



# The Corporation of the Town of Milton

---

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: July 17, 2023

Report No: DS-036-23

Subject: Technical Report: Zoning By-law Amendment Application by Quadspring Incorporated applicable to lands municipally known as 7419 Tremaine Road (Z-01/22)

**Recommendation:** THAT Staff Report DS-036-23 outlining an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to facilitate the development of a two-storey day care building and a single-storey multi-unit commercial building **BE APPROVED**;

THAT staff be authorized to bring forward an amending Zoning By-law in accordance with the draft By-law attached as Appendix 1 to Report DS-036-23 for Council adoption;

**AND THAT** the Commissioner of Development Services forward this report to the Provincial Ministers of Health, Education, Transportation and Infrastructure and Metrolinx with respect to review and plan for future Milton District Hospital, school and transportation expansions;

**AND FURTHER THAT** the Commissioner of Development Services forward a copy of the Report and Decision to the Region of Halton for their information.

## **EXECUTIVE SUMMARY**

The applicant has applied to amend the Town's Comprehensive Zoning By-law 016-2014, as amended, for the lands municipally known as 7419 Tremaine Road. The proposed development consists of a two-storey day care with an associated outdoor play area and single-storey multi-unit commercial building along with an associated parking area.

The proposed amendment would change the current Future Development (FD) Zone to a site specific Local Commercial (C3\*338) Zone.

All internal Town of Milton departments and responding external agencies have provided correspondence to Town Planning Staff indicating their support for the application as currently presented. Planning Staff have reviewed all of the documentation, plans and

## **EXECUTIVE SUMMARY**

comments provided to date and is of the opinion that the application as submitted is prepared in a manner that would allow it to be considered by Town Council for approval.

### **Conclusions and Recommendations**

Planning Staff is satisfied that the proposed Zoning By-law amendment achieves the following:

1. Conformity with Provincial, Regional and Town planning policy;
2. Satisfies all of the technical requirements of the affected Civic Departments and all other agencies;
3. Establishes a use that is compatible with surrounding land uses;
4. Represents an efficient use of land and infrastructure; and,
5. Facilitates the development of daycare spaces and commercial area, both of which will serve the local community.

## **REPORT**

### **Background**

**Owner:** Quadsprings Inc., 180 Elgin Mills Road West, Richmond Hill, ON.

**Applicant:** Glenn Schnarr and Associates Inc., 10 Kingsbridge Garden Circle, Unit No. 700, Mississauga, ON.

#### **Location/Description:**

The subject lands municipally known as 7419 Tremaine Road are located to the north of the traffic circle at Main Street West. The subject lands comprise an area of approximately 0.82 hectares (2.05 acres). The subject lands are currently vacant - previously, a heritage dwelling was located on-site but has since been relocated to a property on King Street.

Surrounding uses include parkland (Sherwood District Park). To the west of Tremaine Road, the lands are used for agricultural purposes and are within the jurisdiction of the Niagara Escarpment Commission (NEC).

#### **Proposal:**

The applicant is seeking an amendment to the Town of Milton Zoning By-law, by zoning the lands from the existing Future Development (FD) zone to a site specific Local Commercial (C3\*338) zone to facilitate the development of two buildings; a proposed two-storey day care facility and a single-storey multi-tenant commercial building. Figure 2 to this Report includes the proposed Site Plan and statistics. Figure 3 to this Report illustrates architectural renderings of the proposed development.

Building 'A' is a two-storey building that will accommodate a day care facility that includes 20 classrooms and an outdoor play area located at the rear. Building 'B' is a single-storey commercial building that includes 9 commercial units. At-grade vehicular parking is

## Background

provided in the central area of the subject lands, with frontage on and access to Tremaine Road. There are 114 parking spaces being proposed for the entire development. Site access would be provided with a new access from Tremaine Road.

The following plans and documents, which have been submitted in support of the application, are listed below:

- Site Plan and Site Statistics, prepared by VGA, dated May 24, 2023;
- Building and Elevation Drawings, prepared by CGA, dated May 24, 2023;
- Site Servicing and Grading Drawings, prepared by C.F. Crozier and Associates Inc., dated November 18, 2022;
- Functional Services and Stormwater Management Plans, prepared by C.F. Crozier and Associated Inc., dated November 2022;
- Geotechnical Investigations, prepared by Terraprobe, dated November 11, 2021;
- Landscape Plan and Details, prepared by C.F. Crozier and Associated Inc., dated July 12, 2022;
- Noise Impact Assessment Letter, prepared by Aerocoustics, dated March 7, 2022;
- Parking Justification Letter, prepared by C.F. Crozier and Associates Inc., dated May 2023;
- Phase One Environmental Site Assessment (ESA), prepared by Terraprobe, dated June 30, 2021;
- Phase Two Environmental Site Assessment (ESA), prepared by Terraprobe, dated December 16, 2021;
- External Lighting Plan, prepared by EPCAT Engineering, dated February 23, 2022;
- Tree Planting and Preservation Report and Plan, prepared by Kuntz Forestry Consulting, dated April 26, 2023;
- Traffic Impact Study, prepared by C.F. Crozier and Associates Inc., dated July 2022;
- Planning Justification Report, prepared by GSAI Inc., dated December 2021;
- Draft Zoning By-law Amendment, prepared by GSAI Inc., dated June 22, 2023;
- 3D Concept Plan, 2022.

