

PLANNING JUSTIFICATION REPORT

Zoning By-law Amendment & Consent
Town of Halton Hills
0 Elizabeth Drive (Acton)

CLIENT:
AR Land Holdings

PREPARED BY:

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October 2025



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1.0 BACKGROUND

Robert Russell Planning Consultants Inc. has been retained by AR Land Holdings to prepare a Planning Justification Report reviewing the Planning Policies and matters related to a proposed zoning by-law amendment for the property located at 8465 Boston Church Road, in the Town of Milton, in the Region of Halton. The property was previously used by the Salvation Army as a Community Centre and the existing Institutional zoning is reflective of that. The current owners purchased the property and intends to use the property as a Transportation Terminal for freight logistics and utilize the building for administrative purposes. The new proposed use is representative of the surrounding land uses.

The property is located on Boston Church Road approximately 380 metres north of Highway 401 within the Milton 401 Industrial/Business Park. The property is generally rectangular in design with frontage on Boston Church Road. The property lot dimensions include 126.3 metres of frontage, and side lot lines with lengths of 149.51 metres and 150.75 metres, representing an area of approximately 2.02 hectares.

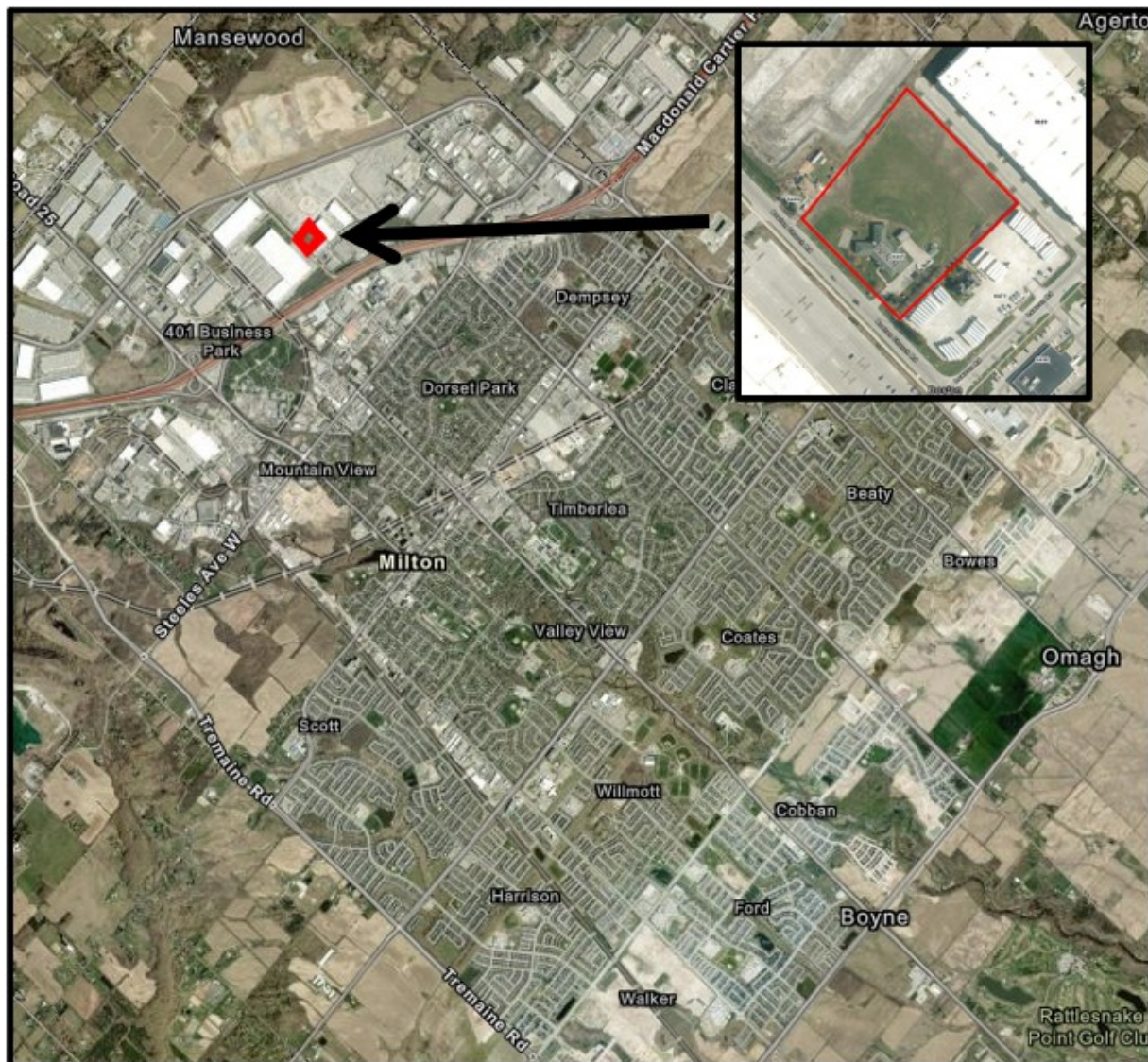


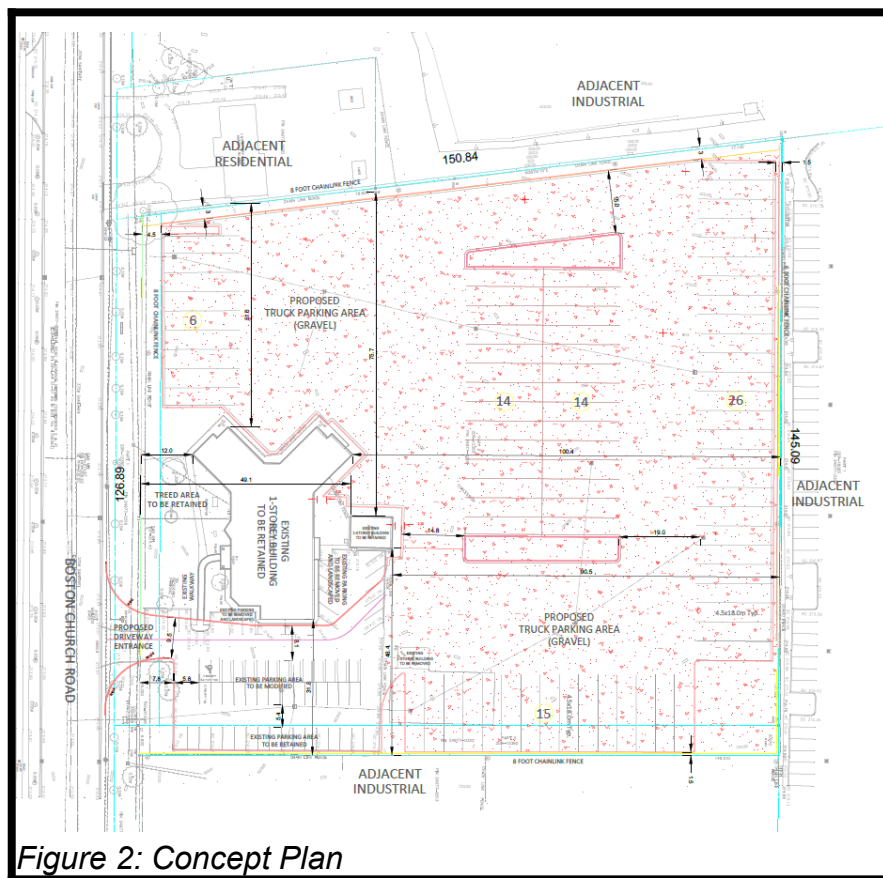
Figure 1: Aerial Photograph Context

