



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: June 3, 2024

Report No: DS-046-24

Subject: Public Meeting and Initial Report: Zoning By-law Amendment Application by 2056603 Ontario Inc. applicable to the lands located at 459, 465, and 475 Main Street East (Town File: Z-07/24)

Recommendation: **THAT Development Services Report DS-046-24 BE RECEIVED FOR INFORMATION.**

EXECUTIVE SUMMARY

An application has been made for an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to permit a dog daycare use on the lands currently zoned Urban Growth Centre Mixed-Use Zone with a Holding Provision (UGC-MU-H).

The application is complete pursuant to the requirements of the Planning Act and is being processed accordingly. Upon completion of the consultation and review process, a Technical Report, including recommendations, will be brought forward for Council consideration. The Technical Report will address issues raised through the consultation and review process.

The subject Zoning By-law Amendment application is being processed in accordance with the Province of Ontario Bill 109 planning application fee refund requirements. Should a decision not be made on the application by August 1st, 2024, the applicant will be eligible for an appeal for non-decision and a fee refund.

REPORT

Background

Owner: 2056603 Ontario Inc.

Applicant: Robert Russell Planning Consultants Inc.

Background

Location/Description:

The subject lands are located in Ward 2, at the northeast corner of Main Street East and Ontario Street. The lot is municipally known as 459, 465, and 475 Main Street East and currently contains a 2 storey commercial building with surface parking. The legal description is Concession 3 Part Lot 14.

The lands are located within the Central Business District and the Milton GO MTSA. The surrounding land uses are primarily commercial, and the CP Rail corridor runs along the northern property line. The location of the parcel is illustrated in Figure 1 to this report.

Proposal:

The applicant has applied for a Zoning By-law amendment to rezone the lands from the existing Urban Growth Centre Mixed-Use Zone with a Holding Provision (UGC-MU-H), to a site specific Urban Growth Centre Mixed-Use Zone to permit a dog daycare use. The existing building and parking area is proposed to remain the same. Figures 2 and 3 of this report include the concept site plan and floor plan.

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

- Planning Justification Report, prepared by Robert Russell Planning Consultants and dated November 2023
- Draft Zoning By-law Amendment, prepared by Robert Russell Planning Consultants and dated March 2024
- 2D Concept Survey, prepared by Robert Russell Planning Consultants
- Transportation Brief and Parking Study, prepared by CGE Transportation Consulting and dated April 9, 2024
- Concept Site Plan, prepared by Our Cool Blue Architects and dated March 27, 2024
- Concept Floor Plan, prepared by Our Cool Blue Architects
- OBC Letter of Use, prepared by VanGroll & Associates Inc. and dated November 8, 2022

Discussion

Planning Policy:

In the Town of Milton Official Plan, the subject lands are designated as Central Business District & Milton GO MTSA (Schedule B) and Urban Growth Centre Mixed Use Sub-Area (Schedule C). These designations permit a variety of commercial, institutional and office uses. Permitted uses included a diversified mixture of basic shopping facilities, specialty retail, food stores, business and professional offices, personal service uses, assisted,

Discussion

affordable and shared housing, existing uses, and religious, recreational, entertainment and cultural facilities.

It is noted that the Official Plan only permits animal kennels in the agricultural area. Therefore, animal boarding cannot be permitted through the proposed Zoning By-law Amendment.

While a full review of the applicable planning policies will be undertaken as part of the review of the application, based on the information provided, staff is satisfied that an Official Plan Amendment is not required.

Zoning By-law 016-2014, as amended:

The property is currently zoned Urban Growth Centre Mixed-Use Zone with a Holding Provision (UGC-MU-H). This zone permits a variety of land uses including commercial uses and residential uses. This zone also permits a veterinary clinic to be located within the first storey of a building however, a dog daycare is not permitted.

