the Growth Plan in 2051. As such, ROPA 49 is not in conformity with the Growth Plan.

The chart below outlines the range of Growth Concepts and Options that were developed by Halton Region Planning Staff, with the support of Hemson Consulting.

Concept	Local Municipality	Community Land Need	Employment Land Need
Concept 1 (60% Densification)	Milton Halton Hills	720 ha 740 ha	490 ha 680 ha
Concept 2 (70% Densification)	Milton Halton Hills	400 ha 330 ha	600 ha 500 ha
Concept 3 (80% Densification)	Milton Halton Hills	0 ha 0 ha	530 ha 450 ha
Concept 4 (50% Intensification) [*Closest to Growth Plan conformity]	Milton Halton Hills	720 ha 1,360 ha	550 ha 670 ha
Preferred Concept	Milton Halton Hills	710 ha 410 ha	670 ha 400 ha

Concept 4 developed by Halton Regional Planning Staff and Hemson Consulting, with its 50% intensification target, produces a result that is closest to conformity with the requirements of the Growth Plan and the Growth Plan's Land Needs Assessment Methodology. We note that in all five

Concepts, the Subject Lands were included as part of Settlement Area Boundary Expansion. As such, Regional Council's decision to adopt ROPA 49 does not reflect any of the Staff developed concepts.

Our opinion that ROPA 49 is not in conformity with the Growth Plan is consistent with the technical land needs studies and work by several land economists including Malone Given Parsons, C4SE, Altus and IBI Group who have made written submissions to the Region as part of this process. The decision of Halton Regional Council to adopt ROPA 49 is contrary to the resolutions on record from Council from the Town of Milton, which seek to include a proper supply of new settlement area, including both Community Area and Employment Area to accommodate projected growth.


We are writing to recommend that you exercise your approval authority with respect to ROPA 49 by modifying the plan to ensure that appropriate growth projected for the Region of Halton and the Town of Milton is accommodated through expansion of the settlement area. Such modification, to be closest to conformity with the requirements of the Growth Plan and the Land Needs Assessment Methodology, should reflect the land needs identified in Concept 4 above. In our opinion, a Settlement Area Boundary Expansion should include the Subject Lands.

We understand that an alternative to modification of the Regional Official Plan is for you to refer the matter of an appropriate Settlement Area Boundary Expansion and ROPA 49 to the Ontario Land Tribunal. We are confident that, based upon all the available evidence (all of which supports the inclusion of the site in the Urban Area) that such a hearing would result in the inclusion of the Site. As such, if you are not prepared to modify ROPA 49, we ask that it be referred to the Ontario Land Tribunal for a hearing.

Thank you for the opportunity to provide these comments. We ask that we be provided with Notice of any decision that you make on this Official Plan Amendment, including any referral to the Tribunal.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.



Colin Chung, MCIP, RPP

Managing Partner

Appendix I / Previous Comment Letters



WESTON CONSULTING

planning + urban design

Ministry of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto ON
M5G 2E5

February 28, 2019
File 7888

**Attn: Hon. Steve Clark,
Minister of Municipal Affairs and Housing**

Dear Sir,

**RE: Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe (2017)
Proposed Provincially Significant Employment Zone
Part Lot 10, Concession 9
Derry Road and Eighth Line, Milton**

Weston Consulting is the planning consultant for the owner of the lands located on Part Lot 10, Concession 9 on the southeast corner of Derry Road and Eighth Line in the Town of Milton ('subject lands'). Weston Consulting has reviewed the Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan"), including the proposed provincially significant employment zone mapping.

This letter responds to your request for feedback on the proposed policy amendments specifically as they relate to the proposed policies for Provincially Significant Employment zones and Employment Areas.

Background and Applicable Policy

The subject lands are approximately 9 hectares in area, located at the southeast corner of Derry Road and Eighth Line, west of Highway 407 and just east of Milton's urban expansion area (Sustainable Halton Lands). The subject lands are void of structures or buildings and are currently used for agricultural purposes.

