



## REPORT

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**TO:** Mayor Lawlor and Members of Council

**FROM:** John McMulkin, Senior Planner – Development Review

**DATE:** November 6, 2024

**REPORT NO.:** PD-2024-089

**SUBJECT:** Recommendation Report for proposed Official Plan and Zoning By-law Amendments to permit the expansion of an existing self-storage facility onto 13376 Hwy 7 and the construction of 2 new self-storage buildings and additions to existing self-storage buildings at 13394 & 13376 Hwy 7 (Henderson’s Corners)

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### RECOMMENDATION:

THAT Report No. PD-2024-089, dated November 6, 2024, regarding a “Recommendation Report for proposed Official Plan and Zoning By-law Amendments to permit the expansion of an existing self-storage facility onto 13376 Hwy 7 and the construction of 2 new self-storage buildings and additions to existing self-storage buildings at 13394 & 13376 Hwy 7 (Henderson’s Corners)”, be received;

AND FURTHER THAT Town of Halton Hills Official Plan Amendment No. 60, which amends the Town of Halton Hills Official Plan as generally shown on SCHEDULE 5 – OFFICIAL PLAN AMENDMENT, be adopted as an exempt Official Plan Amendment, and the Zoning By-law Amendment, to amend the Town of Halton Hills Zoning By-law 2010-0050, as amended, as generally shown on SCHEDULE 6 – ZONING BY-LAW AMENDMENT, be approved on the basis that the amendments for the lands municipally known as 13376 & 13394 Hwy (Henderson’s Corners) are consistent with the Provincial Planning Statement, conform or do not conflict with all applicable Provincial plans, conform with the Region of Halton Official Plan and satisfy the evaluation criteria contained in the Town of Halton Hills Official Plan, for the reasons outlined in Report No. PD-2024-089, dated November 6, 2024;

AND FURTHER THAT in accordance with Section 34(17) of the Planning Act, no other notice is deemed to be necessary.

## **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) to permit the expansion of the existing commercial self-storage facility located at 13394 Highway 7 onto 13376 Highway 7 and the construction of 2 new self-storage buildings and additions to existing self-storage buildings on the intended combined site in Henderson's Corners.
- The Statutory Public Meeting for the applications was held on May 8, 2023. One member of the public came forward to raise concerns regarding signage and light pollution; the resident has also raised concerns through their correspondence with staff regarding privacy, traffic and traffic safety, the layout and height of the self-storage containers, and the height of the proposed self-storage buildings.
- The review of the proposal and supporting documents has progressed sufficiently that all outstanding matters can be addressed through the required Site Plan Control process and/or lifting of the proposed Holding Provision.
- This report recommends approval of the Official Plan and Zoning By-law Amendment applications.

## **BACKGROUND AND DISCUSSION:**

Riepma Consultants Inc. (the Applicant) has submitted Official Plan and Zoning By-law Amendment applications to the Town seeking to obtain the necessary approvals to permit the expansion of the existing commercial self-storage facility located at 13394 Highway 7 onto the abutting property located at 13376 Highway 7; the proposed land uses would also permit the construction of 2 new self-storage buildings and additions to 4 existing self-storage buildings on the intended combined site in 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 (572 feet) of frontage along Highway 7.

A single detached home currently occupies 13376 Highway 7, while 13394 Highway 7 is the site of a commercial self-storage facility (Hey Ray Self Storage). The subject site is located southeast of the Niagara Escarpment, which generally increases in elevation from the southern end of the site to the northern end of the site; see SCHEDULE 2 – SITE PHOTOS (VIEWS FROM HWY 7).

Surrounding land uses to the subject site include:

- 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 History**

In 1986, when the subject lands were within the Niagara Escarpment Commission (NEC) Area of Development Control, the landowner of 13394 Highway 7 at that time applied to the NEC for a Development Permit (File No. H/C/86-87/8) to construct a 1,190 m<sup>2</sup> (12,809 ft<sup>2</sup>) automobile dealership. The application was denied by the NEC due to Town Official Plan conformity issues. The landowner then requested the Minister of Municipal Affairs to modify the boundary of the Henderson's Corners Rural Cluster within the Town's Official Plan to include this site. The Minister approved the modification in 1987 along with a permission for a 1,189 m<sup>2</sup> (12,799 ft<sup>2</sup>) building for an automobile dealership.

After the Minister's modification to the Town's Official Plan, the landowner applied for an Official Plan Amendment to permit an additional 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) of building area for the dealership within the first phase of construction, as well as an additional 929 m<sup>2</sup> for a second phase. In 1989, the Region of Halton approved Amendment No. 18 to the Town's Official Plan (1985) to permit the construction of a 2,043 m<sup>2</sup> (21,991 ft<sup>2</sup>) dealership for the first phase but deferred approval of the additional 929 m<sup>2</sup> for the second phase.

In 2003, the landowner applied to the Town for a further Official Plan Amendment to permit an enclosed self-storage facility, outdoor storage, and an accessory caretaker suite at a maximum lot coverage of 37%, which would represent a maximum floor area of 5,915 m<sup>2</sup> (63,669 ft<sup>2</sup>), in addition to the permitted 2,043 m<sup>2</sup> automobile dealership. The owner also applied to have the maximum permitted building area for the automobile dealership increased to 2,972 m<sup>2</sup> (31,990 ft<sup>2</sup>) to recognize the previously requested 929 m<sup>2</sup> for the second phase.