The land is generally flat. It has an office building, two accessory buildings, and an associated parking area. The property is surrounded to north, east, south, and west by warehouses, office buildings and freight parking. See **Figure 1** for general location within Milton.

2.0 DEVELOPMENT CONCEPT

The proposal for the property consists of rezoning the property to permit Industrial uses, in this case the proposed use is a Transportation Terminal. To permit this a zoning by-law amendment is required to rezone the property from I-B (Major Institutional) to M2 (Industrial), and it will also recognize two site-specific zoning provisions that are not compliant with the M2 zone.

There is not any further development, in terms of built form or parking expansion currently. The property as it exists is shown in **Figure 2**, below.



3.0 PLANNING POLICY

3.1 PLANNING ACT, R.S.O. 1990, c. P.13

The Planning Act is the provincial legislation that provides the basis for land use planning in Ontario, identifying tools for managing how, where and when land use changes occur. The Act is designed to recognize the decision-making authority and accountability of municipal councils in planning.

The purposes of the Act as outlined in **Section 1.1** are (a) to promote sustainable economic development in a healthy natural environment, (b) to provide for a land use planning system led by provincial policy, (c) to integrate matters of provincial interest in provincial and municipal decisions, (d) to provide for planning processes that are fair, (e) to encourage co-operation and coordination among various interests, (f) to recognize the decision-making authority and accountability of municipal councils in planning.

