



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Rachel Suffern, MPA, M.Sc. (PI), MCIP, RPP

Date: September 19, 2024

File No: A24-045M

Subject: Maingate Plaza - 81 James Snow Parkway

Recommendation: **THAT** the application for minor variance **BE APPROVED SUBJECT TO THE FOLLOWING CONDITION:**

1. That Site Plan Approval be granted within two (2) years from the date of decision.

General Description of Application

Under Section 45(1) of the Planning Act, the following minor variances to Zoning By-law 016-2014, as amended, have been requested to:

- Allow a queuing lane to be setback 0.85 metres from an interior lot line, whereas the Zoning By-law requires that a queuing lane shall not be closer than 4.5 metres from any lot line (a reduction of 3.65 metres);
- Allow a loading space to have a minimum length of 5.8 metres, where as the Zoning By-law requires 6.0 metres (a reduction of 0.20 metres);
- Allow six parking spaces adjacent to Building 'A' to have a length of 5.5 metres, whereas the Zoning By-law requires 5.8 metres (a reduction of 0.30 metres);
- Allow six parking spaces adjacent to Building 'A' to have a setback of 0.10 metres from the building, whereas the Zoning By-law requires 2.2 metres (a reduction of 2.1 metres); and,
- Allow a 7.5 metre landscape buffer abutting a provincial highway to be located within a required Ministry of Transportation (MTO) setback, where as the Zoning By-law requires a landscape buffer to be located outside of an MTO required setback.

The subject property is known municipally as 81 James Snow Parkway and legally as Part of Lot 14, Concession 5, identified as Part 1 on Reference Plan 20R-7281. The site is generally located at the north-east corner of Main Street East and James Snow Parkway, adjacent to Highway 401, and currently contains seven commercial buildings. There are two accesses to the site on James Snow Parkway and one on Main Street East.

The development is being reviewed through a concurrent Site Plan Application (file SP-06/24) and proposes three new commercial buildings (two multi-tenant and one single tenant). During the final stages of the application, new municipal addresses will be assigned to the proposed buildings.



Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Business Park Area on Schedule B - Urban Land Use Plan within the Town's Official Plan. The lands are further designated as Business Park on Schedule C-6-D - Bristol Survey Secondary Plan Land Use Plan within the Bristol Survey Secondary Plan. The Business Park designations allow uses such as light industrial, retail and office (associated with primary industrial use) and restaurants.

It is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan and Bristol Survey Secondary Plan.

Zoning

The subject lands are zoned site-specific Business Commercial (C6*72). The C6*72 Zone permits a range of uses such as *Drive-Through Service Facility, Motor Vehicle Gas Bar, Retail Store I, and Convenience Stores*. The site specific provisions address *Gross Floor Area* maximums, parking area constraints and setbacks.

The proposal complies with the C6*72 Zone, with the exception of the following deficiencies for which the applicant is seeking relief:

Variance No. 1: Queuing Lane Location

Allow a queuing lane to be setback 0.85 metres from an interior lot line, whereas Section 5.18.4 i) of the Zoning By-law requires that a queuing lane shall not be closer than 4.5 metres from any lot line (a reduction of 3.65 metres).

Variance No. 2: Loading Space Length

Allow a loading space to have a minimum length of 5.8 metres, where as the Zoning By-law requires 6.0 metres (a reduction of 0.20 metres).

Variance No. 3: Parking Space Length

Allow six parking spaces adjacent to Building 'A' to have a length of 5.5 metres, whereas Section 5.8 i) Table 5D of the Zoning By-law requires 5.8 metres (a reduction of 0.30 metres).

Variance No. 4: Parking Space Setback

Allow six parking spaces adjacent to Building 'A' to have a setback of 0.10 metres from the building, whereas Section 5.8 i) Table 5D of the Zoning By-law requires 2.2 metres (a reduction of 2.1 metres).

Variance No. 5: MTO Setback and Landscape Buffer

Allow a 7.5 metre landscape buffer abutting a provincial highway to be located within a required Ministry of Transportation (MTO) setback, where as Section 7.2 Table 7D (Footnote *2) of the Zoning By-law requires a landscape buffer to be located outside of an MTO required setback.

Consultation

Public Consultation

Consultation

Notice for the hearing was provided pursuant to the Planning Act on September 10, 2024. As of the writing of this report on September 19, 2024, Staff has not received any comments from members of the public.

Agency Consultation

No objections were filed with respect to the variance application from Town Staff or external agencies.

Transportation Staff reviewed the file and offered no objection to the approval of the application with respect to the proposed parking-related variances.

The Ministry of Transportation (MTO) was circulated through this application, along with concurrent Site Plan Application, and offered no objection.

Development Services Comments

The proponent has requested relief from the Zoning By-law to facilitate the final phase of the existing Maingate Plaza. Through the concurrent Site Plan Application - and this Minor Variance, should it be approved - the applicant intends to construct three commercial buildings.

Variance No. 1: Queuing Lane Location

Planning Staff have reviewed the requested relief and offer no objection. The existing drive aisles and buildings have a similar setback along the impacted lot line. There is no concern with encroachment of the site's operation on to the adjacent Hydro One lands given the presence of a retaining wall. Further, Town Staff have reviewed the concurrent Site Plan Application to ensure that the proposed development, including any impervious surface, does not impact adjacent lands by way of run-off or drainage. Therefore, any impacts of the queuing lane location is negligible given the existing built form and the plaza's operations.

Variance No. 2: Loading Space Length

Transportation Staff have reviewed the requested relief and offer no objection. The site circulation, including turning movements, has been reviewed through the concurrent Site Plan Application. The reduction in loading space length will not hinder the functionality of these spaces nor the overall functionality of the site.

Variance No. 3 & 4: Parking Space Length and Setback

Transportation Staff have reviewed the requested relief and offer no objection. The affected parking spaces will maintain a length of 5.5 metres which would be functional for the average vehicle. Planning Staff also acknowledge that the proposed reduction only applies to six spaces out of the 336 provided on the overall site. Finally, the location of the spaces only impact Building A and it is unlikely that that will be used as primary parking spaces as they are situated at the rear of the site for staff parking. The proposed setback from the building is considered sufficient as there is minimal pedestrian travel contemplated at this portion of the site and there are sidewalks provided at the sides of the building to access the front entrance.

Variance No. 5: MTO Setback and Landscape Buffer

The Ministry of Transportation (MTO) provided clearance for a reduced MTO setback for the site and offered no objection to landscaping being provided within the area. Through the Site Plan



Consultation

Application, Staff will ensure that any landscaping is appropriately scaled so far as achieving the urban design principles of the Secondary Plan while also negating any sightline obstructions that could impact drivers along James Snow Parkway.

Based on the aforementioned, Planning Staff are satisfied that the relief being requested is minor in nature, desirable for the development of the subject lands, and maintains the general intent of the Zoning By-law and Official Plan. Therefore, Planning Staff offer no objection to the approval of this application.

Respectfully submitted,

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For questions, please contact:

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Attachments

Figure 1 - Conceptual Site Plan (dated September 13, 2024)