Based on concerns from staff regarding permitting a ground floor area of 5,915 m<sup>2</sup> for the self-storage facility in addition to a 2,972 m<sup>2</sup> automobile dealership at 13394 Highway 7, the Official Plan Amendment (No. 124) that was adopted in 2005 limited the size of the self-storage facility, outdoor storage and caretaker's suite to a maximum total building floor area of 3,716 m<sup>2</sup> (40,000 ft<sup>2</sup>), which the owner indicated at that time would be the minimum size needed to operate the business successfully. The requested 2,972 m<sup>2</sup> automobile dealership was permitted in addition to these uses, meaning that a total building floor area up to 6,688 m<sup>2</sup> (71,989 ft<sup>2</sup>) could be permitted at 13394 Highway 7.

These permissions were carried forward into the Town’s current Official Plan (2008) and incorporated into the Town’s Comprehensive Zoning By-law 2010-0050 in 2010 after Henderson’s Corners was removed from the NEC Area of Development Control. The automobile dealership was never constructed; however, the previously approved self-storage facility has been completed and requires Official Plan and Zoning By-law Amendments to permit its expansion.

### 3.0 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 commercial self-storage facility located at 13394 Highway 7 onto 13376 Highway 7 and permit the construction of 2 new self-storage buildings and additions to 4 existing self-storage buildings on the intended combined site; see SCHEDULE 3 – CONCEPTUAL SITE PLAN & BUILDING ELEVATIONS and SCHEDULE 4 – CONCEPTUAL FLOOR PLANS (SELF-STORAGE BUILDINGS).

Further details about the development are outlined below:

Design Elements	Application Proposal
Number of Buildings	Existing office and 9 self-storage buildings consisting of: <ul style="list-style-type: none"> <li>• 7 existing self-storage buildings, 4 of which are proposed to be expanded in size; and</li> <li>• 2 new self-storage buildings.</li> </ul>
Gross Floor Area	Total building floor area of all existing and proposed buildings to be ~7,800 m <sup>2</sup> (83,960 ft <sup>2</sup> ) consisting of: <ul style="list-style-type: none"> <li>• 3,684 m<sup>2</sup> (39,659 ft<sup>2</sup>) for existing buildings; and</li> <li>• 4,284 m<sup>2</sup> (46,116 ft<sup>2</sup>) for proposed buildings.</li> </ul> (Note: the total above is ~200 m <sup>2</sup> below the total permitted area being requested in the proposed amendments to provide development flexibility)
Height	<ul style="list-style-type: none"> <li>• Existing office building – 1 storey (9.5 m)</li> <li>• 7 existing self-storage buildings – 1 storey (3 m)</li> <li>• Proposed Building H – 1 storey (3 m)</li> <li>• Proposed Building I – 1 storey (10.6 m)</li> </ul>
Parking	38 spaces (27 of which will be new)
Loading Spaces	1 space (dedicated to Proposed Building I)
Vehicular Access Points	Continue to use the existing 1 entrance off Highway 7; existing entrance to 13376 Highway 7 to be closed

The proposed overall conceptual site plan and building elevations are provided for illustrative purposes (all buildings are similar architecture except for “Proposed Building I”); see Figures 1, 2 and 3 below. Please note that the locations and dimensions of “Proposed Building I” and “Proposed Building B Extension” have been revised since the site plan was prepared to ensure that the 6 existing mature spruce trees at the front of

13376 Highway 7 and the other healthy trees located between Building B and the northern interior side lot line can be preserved; see Figure 4 below. For the revised building locations and dimensions, please see Schedule A within SCHEDULE 6 – ZONING BY-LAW AMENDMENT.