These matters of Provincial Interest are outlined in **Section 2** of the Act. This application has regard to the following matters: e), f), h), k), l), n), p).

Additionally, the most recent version of the Planning Act defines an “area of employment” as:

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

1. *The uses consist of business and economic uses, other than uses referred to in paragraph 2 including any of the following:*
 - i. *Manufacturing uses.*
 - ii. *Uses related to research and development in connection with manufacturing anything.*
 - iii. *Warehousing uses, including uses related to the movement of goods.*
 - iv. *Retail uses and office uses that are associated with uses mentioned in subparagraphs i to iii.*
 - v. *Facilities that are ancillary to the uses mentioned in subparagraphs i to iv.*
 - vi. *Any other prescribed business and economic uses.*
2. *The uses are not any of the following uses:*
 - i. *Institutional uses.*
 - ii. *Commercial uses, including retail and office uses not referred to in subparagraph 1 iv*

As indicated above, the most recent Planning Act indicates that Institutional uses are not permitted in Areas of Employment. The proposed rezoning would correct any planning conflicts with the existing zoning as rezoning it to an industrial zoning would remove the existing legal non-conforming status of the institutional uses.

This application has regard for the relevant sections of the Planning Act.

3.2 PROVINCIAL PLANNING STATEMENT 2024

The Provincial Planning Statement (PPS) provides policy direction on matters relating to land use planning and development that are of provincial interest. The PPS set the policy foundation for regulating the development and use of land province-wide, to help achieve the provincial goal of meeting the needs of Ontarians while enhancing their quality of life. All while maintaining the vision to increase the supply and mix of housing options in the province, with a goal of getting at least 1.5 million homes built by 2031.

Applicable to this application, the PPS provides supporting policies in Chapter 2: Building Homes, Sustaining Strong and Competitive Communities.

The policies outlined below are found in the PPS and support the proposed development.

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) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
 - d) encouraging *intensification* of employment uses and compatible, compact, mixed-use development to support the achievement of *complete communities*; and
 - e) addressing land use compatibility adjacent to *employment areas* by providing an appropriate transition to *sensitive land uses*.
- 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.
- 2.8.2.3** Planning authorities shall designate, protect and plan for all *employment areas* in *settlement areas* by:
- a) planning for *employment area* uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
 - b) prohibiting residential uses, commercial uses, *public service facilities* and other institutional uses;
 - c) prohibiting retail and office uses that are not associated with the primary employment use;
 - d) prohibiting other *sensitive land uses* that are not ancillary to uses permitted in the *employment area*; and
 - e) including an appropriate transition to adjacent non-*employment areas* to ensure land use compatibility and economic viability.
- 2.8.2.4** Planning authorities shall assess and update *employment areas* identified in official plans to ensure that this designation is appropriate to the planned function of *employment areas*. In planning for *employment areas*, planning authorities shall maintain land use compatibility between *sensitive land uses* and *employment areas* in accordance with policy 3.5 to maintain the long-term operational and economic viability of the planned uses and function of these areas.
- 3.2.1** *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs, and support the use of zero-and low-emission vehicles.
- 3.2.2** Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.
- 3.2.3** As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be planned for, maintained and, where possible, improved, including connections which cross jurisdictional boundaries.
- 3.3.2** *Major goods movement facilities and corridors* shall be protected for the long term.

3.3.5 The co-location of linear infrastructure should be promoted, where appropriate.

It is further noted that the PPS 2024 definition of “Employment area” specifically states that uses excluded from employment areas are “*are institutional and commercial, including retail and office not associated with the primary employment use listed above.*”

The PPS provides policies that instruct planning authorities to promote economic development and competitiveness. This includes providing for an appropriate mix and range of employment, institutional, and broader mixed uses, and to protect and preserve employment areas. It also indicates that planning authorities need to ensure that transportation systems are available to provide for the movement of people and goods. These policies are vital to the proposed use of a transportation system. The approval of the zoning by-law amendment by the planning authority strengthens and ensures that the use of the property will be consistent with the employment area that it is within. Further, the existing institutional use of the property is now considered legal non-conforming with the 2024 updates to the PPS.

The proposed zoning by-law amendment is consistent with the Provincial Planning Statement.

3.5 OFFICIAL PLAN OF THE REGION OF HALTON

The Halton Regional Plan (HROP) was initially adopted by Halton Region Council in June 2022 and was approved with modification by the Province November 4, 2022. Additionally in November 2022, *Bill 23, More Homes Built Faster Act, 2022*, was introduced by the Province. The legislation identified Halton Region as an “upper-tier municipality without planning responsibilities”.