## Planning Policy:

The subject lands are designated as Residential Area on Schedule B - Urban Area Land Use Plan of the Town of Milton Official Plan. Through Section 3.2.2 (h), the Residential Area designation permits day care facilities as well as local commercial uses such as convenience commercial and office uses that provide services to the needs of residents in adjacent neighbourhoods. Sections 3.2.3.6 and 3.2.3.7 provides direction for local commercial uses as it relates to siting and integration with adjacent residential uses - including, providing pedestrian and non-automobile linkages to surrounding lands, promoting a 'sense of place', minimizing traffic impacts, ensuring adequate on-site parking, drop-off facilities and outdoor play area for children.

## Background

Planning Staff are satisfied that the proposal conforms to the above-noted policy direction.

The subject lands are further designated as Neighbourhood Centre Area on Schedule C.8.D Sherwood Survey Secondary Land Use Plan. Through Section C.8.5.3.2, the Neighbourhood Centre Area designation permits uses that serves adjacent neighbourhoods as a whole, including day care facilities, convenience commercial and office uses, along with similar local institutional and commercial uses.

It is the opinion of Planning Staff that the proposal conforms to the above-noted policy direction.

The proposed daycare use will serve neighbourhoods directly adjacent and contribute towards the supply of daycare space in Milton. Based on the Region of Halton's Child Care Market Analysis (2021), the Town of Milton is experiencing an overall shortage of daycare spaces. Daycare centres are often focal points in neighbourhoods and contribute to place-making.

The proposed commercial use will provide local services to residents and provide a focal point for the surrounding neighbourhoods while creating a 'sense of place' that has pedestrian access and connection with community facilities, such as the Sherwood District Park. Further, the development will provide additional commercial space for the surrounding business community and will represent a meaningful contribution to the local economy.

Section C.8.5.3.3 requires that a development proposal shall conform to the following siting criteria:

- (a) Maximize multiple use of lands and facilities;
- (b) Eliminate barriers between facilities, particularly between parks and schools;
- (c) Ensure that buildings are oriented to public streets;
- (d) Maximize public service and safety; and
- (e) Design parking, loading and access areas in a manner which will minimize conflicts between pedestrian and vehicular access.

It is the opinion of Planning Staff that the proposed day care and commercial use are in conformity with the above-noted criteria.

The site adheres to the Sherwood Survey Planning District Urban Design Guidelines and orients buildings to have clear access and view from Tremaine Road, while maximizing the views of the escarpment. Further, the proposal maximizes the use of the lands by providing various uses on site, including both the day care and associated commercial uses that will serve the adjacent residential community.

The development provides connection to adjacent community facilities and is designed to maximize opportunities for pedestrian and bicycle movement. Pedestrian access is available via sidewalks along Tremaine Road, in addition to dedicated bicycle lanes, and the nearby trail system connected to Sherwood District Park. Internal to the site are

## Background

pedestrian routes and bicycle parking racks, provided in accordance with the Town's Zoning By-law.

Adequate parking would be provided to meet the anticipated vehicular traffic. Specific consideration has been given to ensuring maximum pedestrian safety internal to the site, including drop-off zones for the proposed day care and accessible parking locations. In support of the proposed application, a Transportation Impact Study and Parking Justification Letter, prepared by C.F. Crozier & Associates, was provided and subsequently reviewed to the satisfaction of both Region of Halton and Town of Milton Transportation Staff. The site includes enhanced landscaping and tree planting to minimize view of the parking area from Tremaine Road in order to provide a high order of urban design.

Planning Staff have reviewed the application against the Provincial Policy Statement, Growth Plan, and the Halton Region Official Plan. Both Town Staff and agency partners are satisfied that the application for a zoning by-law amendment, as presented in this report, conforms to the applicable Provincial, Regional and Town land-use planning policies and regulations.

### **Zoning By-law 016-2014, as amended:**

The subject lands are currently zoned Future Development (FD), which does not permit the proposed land use. The current application proposes to re-zone the lands to a site specific Local Commercial (C3\*338) to accommodate a two-storey day care and one-storey multi-unit commercial building.

The site specific zoning addresses a reduced parking rate, reduced setbacks due to the configuration of the lot, prohibited uses, and maximum gross floor area provisions.

Proposed permitted uses include those identified in Section 7.1 Table 7B, such as convenience store, medical clinic, restaurant, personal service shop, retail shop, and day care centre.

### **Site Plan Control:**

Should the application be approved, the applicant will be required to receive Site Plan Approval prior to issuance of a building permit and commencement of any development. Through this exercise, the applicant will address detailed design items such as landscaping, waste removal and site circulation. The applicant will be required to enter into a site plan agreement with the Town and provide securities guaranteeing the completion of the works in accordance with the agreement.

