



Urban in Mind

Planning Justification Report: Site-Specific Zoning By-Law Amendment

245 Commercial Street, Milton

January 16th, 2024



Approx. Subject Property 

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1.0 INTRODUCTION

Urban in Mind has been retained by the property owner to obtain planning permissions for the site-specific Zoning By-law Amendment to facilitate the permission of 'Medical Clinic' use (*in addition to current permitted uses*) on the property municipally known as 245 Commercial Street in the Town of Milton, Ontario (**Figure 1**), (i.e. "subject property").

As per Town Staff's direction, a Zoning Amendment is necessary for this proposal which consists of a new site-specific provision to add 'Medical Clinic' to the permitted 'office' uses.

As such, **NO material changes will be made to the exterior of the building or site** and therefore a revision to the existing Site Plan Approval is not necessary, especially since it would hinder the use and operation of the medical office/clinic within the community and add significant cost and complexity given associated required conservation review/approval. In addition, the 'Medical Clinic Use' will be capped at 188.5 m² (~ 188.5 m²), which is essentially just replacing/renaming the existing on-site Medical Offices.

1.1 Purpose of the Report

The purpose of this Planning Justification Report (PJR) is to provide an analysis of the proposed Site-Specific Zoning By-Law Amendment, and to evaluate the proposal in context with the policies set out in the Planning Act regarding Provincial Interest, Regional Official Plan, Local Official Plan, and current Zoning By-law, thereby providing a sound argument for the approval of the application.

2.0 SUBJECT PROPERTY AND SURROUNDING AREA

2.1 Site Overview

The subject property is municipally known as 245 Commercial Street in the Fallingbrook neighbourhood within the Town of Milton. The subject property (**Figure 1**) is irregularly shaped and has an approximate frontage of 47 metres along Commercial Street. The approximate total lot area is 14,286 square metres (3.53 acres / 1.43 hectares).

The built-up area of the subject property is approximately 2,682 m², with the remaining approximate 11,604 m² being untouched as a natural heritage system associated with the 16 Mile Creek tributary. As no alterations are proposed for the exterior of the building or asphalt area, there will not be any impacts to the property or abutting Natural Heritage area.

Figure 1: Aerial View of 245 Commercial Street – Subject Property



The immediate surrounding area includes the following:

Figure 2: Street View of Nearby Medical Services (East of Subject Property)



Figure 3: Street View of JM Denyes Public School (West of Subject Property)



Figure 4: Street View of Residential Neighbourhood (North of Subject Property)



Figure 5: Street View of Residential Neighbourhood and Montessori School (South of Subject Property)



2.2 Neighbourhood Character

The subject property is located within an existing residential area predominantly consisting of single detached homes in and around the surrounding area. Commercial, Office and Institutional uses exist within this neighbourhood area. Specific services and land uses are as follows:

North

- Milton Wastewater Treatment Plant
- Allendale Long Term Care Facility
- Milton Seniors Activity Centre
- E.C. Drury School for the Deaf
- Downtown Milton Business Improvement Area

South

- David Thompson Park
- Milton District High School
- Bronte Meadows Park
- John Tonelli Sports Centre
- Milton District Hospital
- Milton Sports Centre and Community Park
- Learning Blocks Montessori School

East

- Tiger Jeet Singh Public School
- Our Lady of Fatima Catholic Elementary School
- Little Hands Children's Learning Centre
- LifeLabs Medical Laboratory Services
- Dr. Sanjay Bhatia Pediatric Clinic
- Miltowne Pharmacy

West

- JM Denyes Public School
- Milton Town Hall
- Milton Fall Fair

The proposed new 'Medical Clinic' use is essentially just a renaming of the existing on-site 'Medical Office' uses, just in a different layout configuration. The Medical Clinic / Medical Office use complements the existing neighbourhood by providing accessible medical services to the surrounding community, and due to its physical existence, has already been fully absorbed into the local urban fabric.

2.3 Transportation

The subject property fronts onto Commercial Street, which is a Municipal Road and designated a 'Collector Road'.