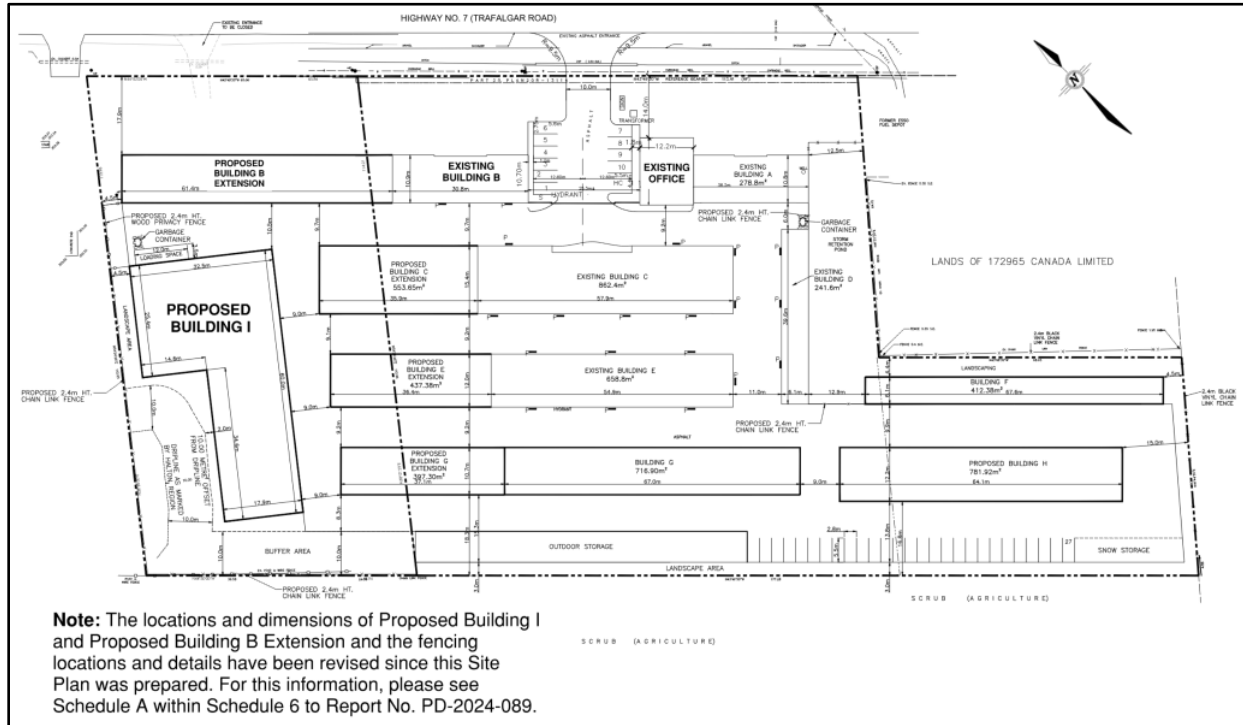


Figure 1 – Site Plan



Figure 2 – Endwall Elevation of Standard Self-Storage Buildings

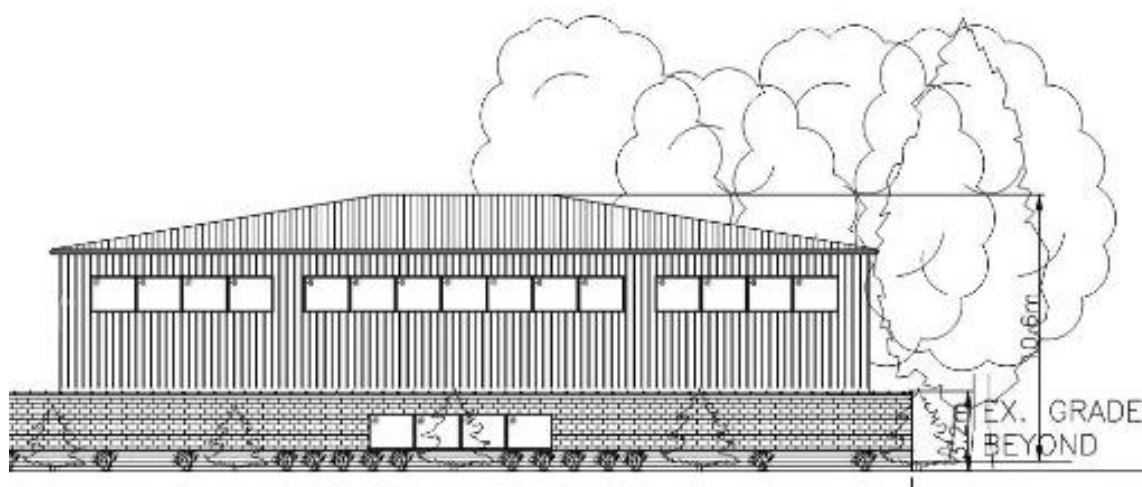


Figure 3 – Front Elevation of Proposed Building I



*Figure 4 – Existing Trees Located at 13376 Hwy 7 (View from Hwy 7)*

Under the Town's Official Plan, the existing self-storage facility at 13394 Highway 7 is subject to Special Policy Area 1, which allows for the use up to a maximum gross floor area of 3,716 m<sup>2</sup> (40,000 ft<sup>2</sup>). The existing self-storage facility is currently at this maximum size, meaning that any expansion will require an Official Plan Amendment.

To facilitate the proposed expanded self-storage facility the Official Plan Amendment seeks to expand Special Policy Area 1 to include 13376 Highway 7. The Amendment also seeks to:

- remove the current site-specific permission for an automobile dealership and the associated maximum floor area restriction;
- increase the maximum building floor area restriction to accommodate the proposed self-storage buildings and change the outdoor storage area restriction from a maximum building floor area to a maximum lot area given that outdoor storage is not considered to be a building or a structure;
- change the permitted use of outside storage to only be permitted as accessory to the principal use of the lands (i.e., enclosed self-storage facility) and limit the area to maintain the rural character of the Rural Cluster Area; and,
- maintain the requirements for screening of outdoor storage areas and site plan and architectural control; however, the maximum height restriction for outdoor storage is being changed to indicate that this development standard will be set out in the site-specific Zoning By-law Amendment and proposed heights will need to maintain views to the Niagara Escarpment; see SCHEDULE 5 – OFFICIAL PLAN AMENDMENT.

Similarly, the Zoning By-law Amendment seeks to rezone 13376 Highway 7 to include it within a site-specific Rural Cluster Commercial (RCC) zone to permit the expansion of the commercial self-storage facility (consistent with the existing zoning of 13394 Highway 7); see SCHEDULE 6 – ZONING BY-LAW AMENDMENT. A small portion of

the site within the 10 metre buffer from the woodland located at the northwest corner of the intended combined site is proposed to be rezoned to a site-specific Environmental Protection One (EP1) zone. The amendment then proposes the following provisions:

