ROPA 52 (File No. RQ64A) - Response Document

Staff Analysis of Comments Received on ROPA Application RQ64A – "North Porta" Received December 13, 2021 to April 6, 2022

<u>Overview</u>

This document provides responses to written submissions received by Halton Region on Regional Official Plan Amendment (ROPA) Application No. RQ64A from December 13, 2021 to April 6, 2022.

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The submissions are organized chronologically.

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Submissions & Responses

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| 1. | Conseil Scolaire Viamonde | Good morning David, | |
| | E-mail dated December 15, 2021 | The Conseil scolaire Viamonde has no comment. | Comments noted. |
| 3. | | Subject: RQ64A Request For Comments Thank you for the opportunity to review the Regional Official Plan Amendment, since the proposed use is Future Industrial Uses, Halton dSB will not have comments. Should you have any questions regarding our comments, please contact the undersigned. Sincerely, Michelle D'Aguiar Email dated December 16, 2021 Hi Owen, Thank you for circulating a copy of the proposed ROPA for lands municipally known as 8350 Esquesing Line in the Town of Milton (Regional File no. RQ64A). Could you please kindly advise if there are | Comments noted. Regional staff noted in response that the |
| | | specific components of the proposed ROPA that you would like Ministry staff to review? This will help with scoping our review. Thank you, Jennifer Le Planner, Community Planning and Development (West) - Email dated Dec 17, 2021 Hi Owen, Thank you for clarifying. Ministry staff have no comments regarding the | application proposes a settlement area boundary expansion outside of a municipal comprehensive review in accordance with Section 2.2.8.5 of the Growth Plan and that comments from the Ministry, if any, in relation to this Growth Plan policy would be appreciated. It was also noted that the application references the location of the lands within a Provincially Significant Employment Zone (PSEZ) as part of the justification to support the amendment and that comments from the Ministry, if any, on this aspect of the proposed ROPA may also assist. |
| | | proposed ROPA. As you have indicated below, the application proposes a settlement area boundary expansion outside of a municipal comprehensive review, per Growth Plan policy 2.2.8.5, in order to bring the "northern sliver lands" into the Region's Urban Area. Given that the Region is the approval authority, MMAH staff would advise that the Region review | An assessment of the proposal against Policy 2.2.8.5 of the Growth Plan has been provided in Report No. LPS43-22. |

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| | | the proposed ROPA to ensure that the criteria in policy 2.2.8.5 are satisfied. | |
| | | Thank you, | |
| | | Jennifer Le | |
| | | Email dated Apr 29, 2022 (Resubmission Comment) | |
| | | Hi David, | |
| | | Thanks for circulating the resubmission. | |
| | | Ministry staff have no comments regarding the proposed ROPA (RQ64A). As noted in our correspondence dated December 17, 2021, we would continue to advise that the Region review the proposed ROPA to ensure that the criteria in policy 2.2.8.5 of the Growth Plan are satisfied. | An assessment of the proposal against Policy 2.2.8.5 of the Growth Plan has been provided in Report No. LPS43-22. |
| | | Have a great weekend, | |
| | | Jennifer Le (she/her) Planner, Community Planning and Development (West) | |
| 4. | Rosemary Wilkinson Halton Hills Resident Comments via voicemail dated December 20, 2021 | My name is Rosemary Wilkinson I live on Esquesing Line and I have just received your letter dated December the 14 th with the attachment of a notice of complete application for the property at 8350 Esquesing Line. I can't identify where this property is that is highlighted as the amendment boundary. On the map, there is no lot, lines or anything to indicate exactly where this is. I am wondering if you can give me the lot number of it and identify where it falls. The other thing is that I know it was not you who sent out the previous letter, but on the attachment to it, it showed a bigger picture of 8350 Esquesing Line. It is unreadable. Even after magnifying it I cannot make out some of the printing. I would appreciate a call back with some kind of lot number that can identify this property. Thanks so much. | Staff responded to the phone call with a call-back on December 20, 2021 and clarified the location of lands subject to the ROPA. |
| 5. | Halton Catholic | Good evening David, | |
| | District School Board Email dated January 21, 2022 | The above amendment seeking to add lands that are part of 8350 Esquesing Line in the Town of Milton to the Region's Urban Area to facilitate future employment development within the area of the Town of Milton known as the Milton 401 Industrial/Business Park Secondary Plan Area would have limited impact on student | |

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| | | yields. Therefore, HCDSB has no concerns. It should be noted that Education Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. If you have any questions, please let us know. | Comments noted. |
| | | Have a great weekend! Dhilan Gunasekara | |
| | T | Planning Officer Planning Services | |
| 6. | Town of Halton Hills Emails dated | Email dated January 28, 2022 | |
| | January 28, 2022 and February 17, 2022 | Hi David, | |
| | | We are aiming to provide comments to the Town of Milton on Friday, February 4 th as requested in their circulation package. | |
| | | I trust this date is satisfactory. | |
| | | Thanks, | |
| | | Ruth Conard, Planner – Development Review | |
| | | Comments to the Town of Milton dated February 17, 2022 | Comments were received as part of the Town of Milton's circulation of the applications dated March 3, 2022, and |
| | | Please see comments below from the Town of Halton Hills regarding File Nos: 24T-21008/M, Z-27/21: | considered as part of the development of a recommendation on the proposed ROPA. |
| | | Planning – Policy: | |
| | | The buildings proposed at No. 5 Sideroad and Boston Church Road are in close proximity to a small pocket of Agricultural Area in Halton Hills. Although identified as being within the Future Strategic Employment Area, this remains designated and zoned for Agricultural uses. On page 27 of the Planning | |
| | | On page 27 of the Planning Justification Report it is stated that surrounding uses are largely Agricultural and Industrial in the context of compatibility. It should be noted that several parcels (on Third Line) near the buildings proposed at No. 5 Sideroad and Boston Church Road are very small with no present agricultural operations, making residential dwellings the primary use. When assessing compatibility, these properties should be treated as residential. | Comments noted. Surrounding landowners participated in the Public Information Centre hosted by the applicant and the Statutory Public Meeting hosted by the Region. The Region will continue to work with the applicant, the Town of Milton, and the Conservation Authority to ensure mitigation requirements are properly addressed through the concurrent local development applications. |

