



REPORT

TO: Mayor Lawlor and Members of Council

FROM: Josh Salisbury, Planner – Development Review

DATE: April 26, 2023

REPORT NO.: PD-2023-034

SUBJECT: Public Meeting for proposed Official Plan and Zoning By-law Amendments to permit the expansion of the existing self-storage facility onto 13376 Hwy 7 and the construction of 3 new self-storage buildings at 13394 & 13376 Hwy 7 (Henderson's Corners)

RECOMMENDATION:

THAT Report No. PD-2023-034, dated April 26, 2023, regarding the “Public Meeting for proposed Official Plan and Zoning By-law Amendments to permit the expansion of the existing self-storage facility onto 13376 Hwy 7 and the construction of 3 new self-storage buildings at 13394 & 13376 Hwy 7 (Henderson's Corners)”, be received;

AND FURTHER THAT all agency and public comments be referred to staff for a further report regarding the disposition of this matter.

KEY POINTS:

The following are key points for consideration with respect to this report:

- Riepma Consultants Inc. (the Applicant) has submitted Official Plan and Zoning By-law Amendment applications on behalf of 1878795 Ontario Inc. (the Owner) proposing to change the land use permissions for 13376 Highway 7 to allow for an expansion of the existing self-storage facility at 13394 Highway 7 and the construction of 3 new self-storage buildings on the combined site in Henderson's Corners.
- To date, Town and agency staff have identified concerns with inconsistencies on submitted materials, lack of policy justification, design of the proposed structures and vehicle access, among others.

- As of the date of this report staff have received correspondence from one member of the public raising concerns about traffic increases, light pollution, the layout of the self-storage units and signage.
- The purpose of the Public Meeting is to obtain additional comments and feedback from the community. Any additional comments received will also be thoroughly reviewed, evaluated, and included in the final Recommendation Report to Council at a later date.

BACKGROUND AND DISCUSSION:

The purpose of this report is to advise Council and the public that the Town has received Official Plan and Zoning By-law Amendment applications seeking to obtain the necessary approvals to permit the expansion of the existing self-storage facility at 13394 Highway 7 onto the adjacent 13376 Highway 7 and the construction of 3 new self-storage buildings and expansion of 4 existing buildings on the combined site (Henderson’s Corners).

1.0 Location & Site Characteristics

The subject lands, municipally known as 13376 and 13394 Highway 7 are located in the Rural Cluster of Henderson’s Corners on the west side of Highway 7, north of 22 Side Road see SCHEDULE 1 – LOCATION MAP. The intended combined lands have an approximate area of 2.29 hectares (5.66 acres) and contain approximately 174 metres of frontage along Highway 7. A single detached home currently occupies 13376 Hwy 7, while 13394 Highway 7 is the site of a self-storage facility (Hey Ray Self Storage).

Surrounding land uses to the subject site include:

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|---------------|---|
| To the North: | Agricultural/rural uses along with single detached dwellings |
| To the East: | Single detached dwellings and agricultural/rural uses contained within the Henderson’s Corners Rural Cluster area |
| To the South: | A decommissioned commercial automobile area, gas station, commercial uses as well as single-detached dwellings |
| To the West: | Agricultural/rural uses along with single detached dwellings |

2.0 Development Proposal

On February 23, 2023, the Town deemed complete Official Plan and Zoning By-law Amendment applications (File No(s). D09OPA20.004 & D14ZBA20.013) submitted by Riepma Consultants Inc. (the Applicant) on behalf of 1878795 Ontario Inc. (the Owner). The applications seek to obtain the necessary land use approvals to allow for the expansion of the existing self-storage facility located at 13394 Hwy 7 onto 13376 Hwy 7. The intent is to then construct 3 new self-storage buildings on the combined site and also expand in size 4 of the existing self-storage buildings; see SCHEDULE 2 –

PROPOSED SITE PLAN & BUILDING ELEVATIONS and SCHEDULE 3 –
CONCEPTUAL FLOOR PLANS.