Table 1: Town of Milton Official Plan - Function of Transportation Facilities

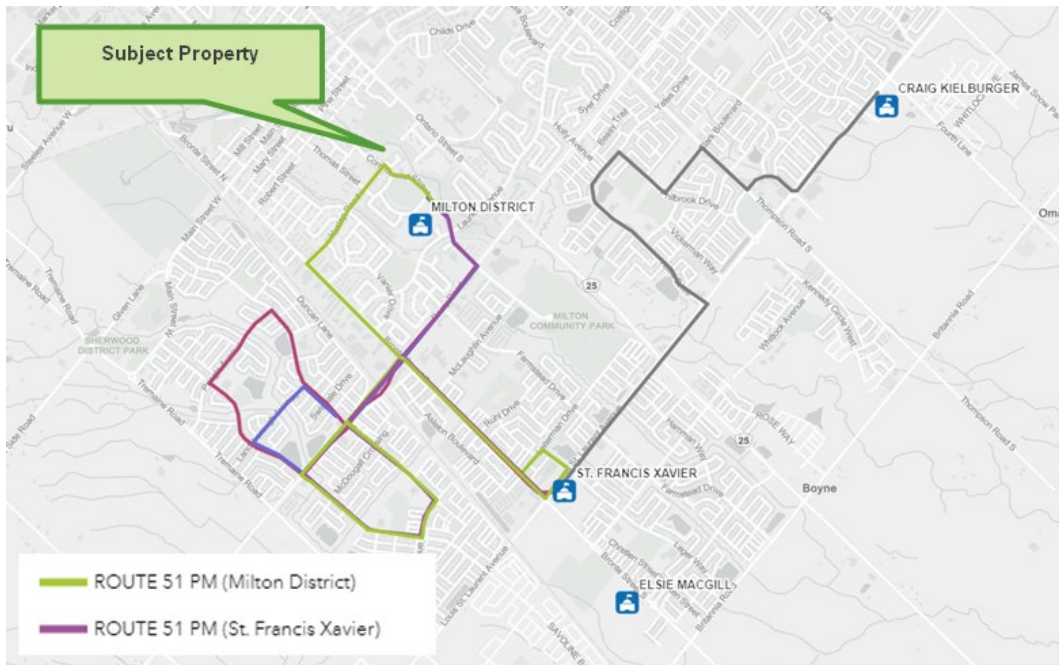
FACILITY TYPE	FUNCTION	GENERAL DESIGN GUIDELINES
Collector Road	<ul style="list-style-type: none"> Serves local travel demands Accommodates local transit service Connects Collector and local Roads to Arterials 	<ul style="list-style-type: none"> No access control Up to four travel lanes Provision for on-street parking on one or two sides Right-of-way requirements up to 26.0 metres
Local Road	<ul style="list-style-type: none"> Serves residential neighbourhood or <i>employment area</i> travel demands Connects individual properties to Collectors and Arterials 	<ul style="list-style-type: none"> No access control Two travel lanes Right-of-way requirements up to 20.0 metres

The subject property has access to the Milton Transit Bus 2 ‘Milton GO Main’ route via a bus stop at the corner of Heslop Road and Commercial Street, which is about 120m away from the entrance of the building on the subject property (**Figure 6**). This bus stop also serves the ‘**School Special**’ Milton Transit bus 51 route service, which connects passengers/students in the local residential neighbourhood with St. Francis Xavier Catholic Secondary School (**Figure 7**). Access between the bus stop and the subject property is available through the sidewalks on each side of Commercial Street, as well as the existing southbound bike lane. There are various accessible opportunities for clients to access the subject property, whether by regular Milton bus services / School Special, or through walking or cycling infrastructure, in addition to passenger vehicle mode of travel.

Figure 6: Milton Transit bus stop access from subject property



Figure 7: Milton Transit special bus routes for secondary school



There is also a municipal parking lot at Brian Best Park, which is located at the corner of Parkway Drive West and Commercial Street. This parking lot is approximately 250 m from the entrance of the building, which can be accessed through the sidewalk on Parkway Drive West going North towards Commercial Street. At this intersection, only the south side has sidewalks, but both sides have sidewalk access at Commercial Street and Heslop Road/Kingsway Place. Regardless, the subject property has sufficient on-site parking to accommodate its own ‘actual’ or ‘regulatory’ needs.