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| | | It is also acknowledged that impacts such as increased noise and traffic will be addressed through separate studies as part of the ROPA/LOPA/ZBA process. It is suggested on page 50 of the Planning Justification Report that the proposal is not anticipated to have compatibility issues with surrounding land uses. It is still critical that surrounding landowners (on both sides of No. 5 Sideroad) are properly consulted as part of an open and transparent planning approvals process. Where compatibility issues may arise with surrounding land uses, which cannot be avoided, it is expected that every effort will be made to minimize/mitigate adverse effects, in accordance with PPS section 1.2.6.1. | |
| | | Development Engineering: Based on the provided material staff have no concerns with the ZBA. For the subdivision, staff have no concerns with the Draft Plan but would like the following conditions included in Milton's approval and future agreements. | Comments noted and will be considered and addressed as appropriate through the concurrent local development applications. |
| | | The owner/applicant shall provide detailed design drawings and documents to the Town of Halton Hills for review and comments for any proposed work on 5 Side Road including grading and drainage. We recognize, through a mutual agreement, that the Town of Milton has jurisdiction on this section of roadway but wish to ensure lands to north of this roadway are considered and accommodated. Document we wish to review include but are not limited to traffic impact study, grading plans, plan and profiles drawing, aboveground/underground general plans, storm water management reports, composite utility plans, erosion and sediment control plans. The owner/applicant shall prepare and submit to the Town of Halton Hills for review and comments a detailed construction management plan. This document will outline the owners/applicants plan, based on input from both their consulting engineer(s) and contractor(s), to construct this development and mitigate the related impacts from installation of erosion and sediment features, through servicing, through | |

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| NO. | | building construction to the removal of the erosion and sediment feature at the completion of the project. Items such as but not limited to construction access, material storage, material dumpsite (address and owner contact information) material delivery routes, temporary onsite processing of material (e.g., concrete batch plants), use of pumps or generators, staff contact list, complaint and follow-up log and other reasonably predicted impacts to the road network and surrounding residential properties shall be outlined with discussion on how they will be mitigated. It is expected that this document will be submitted for review and approval prior to any site alteration and will be resubmitted with related updates throughout this project to reflect changes to the work plan. As a minimum submission of an updated document will be required prior to preservicing and prior to registration plan of subdivision. It is expected that the owner/applicant will ensure the consulting engineer(s) and contractor(s) provide input into this document and are required to follow what is outlined within the approved document. • The owner/applicant shall prepare and submit as constructed drawings and documents of the public infrastructure to the Town of Halton Hills in an Auto CAD format prior to the commencement of any maintenance or warrantee period issued by the Town of Milton. Transportation: Transportation has reviewed the above noted application and associated documents/drawings and have no significant comments in regards to the December 2021 submission. | Comments noted and will be considered and addressed as appropriate through the concurrent local development applications. |
| | | The findings for the submitted Traffic Impact Study has been satisfied by the report submitted by TMIG, dated October 2021. The TIS concludes that under the future traffic forecasts, the traffic generated by the proposed development along with non-site related traffic growth and background development are expected to operate with acceptable levels of service during the weekday a.m. and p.m. peak hours. Traffic generated by the proposed development is minimal and | |
| | | | 6 |

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| No. | Source | does not significantly affect the Town of Halton Hill's study area intersections. No physical road improvements are triggered by the proposed development. Fire: Identify the location of any existing hydrants within 152m of the proposed building face and the proposed location of additional hydrants whether on public or private lands, the location of fire department connections, and the principal entrance. OBC data matrix is required Fire routes with the following required items must be shown on the site plan: a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory a centerline radius not less than 12 m an overhead clearance not less than 5 m have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m be designed to support the expected loads imposed by | Comments noted and will be considered and addressed as appropriate through the concurrent local development applications. |
| | | | |
| | | Ruth Conard, Planner – Development Review | |
| 7. | Enbridge Gas Email dated | Enbridge Gas Inc. has no concerns. | Comments noted. |
| | January 28, 2022 | Kelly Buchanan Land Analyst | |

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| 8. | Conservation Halton Emails dated January 31, 2022 and May 13, 2022 | Email dated January 31, 2022 To Owen McCabe: Re: Orlando North Porta Development 8350 Esquesing Line Town of Milton Regional Official Plan Amendment (ROPA) RQ64A – First Submission CH File Number: RQ64A Orlando Corporation | |
| | | Related Files: - Local Official Plan Amendment LOPA-09/21, Draft Plan of Subdivision and Zoning By-Law Amendment East 24T-21007 & Z- 26/21, Draft Plan of Subdivision and Zoning By-Law Amendment West 24T-21008 & Z-27/21 (CH File Nos. 24T-21007 and 24T-21008) - Comprehensive Environmental and Servicing Study - Town Initiated Official Plan Amendment (OPA 67) LOPA-03-21 (CH File No.: MPR 787) | |
| | | Conservation Halton (CH) staff has reviewed the above noted ROPA application with relevant documents listed in Appendix B, received on December 14, 2021. We provide the following "Key Comments" followed by "Detailed Comments" in Appendix A that will need to be addressed in a revised submission. Comments have also been provided in accordance with previous correspondence provided on the first submission of the Comprehensive Environmental and Servicing Study (CESS) in our letter dated November 3, 2021. | Comments noted. As noted in Report No. LPS43-22, a revised CESS was received in April 22 and reviewed by the Region, Town, and Conservation Halton. |
| | | Proposal To extend the Region of Halton's "Urban Area" designation with an "Employment Area" overlay to the 'northern sliver' (amendment area) lands currently designated "Regional Natural Heritage System" and "Agricultural Area" at 8350 Esquesing Line in Milton. This will facilitate the advancement of development applications for employment uses on the subject site. Text in the Regional Official Plan (ROP) and corresponding ROP Maps 1 through 5 are proposed to be updated to accommodate this change in land use. This includes, "Map 1G Key Features Within the Greenbelt and Regional Natural Heritage Systems" that is proposed to be updated to remove the areas identified as "Prime Agricultural Areas in NHS Enhancements/ Linkages/Buffers" and | |

