



Planning & Urban Design Rationale

**6901 – 6951
Derry Road West**
Town of Milton

Prepared For
FCHT Holdings (Ontario) Corp.

June 2026



Job Number

2536

www.bousfields.ca

Urban Planning
Urban Design
Community Engagement

Toronto Office

3 Church Street, Suite 200
Toronto, ON
M5E 1M2

416.947.9744

Hamilton Office

1 Main Street East, Suite 200
Hamilton, ON
L8N 1E7

905.549.3005

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This Planning and Urban Design Justification Report has been prepared in support of an application for a Zoning By-law Amendment to permit the development of a portion of the lands located at 6901 – 6951 Derry Road West in the Town of Milton. The proposal includes the development of a portion of the Subject Site for two new buildings, including a new multi-tenant building proposed for retail stores and a building containing a grocery (food) store and fitness centre. The proposal also provides associated surface parking and the realignment of the existing drive-through lane associated with the existing restaurant (Tim Hortons) on Site.

The background of the slide features a photograph of two hands pinning a map. One hand is in the foreground, placing a red pushpin, while the other is slightly behind it. The map shows various geographical features and lines. The entire image is covered with a semi-transparent red filter. Overlaid on the left side is a large white circle containing the number '1'.

1

Introduction

This Planning and Urban Design Rationale has been prepared in support of an application for a Zoning By-law Amendment to permit the development of a portion of the lands located at 6901 – 6951 Derry Road West in the Town of Milton (the "Site" or "Subject Site") as shown on **Figure 1 – Location Map**.

The Subject Site is located at the northwest corner of Derry Road West and Bronte Street South in the Town of Milton. Most of the Subject Site is currently occupied by Derry Heights Plaza, containing four (4) multi-tenant buildings with other non-residential uses, such as banks, commercial schools, restaurants, and other local commercial uses at grade and office uses above, in some cases as described below.

The proposal includes the development of a portion of the Subject Site for two new buildings, including a new multi-tenant building proposed for retail stores and a building containing a grocery (food) store and fitness centre, the ultimate tenants for which will be determined based on tenant needs at the time of construction. The proposal also provides associated surface parking and the realignment of the existing drive-through lane associated with the existing restaurant (Tim Hortons) on Site.



Figure 1 - Location Map

The Subject Site is located at the intersection of two arterial roads, and is therefore located within a *strategic growth area* as defined by the Provincial Planning Statement (see Section 4.2 below).

From an intensification perspective, the proposal is consistent with the Provincial Planning Statement, and Town of Milton Official Plan, which all promote intensification of *strategic growth areas* and underutilized sites such as the Subject Site. From a land use perspective, the proposed development conforms to the land use permissions in the Official Plan, and is consistent with the Provincial Planning Statement.

A Zoning By-law Amendment is required to permit the proposed development. The Zoning By-law Amendment will amend the Town of Milton Zoning By-law 016-2014 to facilitate the proposal by broadening the list of permitted uses on the lands, to reduce the minimum required parking rate, and to establish other site specific zoning standards. Broadening the permitted non-residential use permissions in the zoning is supported by analysis on the need in the broader community and supports policy direction on complete communities that provide a mix of uses for daily living.

From an urban design perspective, the proposed development will result in an attractive new development, further enhancing the existing plaza, that is appropriate in the existing and emerging planning context. The proposed development siting and design complements and fits harmoniously into the existing layout and design of the existing Derry Heights Plaza, and represents a logical addition to

the plaza itself in terms of internal site circulation and parking. The building design supports the public realm through the provision of active uses at grade and materiality, particularly where the rear of the proposed buildings fronts on the public right of way.

This Planning and Urban Design Rationale concludes that the proposed development represents good planning and urban design. It responds to the existing and planned context of the Subject Site, is consistent with the Provincial Planning Statement, and appropriately implements the policies of the and Town of Milton Official Plan including those that prioritize intensification on sites that, like the Subject Site, are located in *strategic growth areas* as well as policies with respect to *complete communities* given that the proposed development will enhance the local commercial uses that support the surrounding area including the adjacent residential neighbourhood and Milton Hospital. The proposal is appropriate and desirable, and, in our opinion, the Zoning By-law Amendment should be approved.



Site Context

2.1 Subject Site

The Subject Site is municipally known as 6901–6951 Derry Road West and is located at the northwest corner of the Derry Road West and Bronte Street South intersection. The Site is legally described in PINS 24962-4206, 24962-2405 and 24962-2318. The Site is approximately 4.45 hectares in size, with frontage of approximately 216.19 metres along Bronte Street South and 220.14 metres along Derry Road West.

The eastern portions of the Site, situated closest to the intersection of Derry Road West and Bronte Street South, is already developed with four multi-tenant non-residential buildings containing retail and commercial, personal service, and medical office uses at grade with commercial school and office uses above. There is also an associated area of surface parking containing 468 parking spaces that currently exists on the Site, of which 13 are accessible parking spaces. There are landscaped areas along the southern and eastern boundaries and within the parking areas.

The location of the existing buildings and the building name are shown on Figure 2, labelled as Buildings B, C, D and E. (see Figure 1). The existing uses in each building are as follows:

- **Building "B":** is a multi-tenant building containing offices / medical offices and a commercial school on the second floor, with a variety of tenants including a restaurant, medical offices, and veterinary office at grade. Building B is anchored by a drug store (Shoppers Drug Mart) on its eastern end, and Tim Hortons with drive-through on its western end.



Existing Building "B"

- **Building "C":** is a multi-tenant building containing a bank (CIBC) on its ground floor, with offices above;



Existing Building "C"

- **Building “D”:** is a multi-tenant building containing restaurants at grade and offices above.



Existing Building “D”

- **Building “E”:** is a multi-tenant building containing a bank, commercial school and service commercial uses at grade, with offices above.

Collectively, Buildings “B” through “E” have a combined gross floor area of 7,202.5 square metres.

The western portion of the Site, adjacent to Derry Road and the CN Rail corridor, where the proposed development will be, is currently vacant towards the south and contains surface parking towards the north associated with the existing mixed-use buildings.



Existing Building “E”



Lands subject to development proposal

Access is provided to the Site via an existing three-moves (right-in, right-out, left-in) entrance driveway along Derry Road West, and the entrance driveways along Bronte Street South. The southern-most Bronte Street South entrance is a right-in, right-out entrance, the centre-most is a full-movement signalized access, and the northern-most is a full-movement access (**Figure 2**).



Subject Site looking northwest (Derry Road West)



Subject Site looking southwest (Bronte Street South)



Figure 2 - Subject Site (including existing buildings)

2.2 Area Context

The Site is located within the Bronte Meadows neighbourhood, which is generally bounded by Derry Road West to the south, the CN rail corridor to the west, Ontario Street South (Regional Road 25) to the east, and the area just north of Bronte Meadows Park to the north. The Bronte Meadows neighbourhood, and more broadly the Town as a whole, is largely situated around higher-order roads which intersect at approximately a 45-degree angle from true north, following the historic grid layout of rural roads and highways that made up the rural area.

The neighbourhood, which was once the southern limit of the Urban Area in the Town of Milton, was largely built out in the late 1970s and early 1980s. It is characterized by a mix of low-density residential uses mixed with institutional uses (Our Lady of Victory Catholic Elementary School, and Milton District High School), parks, recreational and open spaces (John Tonelli Sports Centre, Bronte Meadows Park and 16 Mile Creek Park), and local commercial uses at key intersections of higher order roads with Bronte Street South. There are distinct land use patterns on either side of Bronte Street South; in contrast to the residential area east of Bronte Street South, lands to its west are primarily occupied by car dealerships and retail and commercial uses, often with office uses above.

More broadly, the Town of Milton has seen a significant amount of growth in the past decades, notably growth south of the Subject Site beyond Louis St. Laurent Avenue, and west of the Subject Site to Tremaine Road through the expansion of the Town's Urban Boundary over time. This residential expansion has largely been in the form of residential greenfield subdivisions containing ground-related residential uses, with an emphasis on all forms of townhouses and low to mid-rise buildings (4-6 storeys) in recent years. **(Figure 3).**

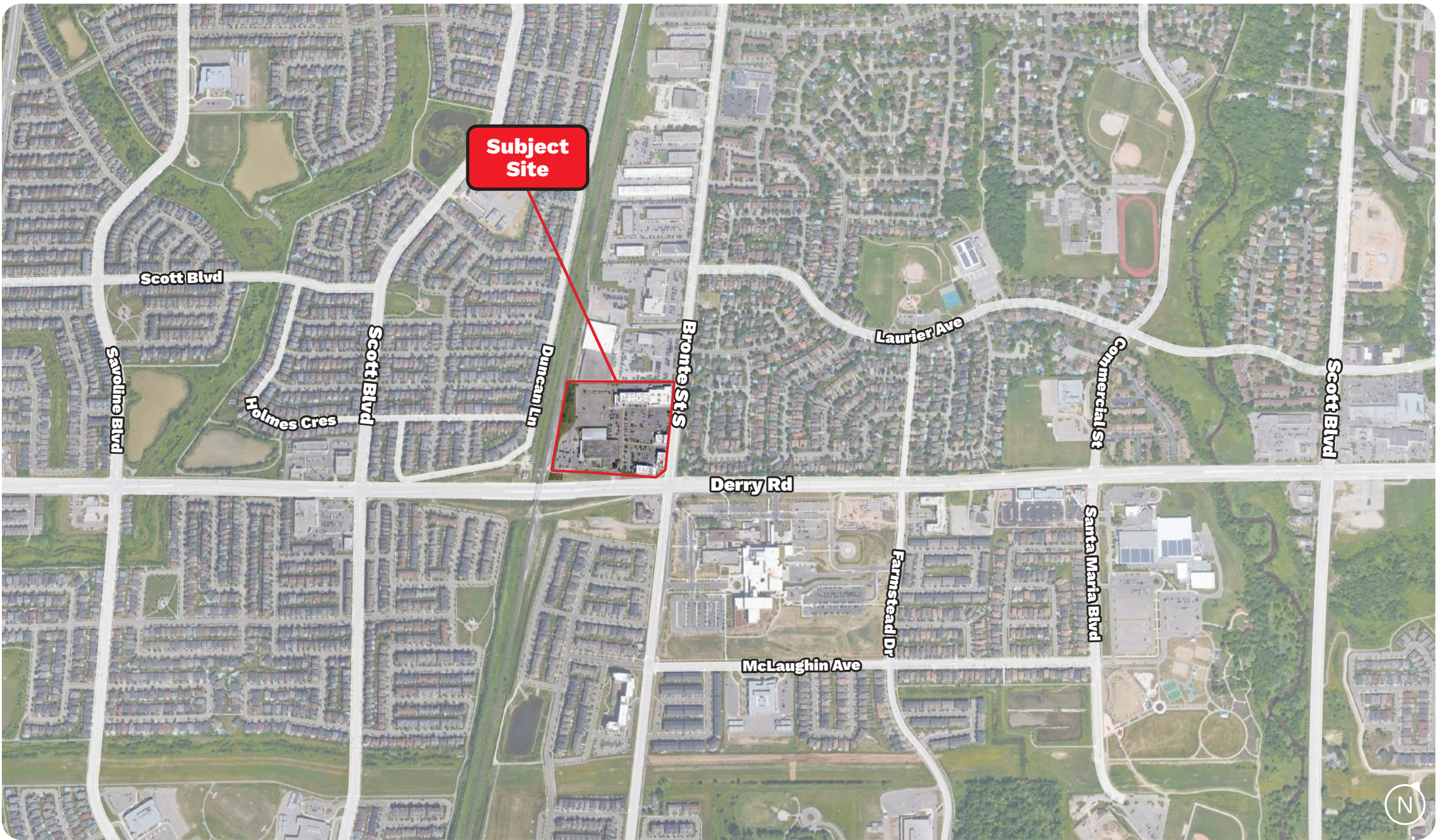


Figure 3 - Surrounding Context

2.3 Surrounding Area

As noted, the Subject Site is located at the intersection of Bronte Street South and Derry Road West, which intersect at a 45-degree angle from true north. For the purposes of this report, we describe the surrounding land uses as if Bronte Street South runs north-south, and Derry Road West runs east-west, for ease of reference.

The lands to the **north** of the Subject Site, on the west side of Bronte Street South, contain a self-storage facility (510 Bronte Street South) and a surface parking lot associated with a car dealership (500 Bronte Street South). Further to the north, several retail and office plazas front onto the west side of Bronte Street South, with other employment uses such as auto-repair shops located in proximity to Main Street.

To the **east** of the Subject Site, beyond Bronte Street South are the rear yards of the single detached dwellings that front onto Clover Park Crescent. Beyond is the Bronte Meadows Neighbourhood which is predominantly comprised of low-rise, ground related residential dwellings (single detached dwellings and townhouse dwellings), interspersed with schools and Bronte Meadows Park, as well as

local commercial uses at the intersection of Ontario Street South and Derry Road West (as described in Section 2.2 above).

On the south-east corner of the intersection of Bronte Street South and Derry Road West, is the Milton District Hospital (the "**Hospital**") complex. The Hospital consists of a 2–3 storey original structure and a 4-storey patient care addition. Spanning approximately 40 acres, the Hospital includes 129 beds and several surface parking areas. There is a heliport for the hospital located at grade on the east side of the property, approximately 350 metres from the Subject Site.

Further east, south of Derry Road West the area transitions to low-rise residential uses, including single detached dwellings and townhomes, as well as a four-storey retirement residence (Venvi Birkdale Place). Smaller retail plazas are located northeast of the retirement home along Derry Road West, in proximity to the Milton Sports Centre and Community Sports Park and Field (605 Santa Maria Boulevard).



Hunt Chrysler Dodge Jeep Ram



Milton District Hospital

Immediately **south** of the Subject Site is Derry Road West, beyond which is a commercial plaza containing Derry Pharmacy, as well as the Bronte West Condominiums (830 Megson Terrace), a 6-storey condominium building containing 132 residential units. Beyond is a low-rise residential neighbourhood largely comprised of townhouses and single detached dwellings that is bisected by the Canadian National (CN) CN Rail Corridor, which runs north-west to south-east through the neighbourhood, parallel to Bronte Street South. This corridor is a key freight route in Halton Region and supports CN operations.

To the immediate **west** of the Subject Site is the CN Rail Corridor, beyond which is a low-rise residential neighbourhoods comprised (predominately) of single detached dwellings and townhomes, as well as commercial plazas on the north and south-west side of the intersection of Derry Road West and Scott Boulevard.



Retail Plaza at intersection of Derry Road West and Santa Maria Boulevard



Bronte West Condominiums



Typical single-detached dwelling within Bronte Meadows Neighbourhood



Commercial Plaza at intersection of Derry Road West and Scott Boulevard

2.4 Transportation Context

Road Network

Derry Road West is identified as a Major Arterial Road on Schedule E – Transportation Plan of the current Milton Official Plan (the “Current OP”) (**Figure 4**). Derry Road West has a planned road allowance right-of-way of 35 metres as per Map 4 – Right-of-Way Requirements of Arterial Roads in the Halton Region Official Plan. Adjacent to the Subject Site, Derry Road West has a variable right-of-way adjacent to the subject site, being approximately 40m in width where it approaches Bronte Street South, and approximately 60m in width where it extends below the CN Rail Corridor. Derry Road West is designed with a 4-lane separated cross section with 2 lanes of traffic in each direction and contains bike lane along its southern side as well as sidewalks along its north and eastern portion. Derry Road West experiences a significant grade differential along the Subject Site from east to west, as it travels under the CN Rail Line immediately west of the Subject Site.

Bronte Street South is identified as a Minor Arterial Road on Schedule E – Transportation Plan and has a planned road allowance right-of-way of 30 metres between Derry Road and Barton Street, as per Table 2A of the Current OP. Bronte Street South is presently approximately 30 metres in width, and has a 2-lane cross section adjacent to the Subject Site, with two turning lanes when travelling north and south at its intersection with Derry Road West. The Bronte Street South cross section includes a painted bike lane on its eastern edge, a pedestrian sidewalk along its western edge and a pedestrian sidewalk within the boulevard adjacent to its western edge.



Figure 4 - Schedule 9 - Local Transportation Plan

Transit Network

The Site is well-served by existing and planned transit infrastructure, connecting it to Milton GO Centre which is located approximately 5km from the Subject Site. Bronte Street South is currently identified as a transit route under Schedule J – Urban Trails and Active Transportation Plan of the Current OP (see **Figure 5**)

The section of Bronte Street South adjacent to the Subject Site is served by Route 2 – Main, which provides east–west service linking Milton District Hospital and Milton Crossroads Centre via Bronte Road, before turning north–south to connect to Main Street, Milton GO Station, Maple Avenue, and Steeles Avenue. The nearest bus stop for Route 2 is located adjacent to the Site along Bronte Street South.

Immediately south of Derry Road West, Bronte Street South is also served by Route 7 – Harrison, which operates on a loop running from Milton GO Station via Thompson Road, Derry Road (passing Milton District Hospital), Scott Boulevard, Dymott Avenue and Savoline Boulevard. The closest stop for Route 7 is located adjacent to the Site along Derry Road West at the intersection of Derry Road West and Bronte Street South.