In the Zoning By-law, a dog daycare is defined as, “a premises used for the short-term non-veterinary care of dogs, and may include accessory grooming, training, and retail but does not include overnight accommodation of dogs, and does not include a kennel, a veterinary clinic or a veterinary hospital”. Dog Daycare uses are currently permitted in the Secondary Mixed-Use Commercial (C2), Auto Commercial (C5), Business Commercial (C6) and the Major Commercial (MC) zones, subject to the following criteria:

- i. The dog daycare shall not be permitted in a residential mixed use building.
- ii. Outdoor play areas shall not be permitted adjacent to a residential zone.
- iii. Accessory grooming and retail shall be limited to 5% of the gross floor area.
- iv. Waste shall be contained within an enclosed structure.

The Zoning By-law Amendment application proposes to rezone the lands to add a site specific provision to the existing zone to permit a dog daycare use on the lands. The Draft Zoning By-law is attached as Appendix 1 to this Report.

Site Plan Control:

Given that there are no physical changes proposed on the subject lands as a result of this application, Site Plan Approval will not be required. Should future development be contemplated on the subject lands, Site Plan Approval may apply.

Discussion

Staff note that façade improvements have recently been completed for the building. As the building size did not increase, site plan approval was not required for the changes.

Public Consultation and Review Process:

Notice of Public Meeting was provided pursuant to the requirements of the Planning Act on May 13, 2024. Signage providing information on the proposed application was posted on the property’s frontage facing Ontario Street and Main Street East, in addition to notice being sent by mail to all properties within 200 metres of the subject lands.

With respect to the proposal, staff has identified the following matters to be addressed through the review process:

- Functionality of existing on-site parking area to support the proposed use, and
- Compatibility of dog daycare in a potential mixed-use building.

Upon completion of the evaluation of the application, a Technical Report with recommendations will be brought forward for Council consideration.

Key Milestones

| Milestone | Date |
|---|-------------|
| Pre-Consultation Meeting | 6/27/2023 |
| Pre-Submission Review | 12/1/2023 |
| Application Deemed Complete | 5/3/2024 |
| Statutory Public Meeting | 6/3/2024 |
| Date Eligible for Appeal for Non-Decision | 8/1/2024 |



Financial Impact

None arising from this Report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact: Natalie Stopar, MCIP, RPP Phone: Ext. 2297
Planner, Development Review