The lands are surrounded by agricultural lots to the north, east and west, with a gas compressor facility located directly to the south. The lands are currently not within the Town's urban boundary but are directly adjacent to Milton's urban expansion area located to the west across Eighth Line.

The subject lands are currently designated *Agricultural Area*, outside of the Built Boundary within the Halton Region Official Plan (ROPA 38) and are subject to a 'Future Strategic Employment Area' overlay. The Milton Official Plan currently designates the lands as *Agricultural Area*, outside of the current expansion area.

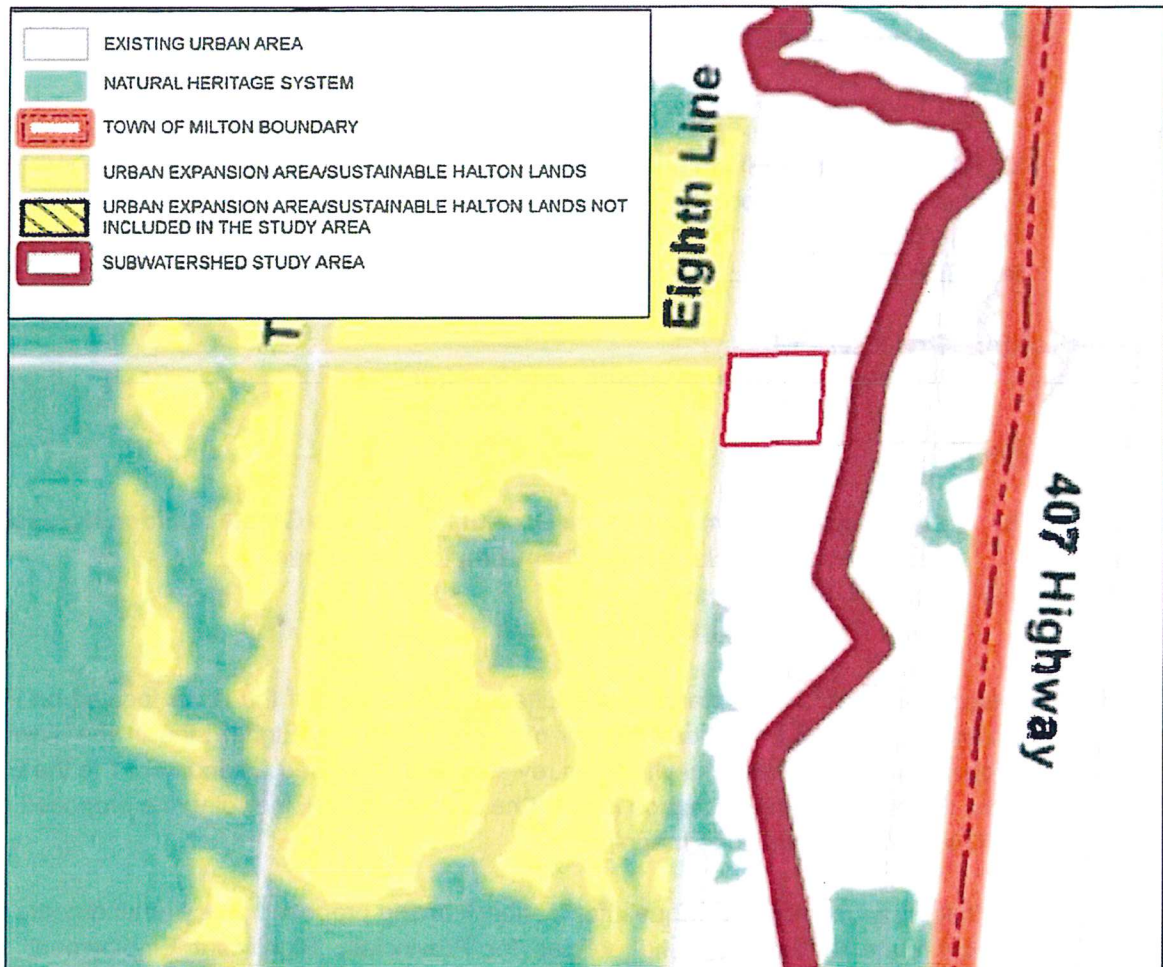


Figure 1- Town of Milton Expansion Area

It is the owners' objective to develop the lands for a broad range of commercial and employment uses which will complement the planned residential expansion area to the west.