In addition, Route 2 (Main), Route 7 (Harrison), and Route 8 (Wilmott) all operate along the portion of Derry Road West that abuts the Subject Site, offering service through a loop that serves Milton GO Station, Ontario Street, Derry Road, Bronte Street (and onward to Milton Sports Centre and Santa Maria Boulevard) before returning to Milton GO (**Figure 6**). The closest bus stop for Route 8 is located at the Milton Sports Centre, approximately 800 metres (a 10-minute walk) from the Subject Site.

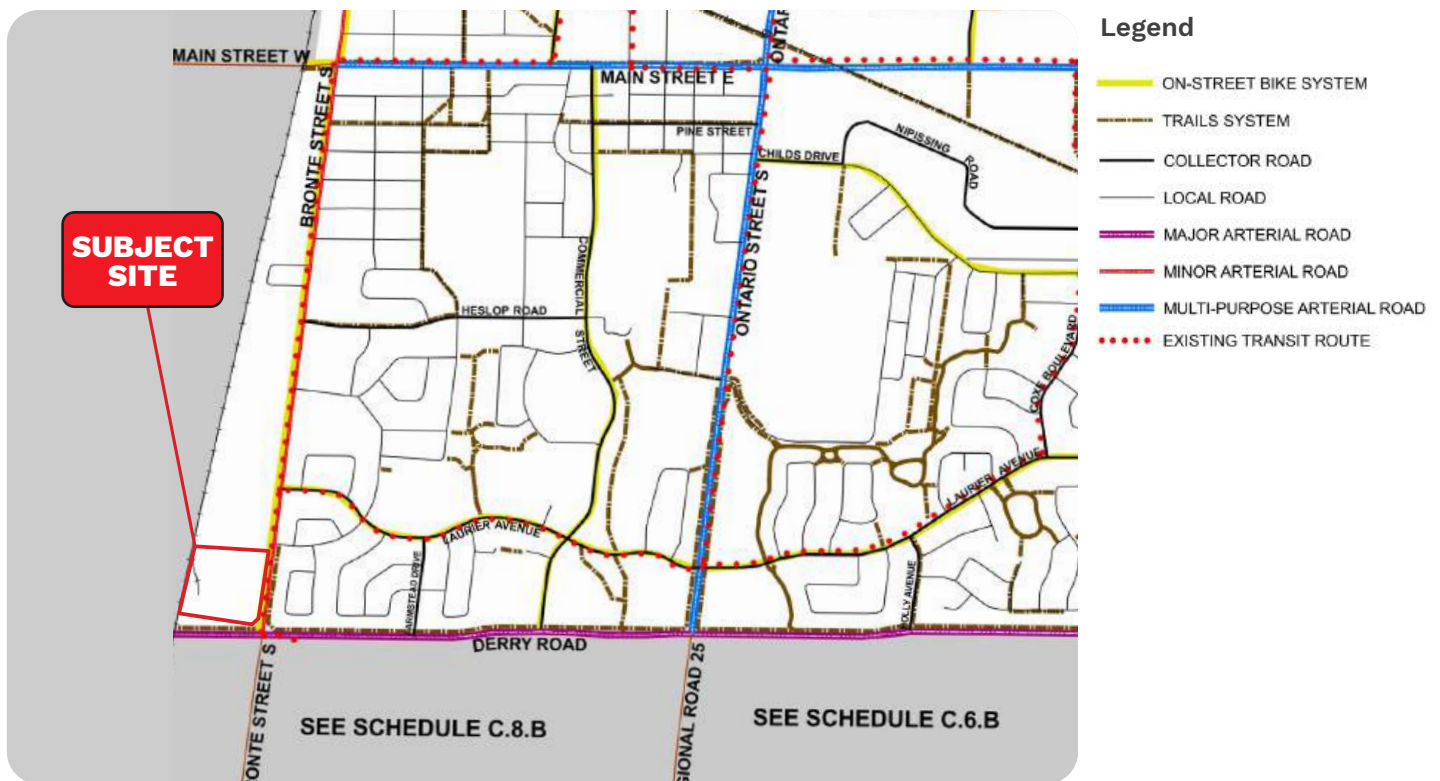


Figure 5 - Schedule G – Urban Trails and Active Transportation Plan

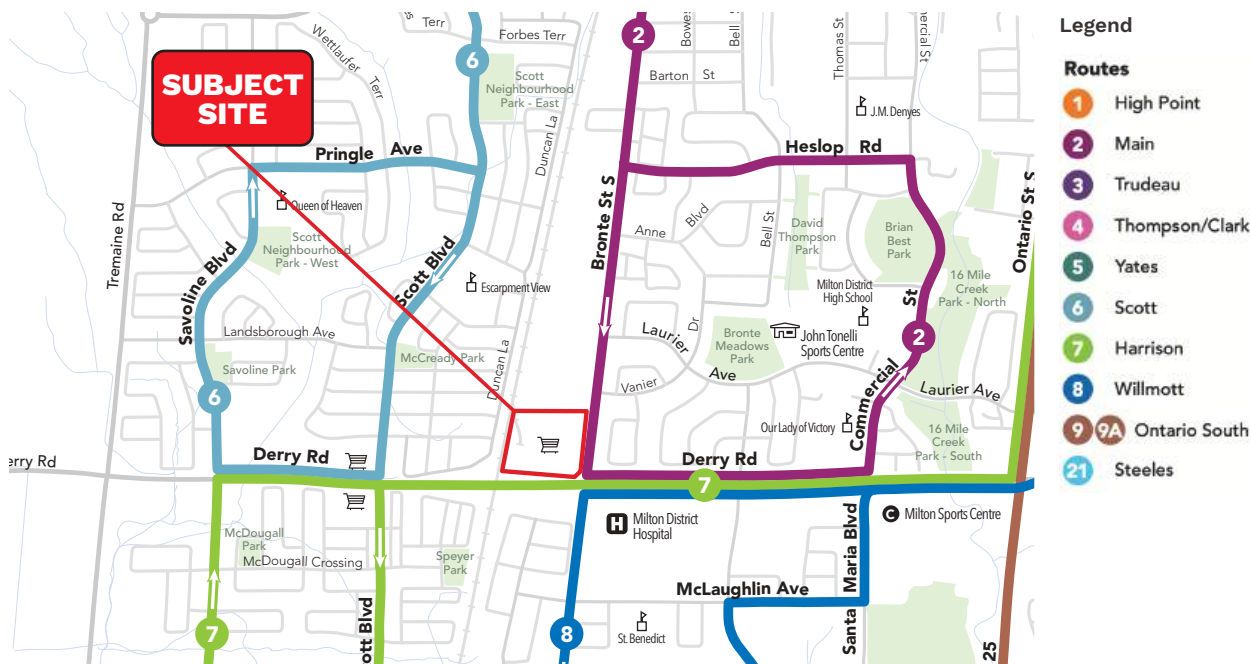


Figure 6 - Milton Transit Map and Routes

With regards to planned transit, Bronte Street South is designated as a Proposed Secondary Transit Priority Corridor on Figure 3 – Proposed Transit Priority Corridor in Milton’s Transportation Master Plan (“TMP”) (**Figure 7**). As per the TMP, Secondary Corridors were chosen because they may experience congestion in the future and could justify measures such as transit signal priorities, queue jump lanes, and dedicated bus lanes (if feasible). The Secondary Corridors complement Halton Region’s Transit Priority Corridor Network and Metrolinx’s 2041 Regional Transportation Plan Priority Bus projects. As per the TMP, improvements to these corridors would be considered once ridership grows and/or congestion levels justify intervention.



Figure 7 - Proposed Transit Priority Corridors of Milton Transportation Master Plan



3

Description of Proposal

3.1 History of the Subject Site

As discussed, most of the Subject Site is already developed for commercial and retail uses. The permission for this existing development came through applications for Official Plan Amendment and Zoning By-law Amendment that were filed in May 2005 in respect of the Subject Site to allow for its development by expanding the commercial uses and to permit a grocery (food) store on site (the “2005 Applications”)

Following Council’s failure to make a decision within the statutory timeless prescribed by the *Planning Act*, FCHT Holdings appealed the 2005 Applications to the then Ontario Municipal Board (now Ontario Land Tribunal).

FCHT Holdings and the Town of Milton reached a settlement on the 2005 Applications. The Ontario Municipal Board issued a written Decision in this respect on April 9, 2008, and subsequently the Town of Milton Official Plan was amended to include Specific Policy Area 23 that applies to the Subject Site, and the Town of Milton Zoning By-law was amended to include site specific zoning for the Subject Site.

3.2 Proposed Development

The proposed development (“**Proposal**”) allows for the comprehensive and orderly development of a portion of Derry Heights Plaza, within the existing vacant lands and over a portion of the surface parking area in the north of the site. Notwithstanding, the proposed Zoning By-law Amendment to facilitate the proposal applies to the entirety of the lands.

Proposed Buildings “A” and “F”

The Proposal would introduce additional non-residential uses to the western portion of the Site which would include construction of two (2) new buildings referred to as Building “A” and Building “F” (see **Figure 8**), as well as associated surface parking. As stated previously, today the Site enjoys a range of non-residential uses. The proposed buildings

are envisioned to contain a grocery store, retail / commercial tenants and a fitness gym, however the ultimate tenancy may change depending on tenant needs at the time of construction and occupancy, however will align with the permitted uses in the Zoning By-law.

Building “A”, the northern-most building, would be located on the lands currently occupied by a surface parking lot and a Tim Hortons drive-through. Building “A” will be one (1) storey in height and has a proposed gross floor area (“GFA”) of 826.17 square metres and containing multiple retail units (the ultimate number and design of which will be determined through further detailed design). Building “A” is wrapped to the west, north and east by the realigned access drive aisle to the existing Tim Hortons drive through in existing Building “B”.

Building “A” is aligned with the adjacent existing Building “B”, to ensure a consistent building face along the drive aisle that extends east-west across the Subject Site. Being 1-storey in height, it is consistent with the stepping down of Building “B” at its western edge to 1-storey.

Building “F”, the southern-most building, would be located on the lands that are currently vacant. Building “F” is proposed to be a two (2) storey building comprising of three non-residential units and common vestibule with a total GFA of 7223.40 square metres. Unit A, on a portion of the ground floor, would include a grocery (food) store with a GFA of approximately 2,915.35 square metres. Unit B, located on the ground floor, would contain a commercial/retail unit of 556.60 square metres. Unit C is located on the second floor and would contain a gym with a GFA of approximately 3610.85 square metres.

Building “F” is sited to ensure a consistent setback with Building “E” of approximately 3.0m from Derry Road West. Although the building access is internal to the Subject Site, the rear of Building “F” is intended to be designed with the same materiality and treatment as the front to assist in activating the Derry Road West pedestrian realm.

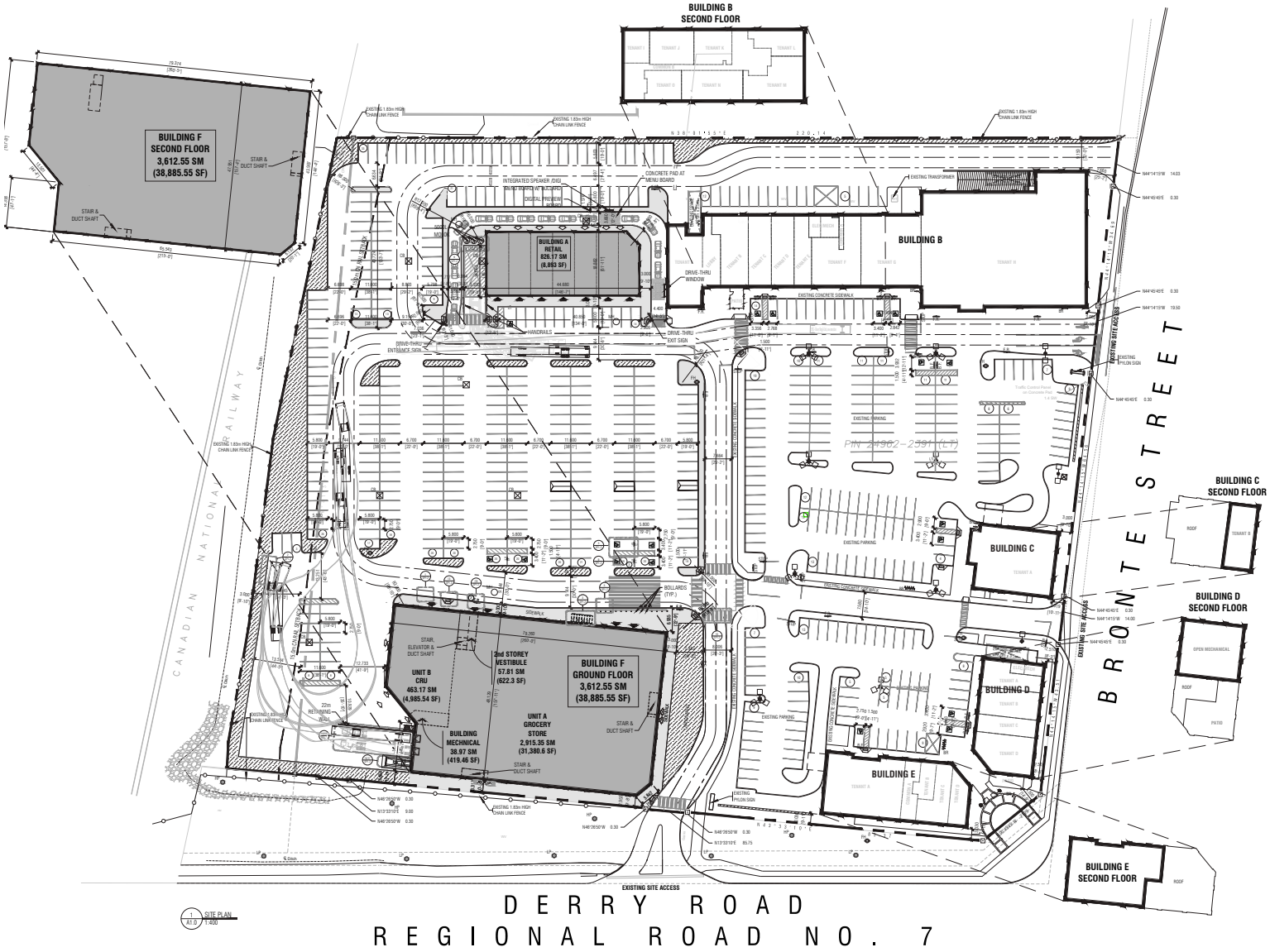


Figure 8 - Site Plan

Prepared by Greystone Design Group

Vehicle and Pedestrian Access, Parking and Loading

Vehicle access to the Subject Site is provided from the existing access driveways, one of which is located along Derry Road West and three of which are located along Bronte Street South.

The proposed pedestrian access and circulation through the Site has been designed to create a positive, pedestrian-friendly experience while acknowledging the need to safely accommodate site circulation and respecting the grading considerations facing the Subject Site along the Derry Road West frontage.

The proposed development will include the construction of a sidewalk along the eastern side of Building "F", which will connect to a new municipal sidewalk within the Derry Road West boulevard that connects to the existing sidewalk along its northern side. Further, four striped crosswalks are proposed north-east of Building "F", which will allow for pedestrian circulation from the new sidewalk to the existing sidewalk along the eastern extent of the main north-south driveway spine on the Site.

The proposed development would add 97 additional surface parking spaces to the existing 468 parking spaces on the Site, resulting in a total of 565 spaces. The proposed parking spaces are generally in the same north-south orientation and configuration as the existing parking spaces. An additional strip of parking spaces is located abutting the CN Rail Line. A total of 18 accessible parking spaces are provided, in locations close to the proposed entrances to Buildings "A" and "F".

Loading for Building F is provided via a loading bay along its western extent that provides 3 loading spaces. Loading for Building A is provided along its western extent that provides 1 loading space.

As a result of the introduction of Building A, the existing drive-through that serves the Tim Hortons building on Site will be realigned. Access is provided along Building A's western extent, before turning east and south before exiting back into the surface parking area.

3.3 Key Statistics

Statistic	Proposed Building A	Proposed Building F
Height	1-storey 7.01m	2-storeys 14.38m
GFA	Total GFA- 826.17 sqm	Total GFA – 7,223.40 sqm Ground Floor: 3,612.55 sqm Second Floor: 3610.85 sqm
Use	Multi-tenant Retail Building	Unit A – Food store (2915.55 sqm) Partially on the ground floor Unit B – Commercial/Retail (556.60 sqm) partially on the ground floor Unit C – Gym (3,610.85sqm) Second floor
Loading	1 loading space along west side of building	3 loading spaces along west side of building
Parking	Proposed 97 new parking spaces Total 565 surface parking spaces 18 barrier-free spaces	
Access	Existing driveways from Derry Road West (1 access) and Bronte Street South (3 accesses)	

3.4 Required Approvals

The proposed development requires a Zoning By-law Amendment to permit the intended uses in the proposed configuration, including permitting retail uses on the ground floor of buildings without the need to be included in a mixed-use building, to permit the proposed grocery (food) store, to reduce the minimum required parking rate applicable to the Site, and to seek relief from the minimum required setback along Bronte Street South for the existing buildings and landscape strip along Derry Road West for the proposed Building "F". A future Site Plan Application will also be required to facilitate the detailed design and implementation of the proposal.

3.5 Public Consultation Strategy

The following public consultation strategy has been prepared to clearly delineate the applicant's planned engagement and consultation with the surrounding community, City staff, agencies, and the local Ward Councillors. The purpose of the engagement and consultation is to communicate openly and transparently about the project, gain insight into local needs, concerns and priorities, allowing for a range of perspectives to inform well-rounded decisions with respect to the project, and ensure that key participants and interested parties are informed and their input heard.

