

THE CORPORATION OF THE TOWN OF MILTON

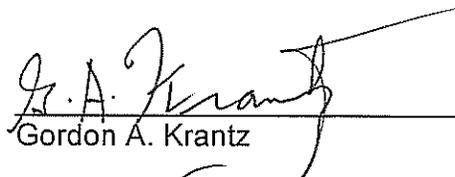
BY-LAW NO. 088-2015

BEING A BY-LAW OF THE TOWN OF MILTON TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTIONS 17 AND 21 OF THE *PLANNING ACT*, AS AMENDED TO ADOPT OFFICIAL PLAN AMENDMENT NO. 41 INCORPORATING A HOUSEKEEPING AMENDMENT TO THE APPROVED DERRY GREEN CORPORATE BUSINESS PARK SECONDARY PLAN AND RELATED OFFICIAL PLAN DOCUMENTS IN THE TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: LOPA 41)

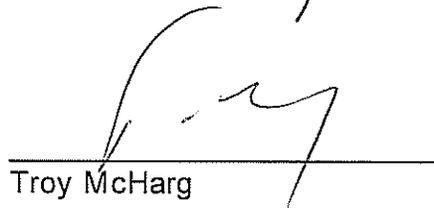
The Council of the Corporation of the Town of Milton, in accordance with the provisions of Sections 17 and 21 of the *Planning Act* R. S. O. 1990, c. P.13, as amended, hereby enacts as follows:

1. Amendment No. 41 to the Official Plan of the Town of Milton, attached hereto, is hereby adopted.
2. Pursuant to Subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this Official Plan Amendment comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsections 17(24) and 17(25). Where one or more appeals have been filed under Subsection 17(24) or 17(25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Municipal Board.

PASSED IN OPEN COUNCIL ON NOVEMBER 9, 2015.



Gordon A. Krantz Mayor



Troy McHarg Town Clerk

***C.9 DERRY GREEN
CORPORATE BUSINESS PARK
SECONDARY PLAN***

C.9 DERRY GREEN CORPORATE BUSINESS PARK SECONDARY PLAN

C.9.1 GENERAL

C.9.1.1 PURPOSE

The purpose of the Derry Green Corporate Business Park Secondary Plan is to establish a more detailed planning framework for the Derry Green Corporate Business Park Planning District in support of the general policy framework provided by the Official Plan.

It is a fundamental purpose of this Secondary Plan to ensure that:

- a) the impacts on existing taxpayers of the cost of new development within the Secondary Plan area shall be minimized;
- b) to the maximum extent possible and practical, the conveyance of lands for community facilities shall keep pace with growth in the Secondary Plan area to avoid or minimize a reduction in service standards for such facilities, including the conveyance of lands by landowners in advance of draft plan approval;
- c) to the maximum extent possible and practical, the conveyance of lands for, and the construction of, other public infrastructure shall keep pace with the growth in the Secondary Plan area so that the impacts of such growth can be appropriately managed, both fiscally and physically, including the conveyance of lands by landowners in advance of draft plan approval in both a fiscally responsible and physically efficient manner;
- d) overall development in the Secondary Plan area shall be phased in accordance with Schedule C.9.C. – Derry Green Corporate Business Park Secondary Plan Phasing Plan and in the phasing policies of Section C.9.6.1;
- e) development in the Secondary Plan area shall be consistent with the requirements and recommendations of the Subwatershed Update Study (SUS), Functional Stormwater and Environmental Management Strategy (FSEMS), Conceptual Fisheries Compensation Plan (CFCP) and applicable Subwatershed Impact Study (SIS) as approved to the satisfaction of the Town of Milton and the Region of Halton, in consultation with Conservation Halton, and where applicable, Provincial and Federal Authorities; and
- f) the progression of development within the Secondary Plan is managed in a manner which promotes the achievement of efficient land use and development patterns and is supported by an appropriate range of public infrastructure, facilities, services, and amenities.

C.9.1.2 In order to ensure the implementation of this policy, no applications for development shall be approved and no development shall proceed in the Secondary Plan area unless development conforms with the phasing policies of Section C.9.6.1.2, and until:

- a) the *Long-Term Fiscal Impact Assessment of Growth* dated December 6, 2010 prepared by Watson & Associates Economists Ltd., as modified by Report CORS-063-12, is approved by Council;
- b) the Town has in full force and effect, and not subject to appeal, a Development Charges By-law enacted under the Development Charges Act, 1997 or any successor legislation, identifying and imposing charges applicable to the lands in the Secondary Plan area;
- c) the recommendations of the Financial Plan are secured through agreements with affected parties to the satisfaction of Council in accordance with Section C.9.6.1 of this Plan; and
- d) the recommendations of the Region's financial plan are secured through agreements with affected parties to the satisfaction of Regional Council in accordance with applicable Regional policies.

C.9.1.3 LOCATION

C.9.1.3.1 The Derry Green Corporate Business Park Planning District is located in the Town's Urban Expansion Area as shown on Schedule "B" of the Official Plan and is bounded by:

- a) North Highway 401 and the west edge of the floodplain of the Middle Branch of Sixteen Mile Creek;
- b) East West edge of the floodplain of the Middle Branch of Sixteen Mile Creek;
- c) South North edge of the floodplain of the Centre Tributary of the Middle Branch of Sixteen Mile Creek; and,
- d) West James Snow Parkway.

C.9.2 PLANNING DISTRICT CONCEPT

C.9.2.1 CORPORATE BUSINESS PARK CHARACTER

C.9.2.1.1 The Secondary Plan is designed to create a comprehensively planned, high quality, corporate business park with a significant component of office and other prestige uses. It will have approximately 17-18,000 employees based on an assumption of approximately 45 employees per net hectare. This area will also serve as a gateway to the Urban Area and, as such, will reflect the strong sense of community and the environment evident in Milton today by:

- a) providing a multi-modal transportation system, including road, rail, transit and trail/path facilities, and a development pattern which supports that system, to ensure the maximum degree of physical connection to key market areas, as well with the Existing Milton Urban Area, within the Planning District, and with other surrounding areas of the Town;
- b) ensuring that development fronting on major roads, and the road allowances, achieves high urban design standards to reinforce the Town's image and provide an attractive entrance to the community;
- c) providing the flexibility to accommodate a broad range of potential uses in the Corporate Business Park as a whole, while at the same time, establishing appropriate controls on development to ensure that high quality and prestige uses locate at key locations such the areas fronting on Highway 401, Derry Road and James Snow Parkway, and to minimize potential conflicts between uses, including conflicts which relate to the character of specific areas of the Corporate Business Park and the relationship to residential development on the west side of James Snow Parkway;
- d) creating a Natural Heritage System within the Planning District which is connected to the Natural Heritage System and parkland in other areas of the Town, particularly the Provincial Greenbelt to the east and south of the Planning District;
- e) providing for the potential of features and/or community facilities including a Community Park, within the Planning District which may serve as landmarks or focal points for the Corporate Business Park, its employees and also for all Town residents; and,
- f) recognizing that within the general vision for the Corporate Business Park, individual areas may develop their own specific character.

C.9.2.2 KEY DESIGN ELEMENTS

C.9.2.2.1 The following key design elements form the basis of the Secondary Plan as outlined on Schedule "C.9.A", Derry Green Corporate Business Park Structure Plan. They include:

a) **Natural Heritage System**

A Natural Heritage System consisting of habitat complexes, watercourse corridors and buffers is a central feature of the community protecting key environmental features and where feasible providing a connection to the Natural Heritage System in the rest of the Urban Area, as well as to the surrounding rural area and, in particular, the Provincial Greenbelt to the east and south of the Secondary Plan Area. The road system will be aligned to give appropriate accessibility to the Natural Heritage System both physically and visually.

b) **Bicycle/Pedestrian Trail System**

The Secondary Plan has been designed to accommodate the development of an extensive system of recreational trails, generally located within the outer portion of the Natural Heritage System buffers. In addition, sidewalks or, in certain locations, multi-use trails, will be provided on all roads and separate bicycle lanes will be

incorporated into the right-of-way on collector and arterial roads to ensure a community which provides maximum opportunities for pedestrian, bicycle and other similar movement, as well as access to transit services. All development shall have regard for the Town's Trails and Cycling Master Plan Update and comply with other relevant Town standards including the provision of on-road bike lanes, safe linkages within the Secondary Plan Area and connections to trails and bike routes outside the Secondary Plan Area.

c) Connectivity/Accessibility

The Secondary Plan Area includes numerous barriers to connectivity and accessibility, both externally and internally, (e.g. Highway 401, gas line and the railway). Improved internal and external access for vehicles, but also for pedestrians and cyclists, strengthens the area's integration with the rest of the community, as well as enhancing its gateway function and marketability. The road system within the framework of the transportation system designated on Schedules "C.9.A" and "C.9.B" will be designed with a modified grid pattern to enhance connectivity and accessibility. Key planned improvements to the transportation system designed to overcome barriers to connectivity and accessibility include:

- i) a grade separation at the railway for Fifth Line;
- ii) pedestrian/bicycle bridge over the Middle Branch of the Sixteen Mile Creek at the gas pipeline;
- iii) road connections to James Snow Parkway opposite existing roads on the west side of the Parkway; and,
- iv) easterly extensions of Main Street and Louis St. Laurent Blvd.

d) Highway 401 Landscape Corridor

The view of the Town from Highway 401 is one of the most significant in forming the community's image both for residents and visitors. A number of initiatives have already been taken to enhance this image (e.g. fountain at RR25 interchange). The 401 Industrial/Business Park established a requirement for the creation of a landscape corridor along Highway 401 and this should be continued in the Derry Green Corporate Business Park. This corridor will also provide a visual linkage between different parts of the Natural Heritage System.

e) Enhanced Streetscape Design

James Snow Parkway and Derry Road represent major access routes into and through the community. In addition, each of these roads has a significant role in the community:

- i) James Snow Parkway is a major gateway to the Urban Area and is the key interface between the Corporate Business Park and the residential community to the west; and,
- ii) Derry Road is also a major gateway to the Urban Area from the east.