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| | | "Key Features" within the area of the 'northern sliver' lands. | |
| | | Applications for a Draft Local Official Plan Amendment (LOPA), Draft Plans of Subdivision and Draft Zoning By-law Amendments ("Related Files" listed above) have also been submitted to the Town of Milton concurrently for the subject lands and the adjacent lands at 8880 Boston Church Road, also owned by Orlando Corporation. While some comments on the ROPA will also apply to these applications, CH will also provide comments under separate cover to the Town of Milton on these municipal Planning Act applications. | |
| | | <u>Background</u> | |
| | | The subject property located at 8350 Esquesing Line in the Town of Milton is within an area identified as the 'North Porta Lands'. The 'northern sliver' lands which are subject to the ROPA are located at the northern edge of the subject property and adjoin the existing Greenbelt Protected Countryside to the north and Urban Area to the south. | |
| | | The 'North Porta Lands' were added to the Town of Milton's Urban Area through OPA 31 and then incorporate into the Town's Local Official Plan related to the 401 Industrial/Business Park Secondary Plan area through OPA 67. Through these amendments the boundaries of the Urban Area extended up to the limit of the existing tributary of Sixteen Mile Creek that runs through the subject site. As such, the 'northern sliver' lands were excluded from the Urban Area and are now subject to this privately initiated ROPA. | |
| | | CH provided comments on OPA 67 in letters dated June 10, 2021 and July 22, 2021. Thorough this review, text was added to the Town of Milton's Local Official Plan related to the 401 Industrial/Business Park Secondary Plan to require that a Comprehensive Environmental and Servicing Study (CESS) be submitted in support of future development applications within the 'North Porta Lands'. A CESS was subsequently submitted by the applicant in support of this current application (and the corresponding LOPA, Draft Plans of Subdivisions and Zoning By-law Amendments submitted concurrently to the Town) which includes the 'northern sliver' lands. CH staff provided comments | |

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| | | letter dated November 3, 2021. The limits of natural features and LIDs within the amendment area for the ROPA still need to be confirmed through updates to the CESS. As such, comments provided in this letter are preliminary and additional comments will be provided on the ROPA once updates have been reviewed and accepted to the satisfaction of Conservation Halton, the Town of Milton and the Region of Halton. | As discussed above, a revised CESS was received in April 2022. Subsequent comments provided by Conservation Halton in May 2022 are included in this table below. |
| | | Key Comment on ROPA | |
| | | 1. The locations and sizes of the natural features (i.e., relocated Sixteen Mile Creek tributary with associated allowances and replicated wetlands with associated setbacks) and proposed LIDs within the amendment area ('northern sliver' lands) still need to be confirmed through updates to the Comprehensive Environmental and Servicing Study (CESS) to the satisfaction of Conservation Halton, the Town of Milton and the Region of Halton. Once the limits of the natural features and LIDs have been confirmed all Regional Official Plan text and maps should be updated to include the appropriate designations for all CH regulated areas and key features and components that are part of the Regional Natural Heritage System (RNHS). | See note above. |
| | | Recommendation | |
| | | CH staff recommend that the proposed ROPA be deferred until the limits of the natural features and proposed LIDs within the amendment area ('northern sliver' lands) are reviewed and accepted by Conservation Halton, the Town of Milton, and the Region of Halton through updates to the CESS. Once updated, CH staff will provide additional comments on the ROPA. | Comments noted. Regional staff continued to work with the Conservation Authority, the Town, and the applicant to on an updated CESS which is addressed in subsequent comments from Conservation Halton below. |
| | | Please note that comments will also be provided under separate cover to the Town of Milton on the municipal <i>Planning Act</i> application that have been submitted concurrently. To facilitate CH's review, the applicant is asked to include the following in the next submission: | |
| | | Consolidated response table (word format preferred addressing CH's numbered comments, and A digital copy of all submission materials (digital download preferred) | 10 |

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| | | No resubmission fee is required; however, staff note that a resubmission fee will apply on third and subsequent submissions. | |
| | | Please note that CH has not circulated these comments to the applicant, and we trust that you will provide them as part of your report. | |
| | | We trust the above is of assistance. Please contact me with any questions. | |
| | | Sincerely, | |
| | | Jessica Bester Senior Environmental Planner | |
| | | [please refer to Appendix 1 at the end of this document for detailed comment table and list of materials / technical reports reviewed provided as appendices to this submission] | |
| | | Email dated May 13, 2022 | |
| | | To Owen McCabe: | |
| | | Re: Orlando North Porta Development 8350 Esquesing Line, Town of Milton Regional Official Plan Amendment (ROPA) RQ64A – Second Submission CH File Number: RQ64A Orlando Corporation | |
| | | Related Files: Local Official Plan Amendment LOPA-09/21, Draft Plan of Subdivision and Zoning By-Law Amendment East 24T-21007 & Z- 26/21, Draft Plan of Subdivision and Zoning By-Law Amendment West 24T-21008 & Z-27/21 (CH File Nos. 24T-21007 and 24T-21008) Comprehensive Environmental and Servicing Study (CH File No.: MPR 787) Town Initiated Official Plan Amendment (OPA 67) LOPA-03-21 (CH File No.: MPR 787) | |
| | | Further to Conservation Halton's (CH) January 31, 2022, comments on the above referenced Regional Official Plan Amendment (ROPA) application, CH staff has now received a revised Draft ROPA for the Orlando North Porta 'sliver lands' | 11 |