3.0 PROPOSED DEVELOPMENT & PLANNING APPLICATION

The proposed development (aka ‘technical’ new use) consists of a Site-Specific Zoning By-law Amendment to allow a ‘Medical Clinic’ use within the existing medical office building. While the building site currently operates as ‘Medical Offices’, the proposed grouping/layout of the offices technically makes a ‘Medical Clinic’ use as defined by the Zoning Bylaw. As such, a Zoning Amendment is necessary as per staff’s direction. There are no plans to alter the external structure, or any material change to the pavement, since the only change will be to the internal layout of the existing building and be limited in scope so as to ensure no external changes to the site are necessary.

The following table shows the proposed changes to the permitted uses on the subject property through a site-specific provision:

Note: The only change is the technical addition of ‘Medical Clinic’ use, as the building currently operates as individual ‘Medical Offices’.

Table 2: Site-Specific Zoning Provisions

Permitted Uses	RLD3*120
Non-Residential Uses	
Convenience Store	
Cottage Industry	
Bank	
Home Day Care	•
Home Occupation	•
Long Term Care Facility	
Medical Clinic	*Proposed
Office Building (incl. Medical)	
Office Uses (incl. Medical)	Existing – permitted by ZB exception *120
Personal Service Shop	
Restaurant	

4.0 EXISTING PLANNING POLICY AND REGULATORY FRAMEWORK

4.1 Planning Act, R.S.O. 1990, c. P.13:

The Planning Act is the leading provincial legislation that sets out the rules for land use planning in Ontario. The Planning Act ensures that matters of provincial interest are met and guides planning policy to protect citizen rights and the natural environment.

Applicable provisions from the Planning Act have been included as follows:

“Provincial Interest

- 2** *The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under the Act, shall have regard to, among other matters, matters of provincial interest such as,*
- (a) *the protection of ecological systems, including natural areas, features, and functions;*
 - (c) *the conservation and management of natural resources and the mineral resource base;*
 - (f) *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
 - (g) *the minimization of waste;*

- (h) *the orderly development of safe and healthy communities;*
- (h.1) *the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- (i) *the adequate provision and distribution of educational, health, social, cultural, and recreational facilities;*
- (n) *the resolution of planning conflicts involving public and private interests;*
- (o) *the protection of public health and safety;*
- (p) *the appropriate location of growth and development;*
- (q) *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;”*

4.2 Provincial Policy Statement (2020):

The Provincial Policy Statement (PPS) for the Province of Ontario was recently updated in May 2020. It provides Provincial Policy direction on matters of Provincial interest related to land development under the Planning Act. The Goal of the PPS is to enhance the quality of life for all people living, working and/or playing in Ontario.

Simply put, when municipal governments contemplate land use policies (e.g. Official Plan, Secondary Plan, Zoning By-law, Site Plan, etc.) or consider planning applications under these policies, the PPS must be considered.

The applicable PPS policies have been incorporated into the Town & Region’s Official Plans.

Applicable excerpts from the Provincial Policy Statement are as follows:

“Part V: Policies

1.0 Building Strong Healthy Communities

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

1.1.3 Settlement Areas

1.1.3.2 *Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- f) are transit-supportive, where transit is planned, exists or may be developed*

1.3 Employment

1.3.1 *Planning authorities shall promote economic development and competitiveness by:*

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- e) ensuring the necessary infrastructure is provided to support current and projected needs.*

1.6.7 Transportation Systems

1.6.7.4 *A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*

1.7 Long-Term Economic Prosperity

1.7.1 *Long-term economic prosperity should be supported by:*

- a) promoting opportunities for economic development and community investment-readiness;*
- c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*

2.0 Wise Use and Management of Resources

2.1 Natural Heritage

2.1.1 *Natural features and areas shall be protected for the long term.*

2.1.2 *The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage.*

2.1.8 *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

2.2 Water

2.2.2 *Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved, or restored. Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.”*

4.3 Growth Plan for the Greater Golden Horseshoe (2019):

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) is a Provincial Policy that aims to control growth and development within the Greater Golden Horseshoe Area in a way that supports economic prosperity, protects the environment, and improves the quality of life for all residents. The Growth Plan also encourages intensification by directing a significant portion of new growth to the built-up areas of communities, thus protecting agricultural areas from encroaching development and incompatible land uses.

