



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: December 9, 2024

Report No: DS-081-24

Subject: Technical Report - Official Plan Amendment and Zoning By-law Amendment Applications by 1000317928 Ontario Inc. and Thirukumar Pararajasingam to permit the development of a commercial truck dealership on the lands located at 8584, 8598 and 8604 Regional Ro

Recommendation: **THAT** Staff Report DS-081-24 outlining applications for amendments to the Town of Milton Official Plan and Zoning By-law 016-2014, as amended, to facilitate the development of a commercial truck dealership, **BE APPROVED**;

AND THAT staff be authorized to bring forward Official Plan Amendment No. 87 in accordance with the draft Official Plan Amendment attached as Appendix 1 to Report DS-081-24 for Council adoption;

AND FURTHER THAT staff be authorized to bring forward an amending Zoning By-law in accordance with the draft By-law attached as Appendix 2 to Report DS-081-24 for Council adoption;

EXECUTIVE SUMMARY

The applicant is seeking amendments to the Town of Milton Official Plan and Zoning By-law 016-2014, as amended, to facilitate the development of a commercial truck dealership, with accessory uses including service and repair and associated office space, on the lands located at 8584, 8598 and 8604 Regional Road 25. The purpose of the proposed official plan amendment is to introduce a special policy for the subject lands to permit the use within the Business Park Area designation in addition to other uses permitted within the designation. The proposed zoning by-law amendment intends to rezone the subject lands to a site-specific business park zone to permit a commercial truck dealership, introduce a new definition for the use and other special provisions to facilitate the development proposal.

Conclusions and Recommendations

EXECUTIVE SUMMARY

Staff recommends that the official plan amendment and zoning by-law amendment applications BE APPROVED for the following reasons:

1. the proposed development is consistent with and conforms to Provincial, Regional and Town planning policy and provides for an appropriate employment use in the Milton 401 Industrial/Business Park Secondary Plan area;
2. the proposed development makes efficient use of land by consolidating several properties to facilitate an employment use serviced by municipal infrastructure; and,
3. the proposed development will facilitate employment growth in the Milton 401 Industrial/Business Park Secondary Plan area and make a positive contribution to meeting the Town's employment growth targets in accordance with Town, Regional and Provincial planning policy.

REPORT

Background

Owners: 1000317928 Ontario Inc., 59 Hanbury Crescent, Brampton, ON L6X 5N8 and Thirukumar Pararajasingam, 324 Highway 7 East, Unit 109, Richmond Hill, ON L4B 0B6.

Applicant: Brutto Consultants Ltd., 113 Miranda Avenue, Toronto, ON M6B 3W8.

Location and Description:

The subject lands are located on the west side of Regional Road 25, north of the intersection of James Snow Parkway and Regional Road 25. The subject lands consist of three properties that are municipally known as 8584, 8598 and 8604 Regional Road 25 and they collectively comprise an area of approximately 0.80 hectares (1.98 acres). Figure 1 to this Report shows the location of the subject lands.

The three properties that comprise the subject lands were holdout properties at the time that the surrounding industrial plan of subdivision was approved and registered on October 31, 2005 (Plan 20M-952). At the time of writing this report, each of the three properties comprise a residential dwelling. However, the Town has issued Demolition Permits for each of the residential dwellings in order to facilitate future development on the subject lands.

On June 26, 2023, the Town of Milton Committee of Adjustment granted a consent for the lands located at 8612 Regional Road 25 and 8604 Regional Road 25 (this property is included in the subject lands for the proposed development applications in this report). The purpose of the consent application was for a lot addition to address the encroachment of an existing commercial operation (gas bar) at 8612 Regional Road 25 onto 8604 Regional Road 25. The consent will result in a portion of the lands located at 8604 Regional Road 25 being

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added to the property at 8612 Regional Road 25. The applicant is in the final stages of clearing conditions for the above-noted consent application, upon which the overall area of the subject lands will be reduced to 0.69 hectares (1.71 acres).

The subject lands are surrounded by lands designated for employment uses. The current surrounding land uses include a gas station to the north, Regional Road 25 and an existing industrial warehouse to the east, vacant lands to the south and Escarpment Way and a childcare centre to the west.

Proposal:

The applicant has applied for an official plan amendment and zoning by-law amendment to facilitate the development of a two-storey commercial truck dealership (2,281 m²) intending to sell both electric and gas-powered commercial trucks. The proposal also includes an accessory service and repair use. The ground floor area of the proposed building includes a show room area as well as area for service and repairs. The second floor of the proposed building includes an area for office space and a storage area. It is anticipated that the proposed commercial truck dealership will generate 15 jobs in both the sales and service and repair areas of the dealership.