As such, it is important in creating the image of the community, that these streets have an enhanced level of streetscape design including coordinated street furniture and landscaping. The Town will work with the Region, recognizing that these are Regional roads, to achieve this objective.

f) Integration of Cultural Heritage Resources

The retention of cultural heritage resources contributes to the character of the area. A careful review of all the identified cultural heritage resources will be required to determine how best to integrate the key features with the proposed development, including the adaptive reuse of built heritage resources.

g) Gateways

The intersections of Main Street and James Snow Parkway; Derry Road and James Snow Parkway; Louis St. Laurent Boulevard and James Snow Parkway; and Derry Road and Sixth Line are recognized as key points of entry or "gateways" to the Town which will require special design treatment both of the road right-of-way and any development adjacent to the right-of-way.

h) Hydro/Utility Corridor

A significant corridor north of the railway in the Secondary Plan area is used for Hydro transmission facilities. These facilities and the lands in the corridor are publicly owned and the function of the corridor is not anticipated to change. This fact must be recognized in the Plan.

C.9.3 VISION AND OBJECTIVES

Further to, and in accordance with, the goals and objectives of Section 2 of this Plan, the following vision and objectives are applicable to the Derry Green Corporate Business Park Planning District.

C.9.3.1 VISION

C.9.3.1.1 The Derry Green Corporate Business Park will be based on strong design requirements to ensure the achievement of quality development, while providing for a full range of employment uses in a variety of different environments. These will include prestige offices, campus settings in close proximity to the Natural Heritage System; street related employment uses and light industrial development.

C.9.3.2 OBJECTIVES

C.9.3.2.1 To create a Corporate Business Park that capitalizes on Milton's competitive advantage in the Greater Toronto Area market and its location adjacent to the Highway 401 corridor by establishing a development framework that:

- a) streamlines approvals;
- b) is flexible in dealing with various types and forms of land uses and buildings while directing prestige uses to key locations; and,
- c) promotes a program of urban design that is attractive and financially responsible.

C.9.3.2.2 To create a functional transportation system, including road, rail, transit and trail/path facilities, which ensures the maximum degree of physical connections to key market areas, as well as with the Existing Urban Area, within the Planning District and with other

surrounding areas. This system should be based on a modified grid road system and designed to ensure maximum accessibility and connectivity and opportunities for integration with the rest of the community.

- C.9.3.2.3** To ensure through the establishment of urban design guidelines and other measures, including zoning regulations, a high quality and consistent level of urban design for both public and private areas of the Corporate Business Park, including specific directions to ensure the highest quality of development at key locations, while providing the flexibility to accommodate a broad range of potential use in the Corporate Business Park as a whole.
- C.9.3.2.4** To create, in consultation with the Region of Halton and Conservation Halton, a linked Natural Heritage System, including a trail system, which is connected with other areas of the Town, forms a central feature of the Corporate Business Park, protects and enhances key existing natural features, and which is easily accessible and visible to residents and visitors.
- C.9.3.2.5** To develop a functional servicing plan, in consultation with the Region and with Regional approval where applicable, which ensures that all services, including major capital projects, are provided in a cost-effective and timely manner as the area develops.
- C.9.3.2.6** To preserve existing cultural heritage features which are designated or on the Town's heritage register, "in situ" wherever possible or, if supported by an approved heritage study, on an alternative, appropriate site. Adaptive reuse of these features will be encouraged.
- C.9.3.2.7** To create focal points for the Corporate Business Park, employees and Town residents through the use of cultural heritage features which are designated or on the Town's heritage register, or the creation of other landmark features, including a Community Park.
- C.9.3.2.8** To ensure an appropriate interface with the residential development west of James Snow Parkway and to mitigate impacts to the extent feasible on remaining, existing residential development and agricultural operations from adjacent new, non-residential and employment uses through design and the establishment of appropriate setbacks and buffering, while recognizing that the primary and long term use of the area is for employment development.
- C.9.3.2.9** To work with the Ministry of Transportation and abutting owners to create a comprehensive landscape corridor along Highway 401 and pedestrian/bicycle trail linkages across Highway 401 at major crossings such as James Snow Parkway.
- C.9.3.2.10** To work with the Region to design James Snow Parkway and Derry Road, and key intersections on those roads, to reflect their roles as major "gateways" to the Milton Urban Area.

C.9.4 STRATEGIC POLICIES

Further to and in accordance with the Strategic Policies of Section 2 of this Plan, the following policies are applicable to the Derry Green Corporate Business Park Planning District.

C.9.4.1 TRANSPORTATION FACILITIES: CLASSIFICATION, FUNCTION AND DESIGN REQUIREMENTS

C.9.4.1.1 General

- a) Transportation infrastructure shown on the Schedules attached to the Derry Green Corporate Business Park Secondary Plan may be subject to Environment Assessments at both Regional and Town levels, recognizing that this Secondary Plan together with the “Derry Green Corporate Business Park Transportation Strategy Report” (December 2010) and the “Halton Region Transportation Master Plan (2031) – The Road to Change” satisfy Phases 1 and 2 of the Environmental Assessment process. Regardless, the proposed locations of transportation infrastructure are conceptual and will only be finally determined upon completion of any required Environmental Assessments. Where appropriate, some of the required detail and assessment may be completed as a component of the plan of subdivision review process which will examine among other issues minimizing impacts on the Natural Heritage System and open space system.
- b) The location and alignment of roadways as illustrated on the Schedules to this Secondary Plan are conceptual and subject to study as may be required by the Town and/or the Region. All roadway and driveway spacing shall conform to standard roadway engineering practices and is to be approved by the respective roadway jurisdiction.
- c) The range of land uses ultimately developed within the Secondary Plan area may, in some instances, not require the full road network identified on the Schedules to the Secondary Plan. Where, through the submission of supplementary transportation studies, it can be demonstrated to the satisfaction of the Town and the Region that certain roads are not required, the road network as illustrated on the Schedules to this Secondary Plan may be modified accordingly, without amendment to this Plan.

C.9.4.1.2 Sixth Line

A portion of Sixth Line south of Derry Road is within the Regional Storm flood plain associated with the Sixteen Mile Creek and is subject to seasonal flooding. As a result, Sixth Line may have to be diverted in order to move it outside of the Regional Storm flood line. No development shall occur on adjacent lands until flood free access is available and has received all required approvals, including but not limited to the approval of an Environmental Assessment

C.9.4.2 PUBLIC TRANSIT

In conformity with Section B.2.6.3.19 and B.2.6.3.20 of the Official Plan, the Town will ensure that the development of the Derry Green Corporate Business Park maximizes the potential for the provision of transit service, including the development of transit-supportive design criteria and standards in the Urban Design Guidelines.

C.9.4.3 FUTURE RAILWAY GRADE SEPARATION

A future railway grade separation is designated on the Schedules to the Secondary Plan. The design of development shall protect for the eventual construction of the future grade separation based on projected traffic volumes, possible increases in rail traffic including GO Transit service and the limited road way crossings of the rail line.

In accordance with, and further to the policies of Section B.2.6.3.9 of this Plan, due to the presence of hydroelectric transmission towers in the immediate vicinity of the CP Rail line,

the alignment of the Fifth Line grade separation (underpass) will result in the need for an asymmetric road widening loaded to the east side of Fifth Line.

C.9.4.3.1 FUTURE MAJOR ARTERIAL ROAD STUDY AREA

The Region's Transportation Master Plan (2031) – The Road to Change has identified the need for additional north/south Regional arterial road capacity within the Derry Green Corporate Business Park Secondary Plan to support travel demand in 2031. Within Milton, the Transportation Master Plan has conceptually identified a new north/south corridor located between Fifth and Sixth Line, extending from Britannia Road to Provincial Highway 401.

As part of Halton Region's 2016 Transportation Master Plan, a Corridor Study will be undertaken to define the study area to be considered through the Class Environmental Assessment for the new corridor.

In the interim, development may commence in accordance with the Secondary Plan including the phasing plan in Schedule C-9-C within the area between Fifth and Sixth Lines, extending from Britannia Road to Provincial Highway 401, provided that the development does not restrict consideration of alternatives for the location of the corridor as part of the Corridor Study, and subject to the consent of the Region of Halton.

The Secondary Plan identifies a north/south local collector road within the area between Fifth and Sixth Lines, extending from Britannia Road to Provincial Highway 401. The need for this collector road will be reviewed in consultation with the Region of Halton prior to its construction. If the Region's Corridor Study determines that a Regional arterial road will be located within this area and that the local collector road is no longer required, the collector road will be deleted without amendment to the Plan.

C.9.4.4 TRAILS SYSTEM

Schedule "C.9.A", Derry Green Corporate Business Park Structure Plan establishes the proposed recreational pedestrian/bicycle trail system for the Secondary Plan area. It also identifies the location of roads which will be designed in accordance with the Town's standards to accommodate a bicycle path as part of the roadway and/or a multi-use path. Separate multi-use paths will only be required on arterial roads. A potential bicycle trail linkage is identified crossing Highway 401 on James Snow Parkway. The Town will work with the Ministry of Transportation and the Region of Halton to establish this bicycle trail linkage in this location, and at other major crossings.

C.9.4.5 SIXTEEN MILE CREEK SUBWATERSHED UPDATE STUDY

C.9.4.5.1

All new development within the Derry Green Corporate Business Park shall be consistent with the recommendations of the SUS, including the use of Low Impact Development Practices. Functional recommendations, derived from the SUS principles and specifically focused on the Derry Green Corporate Business Park Secondary Plan Area will also apply as outlined in the FSEMS and CFCP.

No amendment to the Secondary Plan shall be required to implement the recommendations of the Subwatershed Update Study, FSEMS or CFCP. Such functional recommendations will be implemented through the required SIS as approved by the Town in consultation with Conservation Halton, the Region and any other relevant public agencies. In particular, where

the SUS, FSEMS, or CFCP supports the realignment, relocation, elimination, replication or other modification of watercourse corridors or other key features including wetlands and restoration areas or changes in the locations of drainage facilities in accordance with the policies of Section C.9.5.10 of this Plan, no amendment shall be required to this Plan where such works are undertaken.

