



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 4, 2024

Report No: DS-008-24

Subject: Public Meeting and Initial Report: Zoning By-law Amendment Application by 1000337795 Ontario Inc. applicable to lands located at 245 Commercial Street (Town File: Z-01/24)

Recommendation: That Development Services Report DS-008-24 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, site specific Residential Low Density III (RLD3*120) zone to introduce medical clinic uses.

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.

REPORT

Background

Owner: 1000337795 Ontario Inc., 245 Commercial Street, Milton, Ontario

Applicant: Urban in Mind, 3390 South Service Road, Burlington, Ontario

Location/Description:

The subject lands are located in Ward 1 and municipally known as 275 Commercial Street. The property is generally located east of Ontario Street South and north of Derry Road. The subject lands comprise an area of approximately 1.43 hectares (3.53 acres). The subject lands currently contain a 1,158.70 square metre building which accommodates various office uses permitted within the site specific Residential Low Density III (RLD3*120) Zone (i.e. accounting, regulated health professional, and insurance).

Background

Surrounding land uses include low density residential subdivisions, natural heritage systems to the rear (including a tributary of Sixteen Mile Creek), and J.M. Denyes Public School to the west.

A Location Map is included as Figure 1 to this report.

Proposal:

The applicant is seeking an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to introduce a medical clinic use with a maximum gross floor area of 190 square metres, along with a site-specific parking rate. No physical changes are proposed on-site as a result of this application. If approved, a portion of the existing gross floor area that is currently being used for permitted office uses will be converted to medical clinic uses.

A Site Plan and Statistics is included as Figure 2 to this report.

The following information has been submitted in support of this application:

- Site Plan, prepared by Urban in Mind, dated November 16, 2023;
- Floor Plans, prepared by Fine Lines Design, dated December 22, 2023;
- Planning Justification Report, prepared by Urban in Mind, dated January 16, 2024;
- Traffic Opinion Letter, prepared by CGC Transportation Consulting, dated January 15, 2024; and,
- Draft Zoning By-law Amendment.

Discussion

Planning Policy:

The subject lands are designated Residential with a Natural Heritage System overlay to the rear, as shown on Schedule B - Urban Land Use Plan. The Residential Area designation permits a range of residential densities as well as local commercial uses (i.e. convenience commercial and office uses). The Natural Heritage System overlay seeks to protect and enhance natural features and their ecological functions.

Official Plan policies relevant to this proposal include:

- Section 3.2.2 - Residential Area: Policies that establish permitted uses within the Residential designation;
- Section 3.2.3.6 and 3.2.3.7 - Local Commercial: General development criteria to be satisfied when permitting local commercial uses within the Residential designation;
- Section 3.12 - Regional Natural Heritage: Policies that establish permitted uses and regulatory requirements with respect to development proposals; and,

Discussion

- Section 3.14 - Regulatory Flood Plain: Policies that establish permitted uses, set out regulatory requirements and identify development constraints.

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 front portion of the subject lands are zoned site-specific Residential Low Density III (RLD3*120) under the Town's Zoning By-law 016-2014, as amended. Currently the RLD3*120 Zone only permits office uses.

The rear portion of the subject lands are zoned Natural Heritage System (NHS) under the Town's Zoning By-law 016-2014, as amended. The NHS Zone permits conservation and forestry uses. The portion of the lands zoned as NHS will not be altered through this application and currently contain woodlands and floodplain.

The Zoning By-law Amendment application proposes to rezone the lands to amend the site-specific provisions to also permit the medical clinic use and establish a maximum gross floor area for the medical clinic use. The applicant is also proposing a site-specific parking rate to accommodate the mix of uses proposed in relation to the existing parking supply.

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.

Public Consultation and Review Process:

Notice of Public Meeting was provided pursuant to the requirements of the Planning Act on February 09, 2024. Signage providing information on the proposed application was posted on the property's frontage facing Commercial Street, 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:

- Consistency with the Provincial Policy Statement and conformity with the Growth Plan for the Greater Golden Horseshoe, Regional Official Plan and Town Official Plan.
- Functionality of on-site parking area and the proposal's potential impact (if any) on the surrounding road network.