At this time, we have been monitoring the Regional Official Plan review and will be making detailed submissions to the Region and Town to have these lands secured within the urban boundary through this review. Formal development applications will be filed at the appropriate time once the lands are brought into urban boundary.

Proposed Significant Employment Zones

Weston Consulting understands that the Ministry of Municipal Affairs and Housing proposed Amendment 1 to the Growth Plan on January 15, 2019. We further understand that the proposed amendment aims to protect certain employment lands, while reducing barriers to unlocking land for residential and non-residential development in a timely manner. The proposed amendment to the Growth Plan designates the subject lands as a provincially significant employment zone. Policy 2.2.5.12 of the proposed amendment to the Growth Plan states the following:

12. *The Minister may identify provincially significant employment zones to support coordination of planning for jobs and economic development at a regional scale and will require their protection through appropriate official plan policies and designations. Policy 2.2.5.10 will not apply to any part of an employment area within a provincially significant employment zone.*

Land use restrictions and permissions for employment areas are further discussed in Policy 2.2.5.7. Proposed amendment to Policy 2.2.5.7 is modified to state:

7. *Municipalities will plan for all employment areas within settlement areas:*

- a. prohibiting residential uses;*
- b. limiting other sensitive land uses that are not ancillary to the primary employment use;*
- c. prohibiting major retail uses or establishing a size or scale threshold for any major retail uses that are permitted and prohibiting any major retail uses that would exceed that threshold; and*
- d. providing an appropriate interface between employment areas and adjacent non employment areas to maintain land use compatibility.***

The above noted policy states that all employment areas within settlement areas are to provide an appropriate interface between employment areas and adjacent non employment areas to maintain land use compatibility. We request that this policy be clarified and expanded to allow for municipalities to plan for a broad range of commercial and complimentary employment uses in all employment areas including significant employment areas, which are adjacent to non-employment areas. Complimentary uses may include retail, hotel, service commercial and other uses which would support the surrounding residential and employment areas and provide as a transition of built form and land use.

Planning Rationale

Although it is acknowledged that the subject lands are identified as a Strategic Employment Area, in the Regional Official Plan, it is our opinion that the subject lands are not suitable for employment uses in their entirety. The context of the lands adjacent to the Sustainable Halton Lands which are planned for a range and mix of housing types, community uses and retail opportunities needs to be considered when planning for the subject lands for purposes of providing appropriate land use compatibility and transition opportunities. For that reason, it is our opinion that it is necessary to provide additional language and permissions for consideration of a broad range of complimentary employment and commercial uses as it applies to the subject lands and other employment lands that are adjacent to non employment areas. A broadening of these uses would provide opportunities for transition from the future residential lands to the west to the intensifying future employment uses to the east adjacent to Highway 407.

Next Steps

At this time, we respectfully request that the proposed clarification and broadening of Policy 2.2.5.7 d) be considered as it relates to the subject lands and all significant employment areas which are adjacent to existing or future non employment areas to further address land use compatibility.

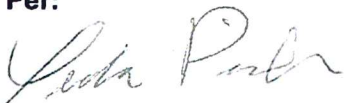
Additionally, although we will be monitoring the proposed amendment process, we kindly request to be notified to the extent parties who have provided comments are updated regarding the Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe (2017).

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 307 should you have any questions regarding this submission.

Yours truly,

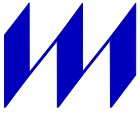
Weston Consulting

Per:



Julia Pierdon, BURPI, MCIP, RPP
Senior Planner

- c. David Laren, Larendale Group of Companies
Ryan Guetter, Weston Consulting



**WESTON
CONSULTING**

planning + urban design

Development Planning Department
Town of Milton
150 Mary Street
Milton, Ontario L9T 6Z5

January 13, 2022
File 7888

Attn: Jill Hogan, Acting Commissioner of Development Services

Dear Madame,

RE: Halton Region Official Plan Review – Draft Preferred Growth Concept and Draft Land Needs Assessment.