Further details about the development are outlined below:

Design Elements	Application Proposal
Number of Buildings	9 self-storage buildings consisting of: <ul style="list-style-type: none"> • 5 existing self-storage buildings, 3 of which are proposed to be expanded in size • 1 under construction self-storage building (previously approved), proposed to be expanded • 3 new self-storage buildings
Gross Floor Area	Total building area of all existing and proposed buildings is to be 7,820 m ² (Note: this is 1,181 m ² below the total permitted area being requested in the proposed amendments)
Height	<ul style="list-style-type: none"> • 6 existing/under construction buildings - 1 storey (6 m) • 3 proposed buildings: <ul style="list-style-type: none"> ○ 2 of the buildings – 1 storey (6 m) ○ 1 building - 1 storey (10 m)
Parking	33 Spaces (21 of which will be new)
Loading Spaces	2 Loading Spaces (2 of which will be new)
Vehicular Access Points	Continue to use the existing 1 access point off Highway 7

The proposed overall site concept plan and a conceptual building elevation (all buildings would have similar architecture) are provided for illustrative purposes; see Figures 1 and 2 below:

Under the Town's Official Plan, the existing self-storage facility at 13394 Hwy 7 is subject to Rural Cluster Special Policy Area 1, which allows for the use up to a maximum gross floor area of 3,716 m² (40,000 sq.ft.). To facilitate the proposed expanded self-storage facility the Official Plan Amendment seeks to expand Special Policy Area 1 to include 13376 Hwy 7 and then proposes to remove any maximum gross floor area limitations so that the gross floor area permissions are set out in the site-specific zoning amendment only. The amendment also proposes to remove the current site-specific permissions for an automobile dealership and any associated floor area; see SCHEDULE 4 – DRAFT OFFICIAL PLAN AMENDMENT.

Similarly, the Zoning By-law Amendment seeks to rezone 13376 Hwy 7 to include it within the site-specific Rural Cluster Commercial Special Provision 22 (RCC(22)) Zone applicable to 13394 Hwy 7. The amendment then proposes the following provisions:

- increase the maximum gross floor area permitted for a self-storage facility from 3,716 m² (40,000 sq.ft.) to 9,000 m² (~96,876 sq.ft.);
- delete motor vehicle sales and/or rental establishment as a permitted use along with the associated maximum floor area permissions of 2,972 m²;
- increase the maximum permitted height from 6 metres to 10 metres for one of the new proposed self-storage buildings; and
- remove the requirement for any loading spaces to be provided on-site; see SCHEDULE 5 – DRAFT ZONING BY-LAW AMENDMENT.

It should be noted that the submitted site plan drawings suggest the total gross floor area for all existing and proposed buildings would be 7,820 m², which is 1,180 m² less than the gross floor area being sought through the proposed zoning amendment. A list of reports and drawings submitted by the proponent in support of the applications is attached as SCHEDULE 6 – SUBMISSION MATERIALS to this report.

Should the Official Plan and Zoning By-law Amendment applications be approved, the proposed expansion of the self-storage facility will require the submission of a Site Plan Control application.

3.0 Planning Context

In Ontario, when reviewing applications looking to amend local Official Plans and Zoning By-laws, development proposals are expected to conform with and meet the intent of applicable Provincial, Regional and municipal policy documents. This section discusses the relevant policy framework that applies to the subject site and proposal.

Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS) provides broad based policies that promote diversification of the economic base and employment opportunities through goods and services, thus supporting the development of healthy rural communities. Section 1.1.4 of the PPS identifies Rural Areas as being integral to the economic success of the Province, and that it is important to leverage rural assets and amenities and protect the environment to help promote a sustainable economy.

The subject lands are located in Henderson's Corners which is considered to be a rural settlement by the PPS. In rural areas, rural settlements are to be the focus for growth and development. Rural character and scale of development are also important considerations. The proposal is required to be consistent with the relevant policies of the PPS in accordance with Section 3 of the Planning Act.

Growth Plan for the Greater Golden Horseshoe

The subject lands are located in Henderson's Corners which is considered to be a rural settlement by the Growth Plan for the Greater Golden Horseshoe. Such communities are intended to accommodate a limited amount of growth. Municipalities are encouraged to plan for economic opportunities that serve the needs of rural residents and area businesses.

As per Section 3 of the Planning Act, the proposal shall conform and not conflict with the Growth Plan.

Greenbelt Plan

The subject lands are located within the Greenbelt Plan boundaries and more specifically within lands that are subject to the Niagara Escarpment Plan. The Greenbelt Plan largely defers to the Niagara Escarpment Plan policies and requirements.

As per Section 3 of the Planning Act, the proposal shall conform and not conflict with the Greenbelt Plan.

