

7265 Number 5 Side Road

Planning Justification Report

W.E. Oughtred & Associates Inc.
October 7, 2024



1.0 Introduction

W.E. Oughtred & Associates Inc. has been retained by HW Transportation Group (the owner) to provide a Planning Justification Report in support of the proposed site-specific Official Plan Amendment and Zoning By-law Amendment applications on the property at 7265 Number 5 Side Road, Town of Milton. The applications request permission for an additional on-site use of “Auto Sales”.

The subject property is located at the northwest corner of James Snow Parkway and Number 5 Side Road, having a municipal address of 7265 Number 5 Side Road, legally known as Block 5, Plan 20M-1119. The subject property has an area of 1.77 hectares in size.

The objective of this Planning Justification Report is to delineate the nature of the proposed OPA, ZBA, and to assess these proposals within the framework of relevant policies. The assessment specifically considers consistency with the Provincial Planning Statement 2024, conformity with the Region of Halton Official Plan and the Town of Milton Official Plan, and compliance with the general intent and purpose of the Town of Milton Zoning By-law. This report serves as a critical step in the process of obtaining the necessary approvals for the proposed use ensuring alignment with regional, provincial, and local planning guidelines.

2.0 Background Information

2.1 Site Description and Surrounding Land Use

The subject property is located at the northwest corner of James Snow Parkway and Number 5 Side Road, having a municipal address of 7265 Number 5 Side Road, legally known as Block 5, Plan 20M-1119. The subject property has an area of 1.77 hectares in size. The adjacent parcels of land, those on the north east corner and south of James Snow Parkway are currently vacant parcels of land.

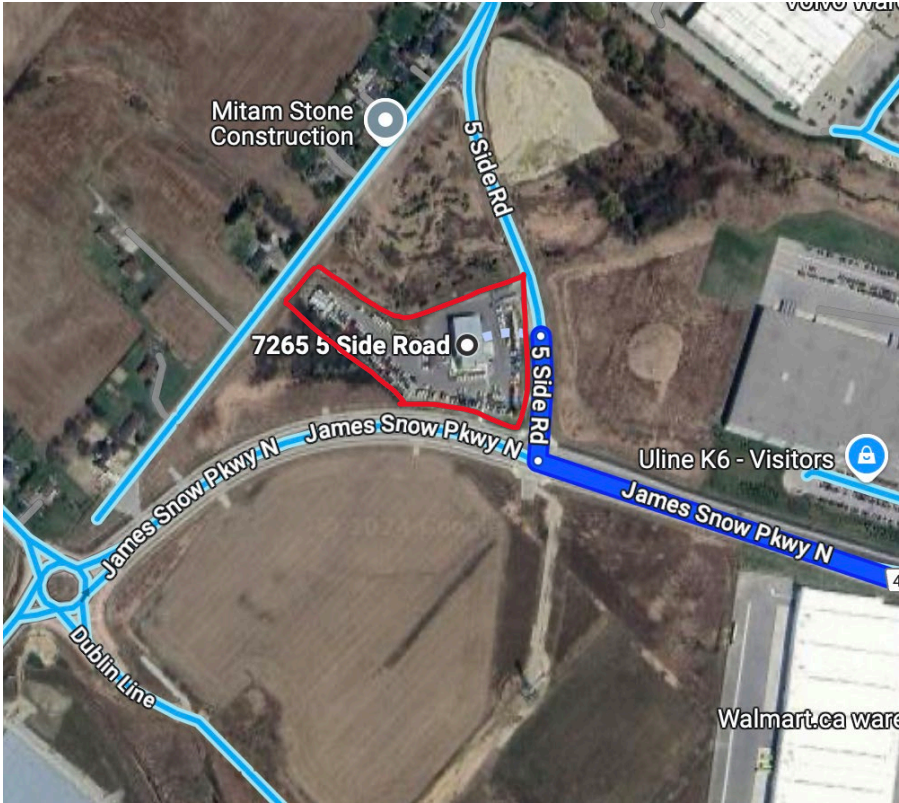


Figure 1: Aerial view of site (subject property highlighted in red)
Source: Google Maps

The property was developed under Site Plan File 21/20 with a two story truck rental and leasing facility. These uses are permitted under the M1, Business Park Zoning and the Official Plan designation of Business Park. The property is located within the Milton 401 Industrial/Business Park Secondary Plan and is designated as an Industrial Area.