Weston Consulting has been retained by the owners of the property located at the southeast corner of Derry Road East and Eight Line in the Town of Milton, which is outlined in Attachment A to this letter and is herein referred to as the “subject property”. The subject property has an area of approximately 9 ha, with approximately 280 m of frontage along Derry Road East, and 290 m of frontage along Eight Line.

We are aware of Staff Report DS-006-22 and the recommendations of Staff to endorse the Region of Halton’s Preferred Growth Concept, as outlined in the Region of Halton Official Plan Review – Draft Preferred Growth Concept and Draft Land Needs Assessment material. We are writing you to provide the following comments. We acknowledge the subject property is identified on Attachment 2 to DS-006-22, and shown as Attachment B to this letter as “Preferred Growth Concept - New Employment Area”.

In accordance with the above, we are pleased to provide our comments on behalf of the owners in that we support the staff recommendations that the lands be included in the urban area of the Region of Halton.

We kindly request that there be flexibility in the policies and process, which will unfold through further work by the Region and Town. We further support an early advancement of the secondary planning work in order to ready the subject property for development and to recognize the most desirable and flexible range of uses in order to deliver a high-quality development. The subject property should be recognized in further detailed development policies as a transition from lands to the west and affords consideration of flexibility and broadening of permissions to reflect this context.

We will continue to monitor the ongoing Regional Official Plan Review Process, and the Town processes to follow, and appreciate the opportunity to provide comments on these recommendations.

We kindly request that these comments be considered by Staff, and by copy of Troy McHarg, Commissioner, Corporate Services and Town Clerk, kindly request that these comments be provided to members of Town Council in advance of the Council Meeting scheduled for 7pm on January 17th, 2022.

Yours truly,

Weston Consulting



Ryan Guetter, BES, MCIP, RPP
Executive Vice President

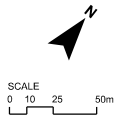
- c Troy McHarg, Commissioner, Corporate Services, Town Clerk
- David Laren, President, Larendale Group of Companies
- Paul Brown, President, Paul Brown and Associates



DERRY ROAD

EIGHTH LINE

Date: 2022-01-13
File: 7888/schedules/airphoto_2022-01-13.dgn



— Subject Property

Source: Air photography from First Base Solutions Inc., 2019 image.

ATTACHMENT A: AIR PHOTO
DERRY ROAD & EIGHTH LINE (SE CORNER)
TOWN OF MILTON

Balanced Growth Scenario

-  New Community Area
-  New Employment Area
-  Natural Heritage System
-  Non-Developable Area

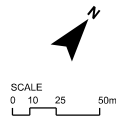
Halton Region

Preferred Growth Concept

-  New Community Area
-  New Employment Area



Date: 2022-01-13
File: 7888/schedules/
PreferredGrowthConcept_2022-01-13.dgn

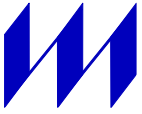


 Subject Property

Source: Air photography from First Base Solutions Inc., 2019 image.

ATTACHMENT B: PREFERRED GROWTH CONCEPT

**DERRY ROAD & EIGHTH LINE (SE CORNER)
TOWN OF MILTON**



**WESTON
CONSULTING**

planning + urban design

Planning Services Department
Region of Halton
1151 Bronte Road
Oakville, ON, L6M 3L1

May 13, 2022
File 7888

Attn: Curt Benson, Director, Planning Services and Chief Planning Official

RE: Halton Region Official Plan Review (ROPA 49) – An Amendment to Implement the Integrated Growth Strategy

Weston Consulting has been retained by the owners of the property located at the southeast corner of Derry Road East and Eighth Line in the Town of Milton, which is outlined in Attachment A to this letter and is herein referred to as the “subject property”. The subject property has an area of approximately 9 ha, with approximately 280 m of frontage along Derry Road East, and 290 m of frontage along Eight Line.