The Growth Plan (updated 2019) further enhances the provincial direction to locate new growth within settlement areas, support urban intensification, create complete communities, maximize utility efficiency, and encourage transit usage.

The subject property is located within the ‘**Built-Up Area**’ of the Growth Plan (**Appendix ‘A’**).

Applicable excerpts from the related Growth Plan policy are as follows:

“1.2.1 Guiding Principles

The successful realization of this vision for the GGH centres on effective collaboration amongst the Province, other levels of government, First Nations and Métis communities, residents, private and non-profit sectors across all industries, and other stakeholders. The

policies of this Plan regarding how land is developed, resources are managed and protected, and public dollars are invested are based on the following principles:

- *Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.*
- *Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.*
- *Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.*
- *Provide for different approaches to manage growth that recognize the diversity of communities in the GGH.*
- *Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.*
- *Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.*
- *Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.*

2 Where and How to Grow

2.2 Policies for Where and How to Grow

2.2.1 Managing Growth

2) Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) the vast majority of growth will be directed to settlement areas that:*
 - i. have a delineated built boundary;*
 - ii. have existing or planned municipal water and wastewater systems; and*
 - iii. can support the achievement of complete communities;*
- c) within settlement areas, growth will be focused in:*
 - i. delineated built-up areas;*
 - ii. strategic growth areas;*
 - iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
 - iv. areas with existing or planned public service facilities;*

- 4) *Applying the policies of this Plan will support the achievement of complete communities that:*
- a) *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
 - b) *improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes; ...*

4 Protecting What is Valuable

4.2 Policies for Protecting What is Valuable

4.2.2 Natural Heritage System

1. *A Natural Heritage System for the Growth Plan has been mapped by the Province to support a comprehensive, integrated, and long-term approach to planning for the protection of the region's natural heritage and biodiversity. The Natural Heritage System for the Growth Plan excludes lands within settlement area boundaries that were approved and in effect as of July 1, 2017.*
2. *Municipalities will incorporate the Natural Heritage System for the Growth Plan as an overlay in official plans, and will apply appropriate policies to maintain, restore, or enhance the diversity and connectivity of the system and the long-term ecological or hydrologic functions of the features and areas as set out in the policies in this subsection and the policies in subsections 4.2.3 and 4.2.4.*
3. *Within the Natural Heritage System for the Growth Plan:*
 - a) *new development or site alteration will demonstrate that:*
 - i. *there are no negative impacts on key natural heritage features or key hydrologic features or their functions;*
 - ii. *connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;*
 - iii. *the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;*
 - iv. *except for uses described in and governed by the policies in subsection 4.2.8, the disturbed area, including any buildings and structures, will not exceed 25 per cent of the total developable area, and the impervious surface will not exceed 10 per cent of the total developable area;*
 - v. *with respect to golf courses, the disturbed area will not exceed 40 per cent of the total developable area; and*

- vi. *at least 30 per cent of the total developable area will remain or be returned to natural self-sustaining vegetation, except where specified in accordance with the policies in subsection 4.2.8”*

4.4 Greenbelt Plan:

A portion of the subject property is within an ‘Urban River Valley’ (Appendix ‘B’). However, policies pertaining to the Urban River Valleys only apply on publicly owned lands. The subject property should not be subject to Greenbelt policies as **no physical development is being proposed** within any Natural Heritage Feature, or anywhere else on the site for that matter. The proposed amendment aligns with the Greenbelt Plan because the proposed use is not expected to cause any disruption or jeopardize the natural environment and is within Milton’s Urban Area. No material site alterations or redevelopment is being proposed to the property, as the addition of ‘Medical Clinic’ use is a technical and legal change, not a material change. Finally, once the ‘Medical Clinic’ application is completed, it is the owner’s intent to sever and dedicate/donate the environmental heritage lands to a public body for future natural environment protection.