C.9.4.5.2 In addition to the SUS, the Halton-Hamilton Source Protection Committee, with support from the Region of Halton and the Ministry of Environment, is in the process of completing the Source Water Protection plan for Halton Region. There are no Source Water Protection implications in this area as it is outside any well-head protection area.

C.9.4.5.3 Subwatershed Impact Studies are required for Subwatershed Impact Areas identified as part of the FSEMS as a submission requirement for a complete application. The study areas can be modified or consolidated subject to approval of the Town, in consultation with the Conservation Authority and the Region of Halton. The goal of the Subwatershed Impact Studies will be to achieve a greater level of detail in the integration of land use, servicing and stormwater management. The Terms of Reference for the Subwatershed Impact Studies must be adhered to and can be found in the FSEMS.

C.9.4.6 URBAN DESIGN

C.9.4.6.1 Urban Design Strategy and Guidelines

Section B.2.8 of this Plan establishes a detailed urban design strategy for the Town which is applicable to the Derry Green Corporate Business Park Secondary Plan Area.

Further to, and in accordance with the policies of Section B.2.8 of this Plan, all development within the Derry Green Corporate Business Park Planning District shall be designed in a manner which reflects the following principles and policies, as well as the other policies of this Secondary Plan, particularly Section C.9.2, Planning District Concept, Section C.9.3, Vision and Objectives, and Schedule C.9.A, Derry Green Corporate Business Park Structure Plan; and has the regard for Urban Design Guidelines for the Planning District. Development is encouraged to employ innovative and sustainable design features and construction practices consistent with the approach advocated by the Leadership in Energy and Environmental Design (LEED) rating system.

C.9.4.6.2 General Design Principles

Further to, and in accordance with the provisions of Vision and Objectives of subsection C.9.3.1, development shall be designed in accordance with the following general design principles:

- a) Creation of a visually and physically well-connected Corporate Business Park incorporating high quality streetscape design and urban design which is innovative and supportive of transit and active transportation;
- b) Creation of a unique, place specific Corporate Business Park as a gateway to the Urban Area.

C.9.4.6.3 Key Design Directions

In addition to the policies of this Secondary Plan, the following policies and the designations on Schedules "C.9.A", Structure Plan, and "C.9.B", Land Use Plan, provide direction with respect to key design features.

C.9.4.6.4 Natural Heritage System

The Natural Heritage System as designated on Schedules "C.9.A." and "C.9.B" consisting of habitat complexes, watercourse corridors and buffers, is a central feature of the Secondary Plan area and forms a strong connection to lands within the Greenbelt Plan.

C.9.4.6.5 Connectivity/Accessibility

Strong connectivity and accessibility both internally and externally for the Corporate Business Park shall be achieved through the enhancements of the transportation system as designated on Schedule "C.9.A", Structure Plan and, in accordance with the policies of Sections C.9.4.1-C.9.4.4 and the other policies of this Secondary Plan.

C.9.4.6.6 Highway 401 Landscape Corridor

All development abutting Highway 401 or any related service roads shall be designed to achieve a landscaped corridor along the highway, although views of primary buildings will be permitted. The corridor shall be located outside of any lands required by the Ministry of Transportation and the width shall be specified in the Zoning By-law. In addition, to further implement this direction:

- a) buildings shall be designed so that all elevations facing a street, including Highway 401, present an attractive, articulated elevation;
- b) views of primary buildings will be permitted, although trees and landscaping will be used to screen elements such as parking, service and loading areas;
- c) parking which is visible from Highway 401 will be limited and generally will be at least partially screened by berms and landscaping;
- d) service and loading facilities, or open storage, will not be permitted in any yard facing Highway 401 and, regardless of location, will be screened from Highway 401.

C.9.4.6.7 Enhanced Streetscape Design

James Snow Parkway and Derry Road represent major access routes into and through the community. In addition, each of these roads has a significant role in the community. Recognizing that both these roads are Regional Roads, the Town will work to ensure that they are designed with an enhanced and co-ordinated approach to landscaping, street tree planting, sidewalks, lighting, private/public utilities, bike and multi-use paths and boulevards in accordance with the Town's Urban Design Guidelines and Regional Right-of-Way Dimension Guidelines and subject to any required Environmental Assessment.

In addition, the Town shall through the zoning by-law and site plan approval process, control development along these roads to ensure both a high quality of site design and use. In particular:

- a) buildings shall be designed to front on these roads;
- b) significant parking areas will be screened by berms and landscaping;
- c) service, loading and open storage facilities shall not be permitted in the yard abutting these major roads and shall be screened from these roads;
- d) safe and functional vehicular and pedestrian access shall be provided; and,
- e) the use of native and non-invasive species for landscaping and street tree planting will be promoted. Consideration will be given to eco-friendly features, including Low Impact Development (LID) practices in any streetscape design and landscaping involving publically-owned roads rights-of-way.

C.9.4.6.8 Streetscape Design

The design of all streets in the Corporate Business Park will also be carefully reviewed to ensure that the streets are functional for goods movement, while still being comfortable for pedestrians and bicyclists. The Urban Design Guidelines will establish specific design treatment for all streets.

C.9.4.6.9 Cultural Heritage Features

In the development of the Corporate Business Park, land owners shall be strongly encouraged to incorporate key cultural heritage features with the proposed development, including the adaptive reuse of built heritage resources.

C.9.4.6.10 Gateways

“Gateways” are designated on Schedule C.9.A. and are key points of entry to the Urban Area of the Town which require special design treatment of both the road allowance and adjacent development. In addition, it is recognized that the railway also serves as a “gateway” to the Town, and consideration will be given to the screening open storage along the tracks to minimize visual impact.

C.9.4.7 CULTURAL HERITAGE

Four properties in the Secondary Plan area are considered to be of cultural heritage significance. They are listed on the Town’s register and the Town may consider their designation under the *Ontario Heritage Act*. These properties are 7429 Fifth Line, 7542 Fifth Line, 7622 Fifth Line and 6566 Sixth Line and are designated on Schedule “C.9.B.” as “Cultural Heritage Resources”.

C.9.4.7.1 The Town shall, in conformity with the heritage policies of Section B.2.10 of the Official Plan, actively encourage:

- a) the conservation of these buildings or any other sites which may be identified and listed on the register or designation under the *Ontario Heritage Act*;

- b) their retention in-situ wherever possible or, if supported by an approved heritage study, on an alternative, appropriate site; and,
- c) their integration with the Corporate Business Park development.

C.9.4.7.2 The existing uses shall be encouraged to continue, however, adaptive re-use of the building and site, shall also be permitted. Notwithstanding the uses permitted in the land use designation applicable to these sites, permitted adaptive re-use shall be restricted to a limited commercial use or uses such as offices, a restaurant, a studio or a workshop subject to a zoning by-law amendment and site plan approval, and provided that:

- a) the character and appearance of the building and site are maintained, and any additions maintain the character, to the satisfaction of the Town;
- b) for 6566 Sixth Line, the approval of Conservation Halton, recognizing that the site is located in the floodplain; and.
- c) for 7622 Fifth Line, the Town is satisfied, in consultation with Conservation Halton, that there will be no significant impact on the natural environment recognizing that the site is located in the Natural Heritage System designation.

C.9.4.8 PUBLIC INFRASTRUCTURE AND SERVICES

- a) Federal, Provincial, Regional and Town-owned and/or operated public infrastructure and services are permitted to be located within any land use designation, except the Natural Heritage System designation, subject to the completion and approval of and Environmental Assessment or where such public infrastructure and services are required as a condition of approval under the Planning Act;
- b) Notwithstanding the foregoing, public infrastructure such as roads, above and below ground utilities including water and wastewater mains, storm sewers, gas lines, underground telecommunications infrastructure and stormwater management outlets may be located within the Natural Heritage System designation subject to the satisfactory demonstration of the following:
 - i) there are no feasible alternatives to the proposed location; and,
 - ii) the degree of intrusion is minimized to the extent possible.
- c) The provision of temporary/interim water and wastewater servicing to facilitate development may be considered by the Town and Region, where full services will be provided within a defined period of time and a requirement that connection to full services will be required once available, provided that it complies with all relevant policies of this Plan, and is in accordance with any applicable Provincial, Regional and local planning legislation and regulations.

C.9.5 LAND USE POLICIES

The applicable land use policies of Sections 3 and 4 of the Official Plan, together with the additional policies in this section, shall apply to the lands in the Derry Green Corporate Business Park Planning District, in accordance with the land use designations on Schedule "C.9.B", Derry Green Corporate Business Park Land Use Plan.

C.9.5.1 BUSINESS PARK AREA

C.9.5.1.1 General

Further to, and in accordance with the policies of Section 3.8 of the Official Plan, on lands designated "Business Park Area" on Schedule "C.9.B", with the exception of lands subject to the "Gateway Area", "Natural Heritage Oriented Area" and "Street Oriented Area" overlay designations, the following uses shall not be permitted:

- a) Service commercial uses;
- b) Hotel, conference, convention and banquet facility uses;
- c) Institutional uses;
- d) Restaurants, except where such uses form part of and are located wholly within an light industrial or office building, other than an industrial mall;
- e) Theatre/entertainment uses; and,
- f) Auto sales and service.

Limited open storage may be permitted at the rear of a lot, subject to a zoning by-law amendment, where it can be demonstrated to the Town that the open storage can be buffered by landscaping, berms or other screening mechanisms. In addition, on lands adjacent to the Community Park, in addition to commercial recreation uses, public indoor recreation facilities including a commercial, public/private or public indoor soccer facility are permitted.