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| | | entitled, "Appendix A – Revised Draft ROPA and Schedules" prepared by Glen Schnarr & Associates, dated April 2022. CH staff understand that this application will be going forward to Regional Council for decision in June 2022 and we provide the following comments. | |
| | | <u>Proposal</u> | |
| | | Within the 'northern sliver lands' (amendment area) at 8350 Esquesing Line in Milton, the proposal is to extend the Region of Halton's "Urban Area" designation with an "Employment Area" overlay, and designate the northern portion of the sliver lands as Regional Natural Heritage System (RNHS) using the 15 m allowance of the realigned watercourse as the southern boundary of the designation. The sliver lands are currently designated "Regional Natural Heritage System" and "Agricultural Area". The land use change to "Urban Area" is to facilitate the advancement of development applications for employment uses on the subject site. Text in the Regional Official Plan (ROP) and corresponding ROP Maps have now been updated to accommodate these changes in land use. This includes, "Map 1G Key Features Within the Greenbelt and Regional Natural Heritage Systems" which designates the RNHS as "Enhancement Areas, Linkages and Buffers" and "Key Features". | |
| | | Background | |
| | | The subject property located at 8350 Esquesing Line in the Town of Milton is within an area identified as the 'North Porta Lands'. The 'northern sliver' lands which are subject to the ROPA are located at the northern edge of the subject property and adjoin the existing Greenbelt Protected Countryside to the north and Urban Area to the south. | |
| | | The 'North Porta Lands' were added to the Town of Milton's Urban Area through OPA 31 and then incorporated into the Town's Local Official Plan related to the 401 Industrial/Business Park Secondary Plan area through OPA 67. Through these amendments the boundaries of the Urban Area extended up to the limit of the existing tributary of Sixteen Mile Creek that runs through the subject site. As such, the 'northern sliver' lands were excluded | |

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| | | from the Urban Area and are now subject to this privately initiated ROPA. | |
| | | CH provided comments on OPA 67 in letters dated June 10, 2021 and July 22, 2021. Through this review, text was added to the Town of Milton's Local Official Plan related to the 401 Industrial/Business Park Secondary Plan to require that a Comprehensive Environmental and Servicing Study (CESS) be submitted in support of future development applications within the 'North Porta Lands'. OPA 67 received Regional approval with modifications on May 12, 2022 taking effect on June 2, 2022. A CESS was subsequently submitted by the applicant in support of the ROPA application (and the corresponding LOPA, Draft Plans of Subdivisions and Zoning By-law Amendments submitted concurrently to the Town) which includes the 'northern sliver' lands. CH staff provided comments on the first submission of the CESS in a letter dated November 3, 2021. On January 31, 2022 a subsequent letter was provided on the ROPA, where CH staff identified that the limits of natural features and LIDs within the amendment area for the ROPA still needed to be confirmed through updates to the CESS. As such, comments provided on the ROPA were preliminary and additional comments would be provided on the ROPA once updates had been reviewed and accepted to the satisfaction of Conservation Halton, the Town of Milton and the Region of Halton. Based on our current review of the updated ROPA, we now provide the following comments. | Comments noted. |
| | | Comments CH staff received the second submission of the CESS on April 27, 2022, and the study is currently under review. As the CESS is still under review, the final locations and sizes of the natural hazards and RNHS (i.e., relocated Sixteen Mile Creek tributary with associated flooding and erosion hazards and allowances and replicated wetland with associated setbacks) and proposed LIDs within the amendment area ('northern sliver' lands) still need to be confirmed to the satisfaction of Conservation Halton, the Town of Milton and the Region of Halton. We understand that the current Draft ROPA maps were updated using Figure 5-1, "Orlando – North Porta Development Constraints Mapping", dated April 2022 from this most recent version of the CESS. While the above referenced Figure from | Comments noted. |

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| | | the CESS and the corresponding ROPA maps, generally show the limit of the RNHS and natural hazards, the boundaries of the RNHS and natural hazards may still be further refined, with additions, deletions and/or boundary refinements through updates to the CESS. It is CH staffs' expectation that the limits of the natural hazards and RNHS still be appropriately refined through the finalization of the CESS and review of the local municipal planning applications (e.g. LOPA, ZBA and Draft Plan of Subdivision) to ensure that all new development (lots and change in land use) are outside the CH Regulated Area. | |
| | | Recommendation | |
| | | Given the above, CH staff do not object to the incorporation of the lands into the 'Urban Area', as shown in the Draft ROPA. However, CH staff requires that final limits of the natural hazards, RNHS and proposed LIDs within the amendment area ('northern sliver' lands) be reviewed and accepted by Conservation Halton, the Town of Milton, and the Region of Halton through updates to the CESS and placed within appropriate designations, zones and NHS blocks through the review of the local municipal planning applications. All comments, other than those on the Draft ROPA, included in Appendix A of CH's January 31, 2022, letter should be addressed through updates to the CESS and the local planning applications. Please note that CH has not circulated these comments to the applicant, and we trust that you will provide them as part of | Comments noted. Regional staff concur with Conservation Halton and, as noted in Report No. LPS43-22, will continue to work with the Town, Conservation Halton, and the applicant to address any remaining matters through the process of the local development applications, including any further refinements to the Regional Natural Heritage System as required through Section 116.1. |
| | | your report. We trust the above is of assistance. Please contact me with any questions. | |
| | | Sincerely, Jessica Bester, BES, MCIP, RPP Senior Environmental Planner 905.336.1158 ext. 2317 jbester@hrca.on.ca | |
| | | Cc: Christian Lupis & Rachel Ellerman, Town of Milton, christian.lupis@milton.ca & rachel.ellerman@milton.ca (By Email) Jae Hyun Park, Heather Ireland & Mark Andrews, Region of Halton, jae.park@halton.ca, heather.ireland@halton.ca, mark.andrews@halton.ca (By Email) | |