4.5 Halton Region Conservation Authority (HRCA):

Majority of the property (rear) is located within the regulation limit of Conservation Halton (Appendix ‘C’) and has floodplain and stable top of bank hazards. *‘IF’* the site was subject to Site Plan Approval (due to material site alteration or site redevelopment), which the proposal does not propose, then the Conservation Authority would have considerable concern for the possible impacts to the Natural Heritage features. But again, **no exterior development is proposed**, the proposal is only for the addition of a new Medical Clinic Use within an existing office building. Again, once the ‘Medical Clinic’ application is completed, it is the owner’s intent to sever and dedicate/donate the environmental heritage lands to a public body for future natural heritage and floodplain protection.

4.6 Halton Region Official Plan (Approved 1995 & Consolidated 2022) (ROP):

The Halton Regional Official Plan (ROP) is an overriding policy document that all lower tier municipalities (e.g., Burlington, Oakville, Milton, Halton Hills) must conform to. The Halton ROP primarily addresses infrastructure, population growth, servicing, transit, natural heritage, cultural heritage, and administrative municipal policies. These policies are generally translated into the local municipal Official Plans. Regardless of compliance with local plans, in most instances, development and redevelopment applications must still be reviewed and commented on by Regional Staff.

The current and in-effect version of the Regional Official Plan for the Regional Municipality of Halton was originally approved in 1995 and amended several times with the most recent office consolidation being in 2022.

The following designations apply to the subject property:

- The subject property is located within the **‘Urban Area’** and the **‘Regional Natural Heritage System’ (Appendix ‘D’)**.
- The subject property is within the **‘Proposed Draft Natural Heritage System Key Features’** area (Appendix ‘E’).

Applicable excerpts are as follows:

72. *The goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability, and economic prosperity.*

72.1 *The objectives of the Urban Area are:*

- 1) To accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently.*
- 2) To support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy.*
- 3) To provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure.*
- 4) To ensure that growth takes place commensurately both within and outside the Built Boundary.*
- 10) To provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs.*

74. *The Urban Area consists of areas so designated within the Regional Urban Boundary as delineated on Map 1, where urban services are or will be made available to accommodate existing and future urban development and amenities.*

Natural Heritage System

113. *The Natural Heritage System consists of the Greenbelt Natural Heritage System and the Regional Natural Heritage System.*

114. *The goal of the Natural Heritage System is to increase the certainty that the biological diversity and ecological functions within Halton will be preserved and enhanced for future generations.*

114.1 *The objectives of the Natural Heritage System are:*

- 4. To direct developments to locations outside hazard lands.*

5. *To protect or enhance the diversity of fauna and flora, ecosystems, plant communities, and significant landforms of Halton.*
6. *To protect or enhance Key Features, without limiting the ability of existing agricultural uses to continue.*
7. *To protect or enhance fish habitats.*
8. *To preserve and enhance the quality and quantity of ground and surface water.*
9. *To contribute to a continuous natural open space system to provide visual separation of communities and to provide continuous corridors and interconnections between the Key Features and their ecological functions.*
12. *To preserve native species and communities that are rare, threatened or endangered based on regional, provincial or national scales of assessment.*
13. *To preserve examples of the landscape that display significant earth science features and their associated processes.*
14. *To preserve examples of original, characteristic landscapes that contain representative examples of bedrock, surface landforms, soils, flora and fauna, and their associated processes.*
15. *To preserve and enhance air quality.*
16. *To provide opportunities for scientific study, education and appropriate recreation.*
17. *To preserve the aesthetic character of natural features.*

Regional Natural Heritage System

115.3 *The Regional Natural Heritage System is a systems approach to protecting and enhancing natural features and functions and is scientifically structured on the basis of the following components:*

1) Key Features, which include:

- 1) *significant habitat of endangered and threatened species,*
- 2) *significant wetlands,*
- 4) *significant woodlands,*
- 5) *significant valleylands,*
- 6) *significant wildlife habitat,*
- 7) *significant areas of natural and scientific interest,*
- 8) *fish habitat, Key Features that have been identified are shown on Map 1G.*

2) enhancements to the Key Features including Centres for Biodiversity,

- 3) linkages,
- 4) buffers,
- 5) watercourses that are within a Conservation Authority Regulation Limit or that provide a linkage to a wetland or a significant woodland, and
- 6) wetlands other than those considered significant under Section 115.3(1)b).

