



# The Corporation of the Town of Milton

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Report To: Committee of Adjustment and Consent

From: Natalie Stopar, BES, MPA, MCIP, RPP

Date: February 27, 2025

File No: A25-002M

Subject: 6046 & 6056 Regional Road 25

**Recommendation: THAT the application for minor variance BE APPROVED.**

## General Description of the Application

Under Section 45(1) of the Planning Act, the following minor variances to Zoning By-law 016-2014, as amended, have been requested:

1. To permit no maximum tower floor plate area for the 8th storey of the buildings, whereas a maximum tower floor plate area of 1,000 square metres is currently required for any portion of the building between a height of 8 to 15 storeys (an increase of 127.76 square metres for Building A and an increase of 115.6 square metres for Building B);
2. To permit a maximum tower floor plate area of 1,015 square metres between the 9th and 15th storey, whereas a maximum tower floor plate area of 1,000 square metres is currently permitted (an increase of 15 square metres for Buildings A and B);
3. To permit a minimum off street visitor parking space rate of 0.20 per dwelling unit, whereas a minimum off-street visitor parking rate of 0.22 per dwelling unit is currently required (a decrease of 0.02 visitor parking spaces per unit); and
4. To permit a maximum surface parking area of 31%, whereas a maximum surface parking area of 22% is currently permitted (an increase of 9%).

The subject property is known municipally as 6056 and 6046 Regional Road 25 and is legally known as Part of Lot 6, Concession 2, in the former Geographic Survey of Trafalgar, Town of Milton.

For clarity, the buildings as also referenced as follows:

- 6056 Regional Road 25, also known as Building A or Building 1
- 6046 Regional Road 25, also known as Building B or Building 2

### **General Description of the Application**

The property is located at the northwest corner of Britannia Road and Regional Road No. 25. The lands are bounded by a creek corridor along the west property line, Etheridge Avenue to the north, Regional Road No. 25 to the east, and Britannia Road to the south. The site is currently vacant. Existing residential lands are located on the west side of the creek corridor.

The applicant previously applied for a Zoning By-law Amendment for the lands which was approved by Council in May 2024. While the Zoning By-law Amendment was appealed, the appeal was dismissed by the Ontario Land Tribunal and the Zoning By-law Amendment is now in effect. Through the Zoning By-law Amendment, the applicant proposed an overall development of 8 buildings ranging in height from 10 to 15 storeys, with a total of 1,912 units and 929 square metres of commercial floor area.

The subject minor variance application is related to the first two buildings in the development, which are currently under review through a site plan application.

### **Official Plan Designation (including any applicable Secondary Plan designations)**

The subject property is designated in the Town of Milton Official Plan as:

- Urban Area (Schedule A)
- Residential Area (Schedule B)
- Boyne Survey (Schedule D1)
- Intensification Corridor (Schedule K)

Additionally, in the Boyne Survey Secondary Plan, the lands are designated as:

- Major Node Area (Schedule C.10.C)
- Gateway (Schedule C.10.C)

The Official Plan policies, in particular the Major Node Area policies, permit buildings up to a maximum height of 15 storeys and a density of 3.0 Floor Space Index (FSI) for high density residential uses. Retail and service commercial uses are permitted up to a maximum of 2,787 square metres (approximately 30,000 square feet).

The subject buildings are part of a master planned site which is proposed to accommodate a total of 8 buildings ranging in height from 10 to 15 storeys, with a total of 1,912 units and 929 square metres of commercial floor area. The subject buildings (Building 1 and 2) are proposed to be 14 and 13 storeys respectively, with a total of 434 units and 452 square metres of ground floor retail gross floor area.



**Official Plan Designation (including any applicable Secondary Plan designations)**

Therefore, it is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan.

**Zoning**

The subject lands are zoned as site specific Mixed Use (\*351) within the Town of Milton Urban Zoning By-law 016-2014, as amended.

The lands were subject to a Zoning By-law Amendment (Town File Z-02/18) which was approved by Council in May 2024. The previous Zoning By-law Amendment application rezoned the lands from the Future Development (FD) zone to a site specific Mixed Use (\*351). While the Zoning By-law Amendment was appealed, the appeal was dismissed by the Ontario Land Tribunal and the Zoning By-law Amendment is now in effect.

The MU Zone permits apartment buildings as well as ground floor non-residential uses. The applicant is seeking relief from the following 4 site specific Zoning By-law provisions:

Variances 1 & 2: Tower Floor Plate Area

Section 13.1.1.351 a.viii of the Zoning By-law states that any portion of a building between a height of 8 Storeys and 15 Storeys shall not exceed a tower floor plate area of 1,000 square metres. The applicant is seeking relief to exempt the 8<sup>th</sup> floor from the maximum tower floor plate area requirement and to permit an increase to the maximum tower floor plate area between the 9<sup>th</sup> and 15<sup>th</sup> storeys to 1,015 square metres (an increase of 15sq.m.)

Variance 3: Visitor Parking

Section 13.1.1.351 a.xiii of the Zoning By-law states that the minimum off-street visitor parking space rate shall be 0.22 per dwelling unit. The applicant is seeking relief to permit a minimum off-street visitor parking rate of 0.20 per dwelling unit (a decrease of 0.02 per unit).

Variance 4: Maximum Parking Area

Section 13.1.1.351 a.xx.f of the Zoning By-law states that the maximum surface parking area shall be 22%. The applicant is seeking relief to permit a maximum surface parking area of 31% (an increase of 9%).