C.9.5.1.2 Overlay Designations

The following uses shall be the only uses permitted on lands designated "Business Park Area" on Schedule "C.9.B", in the "Gateway Area", "Natural Heritage Oriented Area" and "Street Oriented Area" overlay designations, subject to the applicable policies of Sections C.9.5.1.4, C.9.5.1.5, or C.9.5.1.6 of this Plan and the submission of a concept plan and elevation drawings which illustrate how the policies of this Plan and Urban Design Guidelines will be addressed:

- a) Offices;
- b) Light industrial uses which include a significant office component;
- c) Research and development uses excluding uses which produce biomedical waste;
- d) Restaurants and service commercial uses where such uses form part of a light industrial, or office or mixed use building, including an industrial mall;
- e) Commercial recreation uses and public indoor recreation facilities: and,
- f) Parks.

C.9.5.1.3 In addition, in the Gateway Area designation the following additional uses shall be permitted:

- a) Hotel, conference, convention and banquet facility uses; and
- b) Theatre/entertainment uses.

C.9.5.1.4 Service Stations/Gas Bars

Service station/gas bar uses including related convenience stores, car wash and other accessory uses shall only be permitted subject to the Urban Design Guidelines, a site specific amendment to the Zoning By-law and site plan approval in the Street Oriented Area overlay designation on Derry Road. Such uses shall be prohibited at the intersection of Derry Road and any Arterial Road. Such development shall not be subject to the specific policies of Section 9.5.1.5, but shall be designed to foster an urban character recognizing the specific requirements of the use.

C.9.5.1.5 Street Oriented Area

Lands designated “Business Park Area” with a “Street Oriented Area” overlay designation on Schedule “C.9.B” shall be reviewed by the Town in accordance with the Urban Design Guidelines. In particular:

- a) development shall be designed with street related sites and buildings, including a continuous frontage of buildings wherever feasible;
- b) no parking shall be located between the building and the street, and surface parking shall be located to the rear and sides of the building. In addition, the amount of lot frontage allocated for surface parking shall be restricted in the zoning by-law and driveway access to James Snow Parkway is generally prohibited. Structured or below grade parking is encouraged; and,
- c) buildings shall be designed to foster an urban character, with the scale and placement contributing to the pedestrian orientation of the street. Buildings shall have a minimum height of 6 metres and shall be encouraged to exceed one storey in height.

These directions shall be applicable to the lands on the north side of Derry Road between James Snow Parkway and Fifth Line which are separated from the street by Natural Heritage System designation. However, the relationship of any development to the Natural Heritage System designation, including any crossings, shall be evaluated in conformity with the policies of the Natural Heritage System designation, and the Subwatershed Update Study.

C.9.5.1.6 Gateway Area

Lands designated “Business Park Area” with a “Gateway Area” overlay designation on Schedule “C.9.B” shall be reviewed by the Town in accordance with the Urban Design Guidelines. In particular:

- a) development shall predominantly consist of significant, high-profile buildings with strong architectural elements;
- b) buildings shall be a minimum of two storeys in height and shall be encouraged to exceed three storeys; and,
- c) a campus-like design may be considered for this area provided that building massing and siting reflects the prominence of the gateway location.

C.9.5.1.7 Natural Heritage Oriented Area

Lands designated “Business Park Area” with a “Natural Heritage Oriented Area” overlay designation on Schedule “C.9.B” shall be reviewed by the Town in accordance with the Urban Design Guidelines. In particular:

- a) Development shall be designated to ensure that buildings and other uses not only capitalize on their location, but that they are sensitive to impacts on the surrounding Natural Heritage System;
- b) Careful consideration shall be given to the design of impervious surfaces and other factors that impact stormwater management including the use of LID practices;
- c) Natural heritage supporting areas and restoration areas which may be located on the site and which have been identified through the SUS and FSEMS shall be considered for integration into the development where feasible in such a way as to link them to the Natural Heritage System; and,
- d) Development shall be designed with a campus-like design to achieve better integration with the surrounding Natural Heritage System.

C.9.5.1.8 Natural Heritage Oriented Area - Temporary Use Area

The lands south of the Union Gas Pipeline, east of Sixth Line designated on Schedule “B” as Natural Heritage Oriented Area – Temporary Use shall be subject to the policies of the Natural Heritage Oriented Area. In addition, a study centre shall be permitted as a temporary use subject to specific restrictions in accordance with a decision of the Ontario Municipal Board issued November 1, 2005.

C.9.5.2 PRESTIGE OFFICE AREA

C.9.5.2.1 Purpose

The Prestige Office Area designation on Schedule “C.9.B” is an employment designation which applies to key sites adjacent to James Snow Parkway at important gateways to the Corporate Business Park.

C.9.5.2.2 Permitted Uses

The following uses shall be the only uses permitted on lands with the Prestige Office Area designation, subject to the submission of a development plan which illustrates how the policies of this Plan and the Urban Design Guidelines will be addressed, including elevations and plans:

- a) Offices;
- b) Research and development uses excluding uses which produce biomedical waste;
- c) A maximum of two stand-alone restaurants at each of the intersections of James Snow Parkway and Derry Road, James Snow Parkway and Louis St. Laurent Avenue and Derry Road and Fifth Line each of which has a minimum gross floor area of 500 square metres;

- d) Restaurants and service commercial uses where such uses form part of an office building;
- e) Hotel, conference, convention and banquet facilities uses; and
- f) Theatre/entertainment uses.

C.9.5.2.3 Site Design

Lands designated “Business Park Area” with a “Prestige Office Area” designation on Schedule “C.9.B” shall be reviewed by the Town in accordance with the Urban Design Guidelines. In particular:

- a) development shall be designed with significant, high-profile office buildings with strong architectural design;
- b) buildings shall have a minimum height of two storeys and a minimum Floor Space Index of 0.5; and,
- c) the lands in this designation shall be developed with street related sites including a continuous frontage of buildings wherever feasible; and,
- d) no parking shall be located between the building and the street, and surface parking shall be located to the rear and sides of the building. In addition, the amount of lot frontage allocated for surface parking shall be restricted in the zoning by-law and structured or below grade parking is encouraged;
- e) buildings shall be designed to foster an urban character, with the scale and orientation contributing to the pedestrian orientation of the street; and,
- f) careful consideration will be given to the design of impervious surfaces and other factors that impact on stormwater management including the use of LID practices.

C.9.5.3 INDUSTRIAL AREA

C.9.5.3.1 Further to, and in accordance with the policies of Section B.3.9 of this Plan, on lands designated “Industrial Area” on Schedule “C.9.B”, notwithstanding the provisions of Section B.3.9.2.1 which permit the full range of light and general industrial uses, the Zoning By-law may not initially permit the full range of such uses on all sites.

C.9.5.3.2 Sites where uses may be restricted shall include sites adjacent to the railway, Fifth and Sixth Lines, and lands adjacent to the Natural Heritage System designations on Schedule “C.9.B”.

C.9.5.3.3 On sites as identified in Section C.9.5.3.2, or other sites as the Town may determine, the By-law may prohibit specific uses including truck terminals, fuel depots, cement batching and asphalt plants and waste management or composting facilities or similar uses which cannot easily be designed to maintain the high quality development required for such areas. Further, through the By-law or site plan control process, the location and extent of open storage areas may be limited and/or specific buffering may be required.

C.9.5.3.4 Applications for industrial uses not permitted by the zoning by-law shall be evaluated based on the submission of a development plan which illustrates how the policies of this Plan and the Urban Design Guidelines will be addressed, including elevations and plans; and may be approved provided that the Town is satisfied that the development can be designed to maintain the high quality required for such areas.

C.9.5.4 NATURAL HERITAGE SYSTEM

C.9.5.4.1 Purpose

Within the Derry Green Corporate Business Park Secondary Plan, the “Greenlands A Area”, and “Greenlands B Area” designations as established in the Official Plan are collectively designated “Natural Heritage System” in order to better reflect the systems approach taken to ensure the protection, preservation and enhancement of the key features, buffers and linkages of which it is composed. The purpose of the Natural Heritage System designation in the Derry Green Corporate Business Park Secondary Plan Area is:

- a) to protect areas which have been identified as having environmental significance based on the functional recommendations of the Sixteen Mile Creek Areas 2 and 7 Subwatershed Update Study, the FSEMS, and CFCP for the Derry Green Corporate Business Park Secondary Plan Area; and,
- b) to establish a Natural Heritage System, achieving enhanced natural habitat areas and ecological functions that will be resilient to the impacts of the adjacent urban development.

C.9.5.4.2 Criteria for Designation

The lands in the Natural Heritage System on Schedules “C.9.A” and “C.9.B” consist of the following key features and functions:

- a) habitat complexes consisting of valleylands, forest, thicket, meadow, wetlands and associated restoration areas;
- b) watercourse corridors; and,
- c) buffers.

C.9.5.4.3 Permitted Uses

The Natural Heritage System designation on Schedules “C.9.A” and “C.9.B” means that only the following uses may be permitted subject to the policies of this Section:

- a) recreational trails and similar non-intensive recreation uses;
- b) forest, wildlife and fisheries management;
- c) archaeological activities in accordance with Provincial Ministry requirements; and,
- d) public infrastructure in accordance with Section C.9.4.8

C.9.5.4.4 Criteria for Habitat Complexes

The FSEMS identifies the location of habitat complexes consisting of valleylands, forest, thicket, meadow, and wetland and associated restoration areas. The boundaries of habitat complexes shall be determined in accordance with the recommendations of an approved SIS on the basis of the following criteria:

- a) key NHS area defined in the FSEMS;
- b) goals and conservation priorities in the FSEMS: and,
- c) targets and implementation details in the FSEMS.

C.9.5.4.5 Criteria for Watercourse Corridor Design

The FSEMS and CFCP identify the approach for watercourse corridor design to be followed in the SIS. The dimensions of watercourse corridors, exclusive of the required buffers set out in the C.9.5.4.6, measured from stabled top of bank to stable top of bank, shall be determined in accordance with the recommendations of an approved SIS on the basis of the following criteria:

- a) Meander belt width for natural channel design, including 10% safety factor, and all required fisheries compensation/habitat;
- b) Maintenance of existing riparian storage volumes;
- c) Watercourse corridors designated to contain Region Storm storage shall be sized accordingly;
- d) Construction of a stable valley wall from the toe of the valley wall to the proposed finished grade at the top of valley wall; and,
- e) Provision of flood protection for adjacent properties up to and including the Regional Storm event.