In accordance with *Bill 185, Cutting Red Tape to Build More Homes Act, 2024*, this change to the Region’s role came into effect on July 1, 2024 which had the impact of the Halton Region Official Plan no longer being a Regional Plan, and is now a Local Plan of the four local municipalities (Burlington, Halton Hills, Milton and Oakville). As of July 1, 2024, the Regional Official Plan remains in effect as an official plan in each Local Municipality until it is revoked or amended by the respective municipality.

Map 1 – Regional Structure of the HROP designates the community of Milton as an urban area, and thus the Urban Area policies of the HROP apply. Additionally, **Map 1h - Regional Urban Structure** designates the property to be within an Employment Area, as such the Employment Area policies of the HROP applies, they are as follows:

83.2 It is the *policy* of the *Region* to:

(1) Plan for Employment Areas by:

- a) prohibiting residential uses;
- b) prohibiting major retail uses;
- 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, as identified in Local Official Plans in accordance with Section 83.2(6)b) of this Plan;
- e) limiting sensitive land uses, including institutional uses, by only permitting such uses where they:
 - [i] are an ancillary use that is associated with an employment use or that is supportive of the overall Employment Area;
 - [ii] are located at the periphery of the Employment Area and/or identified within an appropriate Local Official Plan designation;
 - [iii] address land use compatibility considerations in accordance with Section 143(12) of this Plan;

- [iv] support achieving the employment forecast in Table 1 and the density target for Employment Areas in Table 2 of this Plan; and,
 - [v] do not contain a residential component or function where individuals reside on a temporary or permanent basis, such as long-term care facilities, retirement homes, or boarding schools;
 - f) recognizing existing uses.
- (2) Plan for, protect and preserve the *Employment Areas* for current and future use. Development in proximity to major facilities are required to meet the Provincial Policy Statement, 2020 requirements for land use compatibility.
- (3) Ensure the necessary *infrastructure* is provided to support the *development* of the *Employment Areas* in accordance with *policies* of this Plan.
- (4) Prohibit the conversion of lands within the *Employment Areas* to non-employment uses including *major retail* uses unless through a *municipal comprehensive review* where it has been demonstrated that:
- a) there is a need for the conversion;
 - b) the conversion will not compromise the *Region's* or Local Municipality's ability to meet the employment forecast in Table 1 and Table 2a;
 - c) the conversion will not adversely affect the overall viability of the *Employment Area*, and achievement of the *intensification* and density targets of Table 2 and other *policies* of this Plan;
 - d) there are existing or planned *infrastructure* and *public service facilities* to accommodate the proposed conversion;
 - e) the lands are not required for employment purposes over the long term;
 - f) cross-jurisdictional issues have been considered; and
 - g) all Regional *policies* and requirements, financial or otherwise, have been met.
- (5) Require development within the *Employment Areas* to support achieving the density target identified in Table 2 of this Plan.
- (6) Require Local Municipalities to plan for *Employment Areas* by:
- a) delineating and protecting the *Employment Areas* as identified on Map 1H of this Plan;
 - b) developing policies and land use designations for lands within the *Employment Areas* that:
 - [i] support accommodating forecast employment growth as identified in Table 1 and achieving the *Employment Area* density targets identified in Table 2 of this Plan;
 - [ii] identify a range of employment uses, *ancillary uses*, and *sensitive land uses*, as appropriate for the planned function of the specific land use designations and their role within the Regional Urban Structure and *Local Urban Structures*;
 - [iii] require land use compatibility studies for *sensitive land uses* in accordance with Section 143(12) of this Plan; and
 - [iv] ensure an appropriate interface is provided between the *Employment Areas* and adjacent non-employment areas and between specific employment designations in the Local Official Plan to maintain land use compatibility.
 - c) promoting *intensification* and increased densities in both new and existing *Employment Areas* by facilitating compact, transit-supportive built form, development of *active transportation* networks, and minimizing surface parking.
- (8) Subject to Section 77(7), designate lands where appropriate in the vicinity of existing or planned *major highway* interchanges, ports, rail yards and airports for employment purposes that rely on this *infrastructure*, once these lands are included in the Urban Area.

As the property falls within the Urban area of the Region, Section 72 applies. Below are policies that are applicable to the rezoning application.

72. The goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters *complete communities*, enhances mobility across *Halton*, addresses climate change, and improves housing affordability, sustainability and economic prosperity.