Niagara Escarpment Plan

The Niagara Escarpment Plan (NEP) provides policy direction for all lands that are located within the Niagara Escarpment Plan Area. The subject lands are situated within a Minor Urban Centre (Henderson's Corners), with 13394 Highway 7 and most of 13376 Highway 7 being designated as Escarpment Protection Area (a small western portion of 13376 Hwy 7 is designated Escarpment Natural Area). However, both lots are located outside of the area of Development Control, so an NEC Development Permit is not required for the proposed development.

The proposal is subject to review under Parts 1.6.6 "Amendments to Municipal Plans," 1.6.7 "Land Use Control" and 1.6.8 "Development and Growth Objectives" of the NEP. Development Criteria located in Part 2.2 of the NEP are applicable to the proposal.

Region of Halton Official Plan

The subject lands are designated as Hamlet in the 2009 Regional Official Plan (ROP), as recently amended by ROPA 48 and 49. Section 103 of the ROP states that the range of permitted uses within a Hamlet are to be in accordance with the policies of the Regional Official Plan and Area-Specific Plan for the Hamlet.

Town of Halton Hills Official Plan

Under the Town's Official Plan the subject lands are located within the boundaries of Henderson's Corners and are designated Rural Cluster Area. This designation allows

for small scale commercial uses that serve the needs of the Rural Cluster Area and/or the surrounding rural area. Additionally, 13394 Highway 7 is subject to Rural Cluster Special Policy Area 1, which allows:

- an automobile dealership subject to a maximum building floor area of 2,972 m²; and,
- a self-storage facility subject to a maximum building floor area of 3,716 m² for all buildings and structures.

Special Policy Area 1 also requires that all self-storage buildings and structures are subject to site plan control to maintain the character of the Rural Cluster Area, that any outdoor storage areas are screened from view of Highway 7 and that outdoor storage has a maximum height of 6 metres.

An Official Plan Amendment is required to expand Special Policy Area 1 to include 13376 Hwy 7 to allow for an expanded self-storage facility and to address the Applicant's intent to:

- eliminate the permissions for an automobile dealership; and,
- remove reference to maximum floor area permissions associated with the self-storage facility permitted under Special Policy Area 1.

Section E4.4.3 states that new non-residential uses may be permitted in the Rural Cluster Area designation subject to an amendment to the Zoning By-law. Before approving any amendment, Council shall be satisfied that:

- a) the proposed use is compatible with the character of the *Rural Cluster Area*;
- b) the proposed use has frontage and direct access onto an arterial road as shown on Schedule B1 to this Plan;
- c) the proposed use serves the needs of the *Rural Cluster Area* and/or the surrounding rural area;
- d) the proposed use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;
- e) the proposed use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
- f) adequate parking and loading facilities and landscaping can be provided on the site;
- g) any outdoor storage is accessory to the proposed use and shall be located in the rear and side yards and screened from public view or views from adjacent properties using fencing, landscaping, berming or a combination of these features; and,

- h) where a proposed use abuts or is in close proximity to an existing residential use, fencing, landscaping, berming or a combination of these features shall be utilized to ensure that there is adequate screening between the uses.

Town of Halton Hills Zoning By-law

Under Comprehensive Zoning By-law 2010-0050, 13394 Highway 7 is zoned Rural Cluster Commercial Special Provision 22 (RCC(22)) and 13376 Highway 7 is zoned Rural Cluster Residential One (RCR1). The Special Provision 22 Zone permits the use of a commercial self-storage facility and outdoor storage, subject to the same floor area restrictions outlined within the Official Plan. The RCR1 zone does not permit any commercial uses.

The proposed Zoning By-law Amendment seeks to rezone 13376 Highway 7 to include it within the Rural Cluster Commercial Special Provision 22 (RCC(22)) Zone and then permit an increased maximum floor area of 9,000 m² (~96,876 sq.ft.) across both properties to facilitate the expanded facility. Additionally, the Zoning By-law Amendment seeks to increase the maximum height permitted for one of the self-storage buildings and eliminate the requirement to maintain a loading space for the facility. Similarly to the OPA, the zoning amendment also proposes to remove the site-specific permission for an automobile dealership within the RCC(22) Zone.

4.0 Department and Agency Circulation Comments

The Official Plan and Zoning By-law Amendment applications were circulated to Town departments and external agencies for review. The below sections outline the comments, issues and concerns identified by staff to date.