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| 9. | Sun Canadian Pipeline Email dated January 31, 2022 | Hi David, Sun-Canadian does not have any facilities In the area described in this notification. We will most definitely be interested in all plans for development south of Britannia Road. Wendy Sutherland Field Support Coordinator | Comments noted. |
| 10. | Town of Milton Email dated March 3, 2022 | Wendy Sutherland Field Support Coordinator To: Owen McCabe By email only: owen.mccabe@halton.ca RE: Proposed Regional Official Plan Amendment Application No. RQ64A Orlando Corporation Town of Milton Planning staff have reviewed the above noted ROPA application and provide the following comments: General Comments • On August 23, 2021, through Report DS-064-21, the Council for the Town of Milton adopted Official Plan Amendment No. 67 (OPA 67) that had the effect of expanding the Milton 401 Industrial/Business Park Secondary Plan boundary to incorporate a portion of the subject lands (excluding the 'northern sliver lands') and to introduce some area specific policies. OPA 67 was subsequently submitted to Halton Region for approval. At the time of preparing these comments, OPA 67 remains under review by Halton Region. • A large portion of the property known as 8350 Esquesing Line is currently within the urban boundary and form part of the subject lands of OPA 67. • The lands subject to the proposed ROPA are a part of the property known as 8350 Esquesing Line in the Town of Milton. In particular, the lands are located at the northern edge of the property and are bounded by the existing Urban Area designation to | Comments noted. A decision to approve OPA 67 with modifications was issued by Halton Region on May 12, 2022. |
| | | the south and the Protected Countryside boundary of Greenbelt Plan to the north. The purpose of the proposed ROPA is to add the lands that are located at the northern edge of the property to the Region's Urban Area to facilitate future employment development | |

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| | | within the area of the Town of Milton known as the Milton 401 Industrial / Business Park Secondary Plan Area. • Applications for a Draft Local Official Plan Amendment, Draft Zoning Bylaw Amendment and Draft Plans of Subdivision have also been submitted to the Town of Milton concurrently with the Draft Regional Official Plan Amendment Application. | |
| | | Town of Milton Planning staff supports the designation of these lands as Regional Urban Area, however recognizes that Halton Region is the approval authority for the ROPA as it proposes to expand the urban area to include the northern sliver lands. Town staff note that a recommendation on the ROPA is required before any recommendation can be brought forward on the LOPA and the other proposed applications. | Comments noted. |
| | | In addition to the above, the Comprehensive Servicing and Environmental Study (CSES) has not yet been completed to the satisfaction of the Town, Halton Region and Conservation Halton. This is required prior to any planning approvals related to the proposed development applications. Comments on the PJR, as it relates to | Comments noted. A revised CESS was received in April 2022, addressing many of the comments provided by the Region, Town and Conservation Halton. As noted in Report No. LPS43-22, Regional staff are satisfied with the CESS for the purposes of supporting the ROPA application and its proposed land use designations and will continue to work with the Town, Conservation Halton, and the applicant to finalize the CESS and any further refinements to the Regional Natural |
| | | Figure 2 in the PJR appears to show the ROPA limits as crossing over the property located at 8480 Esquesing Line. The ROPA limits should be updated to only include the subject lands. | Heritage System as part of the local concurrent development applications. |
| | | 2. Town Planning staff supports the proposed ROPA as long as the Region is satisfied with the fulfilment of the conditions and criteria to support a settlement area expansion set out in the PPS, the Growth Plan and the Halton Region Official Plan. Comments on the proposed ROPA | Noted. An assessment of the application against the relevant Provincial and Regional planning policies is provided in Report No. LPS43-22. |
| | | 3. The schedules in the proposed ROPA should identify the change in designation (e.g. 'Re-designated from 'XX' to 'XX'). | The applicant submitted a revised ROPA which identifies the proposed changes to designations in detail. |
| | | Town Planning staff note that the final delineation of key features and components of the Regional Natural | Noted. The Regional Official Plan provides opportunities to refine the |

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| | | Heritage System will be confirmed through the ROPA process. | Regional Natural Heritage System in accordance with Section 116.1. |
| | | 5. Town Planning staff also note that the two NHS features related to the property at 8480 Esquesing Line were removed through OPA 67, as confirmed by CH and Regional Staff, as the features would no longer be considered regulated wetlands as per Ontario Regulation 162/06. At the time of preparing these comments, OPA 67 remains under review by Halton Region. | As noted above, Halton Region issued a Notice of Decision on OPA 67 on May 12, 2022. This decision approves refinements to the Regional Natural Heritage System on the subject lands, including the removal of an area no longer considered a regulated wetland located in an area at the centre of 8350 Esquesing Line. This is reflected in the final mapping proposed in ROPA 52. |
| | | Should you have any question, please contact me. | |
| | | Sincerely, Hugo Rincon Senior Planner, Policy and Urban Design | |
| 11. | Atura Power Email dated | Hello David: | |
| | March 3, 2022 | Could you please add me to the distribution list on this matter? | Contact information was added to the distribution list by Regional staff as requested. |
| | | Thank you. | requested. |
| | | Regards, | |
| | | Margaret Koontz, Manager, Market Affairs | |
| 12. | Frank Glinny Milton Resident Email dated | Hello Owen, I hope this email finds you well. | |
| | March 8, 2022 | I am the owner of <i>[address removed]</i> and have a few questions regarding the development of 8350 Esquesing Line, as it will impact my property. | Information was provided in response to this submission and the concerns it identified related to the development by Orlando Corporation at 8350 Esquesing Line. It was also noted that Regional staff |
| | | The house at [address removed] is on a well system and I am concerned about general excavation potentially disrupting and or contaminating the well system. If so, who will be responsible for any costs incurred by said disruptions? The well is | made a record of the concerns and forwarded them to the appropriate staff to ensure they are addressed through the review of the concurrent local development applications. |
| | | located approximately 150' east of Esquesing Line across from the proposed containment pond. How deep will the containment pond be? | Regarding general excavation potentially disrupting and/or contaminating the well system and determining who would be responsible for any costs incurred, Regional staff advise that as part of the |
| | | Currently, There is a drain culvert that runs underneath Esquesing Line, which drains excess stormwater from the field on the proposed development site. This culvert is on the corner of my property and there are frequent floods on the road as | subdivision approval process associated with the proposed development the Region will enter into a Regional Subdivision Agreement with the Owner of the development lands. This agreement contains clauses regarding possible water well interruption in the surrounding area. |
| | | well as on my property. Gravel, screening, mud, and other waste often end up on my side of Esquesing as a result of the current drainage system. Not only does | well interruption in the surrounding area. The clauses provide a framework for the monitoring of wells and/or monitoring wells |