We are aware of Staff Report LPS32-22, which recommended amendments to the Region of Halton Official Plan which would implement the Region’s Growth Strategy to 2041. We are writing you on behalf of our clients to provide the following comments for your consideration.

We recognize that prior to preparation of Staff Report LPS32-22, the Region of Halton held a series of public Open House events within each of the lower-tier municipalities at which a “Draft Preferred Growth Concept and Draft Land Needs Assessment” was presented. The growth concept delineated proposed urban boundary expansions to accommodate population and employment growth to the year 2051 for each of the local municipalities. This concept proposed the inclusion of a strip of lands on the west side of Highway 407, between the Canadian Pacific Railway Corridor to the north and the interchange between Highway 407 and Highway 403 to the south within the “New Employment Area” designation, which included the subject property.

On January 17th, 2022, the Town of Milton Council considered Staff Report DS-006-22, which recommended council endorse the Region’s Draft Preferred Growth Concept, and further recommended Council request that Halton Region phase a concurrent and steady stream of development land in Milton in order to ensure shovel-ready employment land to 2051. Prior to the meeting, Weston Consulting submitted a letter in support of the recommendations and the Draft Preferred Growth Concept, with a request that the Town consider wide land-use permissions for the subject property when planning for future land use permissions. Council accepted the recommendations of the Staff Report at the meeting.

Regional Staff Report LPS32-22 provided information for a public meeting which was held on April 13th, 2022 regarding the Draft Regional Official Plan Amendment (ROPA) 49 - “An amendment to

Implement the Integrated Growth Management Strategy". The Report presented a draft of Regional Official Plan Amendment 49, including text and schedule amendments to the Regional Official Plan. ROPA 49 presents a different time-frame for Regional Growth than that which was included within the methodology for the Regional Land Needs Assessment and the previous Preferred Growth Concept, with a planning horizon of 2041, whereas the previous materials had a horizon of 2051, in line with the growth projections contained within the Growth Plan (2020). Furthermore, ROPA 49 does not designate the subject property as employment area, nor does it incorporate the subject property into the Regional Urban Boundary within the horizon of this plan, which in our opinion is not appropriate, and does not conform to the intentions of the Growth Plan to address growth to 2051. The Amendment maintains the existing "Agricultural Designation" for the subject property, while adding a "Future Strategic Employment Areas" overlay, which restricts the land use permissions on the lands to that which will be compatible with employment uses in the future.

It is our opinion that the subject property is an appropriate location to accommodate employment growth within the near-term and in certainly within the planning horizon to 2051. This property is strategically located in close proximity to existing transportation infrastructure that is supportive of employment uses, such as Highways 401, 407 and 403, and the Milton Yard of the Canadian Pacific Railway. Canadian National Railway is also planning a new intermodal facility in the Town of Milton.

In accordance with the above discussion, we request that the Region include the subject property within the Urban Boundary of the Region of Halton prior to 2041 by including it within the "Urban Area" designation of ROPA 49 and further that it be identified for future urban employment and supportive uses.

We kindly request that these comments be considered by Staff, and by copy of the Regional Clerk, that these comments be provided to Region Council prior to their meeting of May 25, 2022. Should you have any questions, please do not hesitate to contact the undersigned at extension 241.

Yours truly,

Weston Consulting



Ryan Guetter, BES, MCIP, RPP
Executive Vice President

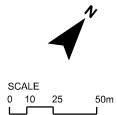
c Graham Milne, Regional Clerk
 David Laren, President, Larendale Group of Companies
 Paul Brown, President, Paul Brown and Associates
 Jill Hogan, Development Services, Town of Milton



DERRY ROAD

EIGHTH LINE

Date: 2022-01-13
File: 7888/schedules/airphoto_2022-01-13.dgn



— Subject Property

Source: Air photography from First Base Solutions Inc., 2019 image.

ATTACHMENT A: AIR PHOTO
DERRY ROAD & EIGHTH LINE (SE CORNER)
TOWN OF MILTON