



# The Corporation of the Town of Milton

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Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 4, 2024

Report No: DS-011-24

Subject: Technical Report - Zoning By-law Amendment Application by 2376439 Ontario Inc. for the lands known municipally as 6360 and 6382 Regional Road 25 (Town File: Z-11/23)

**Recommendation:** THAT Staff Report DS-011-24 outlining an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to facilitate the construction an 8 storey long term care facility with ground floor commercial BE APPROVED;

AND 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-011-24 for Council adoption.

## EXECUTIVE SUMMARY

The applicant is seeking an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to facilitate the development of an eight (8) storey long term care facility with 192 beds and approximately 850 square metres of ground floor commercial uses. The Zoning By-law Amendment application proposes to rezone the subject property located at 6360 and 6382 Regional Road 25 from the current Future Development (FD) zone to a site-specific Mixed Use Zone with a holding provision (MU\*346-H90).

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. Staff has reviewed all of the documentation, plans and comments provided to date and is of the opinion that the application as submitted can be considered by Town Council for approval.

The subject Zoning By-law Amendment application has been 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 March 20, 2024, the applicant will be eligible for an appeal for non-decision and a fee refund.

## EXECUTIVE SUMMARY

### Conclusions and Recommendations

Staff recommends that the application for an amendment to the Town of Milton Zoning By-law 016-2014, as amended, **BE APPROVED** for the following reasons:

1. The proposal conforms to Provincial, Regional and Town planning policy;
2. The proposal represents intensification within a Major Node and Intensification Corridor that would make a positive contribution to meeting the Town's growth targets in accordance with Town, Regional and Provincial planning policy;
3. The proposal meets all of the technical requirements of the affected Civic Departments and all other agencies;
4. The proposed land use is compatible with surrounding land uses; and
5. The proposal represents an efficient use of land and infrastructure.

## REPORT

### Background

**Owner:** 2376439 Ontario Inc.

**Applicant:** Bousfields Inc.

#### Location/Description:

The subject lands are located in Ward 4, on the west side of Regional Road 25 and south of Louis Saint Laurent Avenue. The lot is municipally known as 6360 and 6382 Regional Road 25 and currently contains a single detached dwelling. The legal description is Concession 2 NS Part Lot 8, and Parts 1 and 2 on 20R-9286.

The lands are located within a Major Node in the Boyne Survey Secondary Plan. The remaining lands located within the node are vacant, including the lands immediately north and south of the subject property. An existing residential subdivision is located to west of Restivo Lane. 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 Future Development (FD) Zone to a site-specific Mixed Use zone with a holding provision (MU\*346-H90), to permit the development of an 8 storey long term care facility with non-residential uses at grade. The building is proposed to contain 192 long term care beds and approximately 850 square metres (9,150 square feet) of ground floor commercial/office uses. Figures 2 and 3 of this report include the concept site plan and building elevations.

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

## Background

- Draft Zoning By-law Amendment, prepared by Bousfields Inc.
- Urban Design Brief, prepared by G Architects and dated Nov 28, 2023
- Concept Architectural Plans & Elevations, prepared by G Architects and dated Nov 28, 2023
- Existing Conditions and Removals Plan, prepared by MTE on April 13, 2023
- Site Grading Plan, prepared by MTE on April 13, 2023
- Site Servicing Plan, prepared by MTE on April 4, 2023
- Noise report, prepared by Jade Architects on April 24, 2023
- Phase 1 Environmental Site Assessment, prepared by Terraprobe on Dec 8, 2022
- Phase 2 Environmental Site Assessment, prepared by Terraprobe on March 8, 2023
- Traffic Impact Study, prepared by GHD on Nov 28, 2023
- Geotechnical Report, prepared by Terraprobe on Jan 25, 2023
- Hydrogeological Assessment, prepared by Terraprobe on March 7, 2023
- Planning Justification Report, prepared by GSAI on April 24, 2023
- Functional Servicing and Stormwater Management Report, prepared by MTE on Oct 27, 2023
- Structure Basement Foundation Plan, prepared by G Architects on Nov 10, 2023
- Site Survey, prepared by Cunningham McConnell Ltd on June 15, 2022

## Planning Policy

The subject lands are located within the Urban Area in the Boyne Survey Planning District. On Schedule C.10.C Land Use Schedule of the Boyne Survey Secondary Plan, the lands are designated Major Node Area. The lands are additionally designated as an Intensification Corridor on Schedule K of the Official Plan.