| No. | Source | Submission | Response |
|-----|--------|---|---|
| | | this create an unsightly mess, this also damages the shoulder of the road which the Town will eventually need to repair. Additionally, the proposed development site is currently farmland, which is able to absorb a considerable amount of water. Once buildings and pavement are introduced, the runoff will be increased substantially. I am very concerned with the proposed stormwater pond and if it will be able to handle the demand of how much water currently passes through the development site. I would like to see a plan for a proper ditch on the western side of Esquesing to help alleviate some of the water drainage issues. Can you please investigate this matter further and reply to this email or call me at <i>[contact information removed]</i> . Thank you for your help. Frank Z Glinny | adjacent to the proposed development, as well as addressing and resolving claims that may arise where the construction of the development is found to be responsible for a negative impact to an adjacent existing water well. The intent of these clauses is to protect adjacent residents by requiring the Owner of the proposed development to address any claims related to negative impacts experienced by neighboring wells, for which they are found responsible. As part of this process, the developer has completed a screening of all water wells within 500m of the study area to identify the wells to be included in the required monitoring program. Confirmation from the developer's consultant was received indicating that your well is included in this work. The Region is expecting an update to the August 2021 comprehensive study to be provided by the developers. If you have specific questions with respect to the monitoring program or any of the information collected to date, please contact Regional staff. With respect to the concern around the location and depth of the stormwater pond has not been finalized at this time but you may wish to contact the Town of Milton directly regarding the proposed stormwater pond, as the Town will ultimately be providing approval for this infrastructure. In regards to the distance of the existing well to the proposed pond, specific dimensions can be confirmed with the Town, however, as previously noted, there are Regional requirements for a Preconstruction Survey of neighbouring existing private water wells located within 500 m (1640 feet) of the municipal works related to the development applications at 8350 Esquesing Line. Town staff will be your best point of contact as it relates to concerns that relate to stormwater management. Conservation Halton has also been made aware of your concerns and plan on considering them when they respond to the next engineering submission related to the proposed development at 8350 Esquesing Line. |

| No. | Source | Submission | Response |
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| | | | If you have any additional questions moving forward please do not hesitate to contact Regional staff. |
| 13. | Christine Mongelli Resident Email dated March 22, 2022 | Hi, I have received the information. Would it be possible to send me a copy of the Amendment Application that was submitted to Halton Region. Thank you, Chris | Regional staff advised that the reports prepared in support of the application are posted to the Regional Official Plan Amendments and Amendment Process webpage available at the following link: https://www.halton.ca/The-Region/Regional-Planning/Regional-Official-Plan-(ROP)-(1)/Official-Plan-Amendment-Process#03 |
| 14. | Carol Gustafson Milton Resident Email dated April 1, 2022 | Hello, I am a resident of Milton, and I believe this area is not mine, however, I observed the meeting. Regarding the Proposed Amendment to the Regional Official Plan Applicant: Orlando Corporation File number RQ64A, I would like to provide a comment. I feel that it would be better to leave the affected area as it is in terms of having the waterway not be moved in order to have it become part of the land currently owned by the Orlando Corporation. When you move waterways, it disrupts the wildlife and plants that live in that system. It is protected because of that, and I feel that the company should adapt their proposed buildings and establishment to fit the situation the way it is. Sincerely, | Comments noted. The application has been supported by a Comprehensive Environmental and Servicing Study which has assessed the existing natural heritage features and areas on the subject lands and assessed the proposal to refine the Regional Natural Heritage System and ensure there are no negative impacts on these natural features and their ecological functions. Regional staff are satisfied that the proposed refinements conforms to the Regional Official Plan. |
| 15. | Gerard Foley Email dated April 4, 2022 | Hello Owen, Regarding the above file, can you kindly send me a drawing showing the specific location of the 14.25 Ha parcel which is the subject of this application for changing the LOPA? Also, what is the current status of this application and what is the likelihood the requested LOPA change will be approved? Thanks for your help and kind regards Gerard Foley | Regional staff responded with a map depicting lands subject to the ROPA application, referred to as the 'northern sliver' lands in the application and advised that the ROPA application was under review. As described in Report No. LPS43-22, Regional staff are recommending that the proposed ROPA be approved. The concurrent local development applications will be subject to separate local planning processes. |

Appendices

Appendix 1 – Submission #8: Conversation Halton | Additional Materials

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Appendix A – Detailed Comments on the ROPA Application & Supporting Documents

CH provides the following comments on the first submission of the ROPA application with associated supporting documents received on December 14, 2021. Previous CH comments provided on the Comprehensive Environmental and Servicing Study (CESS) should also be referred to and addressed as per the CH's comment letter dated November 3, 2021. In the following table, staff has identified if the comments are requirements under Ontario Regulation 162/06 ("CH") and/or technical advisory recommendations under the Memorandum of Understanding ("MOU"), and/or Interim Ecological Services Agreement ("IESA") with Halton Region. Although staff has identified key sections pertaining to each comment, many comments apply to various sections/plans and the reports/drawings should be updated accordingly.