Attachments

Figure 1 – Location Map

Figure 2 – Concept Site Plan

Figure 3 – Concept Floor Plan

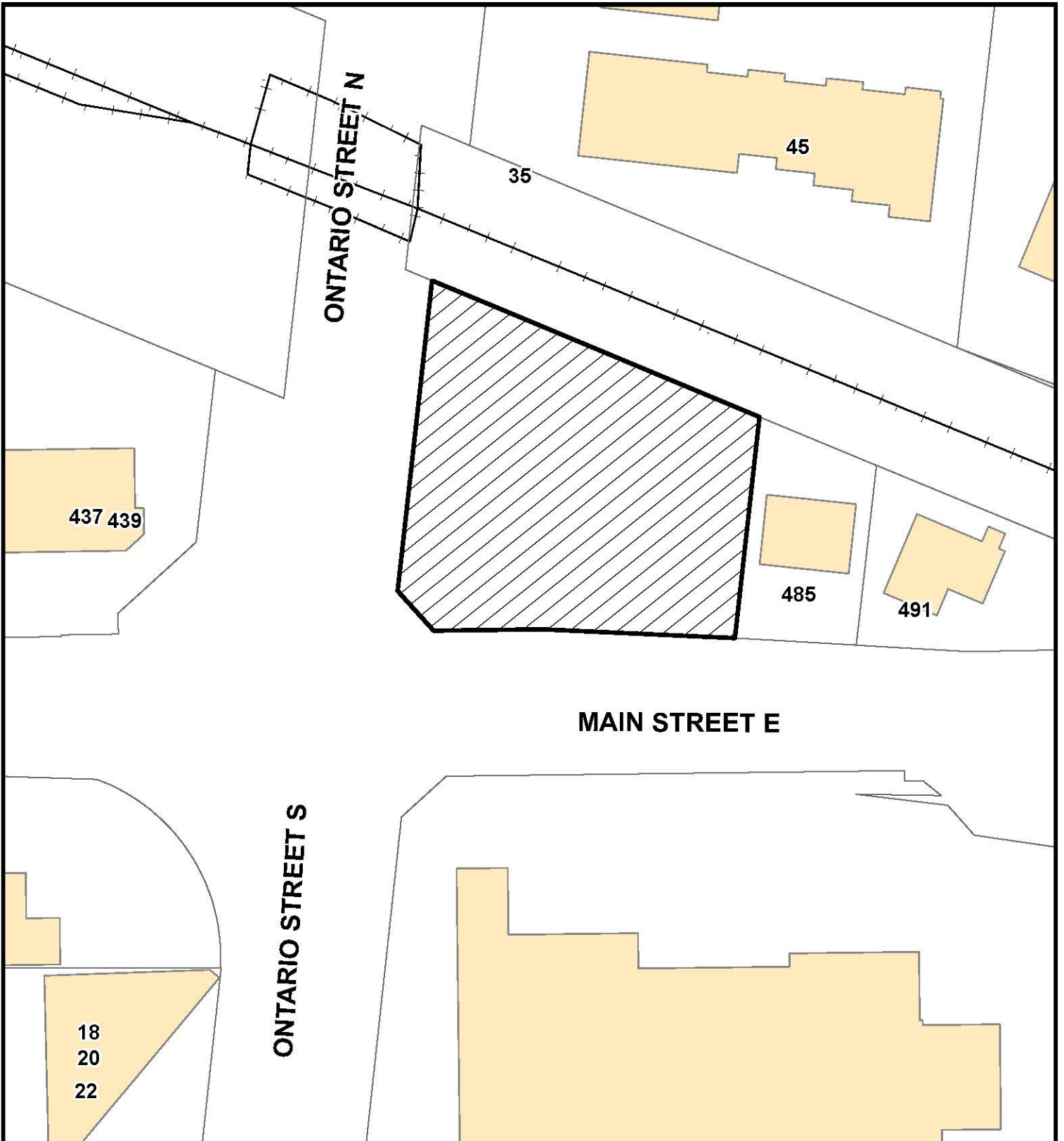
Appendix 1 – Draft Zoning By-law Amendment