The applicant intends to undertake public engagement and consultation in accordance with the requirements of the *Planning Act*, as well as some additional measures to ensure the purpose identified above is achieved.

Following the proposed Zoning By-law Amendment application being deemed complete by the municipality, Town staff and the applicant will work to schedule a Statutory Public Meeting before Town Council, where members of the public will be invited to obtain information, make verbal presentation and/or written submission, identify issues of concern and/or express views in support of the proposed application, among other matters. Notice of this Statutory Public Meeting will be issued to all landowners within a minimum 120 metre radius of the Subject Site at least 20 days before the meeting date, and notice will be published in a newspaper with general circulation to the area or posted on the municipalities website, and given to other interested parties in accordance with the requirements of the *Planning Act*.

Further, a Public Notice Sign will be posted on both public frontages of the Subject Site, detailing that a development application has been submitted and informing the public of the upcoming Statutory Public Meeting.

In addition to the foregoing, the applicant will be informing the local Ward Councillor of the impending application prior to submission and will meet with the local Ward Councillor to inform them of the details of the proposal, answer any questions, and receive feedback.

The applicant team will also be hosting a Community Meeting at a nearby community centre or other event facility within vicinity of the Subject Site, to further allow a forum for providing information and receiving feedback. Notice of this generally follow those requirements for a Statutory Public meeting listed above.

Collectively, all feedback received through these consultation and engagement opportunities will be considered by the applicant and project team, and incorporated into the proposed development as appropriate.

4

Policy & Regulatory Context

TOWN HALL
MILTON

4.1 Bill 97: Helping Homebuyers, Protecting Tenants Act, 2023

On April 6, 2023, the Province introduced Bill 97: Helping Homebuyers, Protecting Tenants Act, 2023, which subsequently received Royal Assent on June 8, 2023. Bill 97 is part of a series of legislative amendments intended to facilitate Ontario's Housing Supply Action Plan and increase housing supply in the province.

Bill 97 introduced amendments to several statutes, including the City of Toronto Act and the Planning Act. Amongst other matters, Bill 97 amended Planning Act to include a revised definition of "area of employment", with the revised definition coming into effect on October 20, 2024, coincident with the introduction of the 2024 Provincial Planning Statement (see Section 4.2 below).

The amended definition of "area of employment" in Section 1(1) of the *Planning Act* is as follows:

"an area of land designated in an official plan for clusters of business and economic uses, those being uses that meet the following criteria:

1. The uses of land designated in an official plan for clusters of business and economic uses, other than the uses referred to in paragraph 2, including any of the following:

- i. Manufacturing uses*
- ii. uses related to research and development in connection with manufacturing anything.*
- iii. Waterhousing uses, including uses related to the movement of goods.*
- iv. Retail uses and office uses that are associated with uses mentioned in subparagraphs i to iii.*
- v. Facilities that are ancillary to the uses mentioned in subparagraphs i to iii.*
- vi. Any other prescribed business and economic uses.*

2. The uses are not any of the following uses:

- vii. institutional uses*
- viii. commercial uses, including retail and office uses not referred to in subparagraph 1 iv."*

As a result of the amended definition, areas which are designated in an official plan to permit institutional uses and commercial uses are no longer considered to be an "area of employment". Only areas that are designated exclusively for manufacturing, warehousing, research and development (in conjunction with manufacturing), and associated retail and office uses are considered "areas of employment".

As an exception to the foregoing, Section 1(1) of the *Planning Act* provides that an area of land designated in an official plan for clusters of business and economic uses is an "area of employment" even if the area of land includes one or more parcels of land that are subject to official plan policies authorizing the continuation of a use that is excluded from being a business and economic use under paragraph 2 of the definition of "area of employment" in subsection (1), provided that the use was lawfully established on the parcel of land before the amended definition came into force (i.e., prior to October 20, 2024).

Section 1(2) goes on to say that "for greater certainty, the official plan policies referred to in subsection (1.1) shall not authorize a use that is excluded from being a business or economic use under paragraph 2 of the definition of "area of employment" in subsection (1) on any parcels of land in the area on which the use was not lawfully established before... (October 20, 2024)."

4.2 Provincial Planning Statement (PPS 2024)

As set out in Provincial backgrounder posted as part of the Bill 97 posting on the Environmental Registry of Ontario ERO #109-6813 (Proposed Approach to Implementation of the proposed Provincial Planning Statement):

“The Helping Homebuyers, Protecting Tenants Act, 2023 will, if passed, change the definition in the Planning Act of ‘area of employment’ to scope them to only those uses that cannot locate in mixed-use areas and require protection against conversion (e.g., heavy industry, manufacturing, largescale warehousing, etc.). This change is proposed to take effect on proclamation, to facilitate alignment with the new policy document.

As many municipalities’ existing employment areas currently allow a range of uses, including a mix of office, retail, industrial, warehousing, and other uses, time-sensitive official plan updates will be needed to align with the new definition. Once the proposed legislative and policy changes (if approved) take effect, areas that do not meet the definition would no longer be subject to policy requirements for “conversions” to non-employment uses.

To maintain the integrity of employment areas that are intended to remain protected over the long-term, municipalities should update their official plans to explicitly authorize the site-specific permission of any existing uses that do not align with the new definition.”

On August 20, 2020, the Ministry of Municipal Affairs and Housing released the 2024 Provincial Planning Statement (“PPS”) which came into effect on October 20, 2024. The new 2024 PPS replaces both the 2020 Provincial Policy Statement (which was replaced with the Order in Council No. 1099/2024), as well as the 2019 Growth Plan for the Greater Golden Horseshoe (which was revoked through Order in Council No. 1100/2024).

The PPS provides policy direction on matters of Provincial interest related to land use planning and development and applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024. In accordance with Section 3(5) of the Planning Act, all decisions that affect a planning matter are required to be consistent with the PPS.

In this regard, Policy 6.1.1 provides that the PPS “shall be read in its entirety and all relevant policies are to be applied to each situation”. Further, we note that 6.1.5 of the PPS establishes that Official Plans shall identify provincial interests and set out appropriate land use designations and policies, and to provide clear, reasonable and attainable policies to protect provincial interests and facilitate development in suitable areas.

Chapter 1 of the PPS defines the Province’s current vision for Ontario and identifies that a prosperous Ontario will see building more homes for all Ontarians, with a strong and competitive economy and a clean and healthy environment.

Section 1 describes Ontario's land use planning framework, stating that this framework and the decisions that are made within it:

"...shape how our communities grow and prosper. Prioritizing compact and transit-supportive design, where locally appropriate, and optimizing investments in infrastructure and public service facilities will support convenient access to housing, quality employment, services and recreation for all Ontarians."

One of the key policy directions that continues to be expressed in the PPS is to build complete communities with a mix of land uses, housing options, employment opportunities, and public service facilities and other institutional uses, among other things, as well as promoting efficient development and land use patterns.

To that end, Policy 2.1.6 provides that planning authorities should support the achievement of complete communities by:

- accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, recreation, parks and open space, and other uses to meet long-term needs;
- improving accessibility for people of all ages and disabilities by addressing land use barriers that restrict their full participation in society; and,
- improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

Section 2.3 of the PPS contains policies related to settlement areas, which are defined as urban areas and rural settlement areas within municipalities (such as cities, towns, villages, and hamlets) that vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

Section 2.3.1 of the PPS provides specific policy direction with respect to development in settlement areas. It specifically identifies that settlement areas shall be the focus of growth and development. The Subject Site is located within a Settlement Area as defined by the PPS, specifically within the Town of Milton Urban Area.

Policy 2.3.1.2 states that land use patterns within settlement areas should be based on densities, and a mix of land uses that, among other things, efficiently use land and resources, optimize existing and planning infrastructure and public service facilities, support active transportation, and are transit-supportive and freight-supportive.

Policy 2.3.1.3 directs planning authorities to support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Section 2.4 of the PPS applies to *strategic growth areas*, which are defined as *"within settlement areas, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating intensification and higher density mixed uses in a more compact built form. Strategic growth areas include major transit station areas, existing and emerging downtowns, lands in close proximity to publicly assisted post-secondary institutions and other areas where growth or development will be focused, that may include infill, redevelopment (e.g. underutilized shopping malls and plazas), brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas"*.

In this regard, the Subject Site is located along Derry Road West, a major arterial road, and Bronte Street South, a minor arterial road, and the Subject Site is an area where growth or development is to be focused, being designated 'Office Employment' in the Current OP. Therefore, the Subject Site could be considered a *strategic growth area* of the PPS.

Policy 2.4.1.1 encourages planning authorities to identify and focus growth and development in *strategic growth areas*. Policy 2.4.1.2 provides that, to support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development, *strategic growth areas* should be planned to accommodate significant population and employment growth; to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and to support affordable, accessible and equitable housing.

Further, Policy 2.4.1.3 directs planning authorities to, among other things, identify the appropriate type and scale of development in *strategic growth areas* and the transition of built form to adjacent areas, and to permit development and intensification in *strategic growth areas* to support the achievement of complete communities and a compact built form.

Section 2.8 of the PPS provides policies for Employment. With respect to employment uses, the PPS defines "Employment Area" as "*areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities*". An "employment area" also includes areas of land described by subsection 1(1.1) of the *Planning Act*. Uses excluded from "employment areas" are institutional and commercial, including retail and office not associated with the primary employment use listed above. The definition of "employment area" as set out above is virtually identical to the definition of "area of employment" introduced by *Bill 97* (see Section 4.1 above).

It is acknowledged that in response to Bill 97, the Town of Milton has advanced amendments to its Official Plan and Zoning By-law (OPA 86, ZBA 036-2025) to remove many lands, including the Subject Site, from its designated Employment Areas. Notwithstanding, these amendments are under appeal as they relate to the Subject Site and as such are not yet in force and effect.

Policy 2.8.1.1 directs that planning authorities shall promote economic development and competitiveness by, among other things: providing for an appropriate mix and range of employment, institutional and broader mixed uses to meet long-term needs; providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and addressing land use compatibility adjacent to employment area by providing an appropriate transition to sensitive land uses.

Policy 2.8.1.2 provides that industrial, manufacturing and small-scale warehousing uses that could be located adjacent to sensitive land uses without adverse effects are encouraged in strategic growth areas and other mixed use areas where frequent transit service is available, outside of employment areas.

Section 2.8.2 includes policies related to employment areas. While the Subject Site would not meet the definition of an employment area in the PPS given the presence of commercial and office uses on Site, and the existing commercial permissions in the Official Plan (see Section 4.4 below), we have included the relevant policies from Section 2.8.2 below as the Subject Site remains within the Town's employment areas until such time as OPA 86 and ZBA 036-2025 come into full force and effect as they relate to the Subject Site.

Policy 2.8.2.1 directs the planning authorities plan for, protect and preserve employment areas for current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs.

Policy 2.8.2.3 indicates that planning authorities shall designate, protect and plan for all employment areas in settlement areas by:

- a. planning for employment area uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
- b. prohibiting residential uses, commercial uses, public service facilities and other institutional uses;
- c. prohibiting retail and office uses that are not associated with the primary employment use;
- d. prohibiting other sensitive land uses that are not ancillary to uses permitted in the employment area; and
- e. including an appropriate transition to adjacent non-employment areas to ensure land use compatibility and economic viability.

As per Policy 2.8.2.5, planning authorities may remove lands from employment areas only where it has been demonstrated that:

- a. there is an identified need for the removal, and the land is not required for employment area uses over the long term;
- b. the proposed uses would not negatively impact the overall viability of the employment area by:
 - 1. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned employment area uses in accordance with policy 3.5;
 - 2. maintaining access to major goods movement facilities and corridors;

- c. existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and
- d. the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.

While the Subject Site is currently designated *Office Employment* within the *Employment Area* overlay under the Current OP, the Town's recently adopted Official Plan Amendment no. 86 ("**OPA 86**") (under appeal) would remove the Site from the *Employment Area* overlay, and would also move the *Office Employment* land use designation from the Employment Area section of the Current OP to the Commercial Area section (as discussed in Section 4.5 below). Therefore, the aforementioned policies relating to employment conversions would not apply to the proposed development.

Section 2.9 of the PPS provides policies for Energy Conservation, Air Quality and Climate Change. Policy 2.9.1 directs planning authorities to plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that: support the achievement of compact, transit-supportive, and complete communities; incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities; support energy conservation and efficiency; promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.

Chapter 3 of the PPS provides policies for Infrastructure and Facilities. Generally, the infrastructure policies of Chapter 3 place an emphasis on the need to integrate planning for infrastructure and public service facilities with land use planning and growth management.

Policy 3.1.1 requires that infrastructure and public service facilities be provided in an efficient manner that accommodates projected needs, and that their planning be coordinated and integrated with land use planning and growth management so they can, among other matters, be available to meet current and projected needs. Before consideration is given to developing new infrastructure and public service facilities, the use of existing should be optimized (Policy 3.1.2).

As it relates to Transportation Systems, Policy 3.2.2 states that efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

Section 3.3 addresses transportation and infrastructure corridors. Policy 3.3.3 provides that new development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and adverse impacts from the corridor and transportation facilities.

Section 3.4 provides guidance for rail facilities. Policy 3.4.1 states that planning for land uses in the vicinity of rail facilities shall be undertaken so that their long-term operation an economic role is protected, and rail facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other. In this regard, Policy 3.5.1 deals with land use compatibility and states that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise or other contaminants, minimize risk to public health and safety, and ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

With respect to implementation, Policy 6.1.6 requires that planning authorities keep their zoning by-laws up to date with their official plans and the Provincial Planning Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development. Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the Provincial Planning Statement, or before other applicable planning instruments have been updated accordingly, Policy 6.1.2 directs that it still must make a decision that is consistent with the Provincial Planning Statement.

For the reasons set out in Sections 5.0 of this report, it is our opinion that the requested Zoning By-law Amendment is consistent with the PPS, specifically the policies that speak to optimizing the use of land and infrastructure, encourage employment growth and intensification in *strategic growth areas*, and ensuring land use compatibility between rail facilities and new development.

4.3 Halton Region Official Plan

On July 1, 2024, through changes to the Planning Act, the Province identified the Region of Halton as an “upper-tier municipality without planning responsibilities”. As a result, the Regional Official Plan is no longer an official plan for the Regional Municipality of Halton. Instead, it has been deemed an official plan of each of the lower-tier municipalities in Halton, including the Town of Milton, until it is revoked or amended by the respective municipality.

This means that there were two Official Plans that applied to the Town of Milton – the Halton Region Official Plan, 1995 (the “**ROP**”), and the Town of Milton Official Plan, 1996.

The Halton Region Official Plan, 1995, was approved by the Minister of Municipal Affairs and Housing with modifications on November 27, 1995, and there have been several subsequent amendments and modifications since.

Notwithstanding, in November 2019 the Town formally initiated the “We Make Milton” Official Plan review project in accordance with Section 26 of the Planning Act. On December 19, 2025, Town Council adopted an amendment to the Town of Milton Official Plan, “**OPA 92**”.

This was the first comprehensive amendment in the official plan review process and was prepared to conform with all Provincial plans including the new Provincial Planning Statement. OPA 92 was approved by the Minister of Municipal Affairs and Housing, with modifications, on March 17, 2026, as discussed in Section 4.4 below.

Through OPA 92, the Town removed Halton Region Official plan policies that are redundant or no-longer in use and the remaining applicable policies of the Halton Region Official Plan have been incorporated as a new section of the adopted OPA 92. Therefore, the ROP is no longer a standalone policy document and its policies are contained in the Town’s Official Plan. These will be discussed in Section 4.4 below.

4.4 Town of Milton Official Plan

The Town of Milton Official Plan (“**Current OP**”) was originally adopted in 1996 as the Town’s primary land use planning document and most recently consolidated in February, 2026.

As noted above, the Current OP was recently amended by OPA 92, which is the first amendment advanced as the “We Make Milton” official plan review project in accordance with Section 26 of the Planning Act. On December 19, 2025, the Minister of Municipal Affairs and Housing approved OPA 92 with modifications, bringing it into full force and effect. OPA 92 implements the first set of changes implemented through the Town’s official plan review, incorporating new policies and schedules and updates to existing policies and schedules in the Current OP. The amendments are intended to:

- Provide updated directions to guide growth to the year 2051
- Insert initial policies to implement new growth management directions, and
- Incorporate regional policy directions to facilitate coordination with Halton Region.

OPA 92 represents the first of two amendments advanced through the Official Plan Review. A subsequent amendment will include detailed implementation policies and final mapping updates and will be brought forward to Council in June 2026, as discussed in Section 4.7 below.

The Subject Site is located within the Employment Area overlay of Schedule 4 – Urban Structure of the Current OP, as shown in **Figure 9**, and is designated Office Employment and located within the Town’s Urban Area on Schedule A – Urban Area Land Use Plan (**Figure 10**). In addition, the property is located within Special Policy Area 23 as shown on Schedule L – Urban Area Specific Policy Areas (**Figure 11**).