The Major Node Area designation permits a variety of high density residential, institutional and office uses. The Secondary Plan policies require a minimum building height of 3 storeys and 1.0 floor space index (FSI) and a maximum building height of 15 storeys and 3.0 FSI for the node. Retail and commercial uses are permitted provided that they are located within the main floor of a multi-storey building and do not exceed a maximum of 2,787 square metres (approximately 30,000 square feet).

Staff reviewed the application in relation to the policies of the Provincial Policy Statement, the Provincial Growth Plan, the Halton Region Official Plan and the policies of the Town's Official Plan and Boyne Survey Secondary Plan. Town staff and our agency partners are satisfied that the application for the zoning by-law amendment as presented through 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 any new buildings on the lot. A zoning by-law amendment is required to permit the development

## Background

of the lands as proposed. The applicant has proposed to rezone the lands to the Mixed Use (MU) zone with site specific provisions.

Staff have reviewed the Zoning By-law Amendment application, and recommend that the lot be rezoned to the Mixed Use (MU) zone with site specific provisions to specify the permitted height, density, building setbacks, parking setbacks, loading space requirements and parking requirements. A Holding provision is also recommended to require that a Letter of Reliance for the Phase 1 and Phase 2 Environmental Site Assessment and an updated Transportation Impact/Parking Study be provided, prior to development proceeding on the site.

Attached to this report as Appendix 1 is the site specific Zoning By-law Amendment including the respective holding provisions.

### Site Plan Control

Should the application be approved, the applicant will be required to obtain Site Plan Approval prior to issuance of a building permit and commencement of any development.

## Discussion

### Public Consultation

Notice for the Statutory Public Meeting was provided pursuant to the requirements of the Planning Act on January 4, 2024. The Statutory Public Meeting was held on January 29, 2024. One (1) member of the public provided written comments in objection to the application in advance of the Council Meeting. The resident had concerns regarding the building type and traffic impacts. The resident also noted that low density single-family residential units were preferred.

No other public comments were received.

### Agency Circulation

The Zoning By-Amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region, Town Departments, School Boards and other agencies offered no objection to the application. Agencies will continue to work with the applicants through the detailed Site Plan approval process.

### Summary of Issues

#### Height and Density

The subject lands are located within the Boyne Survey Secondary Plan and are designated as a Major Node. The Major Node area designation permits a variety of high density

## **Discussion**

residential, institutional and office uses. The policies require a minimum building height of 3 storeys and 1.0 floor space index (FSI) and a maximum building height of 15 storeys and 3.0 FSI for the node.

The applicant has proposed an 8 storey institutional building (long term care home) with an FSI of 1.95. The height and density proposed is consistent with the policies Secondary Plan.

### Noise from Regional Road 25

The Applicant has submitted an Environmental Noise Study in accordance with the Ministry of the Environment, Conservation and Parks (MOE) Publication NPC-300 guidelines. The report reviewed the impact from existing noise sources on the proposed development, including the Noise from Regional Road 25 and Louis St. Laurent Avenue. The study concluded that noise mitigation measures should be incorporated into the development including providing air conditioning units and incorporating exterior walls, windows and doors with a higher sound transmission class rating.

Town of Milton and Halton Region staff have reviewed the Noise Study and have no concerns. An updated noise study will be required with the detailed design during the site plan review stage. Staff will ensure that all required noise mitigation measures are incorporated into the proposed development.

### Driveway Access

The subject lands only have frontage directly onto Regional Road 25. As a result, the proposed development includes one driveway access directly to Regional Road 25 to the south of the site. No driveway access to Restivo Lane is proposed.

Halton Region transportation planning staff have reviewed the proposed driveway entrance onto Regional Road 25 and have no concerns.

## **Conclusion**

It is the opinion of Planning staff that the proposed amendment to the Town's Zoning By-law conforms to Provincial and Regional planning policy, meet the intent of the Town's Official Plan and achieves acceptable engineering and urban design standards. The proposed use, height and density are compatible with adjacent land uses, resulting in appropriate development of the subject lands. It is the opinion of staff that the proposed development will not only achieve appropriate intensification in a planned location but will also contribute to creating a complete community by providing long term care housing and commercial amenities to the surrounding community.