A single access is proposed from Regional Road 25. The proposed site plan includes 55 parking spaces (including 3 barrier free parking spaces) and 2 loading spaces that are situated along the periphery of the subject lands in the rear and interior yards. A one-way drive aisle is proposed between the building and Regional Road 25.

Landscaped areas are provided along the Regional Road 25 street frontage as well as within the interior side yards of the property.

Figure 2 to this Report includes the proposed site plan. Figure 3 to this Report includes architectural renderings of the proposed building.

The following materials have been submitted in support of this application:

- Executed applications forms for an official plan amendment and zoning bylaw amendment, prepared by Brutto Consultants Ltd., dated 2024-04-15;
- Record of Pre-Consultation, prepared by Town of Milton staff, dated 2022-12-13;
- Comment Summary Matrix to Pre-Consultation Comments, prepared by Brutto Consultant Ltd., undated;
- Planning Justification Report, prepared by Brutto Consultants Ltd., dated 2024-09-26;
- Draft Zoning By-law Amendment and draft Official Plan Amendment, prepared by Brutto Consultants Ltd., undated;

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- Urban Design Brief, prepared by Brutto Consultants Ltd., dated 2024-09-26;
- Aerial Photograph/Context Plan, prepared by Brutto Consultants Ltd., undated;
- Environmental Desktop Screening Search, prepared by Brutto Consultants Ltd., undated;
- Survey and Topographic Plan, prepared by TM & Kubicki, dated 2023-02-16;
- Architectural Drawings, prepared by Salmona Development Consultants, dated 2024-08-25;
- Functional Servicing and Stormwater Management Report, prepared by MGM Consulting Inc., dated 2024-10-03;
- Grading Plan (CV-1), prepared by MGM Consulting Inc., dated 2024-10-03;
- Site Servicing Plan (CV-2), prepared by MGM Consulting Inc., dated 2023-10-03;
- Erosion and Sediment Control Plan (CV-3), prepared by MGM Consulting Inc., dated 2024-10-03;
- Detail Plan (CV-4), prepared by MGM Consulting Inc., dated 2024-10-03;
- Transportation and Parking Impact Study, prepared by CGH Transportation, dated 2024-09; and,
- Noise Impact Study, prepared by Nextrans Consulting Engineers, dated 2024-10-01.

Discussion

Provincial Planning Statement (PPS)

On August 20, 2024, the Province of Ontario released the new Provincial Planning Statement (2024) ('PPS') and announced that the PPS would come into effect on October 20, 2024. The new PPS replaces the Provincial Policy Statement, 2020, as well as A Place of Grow: Growth Plan for the Greater Golden Horseshoe and consolidates both of these previous land use policy documents into one PPS.

In addition to the above, on August 20, 2024, the Province released a posting on the Environmental Registry of Ontario seeking feedback on planning matters to be addressed through a transition regulation. At the time of writing this Report, the Province has not passed any transition regulation(s).

The new PPS continues to provide policy direction on matters of Provincial interest related to land use planning and development. As set out in the new PPS, the Province's long-term

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prosperity depends on a coordinated approach to wisely managing change and promoting efficient development patterns.

Section 2.3.1 of the PPS includes policies that apply to land use planning in settlement areas. This section of the PPS promotes efficient development patterns by directing growth to settlement areas, discouraging inefficient expansion of these areas, encouraging the effective use of existing and planned infrastructure and accommodating a range and mix of uses. The relevant policies in section 2.3.1 of the PPS read as follows:

2.3.1.1 Settlement areas shall be the focus of growth and development.

2.3.1.2 Land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) optimize existing and planned infrastructure and public service facilities;*
- d) are transit-supportive, as appropriate; and*
- e) are freight-supportive.*

The proposed official plan amendment and proposed development is consistent with the above-noted policies and the subject lands are located within a settlement area (Town of Milton Urban Area). The proposed development will provide employment opportunities and will offer both the sale and service of commercial trucks that are required to support employment uses and the movement of goods in and between employment areas.