72.1 The objectives of the Urban Area are:

- 1) To accommodate growth in accordance with the *Region's* desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable *natural environment*, and preserve certain landscapes permanently.
- (6) To identify a Regional Urban Structure that directs growth to *Strategic Growth Areas* and protects Regional *Employment Areas*.
- (7) To plan and invest for a balance of jobs and housing in communities across the *Region* to reduce the need for long distance commuting and to increase the modal share for transit and *active transportation*.

Of importance, it needs to be pointed out that Section 83.2(1)(e) also applies to this property, but it is outdated. Specifically, the policy permits: limiting *sensitive land uses*, including institutional uses, by only permitting such uses where they:

- [i] are an *ancillary use* that is associated with an employment use or that is supportive of the overall *Employment Area*;
- [ii] are located at the periphery of the *Employment Area* and/or identified within an appropriate Local Official Plan designation;
- [iii] address land use compatibility considerations in accordance with Section 143(12) of this Plan;
- [iv] support achieving the employment forecast in Table 1 and the density target for *Employment Areas* in Table 2 of this Plan; and,
- [v] do not contain a residential component or function where individuals reside on a temporary or permanent basis, such as long-term care facilities, retirement homes, or boarding

As noted previously in this document, both the Planning Act and the Provincial Planning Statement have been recently updated to exclude institutional uses when not associated with a primary employment use from the employment area. The Halton Region's Official Plan needs to reflect these changes being the lower level of government but has yet to do so. Nonetheless the change is to remove the institutional use altogether, and replace it with industrial uses, as such there are no compliance issues.

The property is located in Milton which is designated as an urban area and falls within an employment area inside Halton Region with the Urban Area and Employment Area policies of the HROP applying.

The approval of the application will permit employment uses, prohibit residential uses, and will rezone a property with a sensitive use within an employment area to an acceptable industrial use, consistent with the designation of employment area. The proposed rezoning will protect and preserve the existing employment area for current and future use and it will be able to utilize existing infrastructure. Lastly it is the policy of the Region to designate lands where appropriate in the vicinity of existing or planned *major highway* interchanges, ports, rail yards and airports for employment purposes, oh which this property is in proximity to major highway interchanges. The zoning by-law amendment will bring the property into conformity with the Employment Area designation.

Given the above examples, and a review of the remaining policies, goals, and objectives within the above-mentioned Sections of the Halton Region Official Plan we are of the opinion that the proposed development is consistent with the policies applicable to this development.

3.5 TOWN OF MILTON OFFICIAL PLAN

Milton's Official Plan (MOP) sets long-term goals and objectives for our community, guides our [by-laws](#) and informs Council on land-use decisions and how to manage change.

Effective July 1, 2024, amendments to the *Planning Act* have classified the Region of Halton as an "upper-tier municipality without planning responsibilities." This adjustment means the Regional Official Plan is no longer recognized as the official plan for the Regional Municipality of Halton. The plan is now considered the official plan of each lower-tier municipality within Halton (Town of Milton, City of Burlington, Town of Halton Hills, and Town of Oakville), until it is revoked or amended by the respective municipality. As a result, two Official Plans currently apply to the Town of Milton: the Halton Regional Official Plan, 1995, and the Town of Milton Official Plan, 1996.

Schedule 1 of the MOP identifies the property being within the Urban Area and within the Employment Area. Further, Schedule C.2.B specifically designates the property as Industrial Area. The applicable policies of the MOP's Urban Area and Industrial Areas are found in Part B of the Official Plan under **Section 3.7 Employment**; and **Section 3.9 Industrial Area**. Furthermore, policies under Part C – **Secondary Plans/Character Area Plan** also apply because the property is within the Milton 401 Industrial/Business Park with Section C.2.5 stating:

The applicable land use policies of Sections 3 and 4 of the Official Plan, together with the additional policies in this section, shall apply to the lands in the Milton 401 Industrial/Business Park Planning District, in accordance with the land use designations on Schedule "C.2.B", Milton 401 Industrial/Business Park Land Use Plan.

The MOP policies applicable to proposal are as follows.