- Change the permitted use of outdoor storage to accessory outdoor storage;
- Delete the permission for motor vehicle sales establishment;
- Reduce the maximum permitted height from 11.0 metres to 6.0 metres for all buildings except for the existing office building and a new self-storage building (Building I), which are permitted to be 9.5 metres and 10.6 metres respectively;
- Require the locations and maximum building envelopes for Building B and Building I to be in accordance the locations and dimensions of these buildings as shown on the schedule to the by-law;
- Change the maximum net floor area for all buildings and structures from 3,716 m<sup>2</sup> (40,000 ft<sup>2</sup>) to a maximum gross floor area of 8,000 m<sup>2</sup> (~86,111 ft<sup>2</sup>);
- Change the maximum net floor area for outdoor storage (3,716 m<sup>2</sup>) to instead be a maximum lot area for accessory outdoor storage;
- Reduce the minimum rear yard setback for accessory outdoor storage from 7.5 metres to 3.0 metres;
- Require 3.0 m high screening for any accessory outdoor storage for the portion of the rear lot line only located within 68.0 metres of the southern corner of the lands and permit on-site screening to be provided by opaque buildings that are a minimum height of 3.0 metres;
- Require a minimum of 1 loading space for the commercial self-storage facility and accessory outdoor storage uses, which will be dedicated to Building I;
- Require a solid-screen wooden privacy fence that is a minimum height of 2.13 metres (7 feet) along the rear and southern interior side lot lines and a minimum height of 3.0 metres along the northern interior side lot line;
- Increase the maximum permitted height for accessory outdoor storage from 6.0 metres to 7.6 metres for the northern portion of the lands; and
- Prohibit a fence within the site-specific Environmental Protection One (EP1) zone.

A Holding (H31) Provision is also proposed within the site-specific Zoning By-law Amendment requiring the Owner to enter into a site plan agreement and demonstrate that the lands can be appropriately serviced through adequate private, on-site services through the Site Plan Control process.

It should be noted that the submitted site plan drawings suggest the total gross floor area for all existing and proposed buildings would be ~7,800 m<sup>2</sup> (83,960 ft<sup>2</sup>), which is ~200 m<sup>2</sup> (2,153 ft<sup>2</sup>) less than the gross floor area being sought through the proposed Official Plan and Zoning By-law Amendments. The requested 8,000 m<sup>2</sup> (~86,111 ft<sup>2</sup>) is 1,312 m<sup>2</sup> (~14,122 ft<sup>2</sup>) more than what is currently permitted at 13394 Highway 7 except that it will apply across both 13376 and 13394 Highway 7.

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

## **4.0 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.

### **a) Provincial Planning Statement**

The new Provincial Planning Statement (PPS) 2024 came into effect on October 20, 2024, which integrates the Provincial Policy Statement 2020 and Growth Plan 2020 into a singular province-wide policy document. The proposal is required to be consistent with the relevant policies of the PPS in accordance with Section 3 of the Planning Act.

The new PPS continues to provide 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 2.5.2 of the PPS states that in rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted. In addition, Section 2.5.3 states that when directing development in rural settlement areas, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.

One of the characteristics of Henderson's Corners is its commercial, auto-oriented character due to its bisection by a Provincial Highway (Hwy 7), which is designed to accommodate high volumes of vehicular traffic. The subject site has a lengthy history of permissions dating back to the 1980s for an automobile dealership and then the current self-storage facility. As noted, the request for a maximum total gross floor area of 8,000 m<sup>2</sup> (~86,111 ft<sup>2</sup>) for the proposed expanded self-storage facility is only 1,312 m<sup>2</sup> (~14,122 ft<sup>2</sup>) more than what is currently permitted at 13394 Highway 7, except that it is now intended to apply across the combined site.

The Official Plan Amendment has been drafted to maintain the maximum building and outdoor storage area requirements for the proposed expanded site and the Zoning By-law Amendment includes development standards (e.g., maximum building and outdoor storage heights and areas, fencing and other screening requirements) to maintain compatibility with existing development within Henderson's Corners and the surrounding rural area. The Zoning By-law Amendment also includes a Holding (H31) Provision requiring the Owner to demonstrate that the lands can be serviced through appropriate private services.

Based on the above, Planning staff is of the opinion that the proposed Official Plan and Zoning By-law Amendments are consistent with the policies of the new 2024 PPS.



## **b) Niagara Escarpment Plan**

The Niagara Escarpment Plan (NEP) provides policy direction for all lands that are located within the Niagara Escarpment Plan Area. In accordance with Section 3 of the Planning Act, the proposal shall conform and not conflict with the NEP.

The subject lands are situated within a Minor Urban Centre (Henderson's Corners) and designated as Escarpment Protection Area under the NEP. However, given both lots are located outside of the Area of Development Control, a Niagara Escarpment Commission (NEC) Development Permit is not required for the proposed development.

Sections 1.6.6 and 1.6.7 of the NEP permit official plan and zoning by-law amendments without an amendment to the NEP provided the amendments do not involve Escarpment Natural Areas and Mineral Resource Extraction Areas, they do not conflict with the NEP including the Objectives and Development Growth Objectives of the Minor Urban Centre designation within Section 1.6.8, and meet the Development Criteria under Part 2 of the NEP. Within Part 2, Section 2.13 contains policies regarding ensuring that development preserves the natural scenery and maintains the Escarpment Related Landforms and the open landscape character of the Escarpment. The intent of the policies is to ensure that views to the Escarpment are maintained.

NEC staff was circulated the subject applications and indicated no concern with the requested maximum height of 10.6 metres for Building I due to the adequate setback from the property boundary and the proposed retention of trees behind the building. However, through the future Site Plan Control application NEC staff requests that protection of existing native trees on and surrounding the property be maximized through the submission of a tree protection plan and that exterior lighting and/or signage on the upper levels of the buildings be avoided to ensure that the visual impact to the Escarpment is minimized.