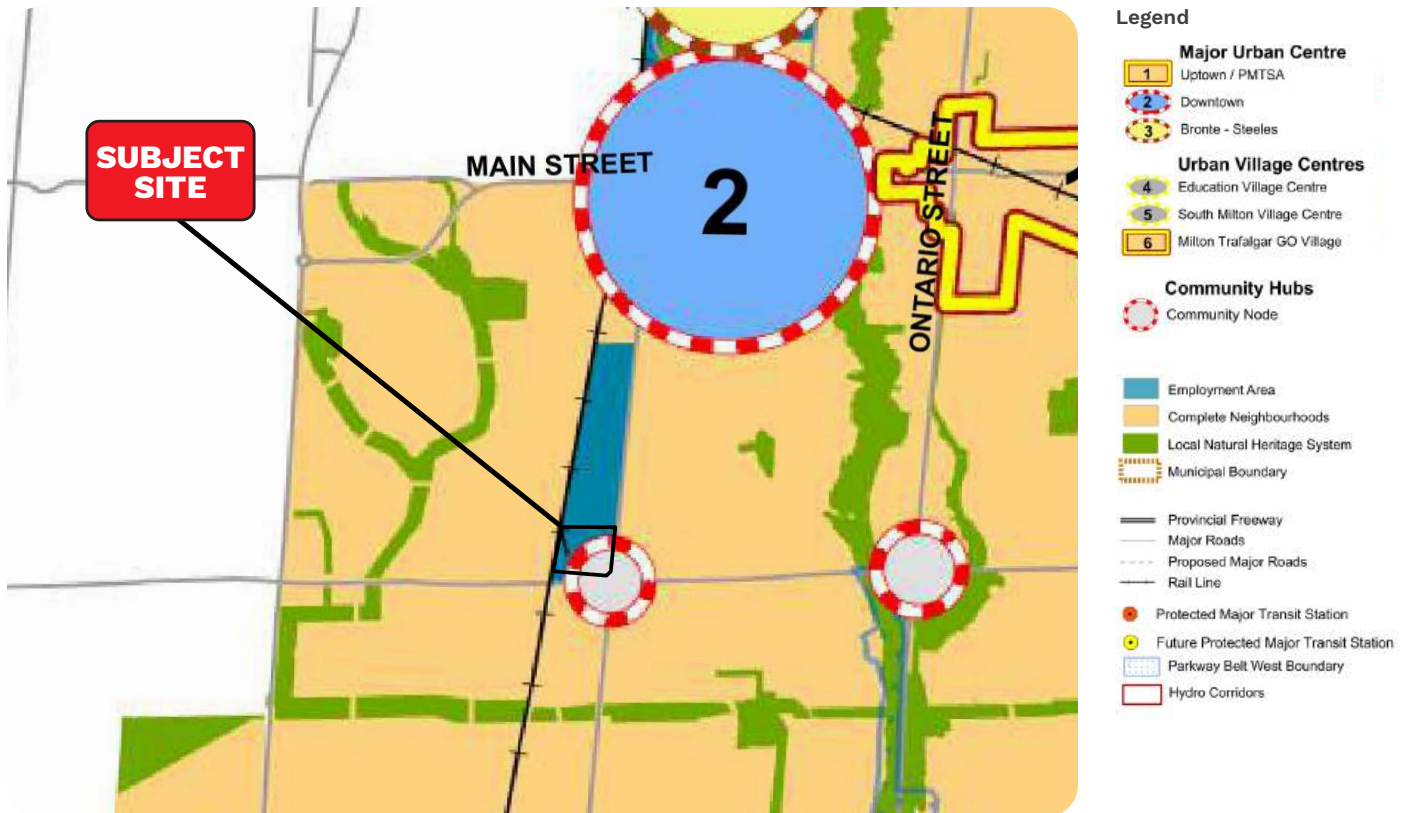


Figure 9 - Schedule 4 – Urban Structure



Figure 10 - Schedule A – Urban Area Land Use Plan

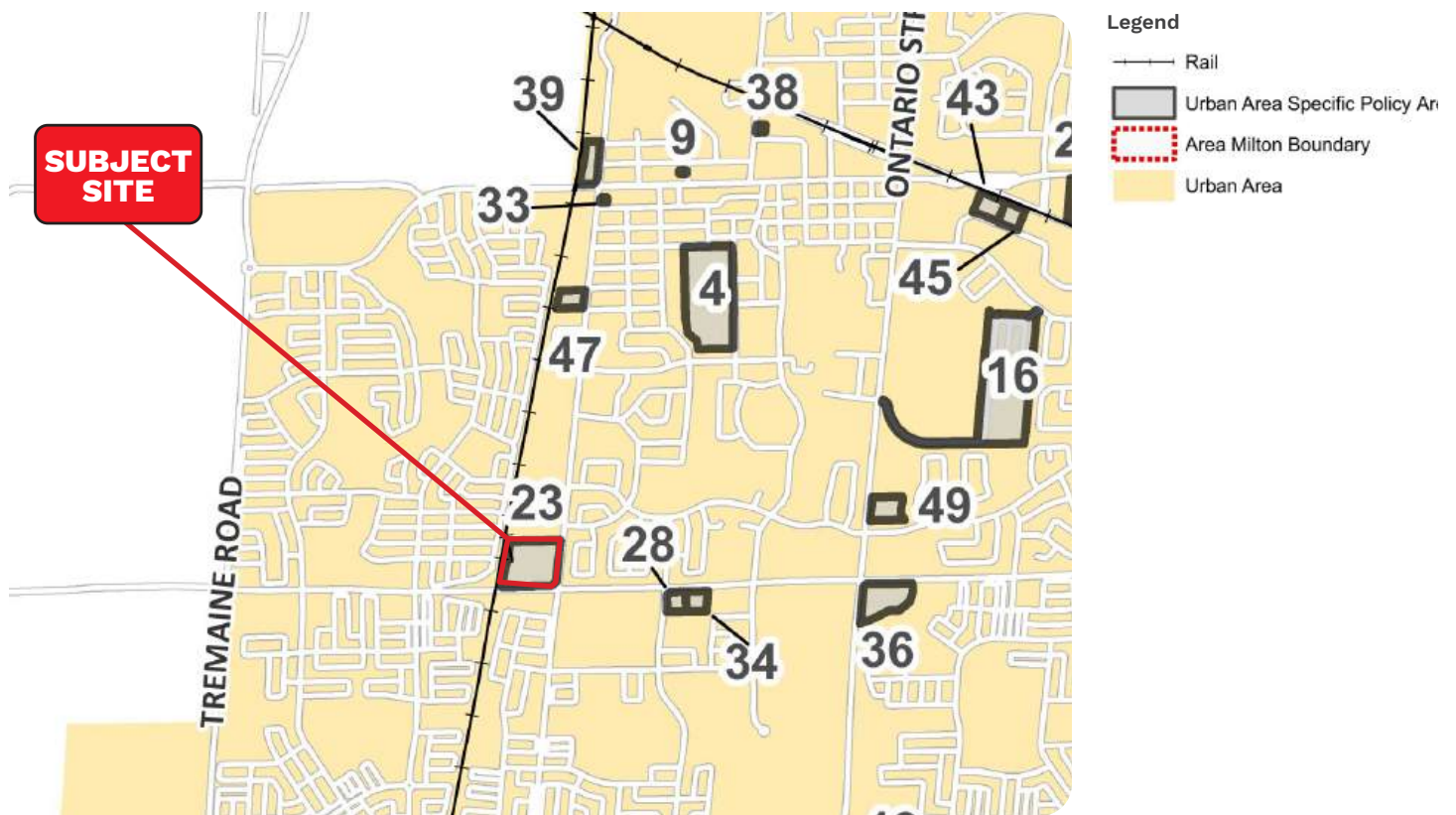


Figure 11 - Schedule L – Urban Area Specific Policy Areas

Growth Management

Section 2.1 of the Current OP provides policies for the Town-Wide Growth Management Framework. It suggests that the growth management framework directs growth primarily towards Settlement Areas, using tools such as land use patterns, density and intensification to create distinct Strategic Growth Areas where significant growth will occur.

According to Table 1, Population and Employment Forecast and Growth Targets, the Town is intended to grow to 400,00 people and 156,300 jobs by 2051.

Objective 2 of the Current OP directs new residential and employment development to the Settlement Area to achieve intensification and density targets of the plan. Policy 2.1.1.6 directs the Town to identify in **Figure 12**, Schedule 2 – Growth Phases and Planning Policy Areas areas within the Urban Area that are to be the focus for accommodating population and employment growth, and intensification. According to Schedule 2 – Growth Phases and Planning Policy Areas, the Subject Site is identified as an 'Existing Employment Area'.

Policy 2.1.1.6 b) states that Existing Employment Areas are where development and redevelopment are underway in accordance with the Policies of the Current OP. According to Table 3b, Number of Jobs, a total of 26,100 new jobs are expected in Existing Employment Areas by 2051.

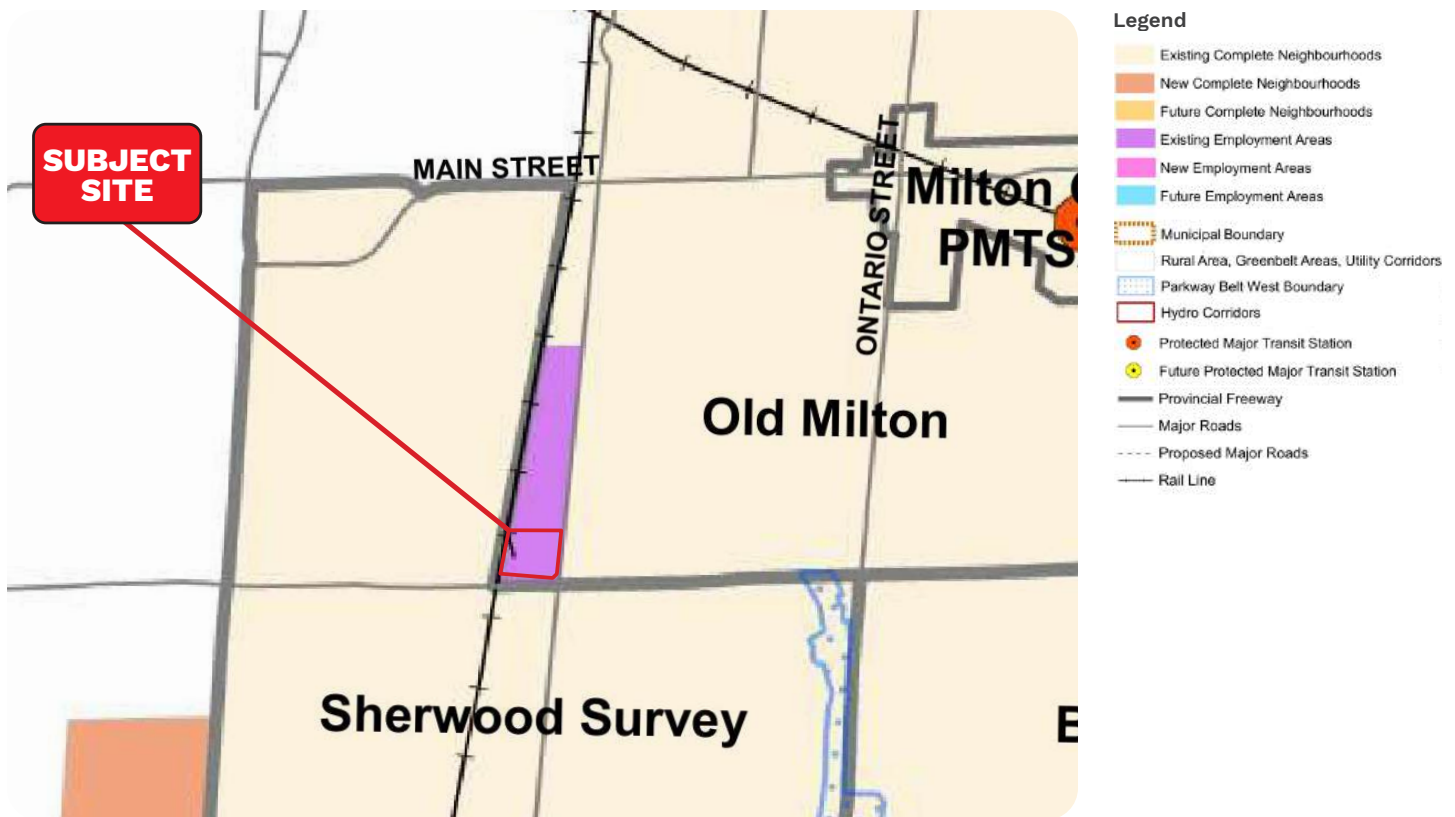


Figure 12 - Schedule 2 - Growth Phases and Planning Policy Areas

Land Use

As noted, the Subject Site is located within the Town's Urban Area, its defined Employment Areas and is designated Office Employment.

Urban Area

Within the Urban Area, the Current OP directs the Town to encourage intensification and redevelopment to support the achievement of complete communities (Policy 2.3.1.2), create land use patterns with a range of land uses (Policy 2.3.1.3), and use land and resources efficiently through compact built forms (Policy 2.3.1.4), among other things.

Policy 2.2.1 applies to the Urban Area and states that it is the area where the majority of development, population and employment growth is to be accommodated. Policy 2.1.1.7 promotes intensification to support the development of compact, efficient and vibrant communities using the population and employment targets of the Current OP.

Employment Areas

Although as discussed in Section 4.2 above and Section 4.6 below the lands have been removed from the Town's Employment Areas per OPA 86, in accordance with the revised definition of Employment Areas in the PPS and Planning Act, we have provided the Employment Area-related policies below as OPA 86 remains under appeal.

Within the Town's Urban Structure, Employment Areas are to be protected for long-term employment use. According to Section 2.3.6, lands designated Employment Areas will accommodate a cluster of businesses and economic uses, providing jobs for residents and longer-term development opportunities in support of the local and regional economy.

Specifically, the policies of the Current OP for Employment Areas direct the provision an appropriate supply of employment lands for a variety of employment uses to accommodate the Town's growth forecasts, by protecting Employment Areas for long term use, maintaining a range of Employment Areas to support a wide range of economic activities, ensuring accessibility of Employment Areas by a range of transportation modes, ensuring necessary infrastructure is available, and promoting sustainable development for long term viability (Policies 2.3.6.1 – 2.3.6.7).

Office Employment

Section 8.4.5 of the Current OP provides policies for lands within the Office Employment land use designation, a land use designation that applies to the Town's Employment Areas. Per Policy 8.4.5.1, the Office Employment designation applies to lands where a mix of employment uses is appropriate because of specific locational considerations. The intent of the designation is to recognize existing development and to continue to be the Site of a wide range office and employment uses that either depend on automobile traffic and/or provide service commercial needs and employment to residents in adjacent neighbourhoods in the Town. The objectives of the Office Employment area includes recognizing existing linear commercial development, encouraging the consolidation, intensification and expansion of certain commercial and light industrial uses, and, encouraging the redevelopment of existing commercial and light industrial uses to foster a more pedestrian-oriented environment (Policy 8.4.5.2)

Permitted uses in the Office Employment designation may include:

- Office uses in free-standing buildings
- Hotels, conference, convention and banquet facilities;
- Training and commercial educational facilities; and

- Limited service commercial uses, associated retail functions and ancillary facilities on the ground floor and in conjunction with permitted uses (Policy 8.4.5.3).

Per Policy 8.4.5.5, prior to considering any application for development or redevelopment requiring Planning Act approval, Council shall be satisfied that:

- a. The proposed uses will contribute to the vibrancy of the area;
- b. The development will not cause any traffic hazards or an unacceptable level of congestion on surrounding roads
- c. The development will be planned to provide maximum pedestrian accessibility
- d. The development will conform to Section 72 of the Current OP
- e. The elements of the public realm will be improved as a condition of development/redevelopment
- f. The uses are designed and located to minimize impacts on adjacent residential areas through buffering and landscaping.

Commercial Areas

Notwithstanding that OPA 86 remains under appeal as it relates to the Subject Site and as such is not in full force and effect, it must be noted that it removes lands designated Office Employment, including the Subject Site, from the Employment Areas into the Town's Commercial Areas. As such, it is appropriate to review and consider the policies related to Commercial Areas in the Current OP, although we acknowledge that they are informative but not determinative at this time.

Section 8.4 of the Current OP provides policies for the Town's Commercial Areas. Policy 8.4.1 defines the purpose of the Commercial Area designation to accommodate concentrations of retail and service commercial uses at various scales in accordance with their planned function established through the Town's retail hierarchy, to meet the needs of residents, employees and businesses.

Policy 3.4.1.1 states the objective of the Current OP with respect to Commercial Areas to:

- Encourage commercial development that provides a full range of goods and services, at appropriate locations, to meet the needs of residents, employees and businesses;
- Anticipate and accommodate new trends in retailing at appropriate locations in the Town;
- Promote efficient use of existing and planned infrastructure by creating the opportunity for various forms of commercial and residential intensification;
- Require a high degree of urban design for development and redevelopment; and,
- Ensure that all new development is compatible with adjacent development.

Specific Policy Area 23

As mentioned, the Site falls within Special Policy Area 23 on Schedule I1 of the Current OP. As per Policy 10.1.3.23, Special Policy Area 23 states that:

“The area identified as Specific Policy Area 23 on Schedule “I1” of this Plan may be developed for a range of employment uses, primarily business, professional, financial and medical offices, as well as specific supporting local commercial uses, in a mixed use development format. The local commercial uses that may be permitted are those that are complementary to, and serve the employment area and uses, as well as the Milton Hospital and residential neighbourhoods immediately adjacent to the lands.”