C.9.5.4.6 Criteria for Buffers

Buffers shall be provided in accordance with the following:

- a) Watercourse Corridors:

10 metres from the greatest hazard (Regional Storm flood plain or stable top of bank), except where a trail is planned to be located within the buffer, in which case an additional 5 metres will be added to the buffer width and the trail will be located within the outer 5 metre portion of the buffer in accordance with Schedule C.9.A. Notwithstanding the foregoing, where a trail is located within a stormwater management facility adjacent to a watercourse buffer, an additional 5 metre buffer width will not be required;
- b) Woodlots:

10 metres from the drip line except where a trail is planned to be located within the buffer in which case an additional 5 metres will be added to the buffer width and the trail will be located within the outer 5 metre portion of the buffer in accordance with Schedule C.9.A. Where a trail is located within an existing utility easement or an adjacent stormwater management facility, an additional 5 metres buffer width shall not be required;

c) Sixteen Mile Creek (Middle Branch):

30 metres from the greater of the existing physical top of bank or the stable top of bank limit along both sides of the main valley;

d) Wetlands:

- (i) 30 metres from the boundary of all Provincially Significant Wetlands of any size; and,
- (ii) 15 metres from the boundary of all other wetlands.

e) Hedgerows

10 metres from the dripline. Trails may be located within these buffers without augmentation of the 10 m buffer width.

C.9.5.4.7 Natural Heritage Systems Policies

- a) The boundaries of the Natural Heritage System designations on Schedules “C.9.A.” and “C.9.B” have been delineated in a conceptual manner based on the functional recommendations of the Sixteen Mile Creek, Subwatershed Planning Study, Areas 2 and 7, Subwatershed Update Study and FSEMS for the Derry Green Corporate Business Park Secondary Plan Area. These boundaries are subject to field verification as part of the preparation of the Subwatershed Impact Studies, and within those areas regulated by Conservation Halton must be consistent with the policies of Conservation Halton;
- b) Where as part of the subwatershed planning process or in the FSEMS and the approval of the Subwatershed Impact Study(s) it is recommended that the boundary of the Natural Heritage System can be altered through the removal, restoration and/or modification or realignment of watercourse corridors, or other features, or the relocation, modification or elimination of restoration areas, or the modification or elimination of wetlands subject to the replication of their function elsewhere in the Natural Heritage System within the Derry Green Corporate Business Park Secondary Plan, and the Town approves the recommendation, in consultation with Conservation Halton, the recommended alteration of the Natural Heritage System boundary can be made without further amendment to this Plan where such works are undertaken in accordance with an approved SIS. Furthermore, the Natural Heritage Systems designation shall be deemed to apply to all lands within the modified boundaries and an adjacent land use designation shall be deemed to apply to any lands removed from the Natural Heritage designation;
- c) Endangered and threatened species were identified in the Derry Green Corporate Business Park Secondary Plan Area through the Subwatershed Update Study. Prior to the earlier of the site alteration, subdivision registration and/or site servicing, the

proponent will be required to address impacts, if any, to endangered and threatened species through consultation with the Ministry of Natural Resources;

- d) The lands within the Natural Heritage System designation are considered to be a crucial part of the proposed Natural Heritage System and open space system intended for the Milton Urban Area and shall be acquired by the Town of Milton in accordance with the policies of Section B.5.9.3.7 of this Plan. However, where any land within the Natural Heritage System designation is held under private ownership, this Plan shall not be construed as implying that such areas are free and open to the general public nor that such lands shall be purchased by the Town or other public agency, but may be required by dedication through the development approval process; and,
- e) Lands within the Natural Heritage System designation shall be enhanced and restored in accordance with the recommendations of the approved FSEMS, CFCEP and SIS. Any requirements for restoration plantings shall be in accordance with Town standards as set out in the FSEMS.

C.9.5.4.8 Implementation - Lands Adjacent to Natural Heritage System

Prior to development of lands adjacent to the Natural Heritage System, and subsequent to the preparation of the required Subwatershed Impact Study, as a condition of draft plan approval or prior to the site plan approval where necessary, the Town may require the preparation of a detailed implementation plan which defines mitigation plans including matters such as maintenance of clean surface water contribution to watercourses and wetlands, grading, edge management, acceptable construction practices and building placement on each development site. The implementation plan will reflect the recommendations of the Subwatershed Impact Study.

C.9.5.5 ENVIRONMENTAL LINKAGE AREA – PIPELINE EASEMENT

Further to, and in accordance with, the policies of Section B.3.13, Environmental Linkage Area, of the Official Plan, the following policies apply to the Environmental Linkage Area/Pipeline Easement designation on Schedule “C.9.B” which consists of the Union Gas (or any successor in title) High Pressure Gas Transmission Line Easement:

- a) It is an objective of this Secondary Plan to develop the lands in the Environmental Linkage Area/Pipeline Easement as a part of the Natural Heritage System for the Derry Green Corporate Business Park Planning District;
- b) The permitted uses, in addition to those in Section 3.13.2 of this Plan shall include gas pipelines and related facilities;
- c) No significant structures shall be permitted in the Environment Linkage Area/Pipeline Easement; and,
- d) All uses of, and development within, the Union Gas Easement, including any site alteration, grading or landscaping works, shall be subject to the approval of Union Gas Limited in consultation with the Town.

C.9.5.6 ENVIRONMENTAL LINKAGE AREA

Further to, and in accordance with, the policies of Section B.3.13, Environmental Linkage Area, of the Official Plan, the following policies apply to the Environmental Linkage Area designation on Schedule "C.9.B" which consists of the local scale linkage components of the Natural Heritage System identified through the Subwatershed Update Study, Areas 2 and 7, FSEMS and an approved Subwatershed Impact Study :

- a) The Environmental Linkage Area designation is shown conceptually on Schedule "C.9.B". This designation is designed to protect lands which have the potential to form linkages in the Natural Heritage System. The designation includes in some cases existing features such as hedgerows, intermittent flow channels or overland flow routes, which have the potential to be rehabilitated or enhanced to form the basis for the linkage, while recognizing that these areas would not generally be subject to any corridor or buffer requirements. They may also be areas where there are no existing features but where trails or landscape areas would be created to form a linkage;
- b) Notwithstanding the permitted uses in Section B.3.13.2, parking lots and recreational trails are prohibited;
- c) It is the objective of the Town to have the lands in the Environmental Linkage Area designation, where their protection is recommended through the approved Subwatershed Impact Study, dedicated to the Town at no cost to the Town; and,
- d) Development in the areas designated "Environmental Linkage Area" shall be in accordance with the policies in Section B.3.13.3 of the Official Plan.

C.9.5.7 RESIDENTIAL SPECIAL POLICY AREA

C.9.5.7.1 The Residential Special Policy Area designation is an overlay designation. The lands in the Residential Special Policy Area designation on Schedule "C.9.B" shall be developed in accordance with the underlying land use designation. The Special Policy Area designation identifies an area where there is an existing strip of residential dwellings which are unlikely to be redeveloped in the short term. To recognize this situation the following special policies will apply to the subject lands:

- a) Zoning

The subject lands shall be zoned to permit the existing use and uses related to the residential use, including home occupations. Any new development will require a rezoning and which will be reviewed by the Town in the context of the Secondary Plan policies;
- b) Interim Use

In addition to the uses permitted by the underlying land use designation on Schedule "C.9.B", the Town may rezone the lands to permit the use of the existing residential dwellings, including additions to such dwellings, for office or other uses which are compatible both with the adjacent residential uses and uses permitted by the underlying land use designation.
- c) Abutting Development

Where development is proposed on lands abutting residential development in the Residential Special Policy Area designation, the Town shall give consideration to the provision of landscaping or other buffering on the boundary with the residential use.

C.9.5.8 PARKWAY BELT WEST PLAN/UTILITY CORRIDOR AREA

The Parkway Belt West Plan Area designation on Schedules "C.9.A" and "C.9.B" shall be subject to the policies of Section B.4.6 of this Plan.

C.9.5.9 STORM WATER MANAGEMENT FACILITY/LOW IMPACT DEVELOPMENT PRACTICES

C.9.5.9.1 The Stormwater Management Facility designation on Schedules "C.9.A" and "C.9.B" represents a general location for these facilities. The location and configuration of the Stormwater Management Facilities shall be more specifically delineated in the FSEMS. They will be further refined through the applicable Subwatershed Impact Studies and through Stormwater Management Plans prepared in support of individual development applications. Through the preparation and review of these studies and plans, careful consideration shall also be given to the use of low impact development (LID) practices for stormwater management including the design of impervious surfaces and other factors that positively impact on stormwater management. Through these studies, the management of stormwater from public property, including Regional roadways, shall also be accommodated.

C.9.5.9.2 Stormwater Management Facility sites may be relocated or consolidated without an amendment to this Plan, subject to the approval of the Town and relevant agencies, provided alternative sites are consistent with the goal, objectives and policies of this Secondary Plan and the Sixteen Mile Creek, Subwatershed Update Study, Areas 2 and 7, 2010, FSEMS, Conceptual Fisheries Compensation Plan and Subwatershed Impact Studies.

C.9.5.10 COMMUNITY PARK AREA

The Community Park Area policies in Section B.3.11 of this Plan shall apply to the lands in the Community Park Area designation on Schedule "C.9.B". This Park is intended to serve all the residents in the Town. It will include a range of active recreation facilities, including major indoor recreation facilities such as arenas and community centres, as well as passive open space and unique attractions.

C.9.6 IMPLEMENTATION

Further to, and in accordance with, the existing Implementation policies of Section B. 5.0 of this Plan, the following policies are applicable to the Derry Green Corporate Business Park Planning District.