Planning staff notes that a tree protection plan was submitted with the Official Plan and Zoning By-law Amendment applications, which will be required to be revised to protect the 6 mature spruce trees located at the front of 13376 Highway 7 and the healthy trees located between Building B and the northern interior side lot line. As part of the submission of the Site Plan Control application, Planning staff will be requesting that exterior lighting and/or signage not be located on the upper levels of the buildings and that no new tall pylon or free-standing signs be erected.

Based on this, NEC staff has indicated no objection to the proposed Official Plan and Zoning By-law Amendments.

## **c) Greenbelt Plan**

The subject lands are located within the boundaries of the 2017 Greenbelt Plan. In accordance with Section 3 of the Planning Act, the proposal shall conform and not conflict with the Greenbelt Plan.

Section 2.2 of the Greenbelt Plan states that for the lands within the Niagara Escarpment Plan (NEP) Area, the requirements of the NEP apply and the Greenbelt

Plan policies do not apply, with the exception of Section 3.3 (Parkland, Open Space and Trails), which is not applicable to the subject proposal.

Based on the above, Planning staff is of the opinion that the proposal conforms and does not conflict with the Greenbelt Plan.

#### **d) Region of Halton Official Plan**

As a result of Bill 185, the Town has assumed responsibility for the Regional Official Plan as it pertains to lands within our municipal boundaries. The subject lands are designated as Hamlet in the Regional Official Plan (ROP). 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. However, the Halton Hills Official Plan identifies the subject property as being within the Rural Cluster of Henderson's Corners and there are corresponding policies in the ROP for Rural Clusters, recognizing the Town's identification.

Section 104 of the ROP states that within Rural Clusters some small-scale commercial uses serving the local community may be permitted. The Applicant has noted in the submitted Planning Justification Report that the majority of the residential and corporate customers using the existing commercial self-storage facility are located within 20 km of the site.

The development standards in the Zoning By-law Amendment limit the height and sizes of the buildings and accessory outdoor storage areas and require fencing and other on-site screening to shield the development from surrounding properties while maintaining views to the Escarpment. As noted, the requested maximum total gross floor area is only 1,312 m<sup>2</sup> (~14,122 ft<sup>2</sup>) more than what is currently permitted at 13394 Highway 7 except that it will apply across the intended combined site.

Based on the above, Planning staff is of the opinion that the proposal conforms with the Regional Official Plan.

#### **e) Town of Halton Hills Official Plan**

Under the Town's Official Plan, the subject lands are located within the boundaries of the Rural Cluster of Henderson's Corners; both properties 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 Special Policy Area 1, which allows:

- An automobile dealership subject to a maximum building floor area of 2,972 m<sup>2</sup> (~31,990 ft<sup>2</sup>); and
- Enclosed self-storage, outdoor self-storage and a caretaker suite that serves the self-storage facility subject to a maximum building floor area of 3,716 m<sup>2</sup> (~40,000 ft<sup>2</sup>) 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 Highway 7, to allow for an expanded self-storage facility and to address the Applicant's intent to:

- Eliminate the permission for an automobile dealership and the associated maximum floor area restriction;
- Remove the maximum height restriction for accessory outdoor storage but require views to the Niagara Escarpment to be maintained and the maximum height requirement to be set out in the implementing zoning by-law; and
- Change the permitted use of outdoor storage to accessory outdoor storage to ensure that outdoor storage is not permitted as a standalone use, is accessory to the principal use of the lands (i.e., enclosed self-storage facility) and is limited in area to maintain the rural character of the Rural Cluster Area.

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.

In addition, the maximum size of a permitted non-residential use is limited to 500 square metres of gross floor area, which may require a hydrogeological study to the satisfaction of the Town and the Region of Halton.

Planning staff is of the opinion that the proposed development satisfies the intent of Section E4.4.3, as follows:

**Criterion a)** – The self-storage facility is an existing use within Henderson’s Corners based on land use decisions that date back to the 1980s. The proposal seeks to expand the self-storage use onto additional lands with a small increase to the maximum total permitted floor area for all buildings and structures. As noted, one of the characteristics of Henderson’s Corners is its commercial, auto-oriented character due to its bisection by Highway 7, which is intended to accommodate high volumes of traffic.

The Official Plan Amendment will maintain maximum building and outdoor storage area requirements for the expanded site and the Zoning By-law Amendment includes development standards (e.g., maximum building and outdoor storage heights and areas, fencing and other screening requirements) to ensure that the expanded facility is compatible with the character of Henderson’s Corners. The Zoning By-law Amendment also includes a Holding (H31) Provision requiring the Owner to demonstrate that the lands can be serviced through appropriate private services.

**Criterion b)** – The subject lands have frontage and direct access onto Highway 7. Highway 7 is classified as a Provincial Highway under the Town’s Official Plan, which is intended to accommodate high volumes of traffic. As part of the proposed development the existing driveway entrance to 13376 Highway 7 is intended to be closed to reduce the number of access points onto the highway and continue to use the existing entrance at 13394 Highway 7 to access the commercial self-storage facility.

The Ministry of Transportation Ontario (MTO) was circulated the Official Plan and Zoning By-law Amendment applications and indicated no objection to the proposal, subject to some minor revisions being made to the submitted Transportation Impact Study as part of the submission of the future Site Plan application. MTO noted that an MTO Building and Land Use Permit will be required for the proposed development and an MTO Sign Permit will be required for any signs that are visible from the highway.

**Criterion c)** – The Applicant has noted in the submitted Planning Justification Report that the majority of the customers using the existing commercial self-storage facility are located within 20 km of the site. In addition, the Applicant noted that the facility is used by both residents and businesses, thereby serving a variety of customers.