Planning staff note that "Parking Area" is defined in the Zoning By-law as follows:

Means an open area, other than a street, used for the temporary loading or unloading of service vehicles, or the temporary parking of two or more vehicles that includes

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loading spaces, parking spaces and aisles and is available for public use as an accommodation for clients or customers or residents, and shall also include residential uses containing four or more dwelling units on the same lot, exclusive of any additional dwelling unit(s), but does not include the storing of impounded, wrecked and/or otherwise inoperable vehicles.

## Consultation

### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on February 6, 2025. As of the writing of this report on February 19, 2025, staff have not received any comments from members of the public.

### *Agency Consultation*

No objections were filed with respect to the variance application from Town staff or external agencies.

## Development Services Comments

The applicant intends to construct two apartment buildings (Buildings 1 and 2) with building heights of 14 and 13 storeys respectively, a total of 434 units, and 452 square metres of ground floor retail gross floor area. The subject buildings are part of a master planned site which is proposed to accommodate a total of 8 buildings ranging in height from 10 to 15 storeys, with a total of 1,912 units and 929 square metres of commercial floor area.

### Variances 1 & 2: Tower Floor Plate Area

The first two requested variances are related to the maximum tower floor plate area.

The first variance seeks relief to exempt the 8<sup>th</sup> floor from the maximum tower floor plate area requirement. This variance is required to correct an error in the site specific Zoning By-law Amendment previously approved by Council. The site specific amendment currently includes the following provisions:

- vii. The building *podium* shall have a maximum *height* of 8 *storeys*.
- viii. Any portion of a *building* between a *height* of 8 *storeys* and 15 *storeys* shall not exceed a *tower floor plate area* of 1,000 square metres.

### Development Services Comments

The intent of the site specific Zoning By-law Amendment was to establish the building podium as the bottom portion of the building up to a maximum of 8 storeys. Any storey above the 8<sup>th</sup> storey was intended to form part of the building tower, of which the maximum tower floor plate area of 1,000 square metres. would apply. Therefore, site specific provision vii. incorrectly references the 8<sup>th</sup> storey. This correction is consistent with the building design reviewed by staff, Council, and the public through the previous Zoning By-law Amendment application.

The second variance seeks to permit an increase to the maximum tower floor plate area between the 9<sup>th</sup> and 15<sup>th</sup> storeys to 1,015 square metres (an increase of 15 square metres for both buildings). The intent of the maximum 1,000 square metres floor plate area, was to ensure that the building towers would be consistent with the Town of Milton Tall Building Guidelines, which state that the building tower should generally not exceed a tower floor plate area of 1,000sq.m. Town staff have no concerns with the increase to the tower floor plate by 15 square metres for both buildings, as the increase is small and will not visually change the scale or impact of the towers on the community. Furthermore, Urban design staff do not have any concerns with the minor increase.

### Variance 3: Visitor Parking

The third variance seeks to reduce the minimum visitor parking rate from 0.22 spaces per unit to 0.20 spaces per unit.

In January 2025, Town of Milton Council approved a housekeeping amendment to the Urban Zoning By-law which included various amendments and updates to the Town's Urban Zoning By-law 016-2014. One of the amendments included a reduction to the minimum apartment building parking rate from the previously required 1.5 resident parking spaces per unit and 0.25 visitor parking spaces per unit to 1.0 resident parking spaces per unit to 0.20 visitor parking spaces per unit. The amendment was sought by staff to align the apartment building resident parking rate and visitor parking rate with the parking rates approved by Council for multiple apartment building developments within the Town of Milton and with current best practices.

Transportation Planning staff reviewed the parking reductions through the housekeeping amendment and were supportive of the modifications to the Zoning By-law. In particular, Transportation Planning staff noted that the reduction to the apartment building parking rates are inline with the parking rate reductions supported for multiple Zoning By-law Amendment applications within the Town of Milton and in adjacent municipalities. These previous Zoning By-law amendments have been supported through detailed transportation impact and

### **Development Services Comments**

parking justification studies reviewed by the Town and additionally through an external peer reviewer retained by the Town.

The applicant has requested the reduction to align the visitor parking rate with the recent parking rate approved by Milton Council. Planning staff note that the decreased visitor parking rate will not result in an increase to the units proposed, as the previously approved Zoning By-law Amendment capped the maximum number of units within the portion of the development south of Etheridge Avenue (Buildings 1 to 4) to a maximum of 800 dwelling units.

#### Variance 4: Maximum Parking Area

Lastly, the fourth variance seeks to increase the maximum surface parking area from 22% to 31% (an increase of 9%). Through the review of the related site plan application for the subject development, it was determined that the surface parking area was calculated incorrectly through the Zoning By-law Amendment. As a result, the site specific Zoning By-law Amendment established a maximum surface parking area of 22%, which is not consistent with the proposed concept plan reviewed through the application.

The increase to the maximum surface parking area to 31% would not result in any changes to the site design reviewed and approved by Council through the Zoning By-law Amendment. Additionally, the subject development would still comply with the minimum Landscaped Open Space required of 30%.

#### Conclusion

Based on the aforementioned, Planning Staff offer no objection to the approval of this application. The variances being requested are considered minor in nature, desirable for the development of the subject lands, maintain the intent of the Zoning By-law and conform to the Official Plan.

As the subject application is subject to site plan control, it is Planning staff's opinion that no conditions of minor variance approval are required. The detailed building design will be subject to site plan approval and related site plan agreement to be registered on title for the lands.

Respectfully submitted,



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## Attachments

None.