An analysis of this Policy as it relates to the proposed development is included in Section 5 of this Report.

Transportation System

Section 2.6 of the Current OP provides policies for the Town’s Transportation System. As noted previously, Derry Road West is considered a Major Arterial Road with a planned right of way width of 35 metres and Bronte Street South is considered a Minor Arterial Road with a planned right-of-way width of 30 metres on Schedule E – Transportation Plan of the Current OP. The CN rail corridor is also located adjacent to the Subject Site.

Policy 2.6.1.5 prohibits development in planned corridors that would preclude or negatively affect the use of the corridor. Policy 2.6.1.22 promotes railroad safety and the reduction of noise, vibration and other potentially adverse effects. In this regard, a Land Use Compatibility – CN Rail Compatibility and Noise Considerations Report was prepared and is discussed in Section 5.8 below.

Integrated Employment

The Current OP recognizes that land use planning policies complement and support the Town’s economic development strategy and assist in the creation of local jobs. It also recognizes that certain land use policies protect specific lands for employment uses, while space is also required for offices, medical clinics and service related employment. In Section 3.6 of the Current OP, it is acknowledged that land uses that support jobs should be planned to accommodate a more compact, transit-supportive and pedestrian-oriented environment, which supports climate change and mitigation.

Policy 3.6.1.1 of the Current OP directs the Town to identify and protect a range of strategic lands for employment uses to ensure economic prosperity through the Town. Per Policy 3.6.1.3, the Town will maintain suitable sites to accommodate a range of existing and future economic activities for a minimum of 15 years, and per Policy 2.6.1.5 will provide flexible land use permissions to accommodate evolving business needs. Further, the Town will provide opportunities for a diversified economic base including maintaining a range and choice of suitable sites for employment uses outside of Employment Areas, taking into account the needs of existing and future businesses. (Policy 3.6.1.8), and will support opportunities for shared location including intensification of employment uses, such as office and retail, in compact, mixed-use developments (Policy 3.6.1.11)

Municipal Water and Sewage Services

According to Policies 3.7.1.22 and 3.7.1.23, development within the Urban Area must be connected to municipal sewage and water services, and development is only permitted in the Urban Area where there is capacity within existing municipal water services and municipal sewage services, as demonstrated through a Functional Servicing Report or other technical study.

Urban Design

The Urban Design policies of Section 3.2 of the Current OP state that the aim of the Town is to achieve high standards of urban design. The high standards relate to overall quality, environmental sensitivity, sustainability and positive sense of place.

Relevant urban design objectives of Section 3.2 include:

Objective 1: Achieving a high standard of design in the built environment by:

- Designing and developing an attractive and active network of places and destinations (Policy 3.2.1.1)
- Achieve a varied pattern of built form that supports and enhances the urban experience (Policy 3.2.1.2)
- Encourage new development to have regard to the urban design objectives of this Plan and any complementary criteria (Policy 3.2.1.4)

Objective 2: Ensure new development is complementary to and compatible with existing development by:

- Encouraging new development to establish a contextual relationship between the proposed development and adjacent buildings, streets and areas (Policy 3.2.1.7)
- Design development as an integral part of an area's existing larger pattern of built form and open spaces, reinforcing and complementing viable existing patterns (Policy 3.2.1.8)
- Enhance the unique character of locations, ensuring new development incorporates design that is in keeping with the character of the area in which the development is located, including height, massing, orientation, aesthetic and landscaping (Policy 3.2.1.9)

Objective 3: Creating a high quality, safe and inclusive public realm

- Encourage building design and landscaping to be human scale, safe and comfortable (Policy 3.2.1.17)
- Provide barrier free access to publicly accessible buildings (Policy 3.2.1.19)

Additional Urban Design direction is provided in Section 7.2 of the Current OP.

Policy 7.2.1.3 states that two facts shall be used to determine the acceptability of development proposals: a) the extent to which the proposal attains the pertinent Urban Design objectives and policies of the Current OP; and b) the extent to which the proposal fits within any Council -approved Urban Design Guidelines which are applicable to the development site, its local area and/or its neighbourhood district. In this regard, an assessment of the Urban Design policies of the Current OP has been included in Section 5.3 below, acknowledging that there are no Urban Design Guidelines applicable to the Site.

Policy 7.2.1.5 of the Current OP states that human understanding of buildings and spaces shall be promoted through design measures including but not limited to the visible exterior expression of building components such as floors, columns and windows and the avoidance of continuous reflective curtain walls. Policy 7.2.1.8 suggests that new development within an established district will be designed as a part of the area's existing larger pattern of built form and open spaces, reinforcing and complementing viable existing patterns by complementing the existing range of building mass, height, proportion, enclosed volume and position relative to street and site. Building on this, Policy 7.2.1.10 suggests that the preservation of existing pattern of setbacks in the established urban areas is supported so that new buildings, additions and alterations to existing buildings do not substantially alter the existing character of the neighbourhood or district.

With respect to building design and functionality, Policy 7.2.1.12 requires street façades of publicly accessible buildings to be designed to encourage and facilitate public accessibility through active frontages, such as entrances and display windows. Complementary to this, Policies 7.2.1.12 and 7.2.1.13 discourage the placement of loading bays and blank walls along the street edge, and require that community facilities, retail shops, and similar uses on the ground floor be located at grade and approximately level with the adjacent sidewalk.

Policy 7.2.1.15 defines that the provision of signage which clearly indicates street address and/or building, business or tenant name, and which integrates with rather than dominates the façade design shall be encouraged. Finally with respect to building design, Policy 2.8.3.18, building design in which facades are articulated to express such design elements as floor and ceiling levels, window heights, structural column spacing, and/or internal divisions, all of which can define scale and provide interest within the larger visual composition as seen from streets and open spaces, will be encouraged.

With respect to parking, Policy 7.2.4.1 states that the partial screening of surface parking lots through the use of low fences, walls, and landscape elements, and through the location of lots away from street view while still permitting views for orientation and safety, although consideration should also be given to the design of off-street parking spaces for goods and courier vehicles, shall be supported. Further, Policy 7.4.2.2 establishes that a reduction in the scale of large surface parking lots shall be encouraged through their sub-division into smaller areas by means such as landscaping, fencing and walls.

Policies 7.2.7.1 through 7.2.7.4 establish that barrier-free access to public buildings and facilities be secured, and provides specific guidance for its design and functionality.

With respect to landscaping, Policy 7.2.8.1 establishes that the Town shall ensure that as many trees and other vegetation as possible are retained on sites subject to development by requiring the submission of a tree inventory and saving plan for all applications, with priority being given to trees and other vegetation most suited to adoption to postconstruction conditions, through certain criteria.

Finally, Policy 7.2.8.2 directs that landscaping within new developments incorporate naturalized space, replace lost vegetation, utilize native species, and enhance overall ecological stability.

With respect to Commercial Areas, Policy 8.4.5.5 requires that all new development requiring a Planning Act approval shall conform to Section 7,2 (Urban Design) of the plan.

Together, these policies ensure that new development contributes positively to the existing urban fabric, supports pedestrian activity and reinforces the Town's community character.

Safe Community Design

Section 7.3 of the Current OP speaks to policies specific to achieving, through the timely review of development applications, safe community design that heightens the level of public safety and awareness (Policy 7.3.2.1). Policy 7.3.4.5 states that the provision of a range of essential community facilities, such as food stores, day care centres and recreational services within each neighbourhood to foster security, familiarity and a sense of community ownership of common areas among local residents shall be encouraged. Further, all development applications in the Urban Area will be reviewed in order to promote a sense of community ownership for public and publicly accessible spaces by encouraging design which maximizes use, control and surveillance by the occupants of adjacent buildings, as well as frequency of use by the public (Policy 7.4.5.6).

Section 7.5 of the Current OP relates to community improvement and states that the goal of community improvement is to achieve a functional, attractive and well maintained living and working environment for residents and businesses within the Town by promoting the:

- a. ongoing maintenance of established areas;
- b. rehabilitation, redevelopment and/or conservation of areas characterized by deficient buildings, land use conflicts, economic instability or deficient capacity or service life of hard and soft services;
- c. encouragement of private sector participation in community improvement; and,
- d. economic growth and development of the downtown commercial area

Noise and Vibration

Section 5.5.1 of the Current OP provides policies for noise and vibration. In Policy 5.5.1.1, the Current OP states that proposed development adjacent to railway lines will be required to undertake, prior to development approval, the following studies by a qualified consultant and to implement the study recommendations as approved, including mitigation measures and the restriction of new residential or sensitive land uses:

- a. noise studies if the development is within 300 metres of the railway right-of-way;
- b. vibration studies, if the development is within 75 metres of the railway right-of-way
- c. air quality studies, if the development contains sensitive land uses and is within 1000m of a railway yard.

The Subject Site is adjacent to the existing CN rail corridor. Prior to development approval, noise studies and vibration studies will need to be undertaken by qualified consultants in accordance with Provincial policies to the satisfaction of the Region, the Town and the authorized review agency and in consultation with the railway agency. In consultation with CN Rail, they have confirmed that a Noise and Vibration study would be required if any commercially sensitive land uses were proposed, such as a Day Care Centre, commercial school, funeral home, hotel, museum or gallery, community centre, medical office or clinic, place of worship, veterinary clinic, or others. A Noise Study has been prepared by Aerocoustics Engineering Ltd. and is discussed in more detail in Section 5.8 below.

Regional Policy Direction

As noted above, OPA 92 had the effect of incorporating the relevant and applicable policies of the Halton Region Official Plan into the Town of Milton's Official Plan.

These policies are contained in Section 14 of the Current OP, entitled Regional Direction.

With respect to the Regional Transportation System, Section 14.2 emphasizes the goal of the transportation system being to provide a safe, convenient, accessible, affordable and efficient transportation system.

As noted, Derry Road West is classified as a Major Arterial Road, while Bronte Street South is considered a Minor Arterial Road. According to Table 8 – Function of Major Transportation Facilities of the Current OP, Major Arterial Roads are intended to accommodate higher-order transit, carry high volumes of traffic, and provide connections between urban areas and neighboring municipalities. They are intended to be supported by transit-supportive, high density, mixed use development along right-of-ways within urban areas. Minor Arterials primarily serve local travel demands and transit services and typically carry moderate to high traffic volumes.

With respect to rail corridors, Policy 14.2.1.35 requires proponents of development adjacent or in proximity to railway lines to ensure that appropriate safety measures such as setbacks, berms and security fencing are provided to the satisfaction of the Town. As previously noted, the CN rail corridor is situated to the west of the Subject Site. This application has been circulated to CN Railway, who have confirmed that the proposed 30m setback and 1.83m high safety fence along the mutual property line are satisfactory to CN, as discussed further in Section 5.2 below.

For the reasons set out in Section 5.0 of this report, it is our opinion that the requested Zoning By-law Amendment conforms to the Current OP, specifically the policies that speak to optimizing the use of land and infrastructure, support for local economic development and the provision of a complete community, as well as ensuring land use compatibility between rail facilities and new development.

4.5 Local Official Plan Amendment 86

On April 6, 2023, the Province introduced Bill 97: *Helping Homebuyers, Protecting Tenants Act*, which proposed a series of policy and legislative amendments, including changes to the Planning Act and the introduction of a new definition for "area of employment."

Subsequently, on August 20, 2024, the Ontario Government released the final *Provincial Planning Statement, 2024* (PPS 2024), which came into effect on October 20, 2024. PPS 2024 incorporated updated employment area policies and adopted a definition of "employment areas" consistent with the revised Planning Act definition of "area of employment." The amended definition for "area of employment" must now align with the criteria defined in Section 4.2 above.

As noted, the amended definition excludes institutional and commercial uses, which includes retail and offices uses that are not associated with research and development, manufacturing, and warehousing. Lands occupied by uses that are excluded from the new definition of "area of employment" will continue as an "area of employment", so long as they were lawfully established on the parcel of land prior to October 20, 2024 (including the Subject Site).

The Province advised municipalities to bring forward timely amendments to their official plans to ensure alignment with the updated definition. As such, the adopted Local Official Plan Amendment 86 ("OPA 86") represents the Town's approach to addressing the provincial direction for employment areas through updating (amongst other things) the definition of Employment Area and various Employment Area designations and mapping under the Current OP. OPA 86 was adopted on March 17, 2025 but is currently under appeal on a site specific basis to the Ontario Land Tribunal and is therefore not in full force and effect. It is identified that OPA 86 will be incorporated into the Town's new Official Plan, once it comes into full force and effect, and at that time the proposal will be in conformity with the Official Plan".

Table 1 below summarizes the applicable changes that would be introduced by OPA 86 that are relevant to the Subject Site.

Table 1 - Modifications to the Official Plan through OPA 86

Category	Current OP	OPA 86
Definition of "Employment Area"	Includes uses that are no longer permitted within the Planning Act definition of "Area of Employment" and the employment area policies of the PPS 2024.	Amends this definition to be consistent with provincial direction as noted above.
Employment Area Overlay Designation	Includes the Subject Site within the Employment Area overlay as shown on Schedule 1 – Town Structure of the Current OP	Removes the Subject Site from the Employment Area overlay and into the Urban Area overlay as shown on Schedule 1 – Town Structure of the OPA 86 (Figure 16).
Employment Area Policy Section	Lands designated "Office Employment" (including the Subject Site) are included under Section 3.7 – "Employment"	Relocates the policy framework for the "Office Employment" designation from Section 3.7 – "Employment" to Section 3.4 – "Commercial Area".
Special Policy Area 23	No changes	No changes

Changes to the Halton Region Official Plan

As previously noted, effective July 1, 2024, planning responsibilities in Halton Region were transferred to the local municipalities. However, the Halton Region Official Plan remains in effect, and local municipalities are now responsible for its administration until it is either amended or revoked by the respective municipality.

To avoid policy conflicts, amendments to both the Regional and local Official Plans are necessary. In addition to the changes to the Current OP, as outlined in **Table 1** above, the Town would also revoke Sections 83.2(1), 83.2(1.1), 83.2(4), and 229.1 of the ROP, which pertain to Employment Area policies. These sections would be replaced with updated policies introduced through OPA 86.

In short, the new policies would address permitted uses within Employment Areas and update the regional definition of "Employment Area." Furthermore, OPA 86 would also remove lands currently designated as Office Employment Area from the Employment Area overlay in the ROP.

Town Structure and Urban Land Use Designation

Section 3.4 of the Current OP applies to land use designations within Commercial Areas. As per Policy 3.2 of OPA 86, Section 3.4 is amended by adding the following new sections: 3.4.5 - Office Employment Area, 3.4.6 - Business Commercial Area, and 3.4.7 - Prestige Office Area. Policy 2.1.3.2 of the Current OP directs that the Urban Area encompasses a full range of residential, commercial, industrial/employment, institutional and open space land uses and is intended to be the focus of urban development.

Section 3.7.3 establishes policies for lands within the Office Employment designation. The policies carried forward to OPA 86 largely mirror those in the Current OP, particularly with respect to the range of permitted uses within the Office Employment designation (Policy 3.7.3.3 of OPA 86) and the evaluation criteria that must be satisfied prior for new developments (Policy 3.7.3.4 of OPA 86).