Table 1 - OP Part B 3.7 and 3.9 Policy Consistency

Part B - Section 3.7 Employment policies	Comment
Part B – 3.7.1.1 Employment areas are intended to provide industrial, business and office activities, which will be the major source of employment opportunities within the Town. The employment areas permit a wide range of business and economic activities and are defined by five specific employment land use designations: Prestige Office, Office Employment, Business Park, Industrial and Business Commercial. The employment land use designations provide for compatible uses in appropriate locations with a variety of form, scale, and intensity of development.	The proposed zoning by-law amendment would rezone the property from Institutional to Industrial uses, specifically M2 zoning, bringing the use in alignment with the Employment Area land use permissions.
Part B – Industrial Area policies	
Part B - 3.9.1.1 The Industrial Area designation on Schedule "B" is an employment designation which applies to areas where the full range of light and general industrial uses will be permitted.	The zoning by-law amendment will rezone the lands from Institutional to Industrial, permitting industrial uses as permitted in the Town's zoning by-law.
Part B - 3.9.1.2 No new development shall be permitted within areas designated "Industrial Area" within the HUSP Urban Area or the Sustainable Halton Plan Urban Area on Schedule "B" until a Secondary Plan has been approved for the appropriate Planning District or portion of the Planning District in conformity with the policies of this Plan. The only exceptions are expansions to or modifications of existing uses	The property is within the Milton 401 Industrial/Business Park Planning District Secondary Plan.
Part B - 3.9.2.1 The Industrial Area designation on Schedule "B" means that the main permitted uses shall be light and general industrial uses	The zoning by-law amendment will rezone the lands from Institutional

including recycling industries in accordance with the policies of subsections 2.6.3.46 through 2.6.3.53 inclusive, of this Plan. A Cannabis Production and Processing Facility is also permitted in accordance with Policy 3.9.3.2 of this Section. In addition, accessory service, wholesale, retail and office uses directly related to the industrial use shall be permitted within the industrial building. Outdoor storage may be permitted subject to appropriate screening and containment.	to Industrial, permitting industrial uses as permitted in the Town's zoning by-law. An existing building will serve as an administrative building for the proposed transportation terminal use.
Part B - 3.9.2.2 Notwithstanding the policies of subsection 3.9.2.1, office use and research and development and technology uses, excluding uses which produce biomedical waste, shall be permitted in a one to two storey Multi-Unit Building within the designated Industrial Area. A Multi-Unit Building shall not include an Office Building.	An existing building will serve as an administrative building for the property.
Part B - 3.9.3.1 Development within areas designated "Industrial 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 Industrial Area designation; c) the proposed development complies with the Community-wide policies of Section 2.0 of this Plan; and, d) applicants can demonstrate that there is adequate wastewater and water treatment capacity to accommodate the proposed use	The application is to change the zoning from Institutional to Industrial, which is a permitted use in the Employment Area.

As the development relates to **Section 4** of the Official Plan, specifically **4.8 Natural Heritage System**, there are two existing pre-development drainage catchments on the property. They are mapped on Conservation Halton's Planning & Permits Map, the conservation authority's GIS mapping system, and are on the Waterflow layer, however they are identified as non-regulated and do not meet the criteria to be designated as a Natural Heritage System under **Section 4.9.1** Criteria for Designation of the Official Plan.

Table 2 - OP Part C 2.5 Policy Consistency

Part C - C.2.5.3.1 Further to, and in accordance with the policies of Section 3.9 of this Plan, on lands designated "Industrial Area" on Schedule "C.2.B", notwithstanding the provisions of Section 3.9.2.1 which permit the full range of light and general industrial uses, the Zoning By-law may not initially permit the full range of such uses on all sites.	The current zoning is not reflective of the Industrial Area designation. Approval of the zoning by-law amendment will bring the property into conformity with the Official Plan.
Part C - C.2.5.3.2 Sites where uses may be restricted shall include sites adjacent to lands in the Major Commercial Centre designation north of Highway 401; and lands which abut the James Snow Parkway and Highway 401.	The property is not adjacent to either the Major Commercial Centre or James Snow Parkway.
Part C - C.2.5.3.3 On such sites, as identified in Section C.2.5.3.2, the By-law may prohibit specific uses including truck terminals, fuel depots, cement batching and asphalt plants and waste management or composting facilities or similar uses which cannot easily be designed to	Not application due to Section C.2.5.3.2

maintain the high-quality development required for such areas. Further, through the By-law or site plan control process, the location and extent of open storage areas may be limited.	
Part C - C.2.5.3.4 Applications for industrial uses not permitted by the zoning by-law shall be evaluated based on the submission of a development plan which complies with the provisions of Section C.2.5.1.1; and provided that the Town is satisfied that the development can be designed to maintain the high quality required for such areas.	The zoning by-law amendment will permit M2 uses. The proposed use as a transportation terminal is a permitted use in the M2 zone.

Additionally, **Part C - Section 2** provides further general direction for the Milton 401 Industrial/Business Park Secondary Plan. **Section C.2.1** provides general criteria, establishing the purpose of the Secondary Plan and location. **Section C.2.2** provides direction on quality, character, and design. But since no further development is anticipated these items are not applicable. **Section C.2.3** provides the Goals and Objectives of the Milton 401 Industrial/Business Park Secondary Plan. **Section C.2.4** provides Strategic Policies that are applicable to the Milton 401 Industrial/Business Park Planning District.