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

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

FIGURE 1 LOCATION MAP



Council Meeting Date:
June 3, 2024

Scale: 1: 1,000

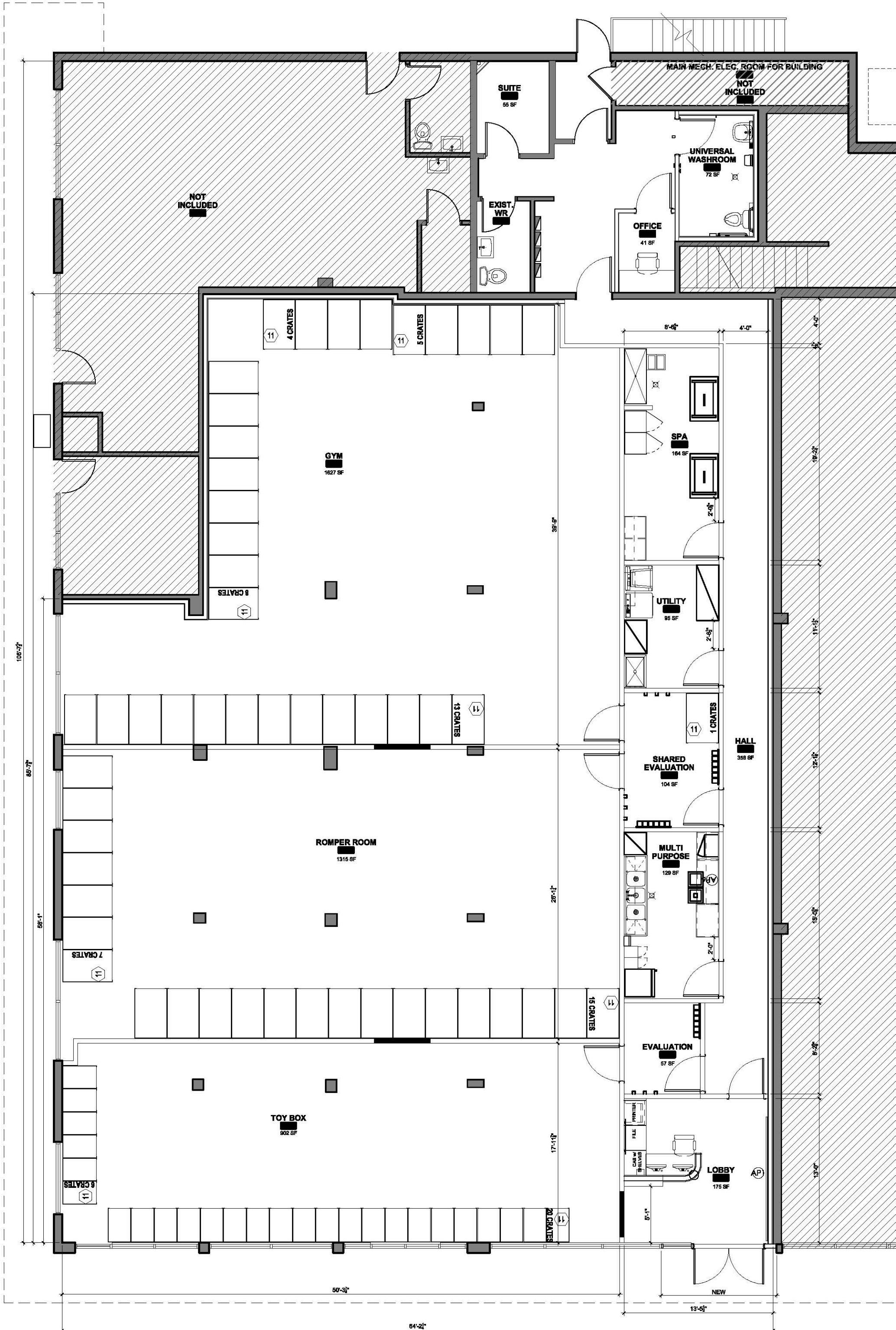
Files: Z-07/24

Development Services Department



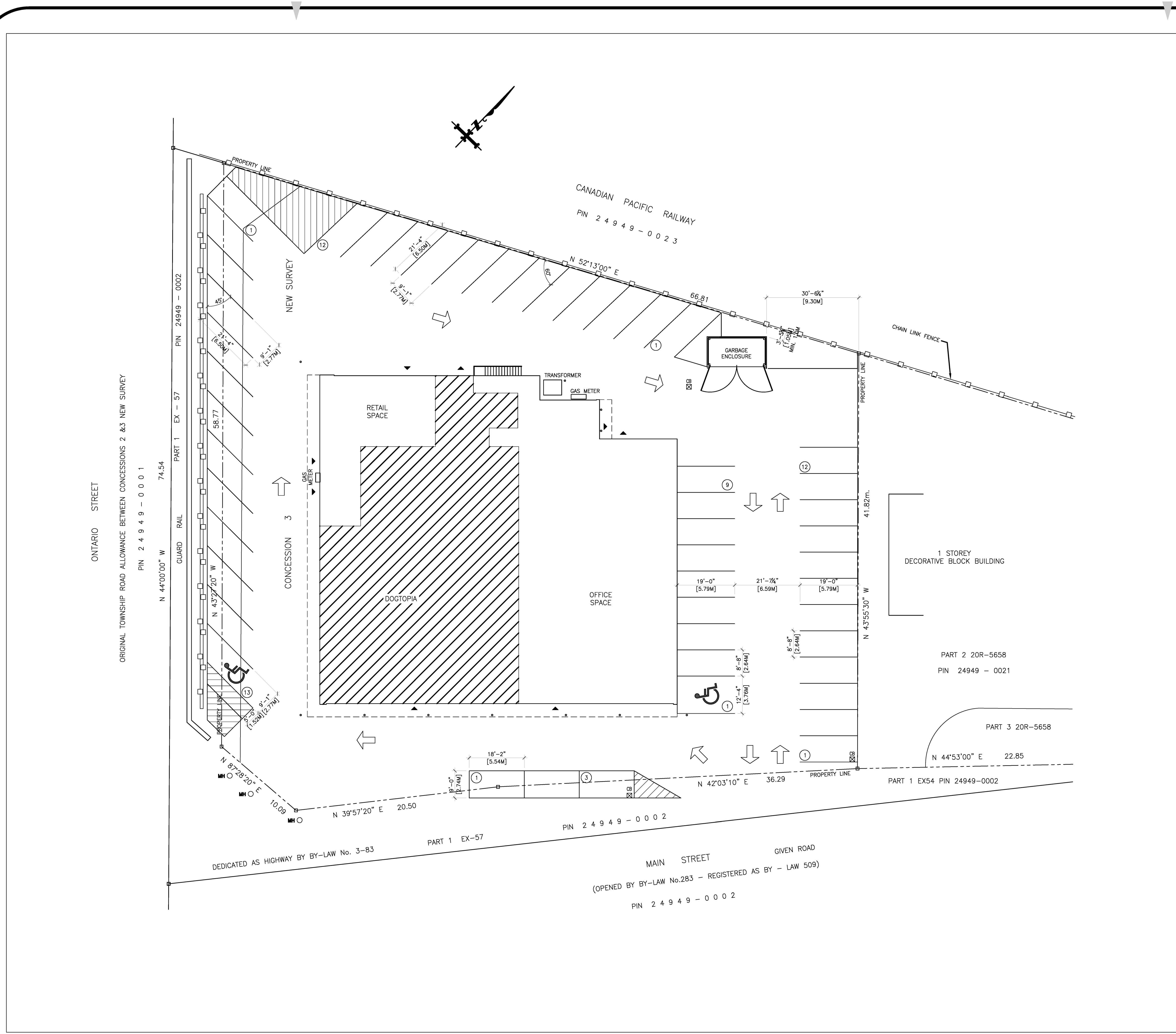
Subject Property
Page 102 of 617

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GROSS FLOOR AREA: 5,717 SF
 USABLE AREA: 5,481 SF (adj.)
 DOG ROOMS: 3,845 SF (70.1%)

Figure 3 - Concept Floor Plan



SITE LEGEND:

SURVEY INFORMATION :
Survey information obtained from -

OBC CLASSIFICATION :
3.2.2.56 GROUP D, (SPRINKLER), UP TO 2 STOREY HIGH WITH A GROSS AREA LESS THAN 2,400 sqm

PARKING REQUIREMENTS :
FOR LANDS ZONED UGC-MU
PARKING REQUIREMENTS = 1
SPACE PER 40 SQM GFA
GFA = 1430.0 SQM

PARKING SPACES CALCULATION :
Total Parking Provided: 49 Spaces
East Lot Parking: 21 Stalls
1 Barrier-free
Typical Stall - 5.7m X 2.64m
Rear (North) Parking: 12 Stalls @ 45'
1 Barrier-Free
Typical Stall - 7.5m X 2.77m
West Parking: 13 Stalls @ 60'
1 Barrier-Free
Typical Stall - 7.5m X 2.77m
Front (South) Parking: 3 Stalls
Typical Stall - 5.545m X 2.74m
Typical Barrier-Free Type A: 5.8m X 4.90m
Typical Barrier-Free Type B: 5.8m X 4.25m

LEGEND :

- Proposed Concrete Pedestrian Walkway
- Existing Asphalt
- New Asphalt
- Asphalt to Remove, Provide Landscape Area
- Existing Buildings
- Handicap Parking Stall
- Handicap Curb Cut
- Building Entrance
- Existing Grading Elevation
- Catch Basin
- Concrete Sidewalk 2930.04
- Proposed Grade Elevation
- Denotes Manhole