2.2 Surrounding Land Use Context

The lands north of Number 5 Side Road are situated within an area of Niagara Escarpment Control, whereas the lands to the south are not, thus permitting development, subject to the Town of Milton Zoning By-law.

In a broader context, the property is situated north of Hwy 401, South of Number 5 Side Road west of Regional Road 25. The area contains mixed industrial, commercial and institutional uses.



Figure 2: Site Context (Apple Maps)

The property is ideally situated for Highway access. The property is fully serviced with water and sanitary.

2.3 Existing Site

The subject property was developed under site plan file 21/20. This permitted the development of the site including a new building housing both the truck service and associated office use for leasing and rentals. An EV charging station was included in the construction. The building has a total GFA of 1865 sqm, including an office area of 641 sq. metres. Required onsite parking is provided as well

as parking for transports and trailers. No additional construction or site alterations are required to facilitate the OPA or Rezoning

Site statistics are outlined in the table below.

Table 1: Site Statistics

Item	Required	Provided
Lot Area	0.8ha	1.77ha
Lot Frontage	40m	96.9m
Building Area	N/A	1865 sqm
Landscaped Area	10% min	19.5%
Building Height (MAX)	15m	10.0m
Minimum Front Yard Setback	9.0m	36.5m
Minimum building setback (interior side)	3.0m	N/A
Minimum building setback (Exterior side)	9.0m	38.8m
Minimum Building Setback (rear Yard)	12.0m	19.0m
Minimum Landscape Buffer	4.5m	4.5m
Minimum Landscape Buffer (JSP)	N/A	1.5m
Parking Required	31 spaces	57 spaces

2.4 Proposal

The proposed Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) seeks to add “auto sales” to the existing on-site uses of truck rental, leasing and servicing. The existing on-site parking supply complies with the Zoning By-law requirements for the existing use and the proposed sales use.

A Traffic Impact Assessment has been completed by Paradigm Transportation Solutions Limited, dated October 7, 2024, and concluded that the proposed expansion of the existing truck rental site will not have any impact on overall trip generation.

An Acoustic Assessment Report has been completed by Vintec Acoustics Inc., dated September 16, 2024, and concluded that predicted sound levels from the project shall be within acceptable limits. Recommendations were made to mitigate noise management.

A Functional Servicing and Stormwater Management Report has been completed by MGM Consulting Inc, dated October 7, 2024, and concluded that there would be no negative impacts.

3.0 Policy and Regulatory Context

This section of the report will address how the application conforms to the Provincial Planning Statement, the Provincial Growth Plan, the Region of Halton Official Plan, the Town of Milton Official Plan, and the Milton 401 Industrial/Business Park Secondary Plan.

3.1 The Provincial Planning Statement (PPS 2024) will go into effect on October 20, 2024. The Provincial Planning Statement 2024 is a streamlined province-wide framework that replaces the Provincial Policy Statement 2020 as well as the Growth Plan for the Greater Golden Horseshoe 2019 and provides overall policy direction to municipalities on growth management and land use planning. Municipal Official Plans and local decisions on planning matters must be consistent with the policies of the PPS. All decisions on land use planning matters that are made after October 20, 2024 must be consistent with the PPS 2024. The goal of the PPS is to regulate the development of land in order to maintain the long-term prosperity and social well-being of the province while protecting important resources and the quality of the natural environment. The following policies are relevant to the application:

2.8.1 Supporting a Modern Economy

- 1. Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- b) 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;
- d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and

The primary use of the site is truck transportation services – rental and repair of trucks. Sales of transport trucks and trailers will be an ancillary use that will diversify the range of uses permitted on the subject property without impacting the other uses in the area. Further, the additional use represents intensification of the site, supports the needs of the existing business to sell surplus trucks and trailers and does not require any additional development of the lands. The proposed truck and trailer sales use is in keeping with the existing permitted uses and will be ancillary to the primary permitted uses. As such the application for Official Plan Amendment and rezoning is consistent with policy 2.8.1.1.

2.8.2 Employment Areas

1. Planning authorities shall plan for, protect and preserve employment areas for current and future uses, and ensure that necessary infrastructure is provided to support current and projected needs.
2. Planning authorities shall protect employment areas that are located in proximity to major goods movement facilities and corridors, including facilities and corridors identified in provincial transportation plans, for the employment area uses that require those locations.
3. Planning authorities shall designate, protect and plan for all employment area 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.