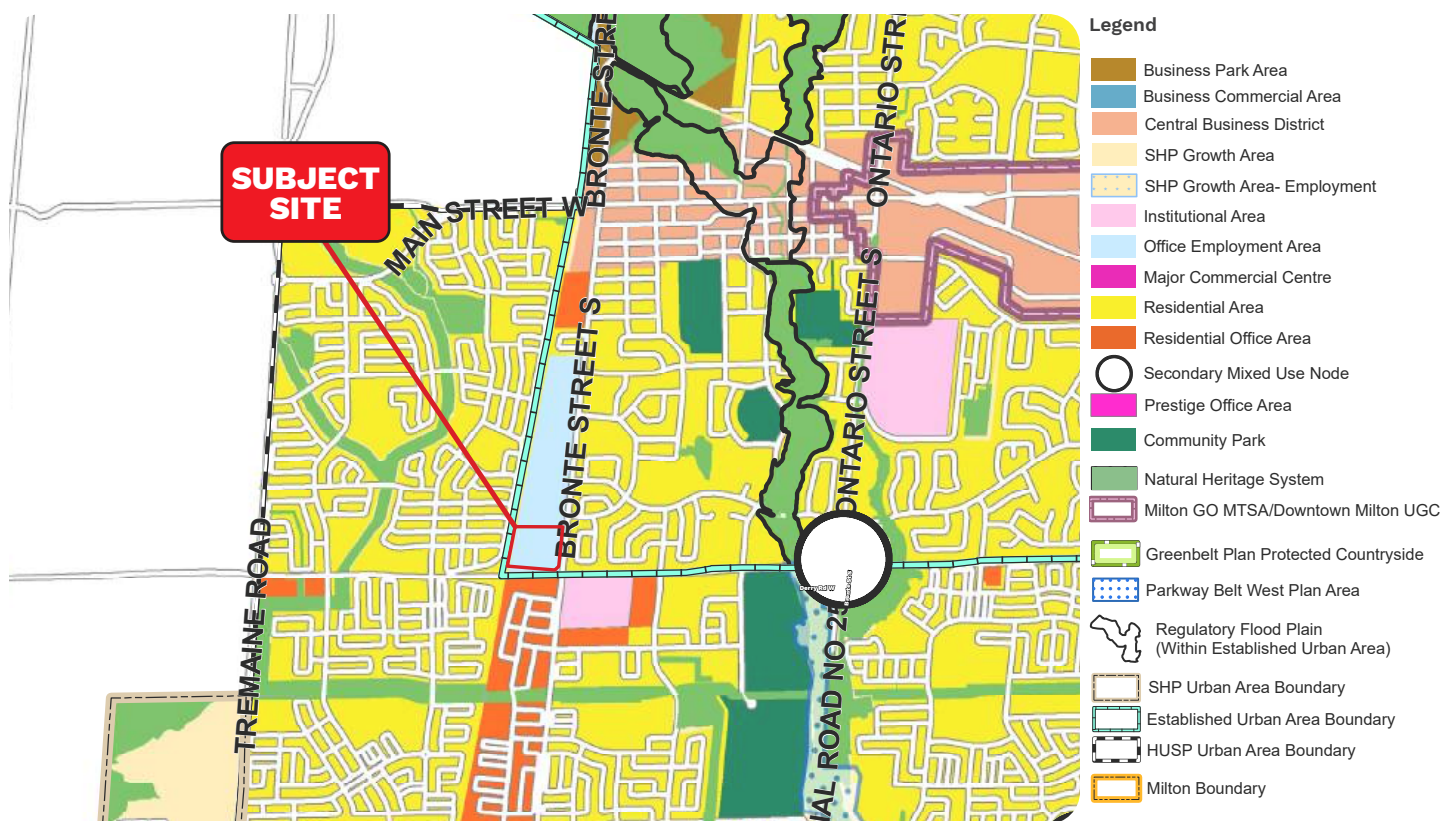


Figure 13 - Schedule B - Urban Area Land Use - OPA 86

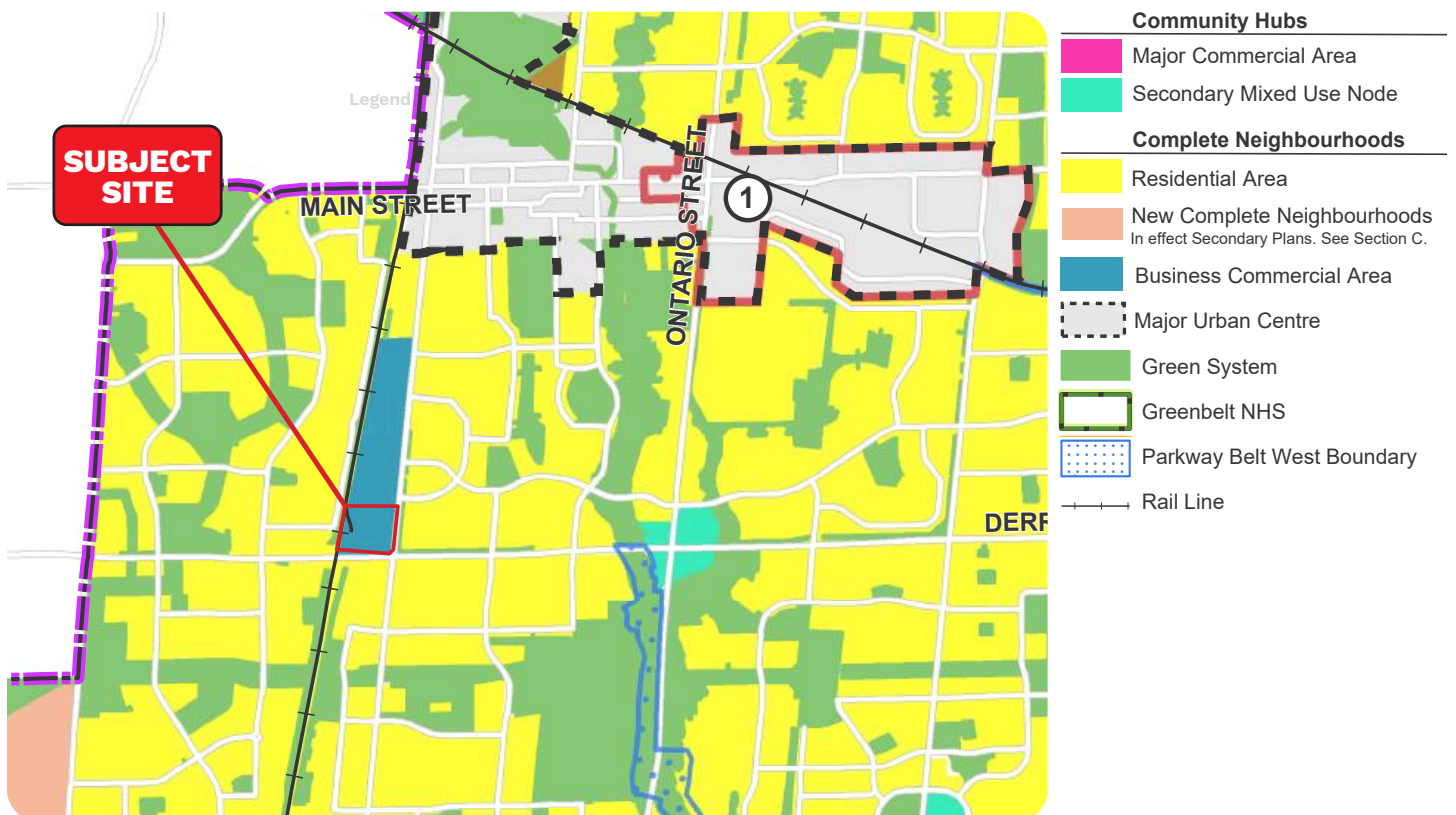
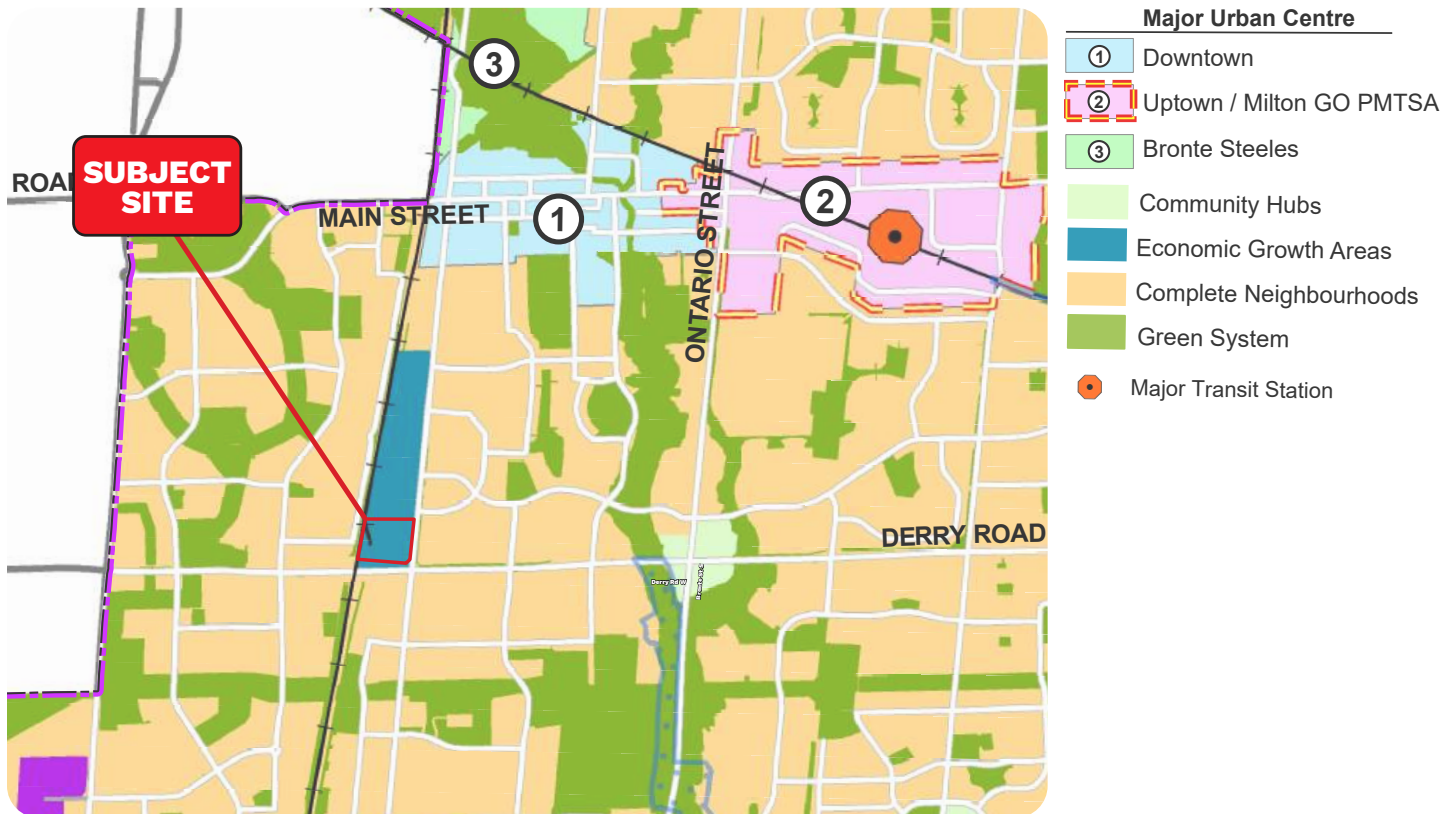
4.6 “We Make Milton” Official Plan Review – DRAFT Town of Milton Official Plan (March 2026)

As noted above, in March 2025, OPA 92 was adopted by Town Council and subsequently approved by the Minister of Municipal Affairs and Housing in December 2025. While OPA 92 represented the first of two amendments advanced through the Official Plan Review process, the proposed new Town of Milton Official Plan represents the second and final phase of the review and includes detailed implementation policies, land use permissions, built form criteria, and Official Plan administration policies.

On March 31, 2026, the Town held a statutory open house to provide members of the public with an opportunity to review and comment on a draft of the new Town of Milton Official Plan (the “Draft OP”). Following the open house, an updated version of the Draft OP, dated March 2026, was released and presented to Council at a statutory public meeting held on April 13, 2026. The purpose of the public meeting was to provide Council with an opportunity to hear comments from members of the public prior to making a decision on the Draft OP. The Draft OP is currently scheduled to be brought forward to Council for consideration in June 2026.

The Town’s Growth Management Framework is described in Section 2.1, and forms the basis for all planning and development in Milton including how and where growth is to occur. Similar to the Current OP, the growth management framework directs growth primarily towards Settlement Areas, and through intensification, the Town intends to create distinct Strategic Growth Areas where significant growth is to occur. Table 1a of the draft OP provides the Town’s Population and Employment Forecast and Growth Targets, and similar to the Current OP identifies that the Town will grow in population to 400,000 people and 156,300 jobs by 2051. Further, Table 4b identifies that in new Economic Growth Areas there are to be 26,100 new jobs by 2051.

The Subject Site is identified within the new Economic Growth Area overlay on Schedule 4 – Urban Structure (**Figure 14**) of the Draft OP. These areas are planned to accommodate a total of 26,100 jobs by 2051. The Subject Site is also proposed to be designated Business Commercial Area on Schedule 12 – Urban Area Land Use Plan (**Figure 15**). Unlike the Current OP, the Subject Site will no longer be subject to a Special Policy Area under the Draft OP. Instead, the site would be subject to the overarching policy framework established in the Draft OP for lands designated Business Commercial Area, as outlined below.



Economic Growth Areas

Unlike the Current OP, the Subject Site is no longer located along an Intensification Corridor and therefore is not considered a Strategic Growth Area, rather it is considered to be a new Economic Growth Area.

Per Draft Section 2.3.6 of the draft OP, lands designated Economic Growth Areas will provide jobs for residents and longer-term development opportunities in support of the local and regional economy. Draft Objective 31 of the draft OP is to provide an appropriate supply of lands for a variety of employment generating uses to accommodate the Town's growth forecasts and to support a sustainable local economy.

To implement this objective, the draft OP provides a series of policies. Of relevance is Draft Policy 2.3.6.1 which directs the Town to ensure the availability of sufficient land to accommodate forecasted employment growth of Table 1 to support Milton's economic competitiveness, Draft Policy 2.3.6.2 which directs the Town to accommodate a wide range of economic activities to meet the current and future needs of businesses, and Policy Draft 2.3.6.5 which promotes the sustainable development of Economic Growth Areas for long-term viability.

Land Use – Business Commercial Area

Draft Table 13 identifies the general distribution of land uses in the Urban Area and directs that Business Commercial Areas can contain commercial, office, industrial, public service, institutional and tourism uses. These uses can occur in low and mid-rise buildings (Draft Table 16, Summary of Built Form Typologies in the Urban Area and Hamlets).

Draft Policy 6.2.2 directs that larger-format commercial uses that are likely to generate high volumes of motor vehicle traffic and goods movement are generally to be located within Major Commercial and Business Commercial Areas. Within the Business Commercial Area designation, retail and service commercial uses are also permitted, subject to criteria (Draft Policy 6.2.2.1). Draft Policy 6.2.2.11 further encourages commercial development that incorporates retail and service commercial uses at grade, with office uses located above the first floor. In addition, food stores and supermarkets are supported within new commercial development where a demonstrated need exists, in accordance with Draft Policy 6.2.2.17. Institutional uses are also permitted within the Business Commercial Area designation, subject to criteria (Draft Policy 6.2.7.1).

Draft Policy 6.3.7.10 further states that within Economic Growth Areas, commercial, industrial, office, and other uses supportive of Employment Areas and Residential Areas are permitted within lands designated Business Commercial Area. Specifically, the designation is intended to accommodate a mix of retail and service commercial uses, office uses, light industrial uses, and other employment-generating uses that support and service surrounding Employment Areas and complete neighbourhoods.

With respect to future development, Draft Policy 6.3.7.11 directs that development applications within the Business Commercial Area designation will be evaluated based on conformity with the following criteria:

- a. The submission of a development plan which demonstrates to the satisfaction of the Town that the proposed development can be integrated with existing and proposed uses of adjacent lands, including lands outside the Business Commercial area, and illustrates how the policies of this Plan and the applicable urban design guidelines will be addressed.
- b. A high quality of landscaped site development, particularly adjacent to Provincial Freeways, Major Arterial Regional Roads, and Local Arterial roads;
- c. The development will not cause any traffic hazards or an unacceptable level of congestion on surrounding roads;
- d. The development will be planned to provide maximum pedestrian accessibility to surrounding areas;
- e. Adequate municipal water services and municipal sewage services capacity to accommodate the proposed use is available;
- f. Common parking and access facilities with abutting Business Commercial uses are proposed where feasible;
- g. Parking will be at least partially screened by berms and landscaping;
- h. The provisions of any applicable Secondary Plan policies as outlined in this Plan; and
- i. The submission of any or all reports, studies and materials as set out in Section 7.6, as required by the Town.

4.7 Zoning

Zoning By-law 016-2014

The Subject Site is regulated by the Town of Milton's Zoning By-law 016-2014 (the "Zoning By-law"), as amended, which applies to all lands within the urban area of the Town. The Site is currently zoned **EMP-2*122 – Employment Zone Special** under the Zoning By-law (Figure 16).