Nonetheless, a review of these sections indicates it provides policy for transportation, trails, watershed, urban design, open space, escarpment views, connectivity/accessibility, 401 landscape corridor, landmarks, and gateways. In review of the OP sections and the Record of Pre-Consultation we are of the opinion that the proposed development is consistent with the policies applicable to the zoning by-law amendment.

3.6 TOWN OF MILTON ZONING BY-LAW 016-2014

The Milton Zoning By-law 061-2014, consolidated October 2024, enforces the land use policies outlined in the Town of Milton Official Plan. While the Official Plan sets out general guidelines for land use, the Zoning By-law provides specific regulations for property development.

The proposal is seeking to amend the zoning by-law, whereas the existing zoning of the property is Institutional (I-B), the amendment would rezone the property to Industrial (M2).

The table below outlines the developments standards for the M2 zone, as it relates to the existing built-form of the property.

Table 3 - Zoning Conformity (M2 Zone for Principle Building and Use)

Zoning By-law Section	Parameter	Required	Provided	Existing
Table 8B	Lot Frontage (Minimum)	40.0 m	126.3 m	Yes
Table 8B	Lot Area (Minimum)	0.8 ha	2.0 m	Yes
Table 8B	Lot Coverage (Minimum)	25%	966.37 m ² (4.8%)	Yes
Table 8B	Lot Coverage (Maximum)	N/A with municipal services	4.8%	Yes

Zoning By-law Section	Parameter	Required	Provided	Existing
Table 8B	Front Yard Setback (Minimum)	9.0 m	12.0 m	Yes
Table 8B	Interior Side Yard Setback	3.0 m	31.8 m	Yes
Table 8B	Rear Yard Setback	12.0 m	100.4 m	Yes
Table 8B	Building Height	N/A for Office Uses	Unknown	Existing
Table 8B	Landscaped Open Space	5%	15.46% (3,092 m ²)	Yes
Table 8B	Landscape Buffer	4.5 m	4.5 m	Yes
4.14.2(i)	Waste Storage Location	Principle Building	Principle Building	Yes
4.6.1(iii)	Ground Level HVAC Setback from Lot Line	3.0 m	35.6 m (south) Shortest Distance	Yes
4.8.2(i)	Maximum Fence Height	3.0 m	2.5 m	Yes
Table 5D	Minimum Perpendicular Parking Space Length	5.8 m	5.0 m	Yes
Table 5D	Minimum Perpendicular Parking Space Width	2.75 m	2.77 m	Yes
Table 5C	Minimum Width of Parking Aisle	6.0 m	5.4 m	Yes
Table 5L	Parking Area Setback to the Street	4.5 m	4.5 m	No
Table 5L	Parking Area Setback to Side/Rear Lot Lines	1.5 m (per Table 5C)	1.5 m	No

Zoning By-law Section	Parameter	Required	Provided	Existing
Table 5L	Parking Area Setback from a building	2.2 m	2.2 m	No
Table 5G	Required Parking for Accessory Office	1 space per 30 m ² 30 spaces	1 space per 19.7 m ² 45 spaces	No
Table 5H	Minimum Accessible Parking (based on required parking of 30 spaces)	4% of Required Parking = 1.2 (rounded to 2 as per 5.9(ii)) 1 Type A 1 Type B	1	No
Table 5H	Accessible Parking Space Length	5.8 m (Type A and B)	5.8 m	No
Table 5D	Accessible Parking Space Width	3.4 m (Type A) plus 1.5 m aisle 2.75 m (Type B)	4.6	No
Table 5J	Loading Space Requirements	0	0	Yes
Table 5I	Minimum Bicycle Parking	3% of Required Parking Spaces = 0.9	0	Yes

Table 4: Zoning Conformity (Accessory Building to Remain)

Zoning By-law Section	Parameter	Required	Provided	Existing
Table 4B	Accessory Building/Structure Maximum Area	N/A in M2 Zone (4.2.3(ii))	71.3 m ²	Yes
	Accessory Building/Structure Maximum Height	5.5 m	Unknown	Yes

Zoning By-law Section	Parameter	Required	Provided	Existing
	Minimum Setback from Interior Lot Line	3.0 m	75.7 m (North), 48.4 m (South)	Yes
	Minimum Setback from Rear Lot Line	3.0 m	91.0 m	Yes
	Minimum Setback from Residential Zone ^a	3.0 m	75.7 m	Yes