Section 2.8 of the PPS also contains policies related to employment and employment areas. The PPS contains an updated definition for employment areas as follows:

Employment Areas: *means those 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 that are excluded from employment areas are institutional and commercial, including retail and office not associated with the primary employment use listed above.*

In accordance with the definition above, employment areas are areas that include clusters of business and economic activities. The definition includes examples of permitted uses and identifies excluded uses within employment areas. While certain categories of uses are explicitly no longer permitted in employment areas, the intent of employment areas remains the same as in the previous Provincial Policy Statement (2020). The updated employment areas definition and new policies aim to ensure that land use compatibility issues are not being created within employment areas, while ensuring that employment areas remain

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protected for job-generating uses that contribute to achieving long-term employment needs as the Town grows.

The proposed commercial truck dealership will provide for the sale of commercial trucks and additional accessory service and repair services (maintenance and sale of parts), that will support other employment uses and goods movement. Staff are of the opinion that the proposed commercial truck dealership is an employment use that is consistent with the definition of employment area in the PPS.

In addition to the above, Section 2.8.1 of the PPS includes policies that speak to development in employment areas. The relevant subsections read as follows:

2.8.1.1 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;*
- c) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities.*

2.8.2.1 Planning authorities shall 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.

2.8.2.2 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.

Staff are of the opinion that the proposed commercial truck dealership is a permitted use in accordance with the employment area definition in the PPS. The subject lands are within the Milton 401 Industrial/Business Park Secondary Plan area, which is located in proximity to major goods movement facilities and corridors. Commercial trucks are essential for transporting goods and a commercial truck dealership with accessory service and repair uses can support major goods movement facilities operating within the employment area and moving along goods movement corridors.

Section 2.8.2.3 of the PPS speaks to the types of uses that are permitted and prohibited in employment areas as follows:

2.8.2.3 Planning authorities shall designate, protect and plan for all employment areas in settlement areas by:

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- 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 noted previously, staff consider the proposed commercial truck dealership and accessory service and repair uses as an employment area use in accordance with the employment area definition in the PPS. Further, staff is of the opinion that the development applications submitted for the subject lands are consistent with the Provincial Planning Statement (2024).

Halton Region Official Plan

As of July 1, 2024, Halton Region has become an upper-tier municipality without planning responsibilities, however the Halton Region Official Plan ('ROP') remains in-effect and the local municipalities are responsible for administering the plan until such time that it is revoked or amended by the respective municipality.

The subject lands are designated Urban Area on Map 1: Regional Structure of the Halton Region Official Plan. All development is subject to the policies of the ROP. Section 76 of the ROP states that the permitted uses in the Urban Area are to be in accordance with a Local Official Plan and Zoning By-law.

Section 77(6) of the ROP requires Local Official Plans to specify development phasing strategies within the Urban Area, which are consistent with the ROP, giving top priority to development of employment lands and completion of existing communities. The majority of the subject lands are located within the approved Milton 401 Industrial/Business Park Secondary Plan. Staff is of the opinion that the proposed official plan amendment and the proposed development is appropriate and conforms to the policies of the Halton Region Official Plan.

Town of Milton Official Plan

The subject lands are designated Business Park Area on Schedule B - Urban Land Use Plan of the Town of Milton Official Plan.

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Section 3.8.1.1 of the Town's Official Plan indicates that the Business Park Area designation is an employment designation that applies to areas where the full range of light industrial and office uses are permitted, subject to a high standard of design.

Section 3.8.2 of the Town's Official Plan sets out the permitted uses in the Business Park Area designation, which include: light industrial and office uses as well as accessory service, wholesale, retail and office uses directly related to and within the industrial building, research and development uses (excluding produce biomedical waste) and restaurants that are part of and located wholly within a light industrial or office building, other than an industrial mall. The Business Park Area designation does not explicitly permit or include policies that speak to the commercial truck dealership use.

Section 3.8.2.3 of the Town's Official Plan also identifies uses that are not permitted in the Business Park Area designation and these include truck terminals, fuel depots, cement batching and asphalt plants and waste management or composting facilities.

Section 3.8.3 of the Town's Official Plan includes policies that apply to development within the Business Park Area designation and section 3.8.3.1 reads as follows:

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:

- a) the provisions of the applicable Secondary Plan as outlined within Part C of this Plan;*
- 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;*
- c) no outdoor storage being allowed;*
- d) a high quality of landscaped site development particularly adjacent to Provincial Freeways, Highways, Major Arterial, Minor Arterial or Multi-Purpose Arterial roads;*
- e) the proposed development complies with the Community-wide policies of Section 2.0 of this Plan; and,*
- f) applicants can demonstrate that there is adequate wastewater and water treatment capacity to accommodate the proposed use.*

Staff are of the opinion that the development proposal conforms with the above-noted policy. The development concept illustrates the site layout that shows how the subject lands are integrated with adjacent lands. No outdoor storage is proposed as shown on the proposed site plan.