**Criterion d)** – The Region of Halton was circulated the applications including the submitted Functional Servicing Report, Servicing Plan and Water Supply Analysis and raised no concerns from a site servicing perspective. As noted, the proposed Zoning By-law Amendment is subject to a Holding (H31) Provision requiring the Owner to enter into a site plan agreement and demonstrate that the lands can be appropriately serviced through adequate private, on-site services through the Site Plan Control process.

**Criteria e) and h)** – The site-specific Zoning By-law Amendment contains a provision requiring a solid-screen wooden privacy fence that is a minimum height of 2.13 metres (7 feet) along the rear and southern interior side lot lines and a minimum height of 3.0 metres (~10 feet) along the northern interior side lot line in order to screen the proposed

development from the abutting residential properties located on the west side of Highway 7. In addition, through the use of other screening including walls, opaque buildings, and landscaping, impacts to privacy and enjoyment of neighbouring residential properties will be mitigated.

**Criterion f)** – Given their drive-up design, loading spaces are not needed for the standard 3 m high self-storage buildings; however, a loading space has been provided for Building I given its larger design may require a designated loading space. A total of 38 parking spaces are proposed on the combined site, which meets the minimum parking requirement for the proposed development.

**Criterion g)** – The proposed Official Plan and Zoning By-law Amendments only permit outdoor storage as an accessory use to the commercial self-storage facility and the Zoning By-law Amendment contains provisions limiting the height of the outdoor storage and the amount of lot area it is permitted to occupy. Through the Site Plan Control application, the Applicant will be required to illustrate the accessory outdoor storage on applicable drawings, which will be required to be located within the rear yard (i.e., behind the buildings, walls, and trees located at the front of the site).

As noted, a solid-screen wooden privacy fence that is a minimum height of 3.0 metres (~10 feet) along the northern interior side lot line is required to be provided, which can serve as the required screening for any accessory outdoor storage proposed on this side of the site. The proposed Zoning By-law Amendment also requires a solid-screen wooden privacy fence of 2.13 metres (7 feet) high along the rear and southern interior side lot lines, which will be required to be increased to 3.0 metres should any outdoor storage be proposed between the 3 m high self-storage buildings and these lot lines.

Planning staff notes that the 500 square metre restriction for new non-residential uses has already been exceeded given the existing self-storage facility is permitted to be up to 3,716 square meters in gross floor area. Given the limited servicing requirements for self-storage facilities a hydrogeological study was determined not to be required to support the proposed Official Plan and Zoning By-law Amendments. Should the servicing requirements for the proposal change, a hydrogeological study may be required as part of the review of the Site Plan Control application.

Based on the above, Planning staff is satisfied that the proposed development represents an acceptable expansion of the existing commercial self-storage facility.

#### **f) Town of Halton Hills Zoning By-law**

Under Comprehensive Zoning By-law 2010-0050, 13394 Highway 7 is zoned Rural Cluster Commercial Exception 22 (RCC(22)) and 13376 Highway 7 is zoned Rural Cluster Residential One (RCR1). Exception 22 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 Exception 22 (RCC(22)) zone and then permit an

increased maximum gross floor area of 8,000 m<sup>2</sup> (~86,111 ft<sup>2</sup>) across both properties to facilitate the expanded facility. The Zoning By-law Amendment also seeks to increase the maximum permitted height for accessory outdoor storage on a portion of the site and remove the site-specific permission for an automobile dealership.

The northwest corner of the intended combined site (rear of 13376 Highway 7) contains a portion of a woodland located on the rural property to the west, which has been staked by Region of Halton Forestry staff. The woodland on the site and the 10 m buffer from the woodland are proposed to be rezoned to a site-specific Environmental Protection One (EP1) zone to ensure that development is not permitted in this area.

The amendment then proposes site-specific provisions for each of the proposed zones. The following outlines the requested site-specific provisions and their accompanying rationale:

- ***Change the permitted use of outdoor storage to accessory outdoor storage***

As noted, the permitted use of outdoor storage has been changed to accessory outdoor storage in both the proposed Official Plan and Zoning By-law Amendments to ensure that outdoor storage is not permitted as a standalone use, is accessory to the principal use of the lands (i.e., enclosed self-storage facility) and is limited in area.

- ***Delete permission for motor vehicle sales and/or rental establishment***

This use along with the associated maximum floor area restriction of 2,972 m<sup>2</sup> (31,990 ft<sup>2</sup>) has been removed given it is not proposed as part of expansion of the commercial self-storage facility.

- ***Reduce the maximum permitted height from 11 metres to 6.0 metres for all buildings except for the existing office building and Building I***

The existing office building has a height of 9.5 metres and Building I is proposed to have a height of 10.6 metres. The maximum permitted height for all other buildings will be consistent with the existing 6.0 m height restriction for outdoor storage. The Niagara Escarpment Commission indicated no concerns with the proposed building heights.

- ***Require the locations and maximum building envelopes for Building B and Building I to be in accordance with the schedule to the by-law***

Staff requested that the locations and maximum building envelopes for proposed Buildings B and I to be in accordance with the locations and dimensions of these buildings as shown on the schedule to the proposed Zoning By-law Amendment to ensure that the 6 existing mature spruce trees at the front of 13376 Highway 7 and the other healthy trees located between Building B and the northern interior side lot line can be preserved. These trees are intended to significantly screen views to Building I or any accessory outdoor storage proposed within this area.