SITE PLAN STATISTICS

| General Data | |
|---------------------------------------|--|
| 1. Zoning Category | UGC-MU (URBAN GROWN CENTRE - MIXED USE ZONE) |
| 2. Lot and Plan Number | LOT 14 |
| 3. Municipality Address | 457 MAIN STREET E, MILTON |
| 4. Lot Area | ±3,394.62sqm (±36,539.48sf) |
| 5. Building Area | ±1,117.65sqm (±12,030.27sf) |
| 6. Existing Building Gross Floor Area | ±1,439.21sqm (±15,491.57sf) |
| Details Data | |
| 1. Lot Coverage | Required: 60% max. Provided: 32.39% |
| 2. Landscaped Area | 15% |
| 3. Paved Area | ±2,294.88sqm (±24,701.89sf) |
| 4. Lot Frontage | 50m ±84.08m (±210'-3") |
| 5. North Side Set Back | 11.37m (37'-3") |
| 6. South Side Set Back | 7.85m (25'-9") |
| 7. East Side Set Back | 18.52m (60'-9") |
| 8. West Side Set Back | 1.94m (6'-4") 9.94m (32'-7") |
| 9. Building Height | ±6.70m (±22'-0") |
| 10. Parking Spaces | 1@40sqm = 36 49 spaces |
| 11. Loading Spaces | 0 |
| 12. Barrier-Free Spaces | 2 spaces 2 Barrier-Free spaces |
| 13. | - |

GENERAL NOTES

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OCBA

general notes:

- ALL DIMENSIONS IN IMPERIAL.
- VERIFY ALL DIMENSIONS.
- DO NOT SCALE DRAWINGS.
- CHECK DRAWINGS AGAINST SPECIFICATIONS.
- USE THE LATEST REVISED DRAWINGS ONLY.
- REPORT ANY DISCREPANCIES, DISCOVERED ERRORS, OR OMISSIONS, TO THE OWNER BEFORE PROCEEDING.
- CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS PRIOR TO CONSTRUCTION, AND INFORM OWNER OF ALL DISCREPANCIES. DO NOT SCALE THESE DRAWINGS.
- CONSTRUCTION SHALL BE IN ACCORDANCE WITH PART 9 AND 4 OF THE ONTARIO BUILDING CODE AND LOCAL BY-LAWS.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CONFORM WITH THESE SECTIONS WHERE APPLICABLE AND BE ACQUAINTED GENERALLY WITH PART 9 OF THE BUILDING CODE.

| ISSUE | # | DATE | DESCRIPTION | INITIAL |
|-------|---|----------|-------------|---------|
| | 1 | 02/20/24 | PERMIT | TK |
| | 2 | 03/07/24 | PERMIT | TK |
| | 3 | 03/21/24 | PERMIT | TK |
| | 4 | 03/27/24 | PERMIT | TK |