The proposed truck and trailer sales use is an ancillary use to the existing truck transportation services use (rental and repair of trucks). The sales uses will occupy space within the existing office area. There will be outdoor display of trucks and trailers that will occupy parking stalls lined on the site. It will not occupy existing parking spaces required under the zoning by-law. The proposed ancillary use is permitted in the policies for Employment Areas in the PPS.

Section 6.1 (7) 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, it must still make a decision that is consistent with the Provincial Planning Statement.

The Town of Milton has yet to update their official plan to be consistent with the PPS. However, as noted above, the proposal complies with the PPS 2024.

Therefore, the proposed development is consistent with the PPS.

3.2 Region of Halton Official Plan (2024)

In October 2022, the Province tabled Bill 23, More Homes Built faster Act, 2022. This legislation identified Halton Region as an ‘upper-tier municipality without planning responsibilities’. In April 2024, through Bill 185, Cutting Red Tape to Build More Homes Act, 2024, the effective date of this change to Halton Region’s role in land use planning was identified as July 1, 2024. As a result, as of July 1, 2024, the Regional Plan will no longer be an official plan for the Regional Municipality of Halton. Instead, it will be deemed an official plan of each of the Local Municipalities in Halton (the City of Burlington, Town of Halton Hills, Town of Milton, and Town of Oakville) until such time as it is revoked or amended by the respective municipality.

The subject property is situated within the “Urban Area” designation of the Regional Official Plan.

According to Section 51 of the Regional Official Plan, the Regional Structure consists of the following mutually exclusive land use designations.:

- 1) Urban Area, where urban services are provided to accommodate concentrations of existing and future development.

Each land use designation has specific goals, objectives and policies, including permitted uses, governing development within the area so designated. Additionally, certain areas are subject to other policies and/or conditions for development as described in Sections 139.3 to 139.12 (Section 51.2).

The subject lands are not subject to other policies noted in section 51.2 of the Halton Region Official Plan.