C.9.6.1 PHASING AND FINANCE

C.9.6.1.1 In order to implement the policy of this Secondary Plan set out in Section C.9.1.1, applications for development in the Secondary Plan area shall only be approved, and development shall only proceed in accordance with the phasing policies of Section C.9.6.1.2, and when:

- a) the *Long-Term Fiscal Impact Assessment of Growth* dated December 6, 2010 prepared by Watson & Associates Economists Ltd. as modified by Report CORS – 063-12 is approved by Council;
- b) the Town has in full force and effect, and not subject to appeal, a Development Charges By-law enacted under the Development Charges Act, 1997 or any successor legislation, identifying and imposing charges applicable to the lands in the Secondary Plan area;
- c) Landowners in the Secondary Plan area have entered into an agreement or agreements with the Town for the provision of funds or the provision of services or both in accordance with the recommendations of the *Long-Term Fiscal Impact Assessment of Growth* prepared by Watson & Associates Economists Ltd. as modified by Report CORS – 063-12; and the following:
 - i) in order to reflect particular circumstances that may apply to an individual phase or phases of development within the Secondary Plan area, the Town may require a separate agreement or agreements with the landowners within each phase or phases; and,
 - ii) landowners who are not parties to the original agreements referred to in subsections c) and c)i) herein shall enter into agreements assuming all the rights and obligations of the agreements as applicable, as if they had been original signatories to that agreement;
- d) Landowners in the Secondary Plan area have entered, or will enter, into a private cost sharing agreement or agreements amongst themselves to address the distribution of costs of development for the provision of matters such as community and infrastructure facilities; and,
- e) Any additional requirements of the Town and/or Regional Municipality of Halton are satisfied.

C.9.6.1.2

In addition to the policies of Section C.9.6.1.1, development in the Derry Green Corporate Business Park shall proceed in three phases as designated on Schedule “C.9.C”, as well as a Potential Future Phase. Prior to the commencement of development in each phase, the policies of Section C.9.6.1.1 shall be satisfied and confirmation shall be received from the Regional Municipality of Halton that water and wastewater services can be provided, and the following conditions must be met:

- a) Phase 2 - 60% of the developable land in Phase 1 must be in registered plans of subdivision or approved site plans prior to commencement of development in Phase 2;
- b) Phase 3 - 60% of the developable land in Phase 2 must be in registered plans of subdivision or approved site plans prior to commencement of development in Phase 3; and,
- c) Potential Future Phase – the Town and Regional Municipality of Halton are satisfied that the lands can be appropriately provided with water and wastewater services.

Notwithstanding, the policies in Section C.9.6.1.2 and the phasing shown on Schedule “C.9.C”, the phasing may change as a result of the approval and the implementation of the *Long-Term Fiscal Impact Assessment of the Growth* dated December 6, 2010 prepared by

Watson & Associates Economists Ltd. as modified by Report CORS – 063-12 or other considerations including the timing of servicing availability in accordance with the policies set out in Section C.9.6.1.1; and Section C.9.6.1.2 and Schedule “C.9.C” can be modified by the Town without amendment to this Plan.

C.9.6.1.3 Building Permits shall only be issued when the criteria in Sections B.5.2.3.15 and C.9.6.1.1 of this Plan are satisfied and, in accordance with the requirements for the provision of services established in the Derry Green Corporate Business Park Water and Wastewater Servicing Area Servicing Plan. In addition, building permits for individual plans of subdivision or phases thereof and site plan applications in the Derry Green Corporate Business Park shall only be issued when the following criteria are satisfied with each criteria to be included as a condition of draft plan approval or site plan approval, whichever is applicable, and to be effected upon registration of a subdivision agreement or site plan agreement:

- a) Lands designated “Natural Heritage System” and “Environmental Linkage Area” has been dedicated to either the Town or to Conservation Halton if so directed by the Town;
- b) Stormwater management facilities have been constructed and dedicated to the Town, provided the Town may approve the use of temporary stormwater facilities where it is not yet possible to construct the permanent facilities. If the Town approves the use of such temporary facilities, the subdivision agreement or site plan agreement as applicable, shall require the posting of financial securities to the satisfaction of the Town for construction of the permanent facilities. Temporary stormwater management facilities shall only be considered where they have been contemplated and addressed in the approved Subwatershed Impact Study; and
- c) Lands required for large utility structures shall be shown as block(s) and/or easements on a draft plan of subdivision and location shall be confirmed as a condition of draft plan approval or site plan approval, to the satisfaction of the utility provider and the Town.

C.9.6.1.4 Notwithstanding the foregoing policies of Section C.9.6.1.2:

- a) Federal, Provincial, Regional and Town owned and/or operated public infrastructure and services as permitted by Section C.9.4.8 may proceed at any time even if the precise requirements of Section C.9.6.1.2 above have not been satisfied; and
- b) The Town may, at its sole discretion, but subject to the Regional Municipality of Halton’s confirmation of available servicing, determine that a regionally or locally-significant employment development proposal within the Secondary Plan that falls outside of Phase 1 can proceed, even if the precise requirements of Section C.9.6.1.2 above are not fully met, if it can be demonstrated to the Town that such a proposal is in accordance with the general purpose and intent of the general goal and objectives of the Derry Green Corporate Business Park Secondary Plan, and if there are no unacceptable negative impacts to the Town or the Regional Municipality of Halton as determined by Council at its sole discretion.

C.9.6.1.5 Prior to approval of development within the Secondary Plan area, all interested telecommunications providers and other utilities are to confirm if services can be provided to support the proposed development, and shall determine appropriate locations for large utility equipment or utility cluster sites.

All interested telecommunications providers and other utilities wishing to be located within a development areas should be located within an initial common trench, whenever possible, to avoid unnecessary over digging and disruption on municipal rights of way.

Consideration shall be given to the location of utilities within public rights of way as well as on private property. Utilities shall be grouped/clustered or combined where possible to minimize visual impact. Utilities shall be placed in such a manner so as to not visually detract from the streetscape. The Town shall encourage utility providers to consider innovative methods of containing utility services on or within the streetscape features such as gateways, light standards, bulk water meters and transit shelters.

The Town supports where feasible the provision of electronic communication technology involving high capacity fibre optics to enhance telecommunication services within the Secondary Plan Area.

C.9.6.2 ZONING BY-LAW

C.9.6.2.1 This Secondary Plan shall be implemented by an appropriate amendment(s) to the Town's comprehensive Zoning By-law in accordance with the policies of this Secondary Plan and Section B.5.5 of this Plan.

C.9.6.3 CONSENTS

C.9.6.3.1 Subdivision of land shall generally take place by plan of subdivision in the Derry Green Corporate Business Park Planning District. Consents may be permitted in accordance with the provisions of Section B.5.7 of this Plan and the applicable provisions of this Secondary Plan, provided that any consent shall not prejudice the implementation of this Secondary Plan.

C.9.6.4 ENVIRONMENTAL ASSESSMENT

C.9.6.4.1 The water, wastewater and roads projects identified by this Secondary Plan are subject to the provisions of the Municipal Engineers Association Class Environmental Assessment, 2000, as updated 2007 or its successors.

The provisions of the Class Environmental Assessment must be met in this Secondary Plan or as outlined in the following:

- a) Water and Wastewater Projects Halton Urban Structure Plan, Sustainable Halton Water and Wastewater Master Plan (2011), or as amended;
- b) Transportation Projects – This Secondary Plan together with the Transportation Master Plan To 2031 –The Road to Change;
- c) Sixteen Mile Creek, Areas 2 and 7, Subwatershed Update Study, 2010.

C.9.6.4.2 Projects which are not specifically addressed in the above noted documents, or in this Secondary Plan, are generally either exempt from the provisions of the Class EA or will be addressed by the approvals provided for under the Planning Act, (i.e. subdivision approvals).

C.9.6.5 COMPLETE APPLICATION REQUIREMENTS

All privately initiated planning applications, except those under Section 45 of the Planning Act, shall satisfy the requirements of the Section B.5.3.4 of this Plan with respect to the requirements of a complete application. In addition, the SUS, FSEMS and CFCP must have been completed to the satisfaction of the Town and the Region of Halton, in consultation with Conservation Halton and where applicable, Provincial and Federal Authorities. Furthermore, prior to the making of any application for draft plan approval, a SIS shall be prepared in accordance with the policies of Section C.9.4.5.4 of this Plan. An application for draft plan approval shall not be considered to be complete unless it reflects the results of the SIS, or provides justification for changes to the SIS satisfactory to the Town.

C.9.6.6 EMPLOYMENT LAND CONVERSION

C.9.6.6.1 It is the policy of the Town to protect and preserve employment areas.

C.9.6.6.2 Employment Areas are defined in the Derry Green Corporate Business Park Secondary Plan as all lands designated as “Business Park Area”, “Prestige Office Area” and “Industrial Area” on Schedule “C.9.B”.

C.9.6.6.3 Amendments to this Plan that have the effect of reducing the extent of any Employment Area designation can only be considered at the time of a Municipal Comprehensive Review as defined by this Plan.

C.9.6.6.4 The conversion of lands within Employment Areas to non-employment uses, including major retail uses, shall be prohibited unless approved through a Municipal Comprehensive Review where the following conditions have been satisfied:

- a) there is a demonstrated need for the uses proposed by the conversion;
- b) the conversion will not compromise the ability of the Town to meet the employment targets provided in Section 2.1.4 of this Plan;
- c) the conversion will not adversely affect the overall viability of the Employment Area and achievement of the intensification targets, density targets and other policies of this Plan;
- d) the conversion will not impact the ability of adjacent lands or development to be used or continue to be used for employment purposes;
- e) there is existing or planned infrastructure to accommodate the proposed conversion;
- f) the lands are not required for employment purposes over the long-term;
- g) cross-jurisdictional issues have been considered; and,
- h) all other policies and requirements of this Plan, financial and otherwise have been satisfied.