In addition to the above, staff has reviewed the community-wide policies in section 2.0 of the Town's Official Plan and are also of the opinion that the development proposal satisfies the

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applicable policies. The applicant is proposing a high quality of landscaping treatment to the periphery of the subject lands. Site plan approval will be required for the proposed building and will include a subsequent review of site layout, circulation, building location, architectural elevations and landscaping requirements. With respect to servicing, the applicant has demonstrated that there is adequate water and wastewater capacity to service the proposed development.

Milton 401 Industrial/Business Park Secondary Plan

The subject lands are also designated Business Park Area on Schedule C.2.B - Milton 401 Industrial/Business Park Secondary Plan ('Secondary Plan') of the Town of Milton Official Plan. In the Business Park Area designation, section C.2.5.2 of the Secondary Plan indicates that the permitted uses are the same as those set out in Section 3.8 of the Town's Official Plan (described in the previous section of this report).

The proposed official plan amendment intends to introduce a new Special Policy Area No. 51 to permit a commercial truck dealership in addition to the other uses permitted in the Business Park Area designation.

Staff is of the opinion that the proposed development and the official plan amendment implements the intent of the Business Park Area designation and conforms to the Town of Milton Official Plan.

Zoning By-law 016-2014, as amended

The subject lands are zoned Future Development ('FD') under the Town of Milton Zoning By-law 016-2014, as amended. The FD zone recognizes existing uses only, which means a zoning by-law amendment is required to permit any new uses or buildings.

The applicant has made an application to amend the zoning that applies to the subject lands from Future Development (FD) to the Business Park zone with a special exception (M1*361). The proposed M1*361 zone includes a site-specific definition for a commercial truck dealership that restricts the sale, rent or lease of vehicles to new or used truck tractors and permits accessory service and repair of truck tractors as an accessory use. This use is proposed as an additional permitted use to those that are permitted within the parent M1 zone.

In addition to the above, the proposed zoning by-law amendment also includes site-specific provisions that address minimum lot area, parking requirements and interior side yard and rear setbacks.

Appendix 2 to this Report includes the proposed zoning by-law amendment.

Staff is satisfied that the proposed zoning by-law amendment will conform to the Town's Official Plan, subject to the adoption of the associated official plan amendment.

Discussion

Site Plan Control

Should the development applications be approved, the applicant is required to obtain site plan approval prior to any building permits being issued. Detailed site plan drawings addressing matters such as building elevations, lot grading and drainage, site design, lighting and landscaping will be required for review and approval. The applicant will also be required to enter into a site plan agreement with the Town and provide securities to guarantee the completion of works in accordance with the approved drawings.

Public Consultation

Notice for the statutory public meeting was provided pursuant to the requirements of the Planning Act on May 13, 2024. The statutory Public Meeting was held on June 3, 2024. Questions were raised at the Public Meeting about the site operations and the storage of commercial trucks, urban design and landscaping as well as concerns about potential traffic congestion on Regional Road 25. Parking, loading and site circulation matters are addressed in the Traffic Brief that was prepared to support the proposed development and are discussed in further detail in the 'Issues of Concern' section of this report. Site circulation and landscaping matters will be addressed through the future site plan approval process, however the proposed zoning by-law amendment provides for an adequate landscape buffer of 4.5 metres, similar many other properties that front onto Regional Road 25 within the vicinity.

In addition to the above, a concern was also raised about displacing the residents in the dwellings on the subject lands. The subject lands are within the Milton 401 Industrial/Business Park Secondary Plan, which serves to both protect and provide for areas where employment uses can locate. The subject lands were initially not part of the broader industrial subdivision that was approved in 2005, however the principle of employment land uses for the subject lands was established when the lands were re-designated to Business Park Area in the Secondary Plan. The Town's Official Plan contemplates residential development in other areas of the Town's Urban Area. At the time of writing this report, the Town has issued Demolition Permits for each of the residential dwellings in order to facilitate future development on the subject lands.

Agency Circulation

The initial applications were circulated to internal and external agencies on May 8, 2024, with a subsequent resubmission on October 7, 2024.