Discussion

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	6/13/2023
Pre-Submission Review	11/13/2023
Application Deemed Complete	1/18/2024
Statutory Public Meeting	3/4/2024
Date Eligible for Appeal for Non-Decision	4/16/2024

Financial Impact

None arising from this report.

Respectfully submitted,

Jill Hogan, MCIP RPP
Commissioner, Development Services

For questions, please contact: Rachel Suffern, MPA, M.Sc. Phone: Ext. 2263
MCIP, RPP
Planner - Development Review

Attachments

- Figure 1 – Location Map
- Figure 2 – Site Plan and Statistics
- Appendix 1 – Draft Zoning By-law Amendment

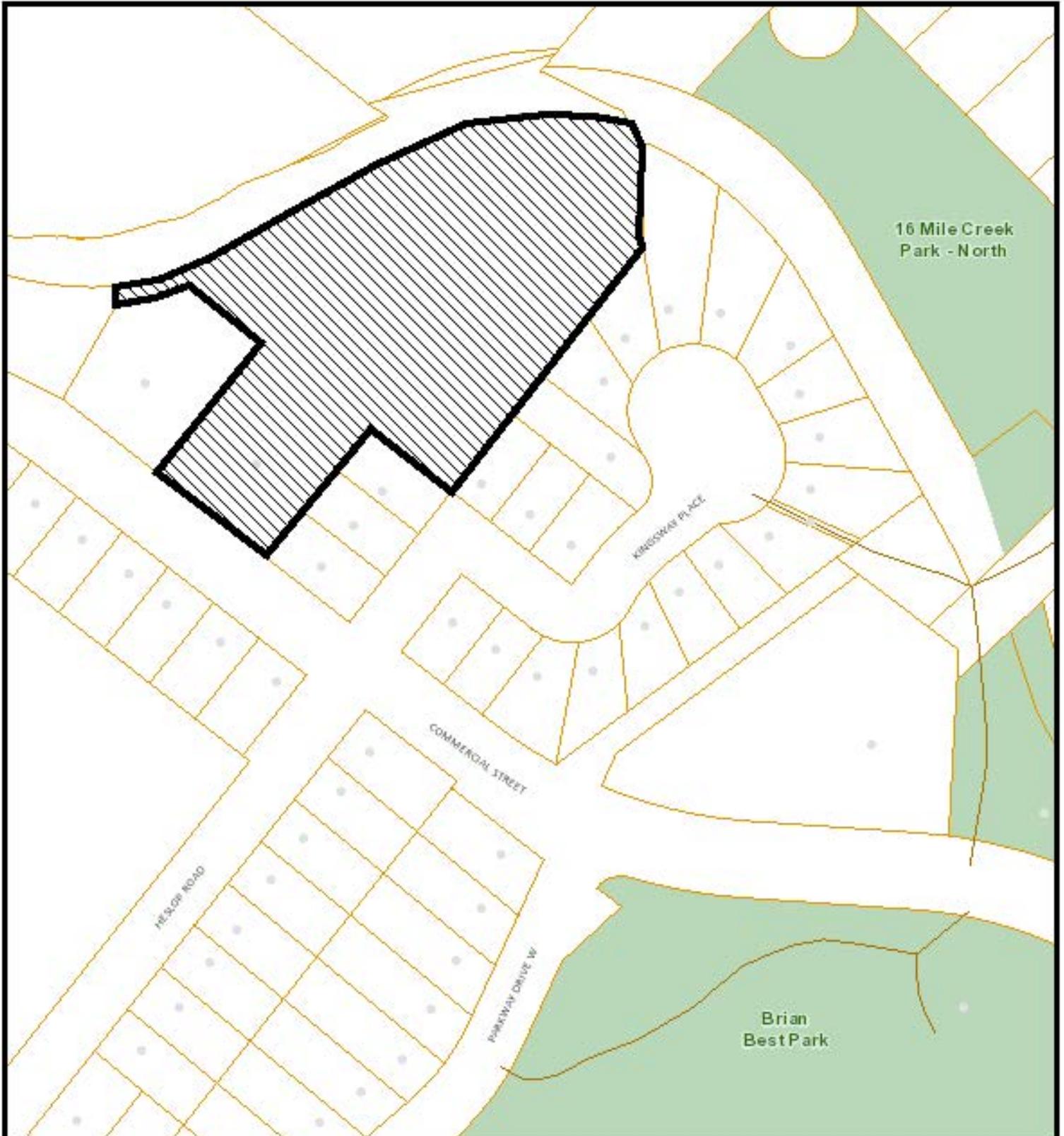
Approved by CAO
Andrew M. Siltala
Chief Administrative Officer