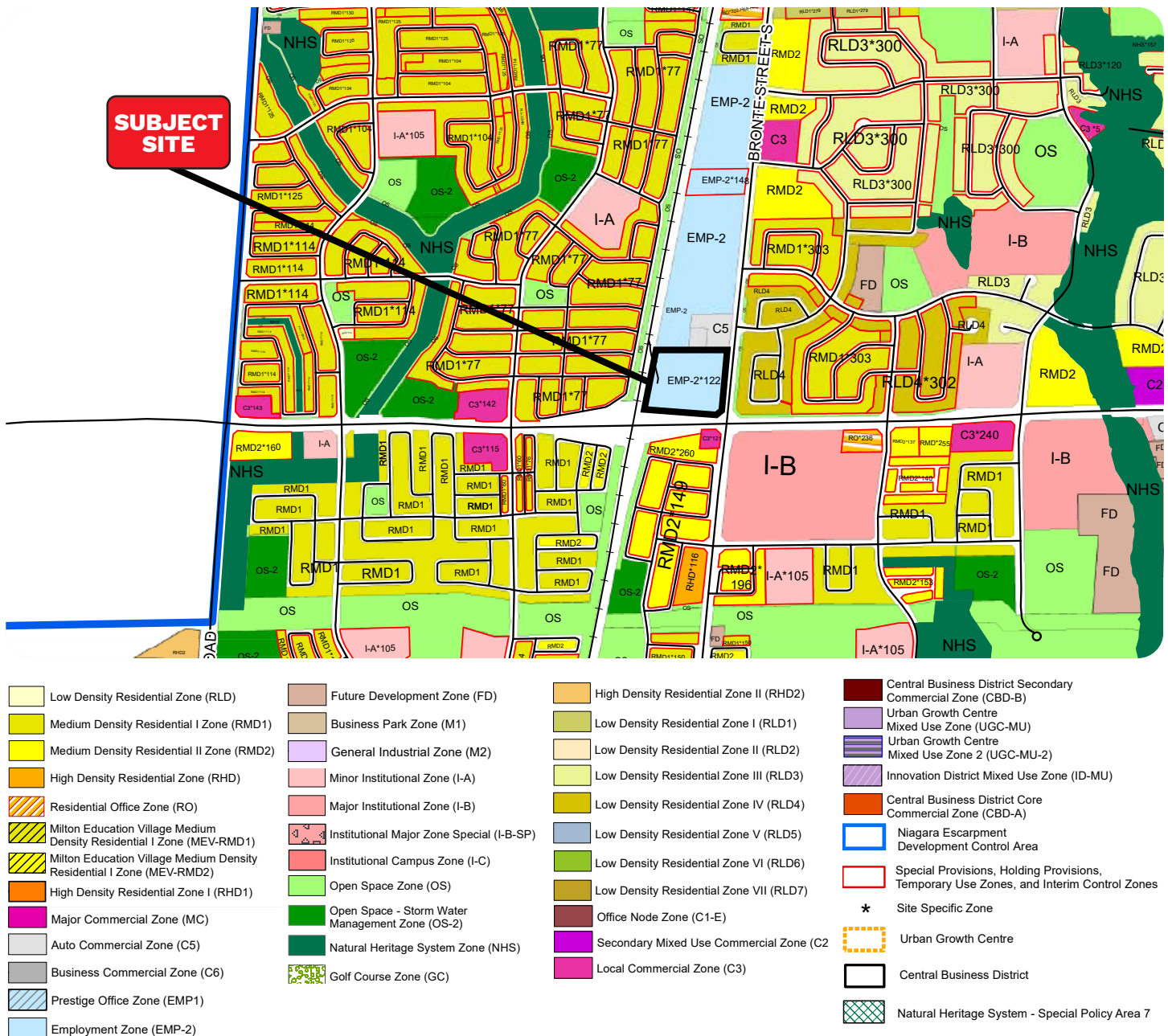


Figure 16 - Zoning By-law

Section 8 of the Zoning By-law establishes the regulations for Employment Zones. In particular, Table 8A identifies a broad range of permitted uses within the EMP-2 zone, including manufacturing, warehousing, distribution facilities, research and development, offices, and accessory retail and service commercial uses. The intent of the EMP-2 zone is to accommodate a wide range of employment-generating uses that contribute to Milton's economic base while ensuring compatibility with adjacent land uses.

Regulation 13.1.1.122 incorporates Special Provision 122, which establishes site-specific zoning permissions for the Subject Site. This provision outlines permitted uses, modified zone standards, and other site-specific regulations applicable to the Site. With respect to permitted uses, Regulation 13.1.122i(r) permits, amongst other things, the following local commercial uses (provided that they are located in the first storey of a mixed-use building containing second storey office uses):

- Artist's Studio;
- Convenience Store, not exceeding 903m² of gross floor area;
- Drive-through Service Facility subject to the provisions of subsection 13.1.1.122(iii)(f)
- Personal Service Shop;
- Retail Store 1

As noted above, selected commercial uses are permitted on the Subject Site **only when** located on the first storey of a mixed-use building that includes second-storey office uses. Permitted commercial uses under this condition include, but are not

limited to, Retail Store 1. The Zoning By-law defines a "Retail Store" as a *premises in which goods, wares, merchandise, substances, articles, things, or services are offered or kept for sale at retail or on a rental basis* and further defines a "Retail Store 1" as a *retail store with a gross floor area of less than 930 m²*. Food stores are not permitted under Special Provision 122.

A Fitness Centre is permitted under Special Provision 122 (Regulation 13.1.122i(e)), however unlike within the base EMP-2 Zone, the Special Provision does not contain a requirement that a Fitness Centre must be located on the first storey of an office building.

The proposed development includes stand-alone retail uses within Building "A" and a food store within Building "F". However, under the permissions of the EMP-2 Zone and the additional regulations of Special Provision 122, these uses at their proposed configuration are not currently permitted by the Zoning By-law. To address these deficiencies, a Zoning By-law Amendment has been submitted as part of this application

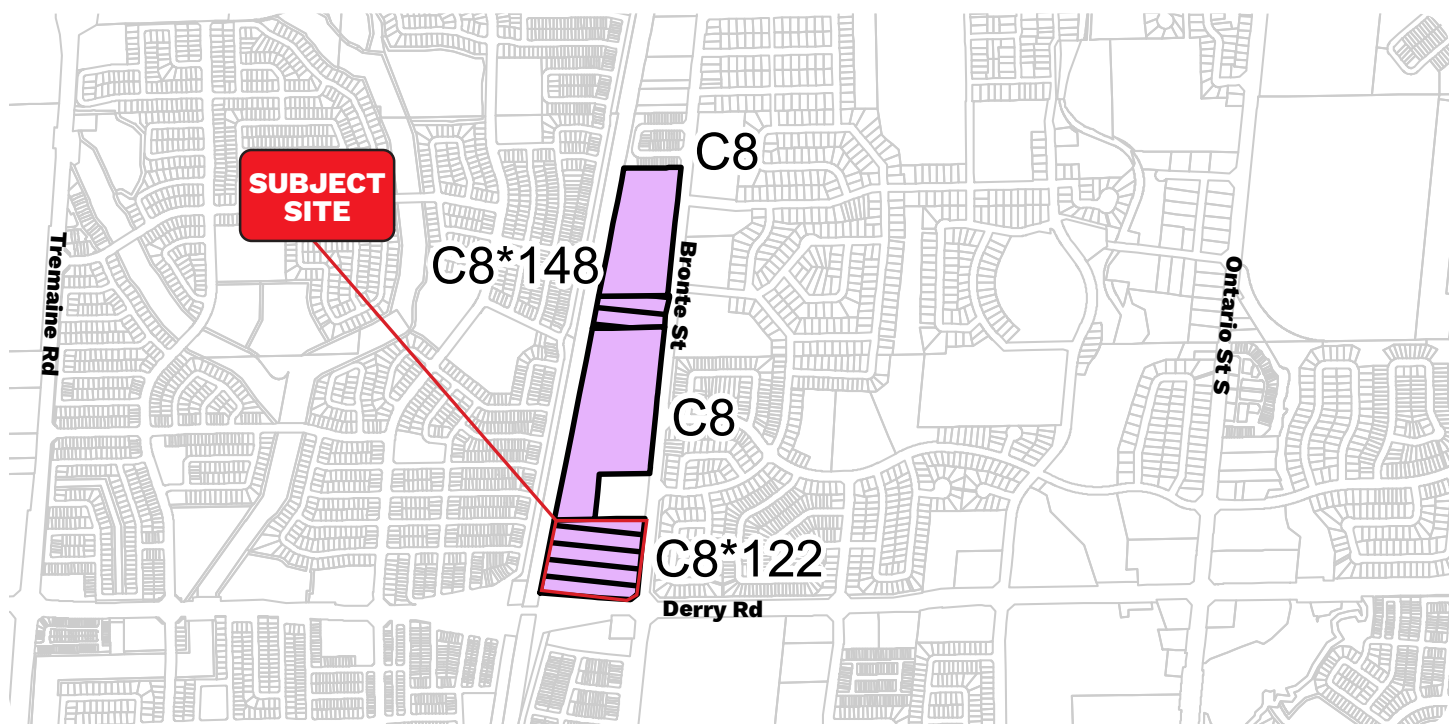
Of the local commercial and retail uses permitted under Section 13.1.1.133(i)(r) and (s) of Special Provision 122, the only applicable use proposed as part of the proposed development is a Retail Store 1, which would be subject to the maximum gross floor area (GFA) cap of 4,650 m² under the Special Provision.

Zoning By-law Amendment No. 036-2025

Zoning By-law Amendment No. 036-2025 ("ZBLA 036-2025") was adopted by Town Council on March 17, 2025, in conjunction with OPA 86, under Section 34 of the *Planning Act*. The amendment implements OPA 86 and responds to updated provincial employment area policies by, among other matters, introducing two new office-oriented employment zones into Section 7 (Commercial Zones) of the Zoning By-law: the Prestige Office (C7) zone and the Employment Office (C8) zone. ZBLA 036-2025 has been appealed on a site specific basis, including for the Subject Site, to the Ontario Land Tribunal (OLT) and is therefore not currently in force and effect. Once in effect, ZBLA 036-2025 will amend the Town's Zoning By-law to provide an updated regulatory framework.

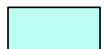
The Subject Site is zoned **C8*122 – Employment Office Special** under Schedule A of ZBLA No. 036-2025 (**Figure 17**). Many of the permitted uses from the existing EMP-2 zone have been carried forward into the new C8 zone, including the permission for a fitness centre. However, consistent with the existing zoning, under the C8 zone, fitness centres remain permitted only when located on the first storey of an office building. Also similar to the EMP-2 zone, food stores and retail stores are not permitted uses within the C8 zone. Special Provision 122 has also been carried over without any changes.

As noted above, while the Office Employment regulations will be relocated from the Employment Zone section to the Commercial Zone section under ZBLA 036-2025, the regulations governing permitted uses within the Office Employment Zone remain largely unchanged, with only minor changes to the specific zoning standards for C8 zones.



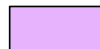
Legend

Rezoned from EMP-1-292:



C7*292 - Prestige Office Special

Rezoned from EMP-2:



C8 - Employment Office



C8*71,89,122,139,148,175,233 -
Employment Office Special

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Figure 17 - Special Provision

A photograph of two women, one of Asian descent and one of African descent, working together on a large-scale architectural model of a city. The woman on the left is pointing at a specific part of the model with a pen. The woman on the right is looking down at the model. The background is a blurred office or studio setting. The image has a dark blue overlay.

5

Planning & Urban Design Analysis

5.1 Intensification

The proposed intensification of the Subject Site will support numerous policy directions articulated in the PPS, the Current OP, the Council-adopted direction of OPA 86, all of which promote intensification of *strategic growth areas* that are well served by municipal infrastructure, and which support the creation of *complete communities*. Given that the Subject Site is within a *strategic growth area*, and that the portion of the Subject Site planned for development is presently underutilized, it represents an opportunity to introduce additional local commercial uses, including retail uses, a fitness centre, and a grocery (food) store to serve the surrounding uses and intensify the Subject Site.

The PPS promotes land use patterns within settlement areas that are based on a mix of land uses that efficiently use land and resources, that optimize existing and planned infrastructure and public service facilities, and that support active transportation and are transit and freight-supportive (Policy 2.3.1.2). The PPS further supports general intensification and redevelopment to support the achievement of complete communities (Policy 2.3.1.3), particularly focusing growth and development in *strategic growth areas* (2.4.1.1). In support of the achievement of complete communities, the PPS provides that *strategic growth areas*, such as the Subject Site, should be planned to provide a range and mix of uses, and to accommodate significant population and employment growth, among other things (Policy 2.4.1.2). In addition, the PPS directs planning authorities to ensure the appropriate type and scale of development and transition of built form to adjacent areas in *strategic growth areas*, to further support achieving complete communities and a compact built form (Policy 2.4.1.3).

Notwithstanding that the draft OP is not in force and effect, it no longer considers the Subject Site to be a strategic growth area, rather it is identified as an Economic Growth Area. Nonetheless, the policies of the draft OP direct the efficient use of land to accommodate land uses that achieve the forecasted employment growth particularly within Economic Growth Areas, as discussed below.

The proposed development would more efficiently use existing land and resources by intensifying an existing vacant portion of a Site as well as an underutilized area currently used for surface parking with additional local commercial uses in the form of a grocery (food) store, gym and multi-tenant retail building, on a Site in proximity to existing built-up areas with stable residential neighbourhoods and a hospital in walking distance of the Site. Further the site is in proximity to existing transit and located along a minor and major arterials, roads which are intended to support additional growth and mixed-use development in accordance with the Current OP.

The ROP and Current OP emphasize the need to accommodate growth through intensification within the Built-Up Area and Urban Area of the local municipalities. The Current OP promotes intensification to support the development of compact, efficient, vibrant, complete and healthy communities that support a strong and competitive economy, optimize the use of existing and new infrastructure, and support the achievement of intensification and density targets of the Current OP (Policy 2.1.1.6).

The targets of the Current OP have been updated through OPA 92 which extends the planning horizon of the plan to the year 2051. The Town of Milton is anticipated to grow by 245,900 people by 2031 and further, by 400,400 people by 2051, thus representing an increase from the previously anticipated 238,000 people by 2031. This is further supported by the anticipated employment growth of 86,000 jobs by 2031 and 156,300 jobs by 2051.

5.2 Land Use

The proposed development would provide additional jobs, contributing to the Town's growth targets and ensuring that the commercial needs of the increase in population are met through the planning horizon through the provision of additional retail and grocery (food) store uses which will fill the gap for these uses as demonstrated by the Retail Impact Study prepared in support of this application. As such, the proposed development achieves the intensification direction of the Current OP twofold by contributing a component of a complete community, and by supporting the achievement of intensification targets of the Current OP.

Policies 2.3.1.3, 2.3.1.4 and 2.1.1.7 of the Current OP directs the creation of land use patterns with a range of land uses that use land and resources efficiently through compact built form, supporting the development of efficient and vibrant communities that achieve the population and employment targets of the Current OP. The proposed development achieves these objectives by providing a compact built form that is complementary to the existing developed areas, including the existing Derry Heights Plaza itself as well as the residential neighbourhood to the east and office employment-related uses to the north, provides a range of commercial uses and employment opportunities in a location accessible by public transit, and achieves an appropriate transition for built form to the existing Derry Heights Plaza and the CN rail to the west.

The proposed development is consistent with the PPS. In our opinion, the proposed development conforms with the objectives and policies of the Current OP, particularly those relating to contributing to the provision of jobs and local commercial uses to support the anticipated growth in the Town of Milton through the planning horizon, in a manner that makes efficient use of land and infrastructure and in a compact built form.

In our opinion, the proposed land uses are appropriate for the Subject Site.

As described in Section 4 of this report, the Site is presently within the Employment Area of the Town of Milton Urban Structure, being designated Office Employment by the Current OP. OPA 86, which is under appeal as it relates to the Subject Site, would maintain the Office Employment designation on the Site, but would change this designation to the Commercial Areas of the Town of Milton's Urban Structure. In our opinion, the proposal would conform to the objectives of the Commercial Areas, once OPA 86 comes into force and effect as it relates to the Subject Site. The proposed development implements the objectives of the Commercial Area through the provision of additional local commercial uses that provide a full range of goods and services at an appropriate location, being an existing commercial and mixed-use plaza, and the provision of a high degree of urban design and ensuring building design and site layout is compatible with adjacent development (Policy 8.4.1.1). Further, the proposal conforms to the intent of the Economic Growth Area overlay and permitted uses within the proposed Business Commercial Area designation of the draft OP.

Notwithstanding OPA 86, the Subject Site is also subject to Specific Policy 23, which among other things, permits "*specific supporting local commercial uses in a mixed use development format*", the specific uses being those that are complementary to and serve the employment area, Milton Hospital and adjacent residential neighbourhoods. Regardless of its position in the Town's Urban Structure, the proposed development implements Specific Policy 23 through the provision of additional local commercial uses that will serve the employment uses to the north, Milton Hospital to the east and residential neighbourhoods to the east and west, and more broadly, the Town.

With respect to the applicable zoning, the Subject Site's site-specific zoning was implemented in 2009, as described in Section 4.7 above. The permitted uses on the Site were include (but are not limited to) offices, commercial schools, fitness centres, a range of service commercial uses and restaurants, however the zoning permissions include a cap of 4,650 m² on 'local commercial' uses on Site and do not permit a grocery (food) stores. Given the Town's changes in growth and development since 2009 it is appropriate to permit local commercial uses without restrictions as well as a grocery (food) store. Since 2009, Milton has seen a high degree of growth within its Urban Boundary as a result of multiple expansions to its urban boundary and the approved and constructed plans of subdivision, particularly at the south end of Milton, which has brought additional population to the Town. Further, planning policy has changed, including a greater focus on the creation of complete communities, particularly in *strategic growth areas* including intensification corridors. Further, current policy also provides that intensification corridors are to be planned to contain a range and mix of uses to satisfy the needs of residents.

To further justify the need for additional retail and grocery (food) store uses on Site to be implemented through revised permissions in the zoning by-law amendment, a Retail Impact Study has been prepared by Parcel Economics that identifies a demand for additional retail and grocery (food) stores within the Town's Urban Boundary. In consideration of the impact of these new uses on site, the Retail Market Study concludes that the introduction of a grocery (food) store to the Subject Site will not have an adverse impact on those within the Town and identified market area.

It is our opinion that the proposed development supports policies in the PPS, and Current OP related to ensuring economic competitiveness, and the creation of complete communities. The proposed uses will support the PPS's objectives of ensuring a wide range and mix of uses within a complete community, and further supports the goal of the PPS to promote economic development and competitiveness by providing an appropriate mix and range of land uses to meet long-term needs and providing opportunities for a diversified economic base (Policy 3.6.1.8), particularly in proximity to residential land uses to the north-east, southwest and south, allowing for a broader range of uses within an appropriate walking distance and thus reducing reliance on personal automobiles. Further in this respect, Policy 2.1.6 of the PPS directs planning authorities to support the achievement of complete communities by accommodating a mix of land uses including, among other things, employment and other uses to meet long-term needs, and to improve accessibility for people of all ages by addressing land use barriers.

Further with respect to supporting the creation of a complete community and the economic development objectives of the PPS, as demonstrated in the Retail Impact Study submitted in support of this application, the proposed development will help to support the demonstrated demand for grocery (food) stores and additional retail in the Town of Milton associated with its ongoing population growth.