Region of Halton

As of July 1, 2024, the Halton Region's role in land use planning and development has been scoped to only deal with certain Regional matters. In the case of the proposed development, this includes water and wastewater servicing and transportation as the subject lands are on

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a Regional road. Halton Region staff has reviewed the applications and offers no objections to the approval of the proposed official plan amendment or proposed zoning by-law amendment. However, in their latest comment letter dated November 5, 2024, it is indicated that the interim site access configuration (before Regional Road is widened to six lanes) needs to be further analyzed. Regional staff have indicated that this can be addressed through a future site plan approval process and the applicant has acknowledged this as well.

Town of Milton - Development Engineering

The Town's Development Engineering staff has reviewed the applications and offers no objection to the approval of the proposed official plan amendment or the proposed zoning by-law amendment. Development Engineering staff will continue to work with the applicant to ensure that the technical requirements are satisfied through a future site plan approval process.

The Town's Transportation staff has reviewed the submitted Traffic Impact Study and offers no objection to the approval of the proposed official plan amendment or the proposed zoning by-law amendment. Transportation staff will continue to work with the applicant to ensure that the technical requirements for access and site circulation are satisfied through a future site plan approval process.

Town of Milton - Fire Department

The Town's Fire Department staff has reviewed the applications and offers no objection to the approval of the proposed applications. Fire Department staff will require additional information regarding fire hydrants and fire department connection placements that to be reviewed as part of a future site plan approval process.

Issues of Concern

Potential Noise Impact

As part of the submission requirements, the applicant was required to prepare and submit a Noise Impact Study to assess any potential noise impact. The Noise Impact Study identified the daycare use at 8611 Escarpment Way as a sensitive noise receptor as the outdoor play area shares a portion of the northern property line with the subject lands. The Noise Impact Study recommends noise control measures in the form of an acoustic barrier along the portion of the shared side lot line. Details of the acoustic barrier will be reviewed and implemented through a future site plan approval process.

Traffic and the Local Road Network

In order to support the proposed applications, the applicant submitted a Traffic Brief that assessed transportation requirements (access, parking and loading requirements and site circulation) to facilitate the proposed development. The Traffic Brief references the Halton

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Region's Transportation Master Plan ('TMP') that identifies the need to widen Regional Road 25 from four lanes to six lanes from Steeles Avenue to No. 5 Side Road. Further, construction for this widening is scheduled to start in 2027 as per Halton Region's Roads Capital Projects in progress.

Given the above forecasted widening, the Traffic Brief analyzed two conditions for access to the subject lands. The interim condition includes a 'three-quarter' access allowing left-in, right-in and right-out movements. However, when Regional Road 25 is eventually widened to a 47-metre right-of-way (future capital project), access to the subject lands will be restricted to right-in and right-out movements only.

The Traffic Brief indicated that the proposed development is projected to generate 17 vehicle trips (11 vehicle and 6 truck trips) during the weekday AM peak hour and 52 vehicle trips (47 vehicle and 5 truck trips) during the PM peak hour. The Traffic Brief states that the operational analysis showed that the site access operates well and that there are no operational issues associated with implementing the proposed access configuration to the subject lands.

In addition to the above, the Traffic Brief also included a parking justification study to demonstrate that the parking rate proposed in the zoning by-law amendment will adequately serve the requirements of the proposed uses. The Traffic Brief surveyed a proxy site at 300 Steelwell Road in Brampton, Ontario that includes the same uses as those proposed on the subject lands. The parking justification study recommended 27 motor vehicle parking spaces, 28 display area/commercial truck parking spaces and 2 loading spaces and these have been shown on their proposed site plan.

The Town's Transportation staff is satisfied with the proposed site circulation and parking requirements as detailed in the Traffic Brief but have identified some minor updates to be addressed through the future site plan approval process. Halton Region transportation staff have also reviewed the Traffic Brief as it relates to the site access configuration and traffic matters on Regional Road 25. As noted previously, Halton Region transportation staff have no objection to the proposed official plan and zoning by-law amendments, however their comments on site access configuration are to be addressed through the future site plan approval process.

Financial Impact

None arising from this Report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services



For questions, please contact: Jessica Tijanic, MSc., MCIP, RPP, Senior Planner,
Development Review Phone: Ext. 2221

Attachments

Figure 1 - Location Map

Figure 2 - Proposed Site Plan

Figure 3 - Proposed Architectural Renderings

Appendix 1 - Draft Official Plan Amendment By-law and Text and Schedule 1

Appendix 2 - Draft Zoning By-law Amendment and Schedule A

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.