- ***Change the maximum net floor area for all buildings and structures from 3,716 m<sup>2</sup> (40,000 ft<sup>2</sup>) to a maximum gross floor area of 8,000 m<sup>2</sup> (~86,111 ft<sup>2</sup>)***

The maximum permitted floor area is proposed to increase to 8,000 m<sup>2</sup> (~86,111 ft<sup>2</sup>) to accommodate the proposed development. A maximum floor area requirement is being maintained in both the proposed Official Plan and Zoning By-law Amendments to ensure that expansion is not permitted without further land use approvals.

- ***Change the maximum net floor area for outdoor storage (3,716 m<sup>2</sup>) to instead be a maximum lot area for accessory outdoor storage***

The existing maximum net floor area for outdoor storage is proposed to change to a maximum lot area for accessory outdoor storage given storage containers are not classified as buildings or structures under the Town's Zoning By-law. The maximum size has been maintained at 3,716 m<sup>2</sup> to limit the outdoor storage area and ensure that it is an accessory use to the commercial self-storage facility, which is permitted to be up to 8,000 m<sup>2</sup> in gross floor area.

However, the overall site cannot accommodate the full 8,000 m<sup>2</sup> of self-storage floor area with 3,716 m<sup>2</sup> of lot area for outdoor storage. The intention is to provide the Applicant with flexibility to have a combination of self-storage buildings and outdoor storage areas (to be implemented through the Site Plan Control process) while ensuring that the outdoor storage areas do not exceed the total floor areas for the self-storage so that outdoor storage remains an accessory use.

- ***Reduce the minimum rear yard setback for accessory outdoor storage from 7.5 metres to 3.0 metres***

The Applicant has requested a reduced rear yard setback for the accessory outdoor storage to provide development flexibility given the site backs onto the Niagara Escarpment, which provides natural screening from the rear of the property. NEC staff was circulated the applications and indicated no objection to the requested relief.

- ***Require 3.0m on-site screening for accessory outdoor storage for the portion of the rear lot line only located within 68.0 metres of the southern corner of the lands and permit screening to be provided by opaque buildings that are a minimum height of 3.0 metres***

As noted, the site backs onto the Niagara Escarpment, which would provide natural screening of any accessory outdoor storage along the rear lot line. Given the proposed buildings are a minimum of 3.0 metres in height and are opaque, it is appropriate to permit them to be used as the required on-site screening for any outdoor storage.

Given the Escarpment generally decreases in elevation from the northern end of the site to the southern end of the site and a residential dwelling on the

neighbouring property is located near the south end of the site, 3.0 m high on-site screening will still be required along the southern interior side lot line and the portion of the rear lot line located within 68.0 metres of the southern corner of the site for any outdoor storage located between the proposed buildings and these lot lines.

- ***Require a minimum of 1 loading space for the commercial self-storage facility and accessory outdoor storage uses, which will be dedicated to Building I***

As noted, loading spaces are not needed for the standard 3 m high self-storage buildings given their drive-up design; however, a loading space has been provided for Building I given its larger design may require a designated loading space.

- ***Require a 2.13 m solid-screen wooden privacy fence along the rear and southern interior side lot lines and a minimum height of 3.0 m along the northern interior side lot line***

The proposal includes a wooden privacy fence that is a minimum height of 2.13 metres (7 feet) along the rear and southern interior side lot lines and a minimum height of 3.0 metres along the northern interior side lot line as shown on Schedule A to the Zoning By-law Amendment. The 2.13 m high wooden privacy fence was illustrated on the Site Plan approved drawings for the existing commercial self-storage facility but has not yet been erected. A 3.0 m high wooden privacy fence is also required along the northern interior side lot line to screen the development from the residential properties located to the north of the subject lands.

- ***Increase the maximum permitted height for accessory outdoor storage from 6.0 metres to 7.6 metres for the northern portion of the lands***

A site-specific provision is proposed for the northern portion of the lands to be zoned Rural Cluster Commercial Exception 22-A (RCC(22-A)) as shown on Schedule A to the proposed Zoning By-law Amendment. The intent is to permit the storage containers to be stacked 3-high in this area given the storage containers are approximately 2.4m high and additional height (0.4 m) is proposed to accommodate the deck blocks that the storage containers are sited on.

The existing 9.5 m high office building and 6 mature spruce trees already obstruct views to the Niagara Escarpment, and any outdoor storage in this area will be required to be screened by the 3.0 m high wooden privacy fence along the northern interior side lot line and by buildings or other on-site screening along the front lot line. Planning staff is satisfied that views to the Escarpment will be maintained given it generally increases in elevation from the southern end of the site to the north; see SCHEDULE 4 – SITE PHOTOS (VIEWS FROM HWY 7). In addition, the Niagara Escarpment Commission noted no objection to the new Building I in this location, which is proposed to have a height of 10.6 metres.



- ***Prohibit a fence within the site-specific Environmental Protection One (EP1) zone***

A site-specific provision is proposed within the EP1 zone to ensure that no fence is erected within the woodland or the 10 m buffer from the woodland in accordance with comments from the Region of Halton Forestry staff.

## **5.0 Department and Agency Circulation Comments**

The Official Plan and Zoning By-law Amendment applications were circulated to Town departments and external agencies for review, with the most recent circulation occurring in April 2024. Staff from various departments and agencies have completed their review and have indicated that they have no concerns or objections to the proposed Official Plan and Zoning By-law Amendments.