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:
March 04, 2024

Scale: 1:2,500

File: Z-01/24

Development Services



Subject Property
Page 48 of 181

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EXISTING SITE CONDITION

245 COMMERCIAL ST.
MILTON, ONTARIO

REQUIREMENTS BASED ON:
TOWN OF MILTON,
URBAN ZONING BY-LAW 016-2014

LOT AREA: 14,286 m² (3.53 ac / 1.43 ha)
BUILDING GROSS FLOOR AREA: 1158.7 m²
ZONING: RLD3*120

EXISTING PARKING SPACES: 38

REQUIRED PARKING USES 90% OF {G.F.A.}:
AS PER BY-LAW SECTION 5.2.ii)

- OFFICE USE {970.2m²} (@1/30m²) **AND**
MEDICAL CLINIC {188.5m²} (@1/17m²) = **40 TOTAL**

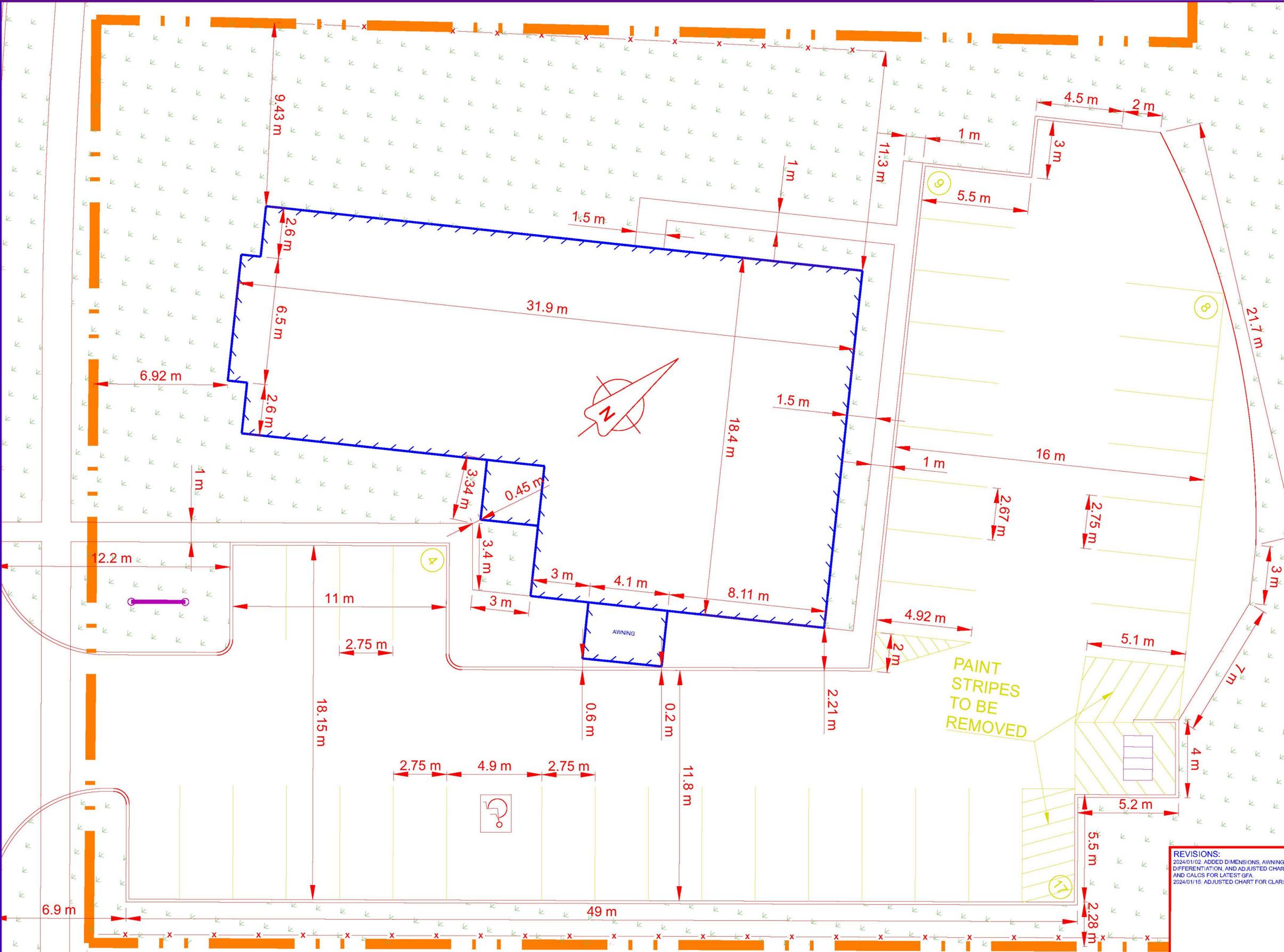
ALSO REQUIRES 2 ACCESSIBLE SPACES,
1 TYPE A AND 1 TYPE B (INCLUDED ABOVE)