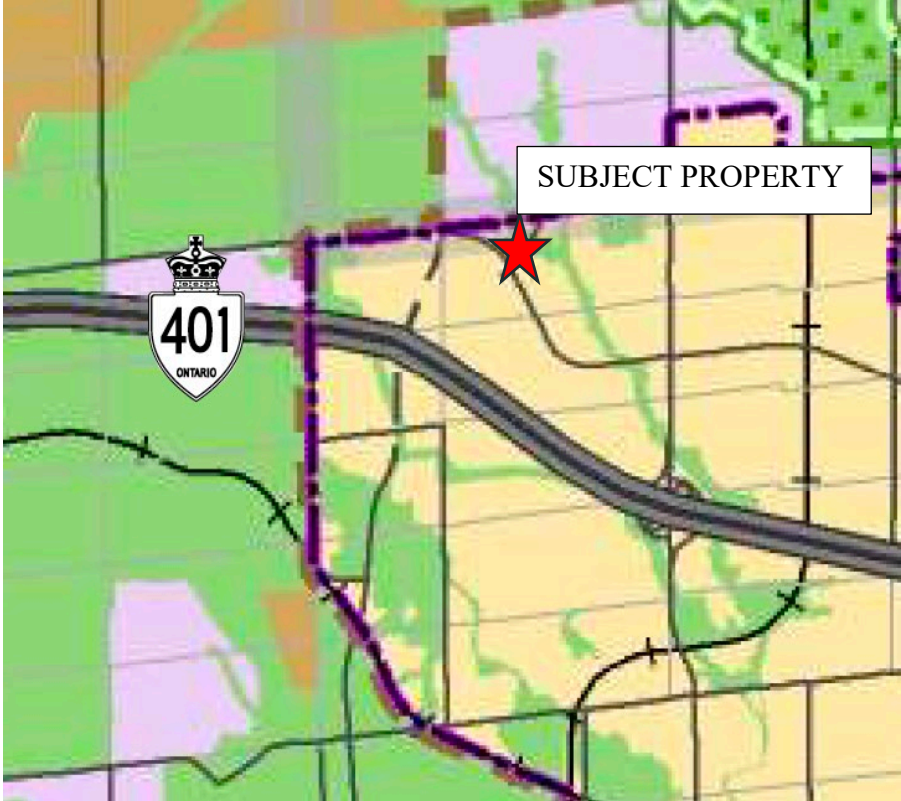


Figure 3 – Regional Structure, Map 1

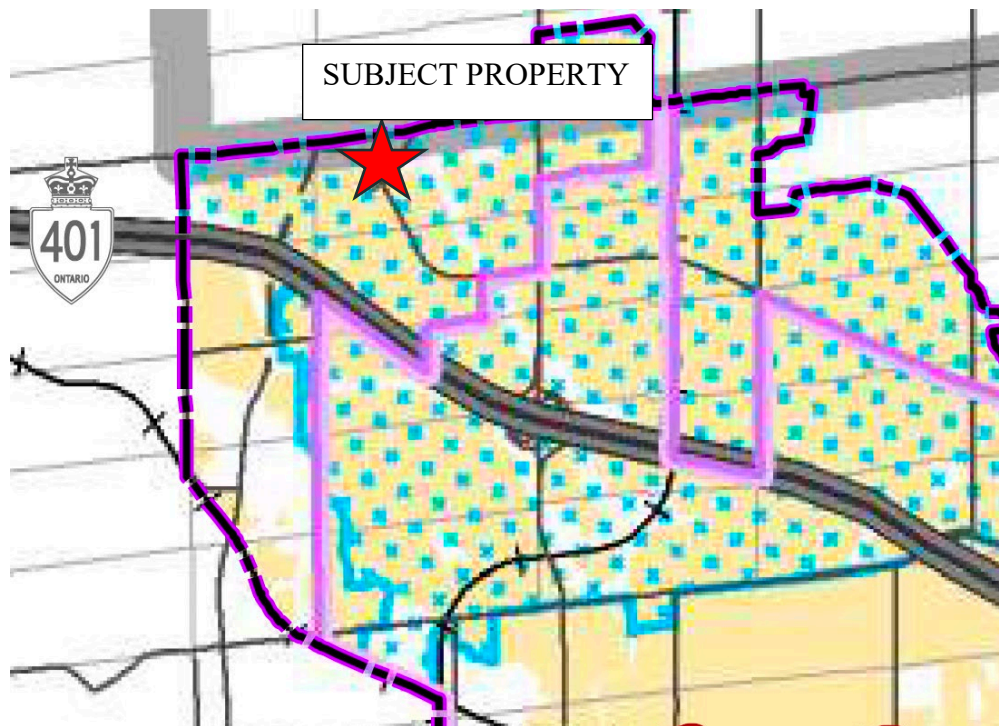


Figure 4 – Regional Urban Structure, Map 1H

The subject property is designated as an Employment area within the Urban area. These regional employment areas are subject to policies and/or conditions for development as described in Sections 83 to 83.2 of this plan. Among the policies, those applicable to this site would be:

- c) permitting a range of employment uses including but not limited to industrial, manufacturing, warehousing, and office uses.
- d) permitting a range of ancillary uses that are associated with an employment use or supportive of the overall Employment area
- f) recognize existing uses

The proposed use is complimentary to the existing use of truck rental/leasing and services. The proposed truck sales use will support the Regional population and jobs target set out in the Official Plan. Population in the Town of Milton is set to grow to approximately 277,000 people by 2041. The number of jobs in the Town is estimated at approximately 100,000 in the same year. The proposed sales use will assist in reaching the employment target, as outlined in the Regional Official Plan.

Therefore, the proposed development conforms with the Region of Halton Official Plan.




3.4 Town of Milton Official Plan (2024)

The Town of Milton Official Plan sets out policies that will guide development and infrastructure decisions on issues such as land use, built form, transportation and the environment. The purpose of the Official Plan is to give clear direction as to how physical development and land use decisions should take place to meet the current and future needs of residents.

Schedule B of the Official Plan, Urban Area Land Use Designations shows the subject site is designated Business Park Area (see figure 5).



Figure 5: Urban Area Land Use Plan, Schedule B, Milton Official Plan

-  Industrial Area
-  Business Park Area
-  Business Commercial Area

Section 3.8 of the Official Plan is the most relevant section pertaining to the land use designation. Section 3.8.2.1 The Business Park Area designation on Schedule “B” means that the main permitted uses shall be light industrial and office uses.

The proposal to amend the OP in order to permit truck sales in conjunction with the rental and leasing of trucks is in keeping with the general intent of the permitted light industrial uses.

Section 3.8.3 Business Park Area Policies

Section 3.8.3.1 Development within areas designated “Business Park Area” within the Established Urban Area on Schedule “B” or within an approved Secondary Plan, shall be permitted subject to:

b) the submission of a development plan which demonstrates that the proposed development can be physically integrated with existing and proposed uses of adjacent lands, including lands outside the Business Park Area designation.