| # | Topic/Section | CH Comment | CH/ |
|------------|--|--|----------|
| Dlan | ning locatification [| Down cost | MOU/IESA |
| Pian 1. | ning Justification F Section 2.1, Site | This section identifies the watercourses and wetlands on | CH |
| 1. | Context | and within proximity to the subject site. This section should be updated to state that these features are regulated by Conservation Halton along with an explanation of their associated regulatory allowances/setbacks/other areas. | СП |
| 2. | Section 4.1, Provincial Policy Statement, 2020 | This section should reference Section 3.1, Natural Hazards of the Provincial Policy Statement (PPS, 2020) and identify how the proposed ROPA will meet the relevant policies of the PPS. | CH |
| 3. | Section 4.0 Conformity with Applicable Land Use Policies | CH regulates all watercourses, valleylands, wetlands, Lake Ontario and Hamilton Harbour shoreline and hazardous lands, as well as lands adjacent to these features. The subject property contains Middle Sixteen Mile Creek, a tributary of Sixteen Mile Creek as well as wetlands that are less than and greater than 2 ha in size. CH regulates a distance of 15 m from the greatest hazard associated with the watercourses, 120 m from wetlands greater than 2 ha in size and 30 m from wetlands less than 2 ha in size. Permission is required from CH prior to undertaking any development within CH's regulated area and must meet CH's regulatory policies: (https://conservationhalton.ca/policies-and-guidelines). This section should include a subsection entitled, "Conservation Halton Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Policy Document, April 27, 2006 (last amended November 26, 2020)" that includes all relevant CH policies and that identifies how the proposed ROPA will meet those CH policies as it relates to features within the amendment area. | СН |
| | | Plan Amendment (ROPA) | |
| 4. | Part B The Amendment, Details of the Amendment | Items 1 to 10 state that the various maps attached show the proposed changes to the Regional Official Plan (ROP) maps. However, it appears that the maps actually show existing designations. | СН |
| | | The maps should be updated to clearly show the <u>proposed</u> designations for the amendment area ('northern sliver' lands). We recommend that the maps be zoomed in to show primarily the amendment area and be overlaid on the revised Concept Plan (see Comment Nos. 5 & 6 below) to accurately | |

| # | Topic/Section | CH Comment | CH/ MOU/IESA |
|------|--|--|-----------------|
| Plan | ning Justification I | Report | |
| 1. | Section 2.1, Site Context | This section identifies the watercourses and wetlands on and within proximity to the subject site. This section should be updated to state that these features are regulated by Conservation Halton along with an explanation of their associated regulatory allowances/setbacks/other areas. | СН |
| 2. | Section 4.1, Provincial Policy Statement, 2020 | This section should reference Section 3.1, Natural Hazards of the Provincial Policy Statement (PPS, 2020) and identify how the proposed ROPA will meet the relevant policies of the PPS. | СН |
| 3. | Section 4.0 Conformity with Applicable Land Use Policies | CH regulates all watercourses, valleylands, wetlands, Lake Ontario and Hamilton Harbour shoreline and hazardous lands, as well as lands adjacent to these features. The subject property contains Middle Sixteen Mile Creek, a tributary of Sixteen Mile Creek as well as wetlands that are less than and greater than 2 ha in size. CH regulates a distance of 15 m from the greatest hazard associated with the watercourses, 120 m from wetlands greater than 2 ha in size and 30 m from wetlands less than 2 ha in size. Permission is required from CH prior to undertaking any development within CH's regulated area and must meet CH's regulatory policies: (https://conservationhalton.ca/policies-and-guidelines). This section should include a subsection entitled, "Conservation Halton Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Policy Document, April 27, 2006 (last amended November 26, 2020)" that includes all relevant CH policies and that identifies how the proposed ROPA will meet those CH policies as it relates to features within the amendment area. | СН |
| | | Plan Amendment (ROPA) | |
| 4. | Part B The Amendment, Details of the Amendment | Items 1 to 10 state that the various maps attached show the proposed changes to the Regional Official Plan (ROP) maps. However, it appears that the maps actually show existing designations. | СН |
| | | The maps should be updated to clearly show the <u>proposed</u> designations for the amendment area ('northern sliver' lands). We recommend that the maps be zoomed in to show primarily the amendment area and be overlaid on the revised Concept Plan (see Comment Nos. 5 & 6 below) to accurately | |

| | | show the limits of all proposed designations in relation to the natural features and development areas on-site. | |
|------|--|---|----------|
| 5. | Item No.1, Attachment #1, Map 1 Regional Structure & Item No. 7, Attachment #7, Map 1G Key Features Within the Greenbelt and Regional Natural Heritage Systems | As per the CESS, the tributary of Sixteen Mile Creek with associated allowances is proposed to be relocated further north towards the Regional Natural Heritage System (RNHS) and Greenbelt Natural Heritage System (GBNHS) and within the amendment area. A replicated wetland with associated setbacks and LIDs are also proposed within the amendment area. The locations and sizes of these natural features and LIDs still need to be confirmed through updates to the CESS/Concept Plan (See Comment No. 6 below). Once the locations and sizes of these features and LIDs have been accurately confirmed through the CESS and | СН |
| | | shown on the Concept Plan to the satisfaction of Conservation Halton, Town of Milton and Region of Halton, the text in the draft amendment and all corresponding Regional Official Plan Maps should be updated to include the appropriate designations for all CH regulated areas and key features and components that are part of the Regional Natural Heritage System (RNHS). Further comments will be provided on the ROPA once these limits have been confirmed through the updates to the CESS. | |
| Com | prehensive Enviro | nmental and Servicing Study | |
| 6. | General | CH staff provided comments on the CESS in a letter dated November 3, 2021. Comments that affect the limits of the natural features and LIDs within the amendment area will need to be addressed in a revised submission of the CESS | CH |
| | | to support the ROPA. | |
| Drav | ving No. A-1, Conc | ept Plan | |
| 7. | Drawing update | Update plan to clearly show the location of the proposed bio- swale, replicated wetland area with associated setback and the proposed LID measures to maintain ecological function, as per comments made on the CESS. See CH comment letter dated November 3, 2021). | СН |
| 8. | Drawing update | Update plan to clearly show the 15 m regulatory allowances from the greatest flooding and erosion hazard associated with the tributary of Middle Sixteen Mile Creek as well as the 6 m erosion access allowance as per comments made on the CESS. See CH comment letter dated November 3, 2021. | СН |
| Drav | | Iscape Concept Plan | |
| 9. | Drawing update | The Landscape Concept Plan limits should also be updated to address the same comments as made on the Concept Plan (above). | CH |
| 10. | Drawing update | Provide a legend for all coloured areas on the plan and ensure plantings are provided for the RNHS and Greenbelt Protected Countryside Boundary. This plan should only be updated once all natural feature limits and the location of the LIDs have been confirmed through updates to the CESS to the satisfaction of Conservation Halton and the Region of Halton. | MOU/IESA |
| Tree | Inventory and Pre | servation Plan Report | |
| 11. | Discussion, Tree Preservation, Page 3 | The limit of the proposed development (including grading and site alteration activities) should be outside of the 30 m RNHS buffer or the Greenbelt Protected Countryside boundary, whichever is greater. Specifically, regarding Figures 7 and 9, install the Tree Protection Zone at the | MOU/IESA |
| | | | |