- REGULAR PARKING SPACES ARE:
2.75 m X 5.8 m
- BARRIER FREE (ACCESSIBLE)
PARKING SPACE IS:
TYPE A 4.9 m X 5.8 m (WIDE ENOUGH TO INCLUDE
AISLE WITHIN IT FOR STANDARD TYPE A 3.4m X 5.8m)

LEGEND

- PROPERTY BOUNDS
- EDGE OF PAVEMENT/ASPHALT
- LANDSCAPED AREA
- BARRIER FREE PARKING SPACE MARKER
- WALKWAY / GARBAGE / NON-PARKING
- SIGN
- WASTE STORAGE BIN

NOTE:
BASE INFORMATION NOT TO SCALE.



REVISIONS:
2024/01/02: ADDED DIMENSIONS, AWNING
DIFFERENTIATION, AND ADJUSTED CHART DATA
AND CALCS FOR LATEST GFA.
2024/01/15: ADJUSTED CHART FOR CLARITY.

PROJECT FILE NO.
UIM_2023_36

SCALE:
1:100

DATE:
NOVEMBER 16, 2023

DRAWN BY: J.T.
REVIEWED BY: T.G.



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2024

BEING A BY-LAW 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 DESCRIBED AS PART OF LOT 12, CONCESSION 4, PART 1 ON REGISTERED PLAN 20R-3791 AND PART OF PART 3 ON REGISTERED PLAN 20R-3888, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (1000337795 Ontario Inc.) - FILE: Z-01/24

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. **THAT** Section 13.1.1.120 of Comprehensive Zoning By-law 016-2014, as amended, is hereby amended to read as follows:
 - a. Notwithstanding Section 6.1 Table 6A, the only permitted uses shall be as follows:
 - i. Office
 - ii. Medical Clinic
 - b. Site Specific Provisions:
 - i. The maximum Gross Floor Area associated with a Medical Clinic use shall not exceed 190 square metres.
 - ii. The minimum parking required for all permitted uses on site shall be provided at a rate of 1 space per 28 square metres of Gross Floor Area.
2. If no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the Ontario Land Tribunal dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Land Tribunal amends the by-law pursuant to Section 34 (26) of the *Planning Act*, as amended, the part or parts so amended come into force upon the day the Tribunal's Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON MARCH XX, 2024