The proposal to permit truck sales along with the rental and leasing of trucks does not require any further development on the site. Thus, demonstrating that there will be no negative impact on adjacent lands.

c) no outdoor storage being allowed;

The proposal complies as no outdoor is required for the existing or proposed use.

f) applicants can demonstrate that there is adequate wastewater and water treatment capacity to accommodate the proposed use.

No site work is proposed. The site has existing services that were approved through the Site Plan Application in 2022. The proposed use can be adequately serviced by the existing water and sanitary on site.

C2 Milton 401 Industrial/Business Park Secondary Plan

The Milton 401 Industrial/Business Park Secondary Plan sets out policies for properties within the boundaries outlined in Schedule C.2.B. The secondary plan area is defined by Number 5 Side Road to the North, the North Hydro Corridor to the east, Highway 401, Steeles Avenue and Martin Street to the south. Bronte Street, 16 Mile Creek, Tremaine Road and Peru Road form the western boundary.

The purpose of the Milton 401 Industrial/Business Park Secondary Plan is to establish a more detailed planning framework for the Milton 401 Industrial/Business Park Planning District in support of the general policy framework provided by the Official Plan.

The land use designation for the subject site as set out in the secondary plan is “Business Park Area”. Further, the property fronts onto Number 5 Side Road which is subject to enhanced streetscape design.

C.2.2.1 INDUSTRIAL/BUSINESS PARK CHARACTER

C.2.2.1.1 The Secondary Plan is designed to create a comprehensively planned, high quality, industrial/business park with approximately an additional 23,700 employees, as well as a gateway to the Urban Area, which reflects the Milton's unique Escarpment context and the strong sense of community and the environment evident in the Town by:

- b) ensuring that development fronting on major roads, and the road allowances, achieve high urban design standards to reinforce the Town's image and provide an attractive entrance to the community;

The existing structures were designed in 2021 to adhere to the Urban Design Guidelines for the Milton 401 Industrial Business Park. No changes to the existing buildings are proposed. The existing building will accommodate the additional sales use.

- c) providing the flexibility to accommodate a broad range of potential uses, while at the same time, ensuring that there are appropriate controls on development to ensure that high quality uses locate at key locations such as the 401 interchanges and to minimize potential conflicts between uses, including conflicts which relate to the character of specific areas of the Industrial/Business Park;

The proposed additional use on site, auto sales, is no different than the existing uses permitted on-site, those being truck rental/leasing and servicing. Thus, there will be no conflicts between uses.

C.2.3.1 GOAL

C.2.3.1.1 To create a comprehensively planned, high quality industrial/business park, as well as a gateway to the Urban Area, in the Milton 401 Industrial/Business Park which reflects Milton's unique Escarpment context and the strong sense of community and the environment evident in the Town, as well as assisting the Town in achieving long-term economic success.

C.2.3.2 OBJECTIVES

C.2.3.2.1 To create an industrial/business park that takes advantage of Milton's competitive advantage in the Greater Toronto Area market and its location adjacent to the Highway 401 corridor by establishing a development framework that:

- a) streamlines approvals;
- b) is flexible in dealing with various types and forms of land uses and building; and,
- c) promotes a program of urban design that is attractive and financially responsible.

The proposed additional use on site, auto sales, is no different than the existing uses permitted on-site, those being truck rental/leasing and servicing. As such, there will be no conflicts between uses.

Therefore, the proposed development conforms with the Town of Milton Official Plan, subject to the OPA.

Town of Milton Urban Zoning By-law 016-2014

The subject property is zoned M1 (Business Park) in the Town of Milton Zoning By-law 016-2014 (HUSP Urban Area). The M1 zone permits a number of industrial uses as well as a Motor Vehicle Rental Agency.

The Town of Milton Zoning By-law defines a Motor Vehicle as: a motor vehicle, traction engine, farm tractor, road building machine and any vehicle drawing, propelled or driven by any kind of power, including muscular power, in accordance with the Highway Traffic Act, but not including the cars or electric steam railways running only upon rails.

The Zoning By-law does not differentiate between a car and a transport truck.

Auto Dealerships are permitted in zoning categories C5 and C6, Auto Commercial and Business Commercial. They are also permitted in M2, General Industrial Zones. As such, a site specific amendment to the Zoning By-law will be required to permit the proposed use in the M1 Zone.

As per figure 6 below, the surrounding properties are permitted auto sales. (All areas highlighted purple permit auto sales. The green area is open space). Although the adjacent properties are utilized for transport terminals; Walmart, Schenker, Volvo and Uline; a motor vehicle dealership is a permitted use in M2 Zoning. Thus, the proposed truck sales on the subject properties will support the adjacent uses.