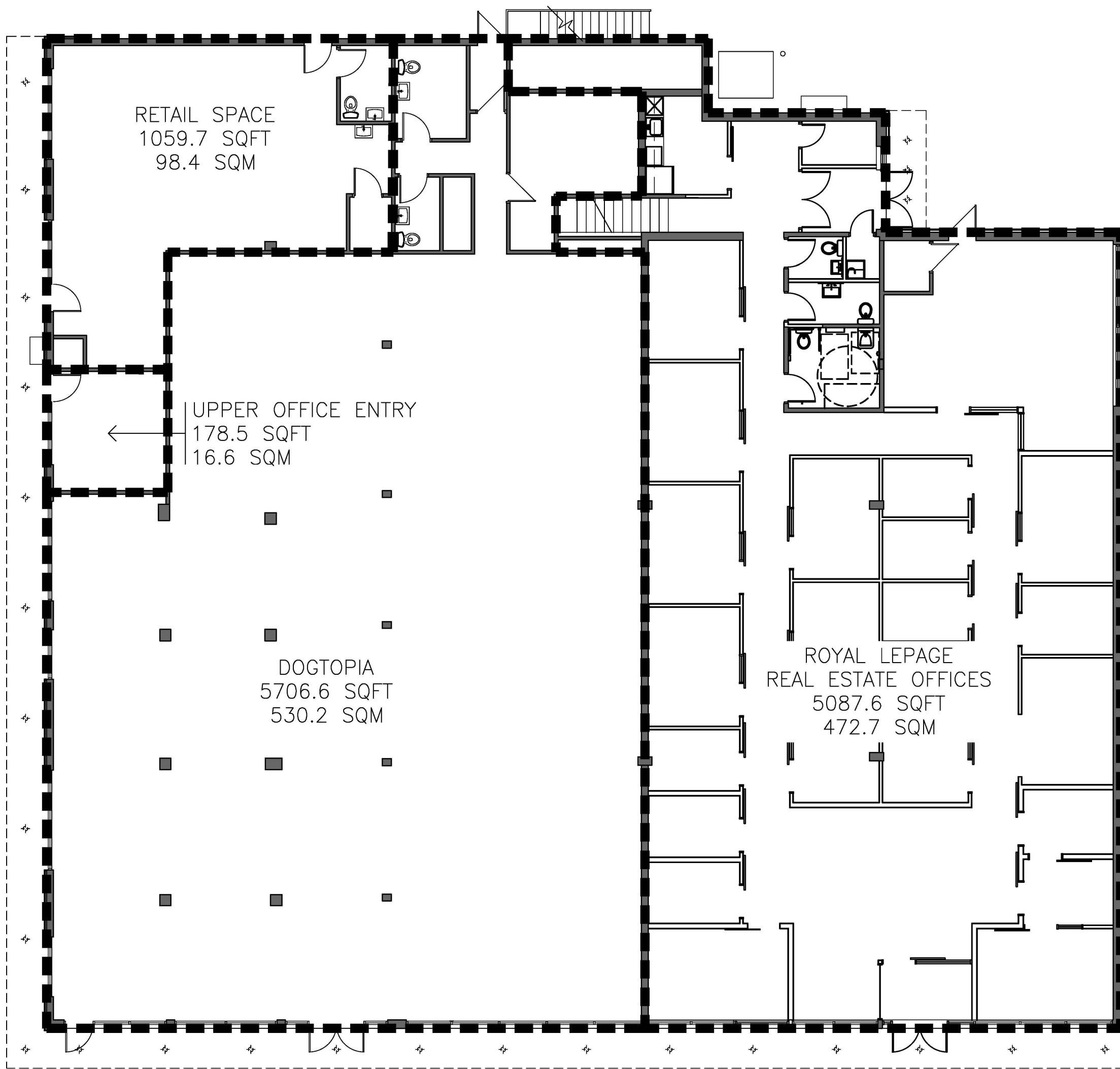
| | |
|-------------------|----------------|
| PERMIT issued for | MARCH 27, 2024 |
| Issue date | |
| Project No. | |
| Drawn by | DRL |
| Checked by | TK |