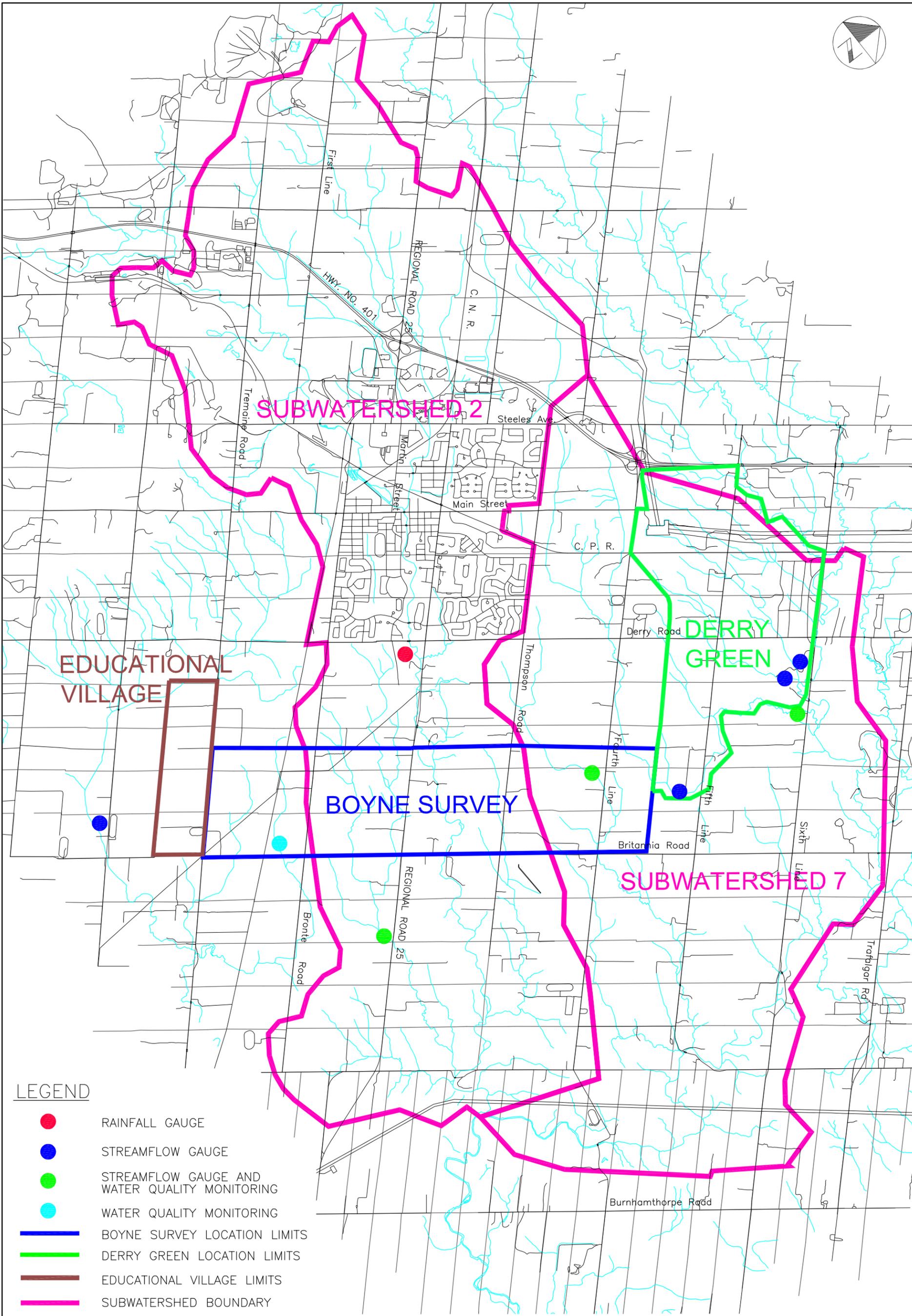
APPENDIX C.9.A

DERRY GREEN CORPORATE BUSINESS PARK
STATISTICAL SUMMARY

Town of Milton Derry Green Corporate Business Park Secondary Plan
Land Use Areas (hectares)

Land Use	Gross Area	SWM	Local Roads	Net Area
Business Park	181.50	13.46	18.15	149.89
Gateway	53.80	3.41	5.38	45.01
Street Oriented	45.85	2.12	4.59	39.15
Natural Heritage Oriented	50.28	3.62	5.03	41.63
Sub-total Business Park	331.43	22.61	33.14	275.68
Industrial	125.64	8.85	12.56	104.23
Prestige Office	12.35	0	1.24	11.12
Total Developable Land Area	469.42	31.46	46.94	391.02
Natural Heritage System	109.72			
Linkage Area	7.53			
Utility Corridor	93.06			
Go Transit Yard	5.05			
Union Gas	10.05			
Roads				
Local	46.94			
Collector	20.03			
Existing	24.79			
Canadian Pacific Railway	4.74			
Community Park	7.71			
Stormwater Management Ponds	31.46			
Total Land Area	752.10			

**APPENDIX C.9.B
DERRY GREEN CORPORATE BUSINESS PARK
SUBWATERSHED AREA MAP**



LEGEND

- RAINFALL GAUGE
- STREAMFLOW GAUGE
- STREAMFLOW GAUGE AND WATER QUALITY MONITORING
- WATER QUALITY MONITORING
- ▬ BOYNE SURVEY LOCATION LIMITS
- ▬ DERRY GREEN LOCATION LIMITS
- ▬ EDUCATIONAL VILLAGE LIMITS
- ▬ SUBWATERSHED BOUNDARY
- ▬ WATERCOURSE

**SIXTEEN MILE CREEK
 SUBWATERSHED UPDATE STUDY**
 TOWN OF MILTON
**SURFACE WATER MONITORING
 LOCATION PLAN**



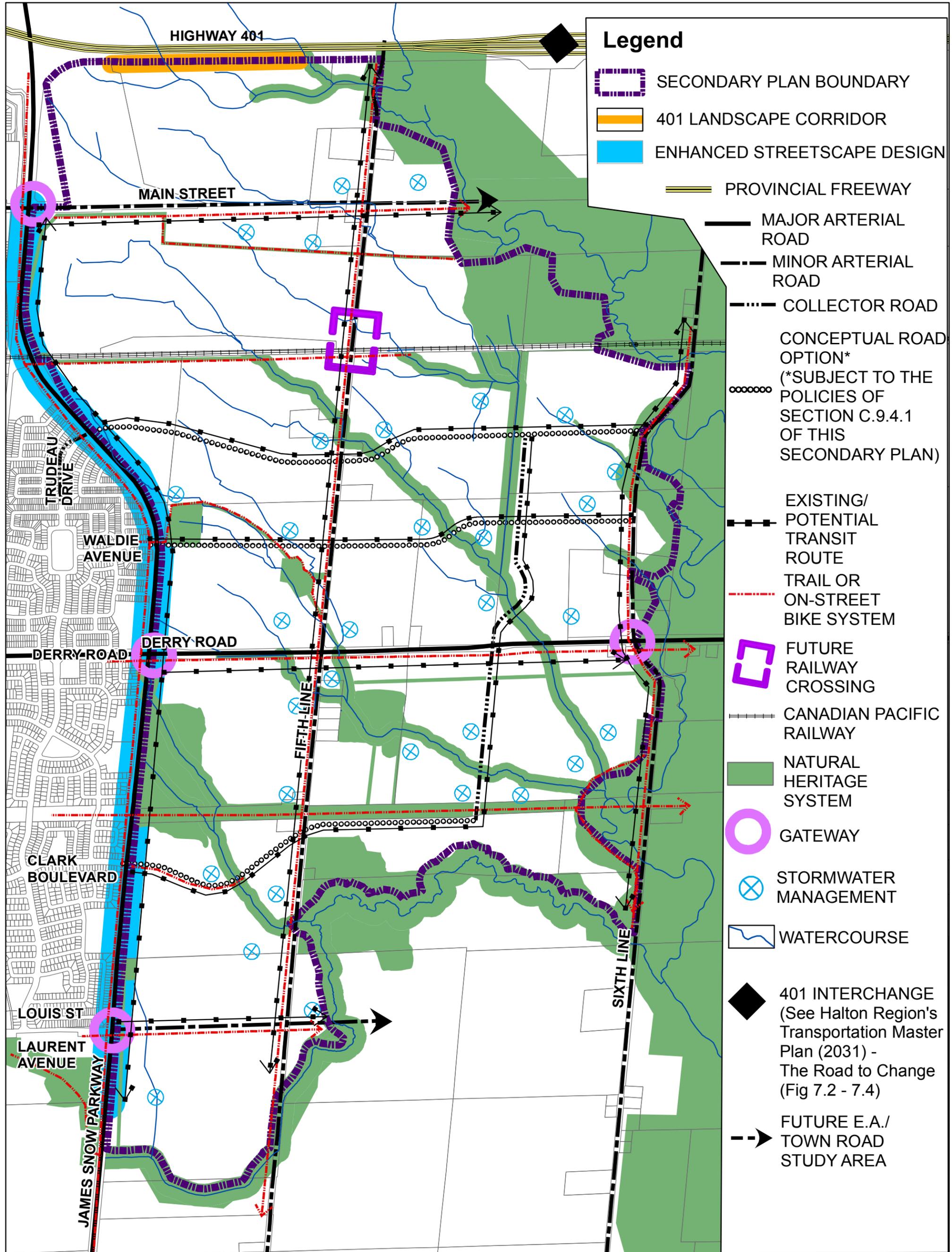
Project No.	107092
Date	JUNE 2009
Scale	1:50,000
Drawing No.	1