Gordon A. Krantz

Mayor

Meaghen Reid

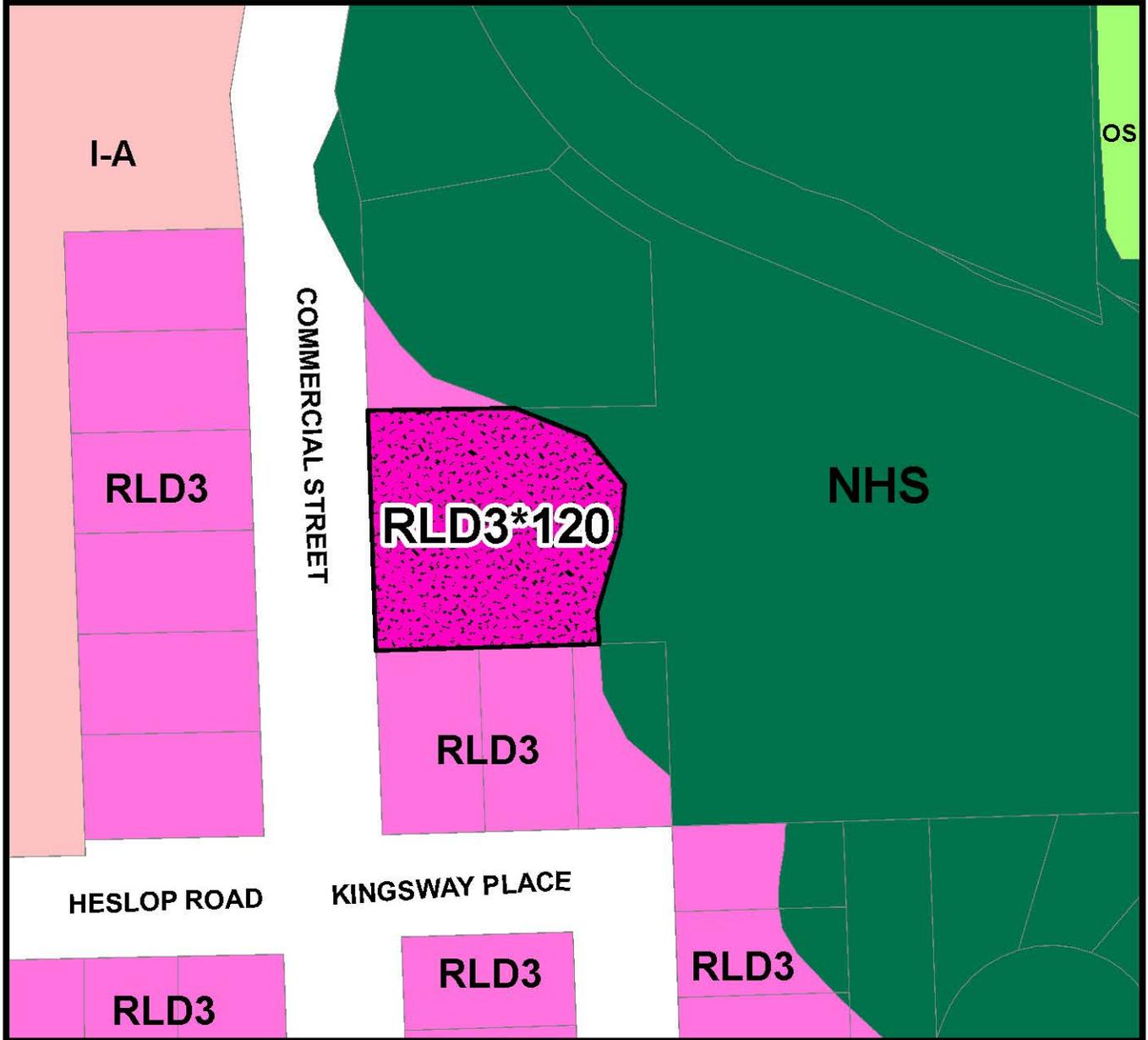
Town Clerk

SCHEDULE A
TO BY-LAW No. -2024

TOWN OF MILTON

245 COMMERCIAL STREET
(PART OF TOWNSHIP LOT 12, FORMER TRAFALGAR, CONCESSION 2 N.S.)

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. _____ PASSED
THIS 24TH DAY OF MARCH, 2024.



New Residential Low Density
III Zone Special Provision 120

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