Policy 7.3.2.1 of the Current OP states that a range of essential community facilities, such as food stores and other uses, within each neighbourhood foster security, familiarity and a sense of community ownership among local residents, which according to Policy 7.3.2.2 is a key consideration when considering development applications in the Urban Area. Draft Policy 2.3.6 of the draft OP identifies that Economic Growth Areas will provide jobs for residents in support of the local and regional economy.

As noted, the proposed development is appropriate for the Subject Site as it contributes to the creation of a complete community and the economic competitiveness of the Town. Notably, the introduction of a grocery (food) store and fitness centre, being required components of a complete community, assists in fostering a sense of neighbourhood security, familiarity and community ownership in accordance with the Current OP.

In conclusion, it is our opinion that the proposed development conforms with the Current OP, the draft OP, and OPA 86 when it comes into force and effect for the Subject Site. The proposed land uses will fulfil a demonstrated demand in the Town of Milton to ensure that it is providing for the needs of current and future objectives. It fulfills several key objectives of both provincial policy and the Current OP relating to the achievement of complete communities within intensification areas, and appropriately establishes zoning provisions to implement the proposed development.

5.3 Built Form, Height and Massing

The built form of the proposed Buildings "A" and "F", being 1 and 2-storey local commercial buildings as illustrated on the Site Plan, are appropriate given the existing context and layout of Derry Heights Plaza.

From a massing standpoint, the proposed buildings have been designed to respect the physical characteristics of the existing buildings within Derry Heights Plaza, which are also 1- to 2-storeys in height. The scale of development is consistent in terms of height, and maintains a consistent streetwall along Derry Road West, as well as maintaining an active frontage given the configuration of the proposed building with its entrance internal to the Subject Site. No relief is required from the Zoning By-law to permit the proposed heights of the new buildings to be added to the Site.

From a built form perspective, the proposed development maintains an appropriate relationship to its surroundings, through a consistent building line and setback with the existing Derry Heights Plaza, including Buildings "B" and "E", and the consistently maintained building heights. Specifically, proposed Building "A" maintains the 1-storey height of the adjacent restaurant anchor tenant (Tim Hortons) in Building "B", and Building "F" ensures a consistent 2-storey height with adjacent Building "E".

In this regard, we note that the site is presently zoned Office Employment Special Provision zone (EMP-2*122), whereas Zoning By-law Amendment 036-2025, which is under appeal, would rezone the Subject Site to Office Employment Special Provision Zone (C8*122), to better align with the purpose of OPA 86 to redesignate the Town's Office Employment Areas to fall within the Commercial Area's of the Town's Urban Structure. With this in mind, the proposed zoning by-law amendment intends to carry forward the intended **C8*122** zone, with minor modifications to the site-specific zoning standards of special provision 122, as discussed below.

The proposed zoning by-law amendment seeks relief from certain zoning standards, including relief from the minimum front yard setback from Bronte Street South associated with existing Building "E". A reduced setback to 2.5m is sought to ensure that the existing building achieves the minimum setback, and is required as a result of a variable lot line that jogs west adjacent to the building, resulting in a reduced setback of 2.51m.

Further, the zoning by-law amendment seeks relief from the requirement for a 5.0m wide landscape strip along the Derry Road frontage. As shown on the proposed Site Plan and Landscape Plans, the proposed Building "F" is setback 2.95 metres from the exterior lot line of Derry Road West, generally consistent with the existing Building "E". Rather than landscaping proposed within the exterior side yard, a pedestrian sidewalk is provided to connect

from the proposed pedestrian sidewalks wrapping the building and connecting to the Derry Road West right-of-way and to the loading area located west of Building "F".

Notwithstanding, the intent of the required landscape buffer is to partially or fully obstruct the view of land uses by means of a vegetative screen, fencing and/or berms (The Zoning By-law Section 3 – Definitions). In this view, there is a landscaped area / berm between the Subject Site and the Derry Road West pedestrian path and street right-of-way, as a result of the underpass below the CN rail line to the west of the Subject Site, which ranges from approximately 15m at the west end of the Subject Site, and 4.5m at the east end of the Subject Site. As such, relief from the need for a 5.0m landscaped buffer is sought.

Based on the foregoing, it is our opinion that the built form, massing and heights proposed for the Subject Site are appropriate and desirable as they address the Site's existing context, in terms of the existing Derry Heights Plaza and adjacent CN Rail Line.

5.4 Urban Design

The design of proposed Buildings "A" and "F" have been informed by their context within the existing Derry Heights Plaza as well as the adjacent lower scale neighbourhood to the east, and through consideration to the CN Rail Line to the immediate west.

The proposed site layout provides appropriate spacing between the proposed buildings, which are each aligned with their adjacent buildings in terms of siting. This alignment allows for the orderly extension of the access driveways / drive aisles and parking areas that traverse the site, which are generally lined with pedestrian accesses and crossings to facilitate safe pedestrian circulation, and to connect pedestrian accesses to the sidewalks within the existing right-of-way of Derry Road West and Bronte Street South.

With respect to building design and perspective from the pedestrian public realm, Building "F" has been designed to "face" the street with similar façade treatment despite its primary entrance being internal to the Subject Site, to ensure an active frontage from the perspective of the street. The proposed buildings instead "face" the internal access driveways.

Consideration has been given to the Urban Design policies of the Current OP, as they apply to the proposed development and in the context of this Zoning By-law Amendment application, acknowledging that a future Site Plan Approval application will provide additional detail.

The following provides a summary of the manner in which the proposed development achieves the Urban Design policies of Sections 3.2, 7.2 and 8.4.5 of the Current OP:

- Buildings "A" and "F" have been designed to complement the existing buildings in Derry Heights Plaza through the use of similar façade colour and materiality, the provisions of windows, structural columns and horizontal articulation between retail units, and horizontal visual separation between storeys. Further, Buildings "A" and "F" respect the existing range of heights from 1- to 2-storeys (3.2.1.9, 7.2.1.55, and 7.2.1.8).
- Building "A" has been sited generally in accordance with the siting of adjacent Building "B", including the continuation of the existing drive aisle and parking configuration. Building "F" continues the existing setback of 3.0m from Derry Road West, in accordance with the setback of Building "B", thus continuing the prevailing built form and siting across the entire Site and reinforcing and complementing visible existing patterns between the proposal and adjacent buildings and streets (3.2.1.7, 3.2.1.8, 7.2.1.8 and 7.2.1.10). The proposed zoning by-law amendment, as well as the Zoning By-law provides standards that guide building siting and massing, to implement these urban design policies 8.7.3.5).
- The street-facing façade of Building "F", being its rear façade, has been designed within similar facing treatment to its front façade, including signage, to promote an active frontage along Derry Road West. The south-western corner of Building "F", along the pedestrian and vehicular access to the Subject Site has been chamfered and signage indicating the building tenants is clearly defined to encourage and facilitate public accessibility into and through the Subject Site. Further, the ground floor frontage of Buildings "A" and "F" consist of retail units on the ground floor at level with the adjacent sidewalk, with accessibility into each individual retail unit (Policy 3.2.1.7, 7.2.1.12, 7.2.1.13, 7.2.1.14).

- The proposed loading facilities for Building "F" will be buffered from the Derry Road West frontage by a 1.8m high fence, limiting views from the public realm (7.2.1.13).
- The proposed surface parking lot has been integrated into the existing surface parking area, and has been broken up through curbs, landscape elements and areas, and a combination of drive aisles and driveway connections between the three Site accesses. The orientation and layout of the proposed parking area is consistent with the layout of the existing parking area (Policy 3.2.1.17, 7.2.4.1, 7.2.4.2).
- Pedestrian circulation is proposed to be facilitated through the Site through a network of pedestrian sidewalks along each proposed and existing building, cross walks across drive aisles and driveways, and sidewalk connections to the Derry Road West and Bronte Street West rights-of-way. Barrier free features, networks and integration within the design composition of the Subject Site will be further established at the Site Plan Approval stage (Policy 3.2.1.19, 7.2.7.1, 7.2.7.2 and 7.2.7.3).
- A Tree Inventory and Preservation Plan and a Landscape Plan have been provided to, among other things, support the proposed urban design and to demonstrate conceptual planting of the proposed landscaped areas and tree removals, in accordance with Policies 7.2.8.1 and 7.2.8.2.
- In conformity with the urban design policies of the Current OP, the proposed development will result in a net improvement of the aesthetics of the public realm through the introduction of a new building with active frontage along Derry Road, continuation of the surface parking and site circulation within the vacant portion of the Subject Site, and new connections from the proposed development to the public realm along Derry Road West. Further, the siting, scale and massing of buildings maintains the existing condition and context on Site, and will improve the pedestrian and environment on Site, as discussed above. Lastly, parking areas have been designed to incorporate additional landscaping areas, and landscaped areas are provided along building frontages to assist in screening and improve the overall aesthetics of the development.

Ultimately, the proposed development conforms to the applicable Urban Design policies of the Current OP, as well as the Urban Design objectives of the Current OP through ensuring a high degree of urban design in a manner that ensures that new development is complementary to and compatible with existing development and results in a high quality and safe and inclusive public realm (Section 3.2.1).

As the proposed development advances through the planning approvals process, particularly through the Site Plan Approval process, the fulsome list of Urban Design policies in the Current OP will be considered and incorporated as appropriate.

5.5 Transportation Considerations

A Transportation Impact Study (TIS) has been prepared by BA Group, dated June 2026, to assess the proposed retail expansion of Derry Heights Plaza. Following an assessment of the existing and future conditions, the TIS concludes that overall, the traffic associated with the development can be accommodated at all intersections within the TIS study area.

Further, it concludes that:

- there are no changes required to the existing access arrangements.
- The proposed reconfiguration of existing parking on the west side of the site, and the introduction of additional parking, results in a proposed parking supply of 3.7 spaces per 100 square metres of gross floor area, which is supportable from a transportation perspective.
- The proposed accessible parking supply satisfies the requirements of the Zoning By-law.
- The proposed 8 additional bicycle parking spaces, which would result in a total of 36 bicycle parking spaces across the site, is appropriate and achieves the minimum requirements of the zoning by-law'
- The proposed loading spaces are sufficient for the proposed retail, fitness centre and food (grocery) store uses.

Ultimately, the TIS concludes that the proposed development is appropriate based on urban transportation principles and can be sufficiently accommodated.

Accordingly, the zoning by-law amendment seeks a reduction to the minimum required parking for the entirety of the Subject Site. In addition to providing an adequate and appropriate parking rate for the proposed development and existing uses, the proposed parking reduction supports multiple policy directions of the PPS and Current OP, to make efficient use of land and infrastructure within *strategic growth areas* where transit is available. By contributing the creation of a complete community and by achieving the Town's intent to provide a range of community essentials within neighbourhoods.

5.6 Servicing Considerations

A Functional Servicing and Stormwater Management Report was prepared by Greystone Engineering, dated June 2026. The objectives of the report are to confirm the location of existing infrastructure (internal and external to the Subject Site), estimate sanitary servicing generated from the proposed development and confirm capacity, evaluate and confirm adequate supply of municipal water to meet domestic and fire flow requirements, and confirm that the proposed development maintains the previous stormwater management design associated with the existing plaza.

With respect to sanitary servicing, the Subject Site is serviced by an existing sanitary connection. The proposed development is intended to generate a flow that, when coupled with the existing buildings, would result in a total peak flow of 11.01 L/s or 30% of the sewers full flow capacity. Sanitary connection to the proposed development can be provided by the existing 200mm gravity sewer within the plaza is charges to the existing 250mm diameter sanitary within Bronte Street South.

With respect to water, the existing 200mm fire and 100mm domestic water services from the existing plaza will be used to service the proposed development. Fire protection for the proposed development will be achieved through the existing municipal hydrants and private hydrants added to the Subject Site.

With respect to Stormwater Management, the original design of Derry Heights Plaza, when initially constructed, included quantity, quality and conveyance allowances for the area of the Site in which the proposed development is occurring. The Report concludes that the existing stormceptors will provide Level 1 Total Suspended Solid (TSS) removal, following completion of the proposed development construction. The overland flow routes will remain as intended in the originally approved development.

Overall, the Report concludes that the proposed development will be fully serviced from a water and sanitary servicing perspective, and is in keeping with the originally approved stormwater management design for the lands, meeting stormwater quantity and quality requirements.

5.7 Retail Impact Study

Parcel Economics Inc. has prepared a Retail Study, dated June 4, 2026, in support of the proposed development to establish current and future market conditions in the Town of Milton, and to gauge the extent to which the proposal may have any impact on the planned function of other commercial establishments in the Town.

The scope of the Retail Study includes a range of relevant research and analysis to appropriately evaluate current and anticipated market conditions in Milton, and to estimate the amount and type of commercial space that may be warranted in future periods to maintain appropriate service levels in the growing community (including evaluation of potential undue impacts on existing and proposed stores, if any).

The key findings of the Retail Study indicate that the Subject Site is well positioned to support retail uses, given its proximity to residential and employment uses, as well as Milton Hospital, and given its access and exposure from Bronte Street South and Derry Road. Further, the Retail Study anticipates that the significant population growth in Milton over the near and longer-term planning horizon is anticipated to generate demand for a range of retail uses, and as such there is an anticipated shortfall of retail / service commercial space in Milton.

As a result of the foregoing, the Retail Study concludes that the proposed grocery (food) store is not expected to have an impact on existing grocery (food) stores in Milton. Beyond the grocery (food) store, the Retail Study concludes that the significant population growth and warranted demand estimates suggest that any other retail / service commercial space proposed is not anticipated to have an adverse impact on the function of viability of others within the Town.

Ultimately, the Retail Study supports the proposed development, including the requested amendments to the Zoning By-law which would permit a grocery (food) store, and which would remove the cap on the maximum permitted gross floor area for retail / local commercial uses.

5.8 Land Use Compatibility - CN Rail Compatibility and Noise Considerations

The PPS, ROP and Current OP provide policies to direct that new development be designed to ensure compatibility with rail facilities through measures such as setbacks, fencing and berms, and other measures to be defined through appropriate studies. In this regard, the proposed buildings have been set back more than 30m from the CN Rail Line right-of-way, with only parking and drive aisles located within this setback area. The existing 1.8m fence has been maintained as well.

With respect to compatibility to the adjacent CN Rail Line, the PPS, ROP and Current OP direct that new development be designed to ensure compatibility with rail facilities through measures such as setbacks, fencing and berms, and other measures to be defined through appropriate studies. The proposed buildings have been set back more than 30m from the CN Rail Line right-of-way, with only parking and drive aisles located within this setback area. The existing 1.8m fence has been maintained as well.

A Rail Adjacent Development – Proximity Review has been prepared by Partum to evaluate site-specific conditions and provide recommended mitigation for foreseeable risks resulting from railway operations. The Proximity Review has assessed the proposed development against the applicable guidelines and requirements, as well as the Town of Milton Zoning By-law. Ultimately, the Proximity Review concludes that the proposed development can proceed without physical design measures to mitigate risks resulting from railway operations.

Further in this respect, a Noise Study has been prepared by Aeroacoustics Engineering Ltd. which concludes that the proposed development does not require Noise mitigation measures.

Consultation with CN has occurred prior to submission of this application. CN did not indicate concerns with the proposed development. CN confirmed that the 30 m setback from the rail-right-of way and a chain link fence along the property line are appropriate and that CN will review the proposed Stormwater Management strategy.



Conclusion

For the reasons set out in this report, it is our opinion that the proposal, specifically the requested zoning by-law amendment, represents an appropriate use of the Subject Site to introduce additional local commercial uses, benefiting the surrounding area.

From an intensification perspective, the Proposal represents an opportunity to make efficient use of underutilized lands within a *strategic growth area*, consistent with policy direction of the PPS and the Current OP. Further, the proposal supports intensification on the site in a manner that contributes to the creation of a complete community.

From a land use perspective, the Proposal is consistent with the PPS, and the Current OP, and implements the direction of Council adopted OPA 86. Once OPA 86 comes in to force and effect, we note that the proposal will conform to its policies. In particular, the proposed development implements Specific Policy 23 in the Current OP which directs the creation of local commercial uses that support the adjacent residential areas, employment areas, and Milton Hospital, and in a manner that conforms to other policies of the Current OP.

The proposed Zoning By-law Amendment will facilitate the proposal by broadening the list of permitted uses on the lands, to reduce the minimum parking rate and establish other site specific zoning standards. Broadening the permitted non-residential use permissions in the zoning is supported by analysis on the need in the broader community and supports policy direction on complete communities that provide a mix of uses for daily living.

From an urban design perspective, the proposed development will result in an attractive new development, further enhancing the existing plaza, that is appropriate in the existing and emerging planning context. Further from a built form, massing and height perspective, the proposed development height, siting and design complements and fits harmoniously into the existing layout and design of the existing Derry Heights Plaza, and represents a logical addition to the plaza itself in terms of internal site circulation and parking.

Ultimately, the proposed development has been supported by a series of technical studies, some described above and enclosed, which demonstrate its feasibility in accordance with the policies of the PPS, Current OP, and OPA 86. It also implements the direction and intent of the draft OP, although we note it is not yet in effect. Accordingly, this Planning Rationale concludes that the proposal is appropriate and desirable from an intensification, land use, built form and urban design perspective. As such, we recommend that the proposed zoning by-law amendment application be approved.