TOWN OF MILTON OFFICIAL PLAN Schedule C-9-A



DERRY GREEN CORPORATE BUSINESS PARK STRUCTURE PLAN



Legend

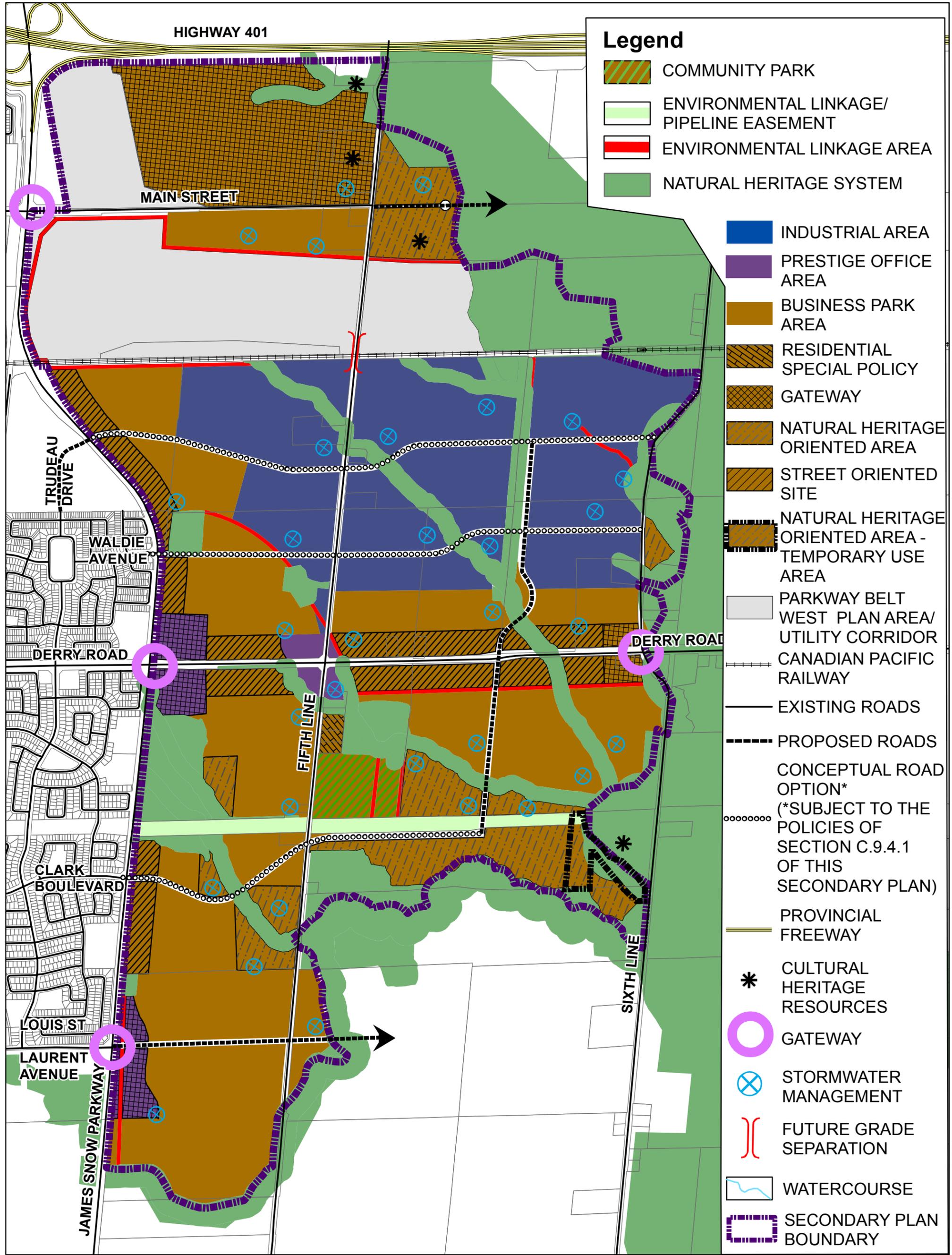
- SECONDARY PLAN BOUNDARY
- 401 LANDSCAPE CORRIDOR
- ENHANCED STREETScape DESIGN
- PROVINCIAL FREEWAY
- MAJOR ARTERIAL ROAD
- MINOR ARTERIAL ROAD
- COLLECTOR ROAD
- CONCEPTUAL ROAD OPTION*
(*SUBJECT TO THE POLICIES OF SECTION C.9.4.1 OF THIS SECONDARY PLAN)
- EXISTING/POTENTIAL TRANSIT ROUTE
- TRAIL OR ON-STREET BIKE SYSTEM
- FUTURE RAILWAY CROSSING
- CANADIAN PACIFIC RAILWAY
- NATURAL HERITAGE SYSTEM
- GATEWAY
- STORMWATER MANAGEMENT
- WATERCOURSE
- 401 INTERCHANGE
(See Halton Region's Transportation Master Plan (2031) - The Road to Change (Fig 7.2 - 7.4))
- FUTURE E.A./ TOWN ROAD STUDY AREA



TOWN OF MILTON OFFICIAL PLAN Schedule C-9-B



DERRY GREEN CORPORATE BUSINESS PARK LAND USE PLAN



Legend

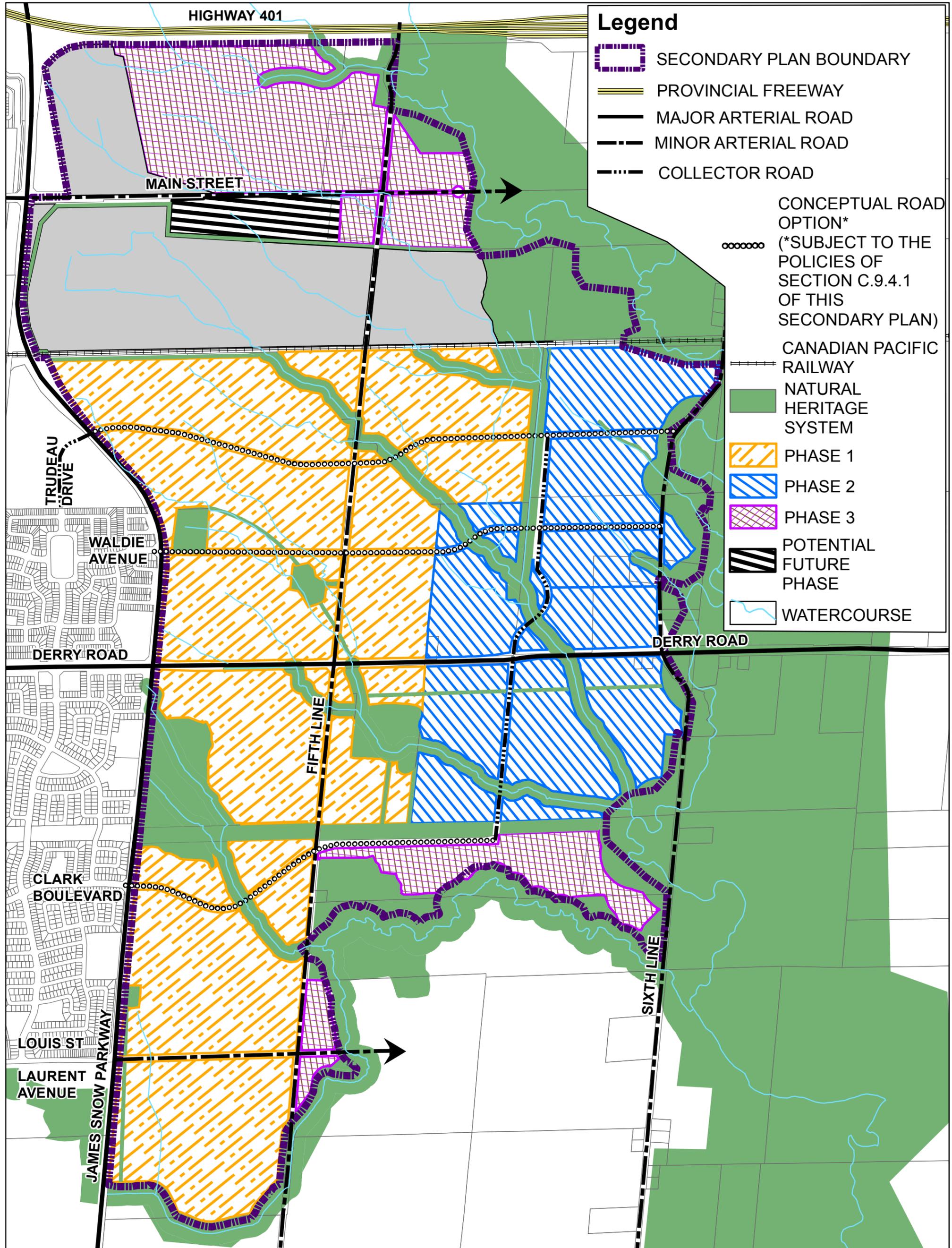
- COMMUNITY PARK
- ENVIRONMENTAL LINKAGE/
PIPELINE EASEMENT
- ENVIRONMENTAL LINKAGE AREA
- NATURAL HERITAGE SYSTEM
- INDUSTRIAL AREA
- PRESTIGE OFFICE
AREA
- BUSINESS PARK
AREA
- RESIDENTIAL
SPECIAL POLICY
- GATEWAY
- NATURAL HERITAGE
ORIENTED AREA
- STREET ORIENTED
SITE
- NATURAL HERITAGE
ORIENTED AREA -
TEMPORARY USE
AREA
- PARKWAY BELT
WEST PLAN AREA/
UTILITY CORRIDOR
- CANADIAN PACIFIC
RAILWAY
- EXISTING ROADS
- PROPOSED ROADS
- CONCEPTUAL ROAD
OPTION*
(*SUBJECT TO THE
POLICIES OF
SECTION C.9.4.1
OF THIS
SECONDARY PLAN)
- PROVINCIAL
FREEWAY
- CULTURAL
HERITAGE
RESOURCES
- GATEWAY
- STORMWATER
MANAGEMENT
- FUTURE GRADE
SEPARATION
- WATERCOURSE
- SECONDARY PLAN
BOUNDARY



TOWN OF MILTON OFFICIAL PLAN Schedule C-9-C



DERRY GREEN CORPORATE BUSINESS PARK PHASING PLAN



Legend

- SECONDARY PLAN BOUNDARY
- PROVINCIAL FREEWAY
- MAJOR ARTERIAL ROAD
- MINOR ARTERIAL ROAD
- COLLECTOR ROAD
- CONCEPTUAL ROAD OPTION*
(*SUBJECT TO THE POLICIES OF SECTION C.9.4.1 OF THIS SECONDARY PLAN)
- CANADIAN PACIFIC RAILWAY
- NATURAL HERITAGE SYSTEM
- PHASE 1
- PHASE 2
- PHASE 3
- POTENTIAL FUTURE PHASE
- WATERCOURSE