Planning & Urban Design:

- Additional information is needed to evaluate the proposal against Section E4.3.3 of the Town's Official Plan, which requires that an Applicant demonstrate how the proposal serves the needs of the Rural Cluster Area and/or the surrounding rural area and how the proposals has been designed to provide adequate screening for adjacent residential uses.
- Updated submission materials are required to properly illustrate the intended design and configuration of the expanded self-storage facility as the current drawings contain inconsistencies that could result in changes to the site layout.
- The total floor area for the expanded facility needs to be confirmed. The Zoning By-law Amendment, site plan drawings and some of the reports provide inconsistent numbers.
- Clarification is required as to whether it is the Owner's intention to maintain the current storage pods on-site and whether they would be permitted under the existing or proposed zoning.
- Staff require further supporting information on the rationale for the proposed height of the one new building being 10 metres given that all other existing and proposed self-storage buildings have a height of 6 metres (consistent with the current permissions).

Development Engineering

- Updated drawings/plans are required to accurately reflect the current on-site conditions and how the proposal would impact or change those conditions, in addition to a number of other required changes to the submission materials to be able to properly evaluate the proposed development.

Niagara Escarpment Commission (NEC)

- Based on the submitted drawings it appears that proposed Building “B” and “I” may encroach into the Escarpment Natural Area designation. Development and growth should avoid Escarpment Protection Areas and be directed to Escarpment Rural Areas in a manner consistent with the Escarpment Rural Area Objectives and Part 2, the Development Criteria of the Niagara Escarpment Plan.
- A portion of 13376 Highway 7 is designated as Escarpment Natural Area. Detailed information has not been provided as to how the proposal addresses or satisfies the objectives of the Escarpment Natural Area designation.
- Development and growth within Minor Urban Centres should be minor and relative to the size and capacity of the settlement to absorb new growth, so that the community character is maintained. The Planning Justification Report does not include an assessment of how the development will be designed to ensure that community character is maintained. Additionally, updated elevation drawings are required to show the maximum heights of the buildings to ensure views from Hwy 7 of the vegetated slope behind the site aren’t visually impacted so as to affect the landscape character of the Minor Urban Centre.
- An Arborist Report should be submitted to determine that there will be no removal of endangered or threatened species. More information is needed regarding whether trees along Highway 7 are proposed to be retained or removed. Any retained trees near the development area should be protected by tree protection fencing prior to the commencement of any construction.

Region of Halton

- Small-scale commercial uses serving the local community may be permitted in accordance with the policies of the Regional Official Plan. The notion of scale and impact to rural character is something that is referenced both in the Regional Official Plan and in various applicable provincial plans. Regional staff request that the Planning Justification Report be updated, or an addendum letter be provided, to speak about how the proposed expansion will serve the local community.

Ministry of Transportation (MTO)

- The MTO has concerns with submitted traffic modelling not providing accurate data to predict future trips to the site. A new calculation to properly predict Traffic Movement Counts is required.
- A MTO Building and Land Use permit is required prior to construction.

5.0 Public Comments

As of the date of this report, Planning staff have received one submission for comment from a member of the public for this proposal. The comments received touch on concerns regarding the size of the proposed self-storage facility, possible light pollution, possible increases in traffic on Highway 7 and how that might impact residents who live in the area and concerns with previous and possible future signage on the subject lands.

The purpose of the Public Meeting is to obtain comments and feedback from the community. Any comments received from the public will be reviewed, evaluated, and included in the final Recommendation Report to Council.

STRATEGIC PLAN ALIGNMENT:

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

RELATIONSHIP TO CLIMATE CHANGE:

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

PUBLIC ENGAGEMENT:

Public Engagement has been conducted as follows:

March 9, 2023:	Sign posted on the subject lands explaining the purpose of the proposed applications
April 14, 2023:	Public Meeting notice mailed out to all property owners assessed within 120 m of the subject lands
April 13, 2023:	Notice of Public Meeting published in Independent & Free Press
May 4, 2023:	Courtesy Notice of Public Meeting published in Independent & Free Press

INTERNAL CONSULTATION:

The proposed Official Plan and Zoning By-law Amendments were considered at the January 7, 2021, Development Review Committee Pre-Consultation Meeting (File No. D00ENQ21.003). The Applicant was provided with preliminary comments from various Town departments and external agencies at the meeting.

FINANCIAL IMPLICATIONS:

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Jeff Markowiak, Director of Development Review

John Linhardt, Commissioner of Planning & Development

Chris Mills, Chief Administrative Officer