Table 5: Zoning Conformity (Garage to be Removed)

Zoning By-law Section	Parameter	Required	Provided	Existing
4B	Accessory Building/Structure Maximum Area	N/A in M2 Zone (4.2.3(ii))	36.4 m ²	Yes
	Accessory Building/Structure Maximum Height	5.5 m	Unknown	Yes
	Minimum Setback from Interior Lot Line	3.0 m	107.2 m (North), 20.5 m (South)	Yes
	Minimum Setback from Rear Lot Line	3.0 m	81.8 m	Yes
	Minimum Setback from Residential Zone ^a	3.0 m	107.2 m	Yes

The zoning by-law amendment from Institutional to Industrial M2 will rezone a property previously zoned for institutional uses and used as a community centre to an Industrial M2 zoning, to permit a transportation terminal. Additionally, there are two site-specific provisions that are sought recognition through the zoning by-law amendment. The table below identifies those deficiencies and provides some context and justification comments.

Table 6 - Site-specific Zoning Relief Requests

Zoning By-law Section	Parameter	Required	Provided	Existing
Table 5D	Minimum Perpendicular	5.8 m	5.0 m	Yes

	Parking Space Length			
Comments: The parking spaces referenced are existing from the previous use. Given the proposed new use as a transportation terminal, recognition and acceptance of the existing parking design will be negligible on the proposed primary use, being a transportation truck parking terminal. As the parking car for non transport vehicles can still provide the parking function to support the office use.				
Table 5C	Minimum Width of Parking Aisle	6.0 m	5.4 m	Yes
Comments: Same as above. The parking spaces referenced are existing from the previous use. Given the proposed new use as a transportation terminal, recognition and acceptance of the existing parking design will be negligible on the proposed primary use, being a transportation truck parking terminal. As the parking for non transport vehicles can still provide the parking function to support the office use.				
Table 8B	Lot Coverage (Minimum)	25%	966.37 m ² (4.8%)	Yes
Comment: The property previously served as an institutional use (a community centre). The proposed rezoning from institutional to industrial (M2) will facilitate the proposed new use, that being a Transportation Terminal, a permitted use in the M2 zone. Although the zone minimum for lot coverage is 25%, the applicant's intent is to repurpose the existing building for administrative use for the transportation business and the balance of the land will be utilized as transportation parking. Expanding the built form/ administrative building to achieve 25% lot coverage on site to service the primary transport truck parking operations is not necessary to support the business and would take away from the primary parking usage of the site. It would also create a conformity issue with the OP Section 3.9.2.1. if the required expanded building is not directly use by the industrial and further OP Section 3.9.2.2 does not permit office buildings as part of a multi-unit building.				

The zoning by-law amendment will bring the property into conformity with the Official Plans of Halton Region and the Town of Milton. Currently the property is zoned for institutional uses, which are no longer recognized as permitted uses in the area. The zoning by-law amendment will rezone the property for industrial uses, which is permitted in the employment area and is the primary use of the area.

The site-specific provisions being requested are to recognize the existing parking design for the passenger vehicle parking area; and also for the minimum lot coverage. It is anticipated that these permissions will have negligible impacts on the property usage and surrounding properties.

Given the above examples, and rationale for the site-specific zoning amendments, we are of the opinion that the proposed development will be in conformance with Zoning By-law 016-2014 upon implementation of the proposed Zoning By-law Amendment. Furthermore, the proposed Zoning By-law Amendment is consistent with the Region of Halton's Official Plan, the Town of Milton Official Plan and will facilitate a use representative and permitted in the industrial/employment area..

4.0 SUMMARY

The proposed zoning by-law amendment will rezone an existing institutional property to and industrial use. The lands of the property are within the Milton 401 Industrial/Business Park of which industrial uses are the primary permitted use. The rezoning will bring the property back into conformity with the Planning Act, the Provincial Planning Statement, and the Official Plans of the Region of Halton and the Town of Milton by permitting the property to be used for the intended uses of the Milton 401 Industrial/Business Park. The zoning by-law amendment, upon approval, will recognize three site-specific provisions that are currently deficient with the M2 zoning, however since they are existing and only impact the parking for the administrative use of the property it is anticipated that the impact of the permissions will be negligible to the property usage, and to surrounding properties.

It is my opinion that the proposed Zoning By-law Amendment represents good and sound planning and is appropriate for this property and the Milton 401 Industrial/Business Park.

ROBERT RUSSELL PLANNING CONSULTANTS INC.



Rob Russell, MCIP, RPP
President