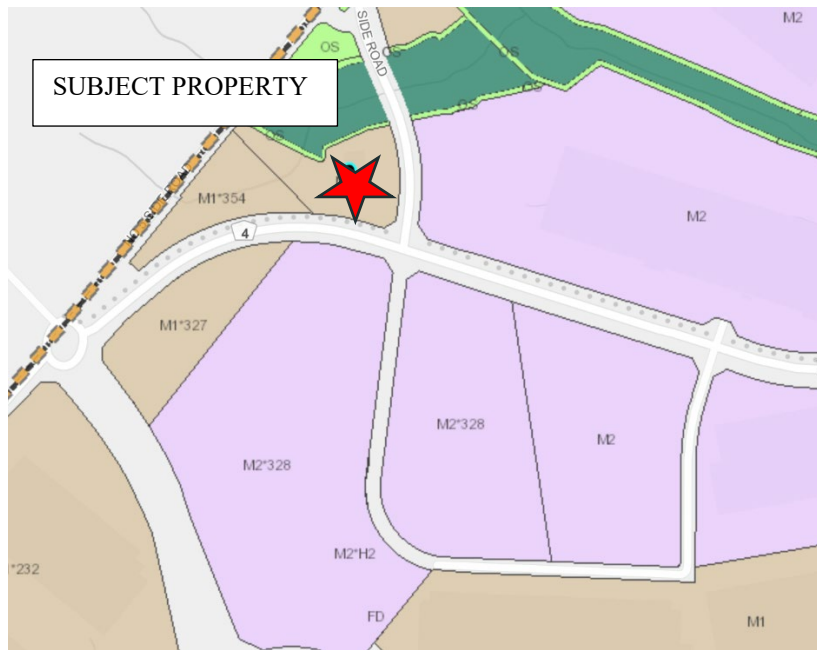


Figure 6: Zoning Map

Therefore, the proposed development complies with the general intent and purpose of the Town of Milton Zoning By-law, subject to the ZBA.

Conclusion

It is our opinion that the proposed Zoning By-law Amendment and Official Plan Amendment are justified and represents good planning for the following reasons:

1. The proposed minor change in zoning to permit truck sales, in conjunction with the existing rental and leasing of trucks, is justified because it complies with the general intent of the Region of Halton Official Plan Policies for employment uses in urban areas and will support forecasts for jobs within the Region and the Town of Milton.
2. The Town of Milton Official Plan previously permitted auto sales in the Business Park designation. As such, auto sales, especially sales of transport trucks and trailers, are compatible with employment uses. Since they are no longer explicitly permitted in the Business Park Area, an Official Plan Amendment is required to permit the proposed use.
3. The Milton 401 Industrial/Business Park Secondary Plan designates the site as Business Park which permits motor vehicle rental and leasing and accessory office uses which are directly related to the primary use. The proposed sales of trucks and trailers on-site is a

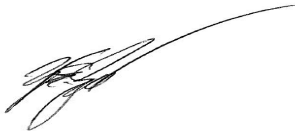
complimentary, accessory use, that requires no changes to the site and provides for enhanced economic activity.

4. The subject property is located within a large industrial area. Nearby uses are warehousing and shipping centers. The additional use on the subject site is not anticipated to generate any negative impacts on the adjacent lands. Further, there are no sensitive land uses in the vicinity of the subject site.
5. The existing development illustrates a comprehensive site design that demonstrates integration with adjacent lands through appropriate setbacks and thoughtful design elements.
6. Similar planning permissions (OPA and ZBA) for the lands at 8584-8609 Regional Road 25 were recently approved by the Town of Milton. (Reference File LOPA-04)

This Planning Justification Report has considered consistency with the Provincial Planning Statement 2024, conformity with the Region of Halton Official Plan and the Town of Milton Official Plan, and compliance with the general intent and purpose of the Town of Milton Zoning By-law.

Based on the foregoing, we respectfully recommend approval of the applications for Zoning By-law Amendment.

Submitted by:



Bill Oughtred
W.E. Oughtred & Associates Inc.



Arlene Beaumont, M.Pl.
W.E. Oughtred & Associates Inc.

Planner's Certificate:

I hereby certify that this report was reviewed by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.



Tracey Pillon-Abbs, RPP
Principal Planner
Pillon Abbs Inc.