## Discussion

### **Public Consultation and Review Process:**

The applicant held a virtual Public Information Centre (PIC) on March 30, 2022. The purpose of the information session was to provide the public with an informal opportunity

## Discussion

to view the drawings and concept plans, but to also ask questions directly of the applicant and learn more about the application process. Planning Staff were present at the information session as will. It was attended by nine residents.

Notice of the Public Meeting was provided pursuant to requirements of the *Planning Act* on April 28, 2022. Notice was provided in the April 28, 2022 of the Canadian Champion (Milton) newspaper, signage was posted on the property along Tremaine Road, and personal notice was provided by mail to all residents within 200 metres of the subject lands. The statutory Public meeting was held on May 31, 2022. One resident attended the Public Meeting and spoke to the proposal before Council.

### Agency Consultation:

The application submission, including all supporting documents, were circulated to internal and external commenting agencies. Town Departments, School Boards and other agencies offered no objection to the application.

Through this review, Halton Region identified that at time of site plan approval, the applicant will be required to dedicate any lands within 23.5 metres of the centerline right-of-way on Tremaine Road to the Regional Municipality of Halton for the purpose of road widening and future road improvements.

### Summary of Issues:

The following issues and concerns were noted by residents, members of Council and staff through the application review process.

#### Parking

Various residents expressed concerns about the parking proposed on site and potential overflow parking. The applicant provided a Parking Justification Report, prepared by C.F. Crozier & Associates Inc., which reviewed surrogate sites with similar uses and determined the 114 parking spaces being proposed for the subject development would meet the expected traffic demand, along with providing a number of surplus spaces. It is noted that the peak parking period for the day care use is weekdays during pick-up and drop-off times; the peak parking period for the commercial use is expected to be evenings and weekends, when the day care is closed.

Town and Regional Transportation Staff have reviewed the Parking Justification Report and are satisfied that the proposal provides adequate parking on the site. Traffic Demand Measures have been identified to support the proposed parking and will be incorporated in the forthcoming site plan agreement.

#### Traffic Impacts

Concern was expressed regarding potential traffic impacts from the proposed development on the local and regional road network. The applicants submitted a Transportation Impact Study (TIS), prepared by C.F. Crozier & Associates Inc., in support of the application. The study concluded that the proposed day care and commercial use

## Discussion

will have minimal impact on Tremaine Road and the Main Street roundabout. The TIS contemplated the future Highway 401 interchange and maintained the aforementioned conclusions.

The Town and Region's Transportation departments have reviewed the submitted Transportation Impact Study and are satisfied with its findings. Planning Staff rely on the expertise of our Transportation professionals and therefore can support the proposed application.

### Tree Removal

A resident provided a delegation at the Public Meeting and expressed concern about the proposed tree removal required to facilitate this development. Through this application, the applicant provided a Tree Inventory and Preservation Plan (TIPP), prepared by Kuntz Forestry Consulting Inc., and while this report identifies trees to be removed - some of which are dying and/or dead - it also identifies various trees to be preserved through the development. Forestry Staff have reviewed and are satisfied with the findings of this TIPP. A Landscape Plan has also been provided through this application which demonstrates the applicant's willingness to preserve trees and provide enhanced greenery, including shrubs and perennials.

Planning Staff will continue to work with the applicant to provide enhanced landscaping and tree preservation through the forthcoming site plan application.

### Urban Design

During the Public Information Centre, residents raised concerns with the urban design and overall impact of the development on the adjacent lands, particularly the Niagara Escarpment. In response to feedback from Town Policy and Urban Design Staff, the applicant incorporated design features such as increased glazing, a patio area, and landscaping, particularly along Tremaine Road, to improve the overall façade and impact of the development.

In accordance with the secondary plan, the applicant prioritized the view of the escarpment and included enhanced landscaping along Tremaine Road while ensuring connectivity with adjacent lands. Through their review, Town Policy and Urban Design Staff were satisfied that the applicant demonstrated conformity with the secondary plan as it relates to urban design and the applicable urban design guidelines.

### Lighting Impacts

A resident raised concerns about potential lighting impacts on the Niagara Escarpment Commission area, as a result of this development. Through this application, the proponent provided an External Lighting Plan; no concerns were raised through this review and all proposed external lighting will be directed internally towards the development.



## Discussion

Through the site plan application stage, Town Staff will review photometric plans to ensure that the proposed lighting will not negatively impact adjacent lands and will comply with the Zoning By-law.

### Conclusions:

Based on the aforementioned, Planning Staff is satisfied that the proposed zoning by-law amendment is consistent with the applicable Provincial Policy and conforms to both the Region of Halton and Town of Milton Official Plan. Therefore, Planning Staff recommend approval of the draft zoning by-law amendment.

## Financial Impact

There are not financial impacts arising from this report.

Respectfully submitted,

Jill Hogan, RPP MCIP  
Commissioner, Development Services

For questions, please contact: Rachel Suffern, MPA, M.Sc. (PI) Phone: Ext. 2263  
Planner, Development Review

## Attachments

- Figure 1 – Location Map
- Figure 2 – Site Plan and Site Statistics
- Figure 3 – Rendering
- Appendix 1 – Proposed Zoning By-law

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.