| | | Greenbelt Protected Countryside boundary (see figure showing the area below). Revise drawing accordingly. This comment can be addressed through detailed design. | |
|-----|--|--|----------|
| | | 1590 1591 1593 1596 1597 1598 1599 P1601 | |
| 12. | Figures 1 to 9, Existing Conditions - Tree Protection Plan Notes | Regarding the last item in this list, please update all figures to indicate that as part of the requirements of the <i>Migratory Birds Convention Act</i> , which governs the protection, and conservation of migratory birds within Canada: Avoid any potentially destructive or disruptive activity such as vegetation clearing between April and August. This comment can be addressed through detailed design. | MOU/IESA |
| 13. | Figures 1 to 9, Existing Conditions - Tree Protection Plan Notes | As per the CESS, bat maternity colonies SWH is considered candidate on adjacent lands, therefore we recommend applying the precautionary approach and avoiding vegetation clearing during bat roosting sensitive timing from April to September. Please update the notes to list this timing window on all figures. This comment can be addressed through detailed design. | MOU/IESA |

Appendix B - Materials/Technical Reports Reviewed

Relevant to Regional Official Plan Amendment:

- ROPA Application Form: "Application to Amend the Region of Halton Official Plan", completed by Karen Bennett, GSAI, signed October 4, 2021; and
- Draft Regional Official Plan Amendment: "An Amendment to Address the Addition of Employment Lands to the Urban Area and to the Town of Milton's '401 Industrial Business Park Secondary Plan', dated August 2021.

Relevant to Local Official Plan Amendment – East and Draft Plans of Subdivisions and Zoning By-Law Amendments – East and West ('Related Files'):

- LOPA and Zoning Application Form East Block: "Application for Official Plan Amendment or Zoning Amendment", completed by Karen Bennett, GSAI, signed October 4, 2021;
- Zoning Application West Block: "Application for Official Plan Amendment or Zoning Amendment", completed by Karen Bennett, GSAI, signed October 4, 2021;
- Draft Local Official Plan Amendment: "Amendment Number XX to the Official Plan of the Town of Milton, Subject: North Porta Lands and North Porta 'Sliver' Lands", dated October 2021;
- Draft Zoning By-Law Amendment West Block, prepared by applicant, dated September 29, 2021;
- Draft Zoning By-Law Amendment East Block, prepared by applicant, dated September 29, 2021;
- Subdivision Application West Block: "Application for Subdivision/Condominium Approval", completed by Karen Bennett, GSAI, dated October 4, 2021;
- Subdivision Application East Block: "Application for Subdivision/Condominium Approval", completed by Karen Bennett, GSAI, dated October 4, 2021;
- Draft Plan of Subdivision West Block, Orlando Corporation, Part of Lot 5, Concession 3, Township of Esquesing, Regional Municipality of Halton, prepared by GSAI, dated August 25, 2021;
- Draft Plan of Subdivision East Block, Orlando Corporation, Part of Lot 3 and 4, Concession 4, Township of Esquesing, Regional Municipality of Halton, prepared by GSAI, dated September 16, 2021; and
- Tree Impact and Preservation Plan Report Milton North Porta Lands, Milton, ON, prepared by Kuntz Forestry Consulting Inc. for Studio TLA, Final Revised Date of April 6, 2021.

Relevant to All Planning Applications:

- Development Application Pre-consultation Form, Town of Milton, dated April 28, 2021;
- Pre-consultation Form, Region of Halton, dated April 28, 2021;
- Pre-consultation Meeting Follow-up, Conservation Halton, dated May 25, 2021;
- Cover Letter, Re: Applications for Region of Halton Official Plan Amendment, Town of Milton Official Plan Amendment, Two (East and West) Draft Plans of Subdivision and Two Zoning By-law Amendment Applications, Applicant: Orlando Corporation, Part of Lot 5, Concession 3 Esquesing and Part of Lots 3 and 4, Concession 4 Esquesing, Town File No. D00ENQ20.018, Town of Milton, Regional Municipality of Halton, prepared by GSAI, dated November 2, 2021;
- Milton North Porta, Comprehensive Environmental and Servicing Study (CESS), Version 1" prepared by TMIG et. al., dated August 2021;
- Planning Justification Report in Support of Region of Halton Official Plan Amendment, Town of Milton Official Plan Amendment, Two (East and West) Draft Plans of Subdivision and Zoning By-Law Amendment Applications, Milton North Business Park, prepared by GSAI, dated October 2021;
- Topographic Survey West Block: "Topographic Survey of Part of Lot 5, Concession 3, Town of Milton, prepared by David B. Searles Surveying Ltd., undated;
- Topographic Survey East Block: "Topographic Survey of Part of Lot 3 and 4, Concession 3, Town of Milton, prepared by David B. Searles Surveying Ltd., undated;
- Drawing No. A-1, Concept Plan, Milton North Business Park, Milton, Ontario, prepared by Orlando, dated September 15, 2021; and
- Drawing No. LC-1, Landscape Concept Plan, Milton North Business Park, Milton, Ontario, prepared by Studio TLA, dated September 10, 2021, 20-132.