DOGTOPIA
Renovation
459 Main Street East
Milton Ontario

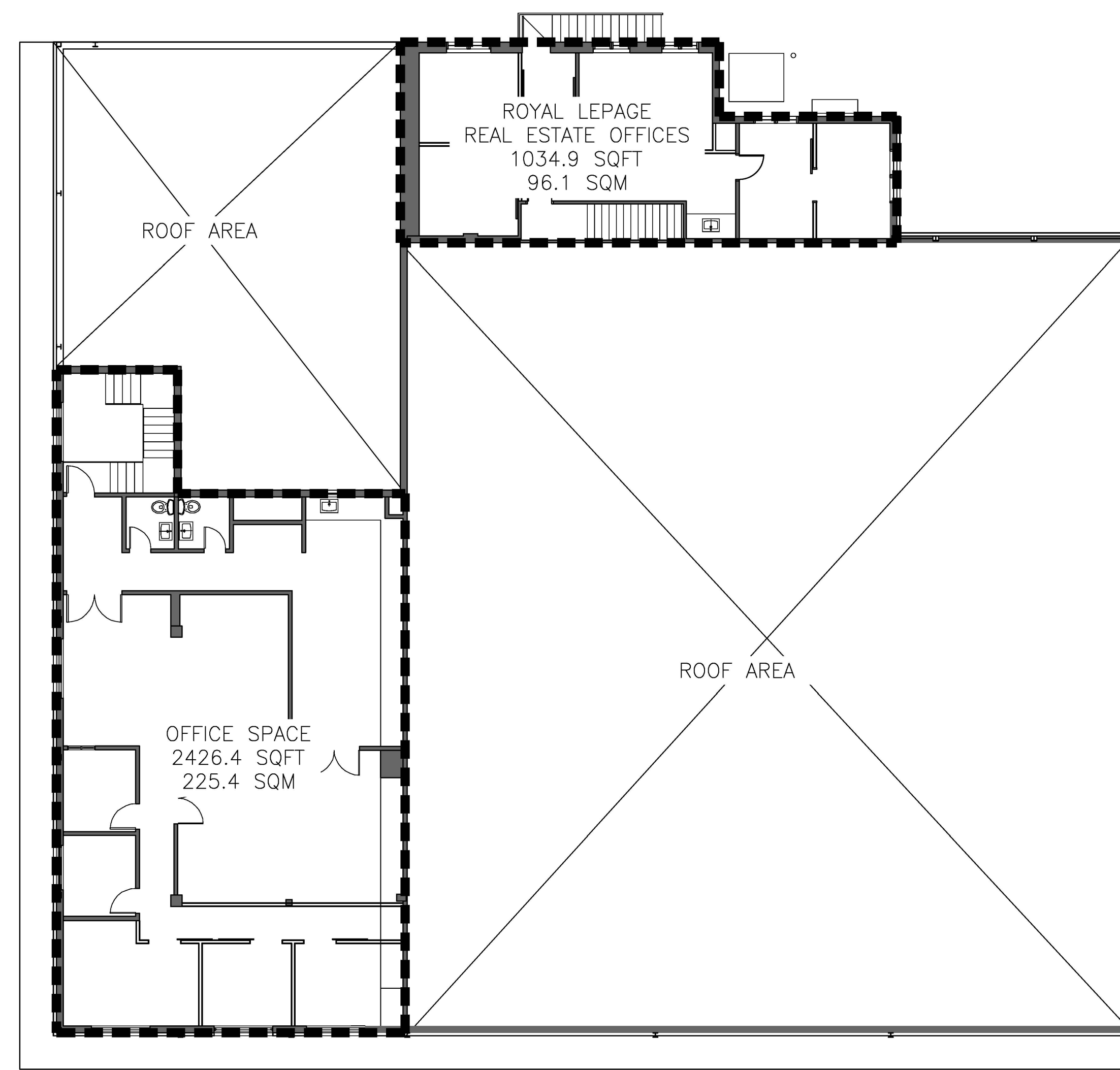
Site Plan
Drawing title

A1.1
Sheet no.

1 SITE PLAN
A1.0 1/16" = 1'-0"



1 GROUND FLOOR PLAN
3/32" = 1'-0"



2 SECOND FLOOR PLAN
3/32" = 1'-0"

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general notes:

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PERMIT
Issued for
MARCH 27, 2024
Issue date

Project No. _____
DRL Drawn by TK Checked by
DOGTOPIA
Renovation
459 Main Street East
Milton Ontario

Floor Plan
Drawing title

A2.1
Sheet no.

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW No. ____-2024

BEING A BYOLAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT IN RESPECT OF THE LANDS AT 459 MAIN STREET EAST, DESCRIBED AS PART OF LOT 14, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (WHIZKEN ENTERPRISES) – File Z-____/____

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended:

AND WHEREAS the Town of Milton Official Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

1.0 **THAT** Section 13.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection 13.1.1???? as follows:

i) Additional Permitted Uses

a. Dog Daycare

ii) Zone Standards for a Dog Daycare

a. A Dog Daycare is only permitted on the first storey of a building

b. A Dog Daycare is only permitted if there are no residential uses located within the same building

2.0 **THAT** pursuant to Section 34(21) of the Planning Act, R.S.O. 1990, c. P.13 as amended, this by-law comes into affect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsection 34(19) of the Planning Act, as amended. Where one or more appeals have been filed under Subsection 24(19) of the said Act, as amended, this Zoning By-law Amendment comes into affect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Local Planning Appeal Tribunal.

PASSED IN OPEN COUNCIL ON _____

_____ Mayor

_____ Town Clerk