



# The Corporation of the Town of Milton

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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 1<sup>st</sup>, 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.