Comments flagged in the April 26, 2023, Public Meeting Report pertaining to satisfying Section E4.3.3 of the Town's Official Plan, correcting the deficient, inconsistent and inaccurate information in the submitted documents (including the traffic modelling), ensuring that the requested 10.6 m height only applies to Building I, tree protection, demonstrating that the proposed development serves the local community and maintains views to the Escarpment, and ensuring that Buildings B and I do not encroach into the Escarpment Natural Area designation have been satisfied or will be satisfied through the Site Plan Control and Holding Removal By-law applications.

## **6.0 Public Comments**

The Statutory Public Meeting for the applications was held on May 8, 2023. One member of the public came forward to raise concerns regarding signage and light pollution. The resident also raised concerns through their correspondence with staff regarding privacy, traffic and traffic safety, layout and height of the self-storage containers, and height of the proposed self-storage buildings.

The following sections describe the specific public questions/concerns and provide staff responses:

### **6.1 Signage and Light Pollution**

Concerns were raised regarding visual and glare impacts to surrounding residential properties from signage, illuminated signage, and light pollution.

#### *Staff Response*

Signage (including illuminated signs) on commercial properties is regulated by the Town's Sign By-law 2003-0065. Any signage must meet the provisions of this by-law, and a Sign Permit will be required for any commercial signage. An MTO Sign Permit will also be required for any signs that are visible from Highway 7.

As part of the future Site Plan Control application a lighting and photometrics plan will be required demonstrating that all exterior lighting will be full cut-off at the property lines in accordance with Town engineering standards to ensure that lighting does not spill over onto neighbouring properties. In addition, to minimize impacts to surrounding

properties and maintain views to the Escarpment, staff will be requesting that exterior lighting and/or signage on the upper levels of the buildings be avoided and that no new tall pylon or free-standing signs be erected through the Site Plan Control process.

## **6.2 Traffic and Traffic Safety**

Concerns were raised regarding increased traffic and traffic safety as a result of the expanded commercial self-storage facility.

### *Staff Response*

The Ministry of Transportation Ontario (MTO) was circulated the Official Plan and Zoning By-law Amendment applications given Highway 7 is controlled by MTO. MTO reviews development proposals along or near Provincial Highways and Freeways for considerations including traffic, traffic safety, access, drainage within the road allowance, etc.

As noted, Highway 7 is classified as a Provincial Highway under the Town's Official Plan and is intended to accommodate high volumes of traffic. As part of the proposed development the existing driveway entrance to 13376 Highway 7 will be closed to improve traffic safety by reducing the number of access points onto the highway.

MTO indicated no objection to the proposal, subject to some minor revisions being made to the submitted Transportation Impact Study (TIS) as part of the submission of the future Site Plan Control application. Town Transportation staff also reviewed the submitted TIS and indicated no objection to the proposal.

## **6.3 Privacy**

Concerns were raised regarding privacy impacts to surrounding residential properties as a result of the presence of security cameras on site.

### *Staff Response*

Cameras on private properties are not regulated by the Town. However, through the use of wooden privacy fencing, walls, opaque buildings, and landscaping, impacts to the privacy of surrounding residential properties should be mitigated.

## **6.4 Height of Buildings and Outdoor Storage and Layout of Existing Storage Containers**

Concerns were raised regarding the layout of the existing self-storage containers throughout the site and visual impacts to surrounding residential properties as a result of the heights of the containers and self-storage buildings.

### *Staff Response*

Through the Site Plan Control application, the Applicant will be required to illustrate the accessory outdoor storage area(s) on applicable drawings, which will be required to be located within the rear yard (i.e., screened behind the buildings, walls, and trees located at the front of the site). Minimum aisle widths will be required to be maintained to ensure

that the outdoor storage areas can be accessed without impacting site circulation and access to the self-storage buildings.

Wooden privacy fencing is proposed along the interior side and rear lot lines to minimize the visual impact associated with the heights of the self-storage containers and buildings. The proposed site plan (which will form a schedule to the Zoning By-law Amendment) has been revised in accordance with Planning staff's comments to modify the locations and dimensions of Buildings B and I so that the 6 mature spruce trees located at the front of 13376 Highway 7 and the healthy trees located between Building B and the northern interior side lot line can be preserved and provide significant screening of these proposed buildings as well as any accessory outdoor storage proposed within this area.

As noted, the site-specific Zoning By-law Amendment is proposed to reduce the maximum permitted height from 11 metres to 6.0 metres for all buildings except for the existing office building and the new Building I, which are permitted to be 9.5 metres and 10.6 metres respectively. The maximum permitted height for the accessory outdoor storage is proposed to be maintained at 6.0 metres for the southern portion of the site and increased to 7.6 metres for the northern portion of the site given views to the Escarpment can be maintained, the height is significantly less than the currently permitted maximum building height (11 metres), and the outdoor storage will be screened by buildings, walls, and trees located at the front of the site.

#### **STRATEGIC PLAN ALIGNMENT:**

This report identifies a thriving economy as one of the Town's Strategic priorities.

#### **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.

The future development of the subject lands will have to address the Town of Halton Hills' Green Development Standards.

#### **PUBLIC ENGAGEMENT:**

Public Engagement has been conducted as follows: A Statutory Public Meeting was held on May 8, 2023. This meeting fulfilled the requirements for public participation under the Planning Act, and provided for Transparency, Notification and Participation, as defined in the Town's Public Engagement Charter.

#### **INTERNAL CONSULTATION:**

Planning staff consulted with the appropriate Town Departments, the Region of Halton, Credit Valley Conservation, and the Ministry of Transportation Ontario (MTO) in preparation of this report.

**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