115.4 *Included within the Regional Natural Heritage System are:*

- 2) *Regulated Flood Plains as determined, mapped and refined from time to time by the appropriate Conservation Authority.*

Key Features within the Greenbelt and Regional Natural Heritage Systems

139.11 *The purpose of the Key Features within the Greenbelt and Regional Natural Heritage Systems, as identified in Sections 115.3(1) and 139.3.3, and shown on Map 1G, is to assist in the implementation of permitted use policies in the Regional Natural Heritage System and the requirement for Environmental Impact Assessments, as well as to assist the Local Municipalities in developing detailed implementation policies for the Key Features of the Greenbelt Natural Heritage System in accordance with policies of the Greenbelt Plan and this Plan.*

139.12 *There may exist other Key Features within the Greenbelt and Regional Natural Heritage Systems that are not shown on Map 1G, or that may exist in other land use designations, such as the Agricultural Area. Local Municipalities in their official plans shall ensure that these Key Features are protected through appropriate Area-Specific Plans or studies related to development and/or site alteration applications in accordance with Section 118.*

Health Services

163. *The objective of the Region is to provide opportunities for all inhabitants of Halton to attain a status of optimal health that encompasses a healthy environment, healthy lifestyles, mental wellness, and adequate access to health care.*

164. *It is the policy of the Region to:*

(9) Support the Local Health Integration Networks serving Halton in the long term planning of major health care facilities in Halton.

(10) Support, in conjunction with Local Health Integration Networks serving Halton, the establishment of an appropriate range and supply of accessible health care facilities in Halton.

4.5 Town of Milton Official Plan (Consolidated 2023):

The Town of Milton's Official Plan is currently under review as of the time of writing this report. The new Official Plan is expected to be released in two parts. Part 1 is expected to be (tentatively) released in the end of 2023 / early 2024, and it will be providing the overall structure and overarching official policy visions, goals and directions that will inform the policies of Part 2, which is expected to (tentatively) be released in 2024. As there hasn't been any Draft Official Plan documents publicly released, it is unclear if or how or if the new Official Plan may affect this proposal. The Official Plan reviewed in this report was consolidated in March 2023 and is the current in-effect Plan.

The purpose of the Official Plan is to adapt and implement objectives, policies, land use designations and overall planning approach of the Regional Official Plan to fit with the local municipal area. It also establishes local development policies unique to areas that are expected to guide growth and change. It further guides the creation, alteration, and maintenance of the Zoning By-laws to enforce the overall plans for the Town of Milton.

- The subject property is identified as an '**Urban Area**', '**Residential Area**', '**Regulatory Flood Plain Boundary**', and a '**Natural Heritage System**' (**Appendix 'F'**).

Applicable excerpts are as follows:

A.2.2 Milton's Vision For Its Future

The Town's Vision for its Future describes the community that Milton wishes to become. Milton's Vision for its Future is "To Be the Best of Town and Country in Ontario". The Vision also includes the following statement of community values:

- a) For Living - A Well-Planned Community with a High Quality of Life, which:**
 - i. encourages healthy lifestyles*
 - iii. supports the family as the foundation of the community*
 - iv. nurtures community spirit, participation and a sense of belonging*
- b) For Business - A Dynamic and Prosperous Economy, which:**
 - i. promotes and fosters the health of local business*
 - iii. capitalizes on location and accessibility to attract diverse industries*
 - iv. appreciates Milton's natural heritage and community character as economic assets*
 - v. offers residents through growth and development, a lifetime of local opportunities to live, work and play*

2.1.3.2 Urban Area

The Town's urban area consists of the original historic Town site as defined through regionalization in 1974 and subsequently expanded by the Halton Urban Structure Plan (ROPA 8) in 1995 and the Sustainable Halton Plan (ROPA 38) in 2009. The urban area encompasses a full range of residential, commercial, industrial/employment, institutional and open space land uses. It is intended to be the focus of urban development over the life of this Plan...

...It will accommodate and support a significant share of population and employment growth as well as major transit infrastructure to be achieved over the life of this Plan...

...Milton's residential neighbourhood areas make up a significant proportion of the Urban Area. These areas comprise Mature Neighbourhoods Areas, developing residential areas, and planned residential areas that are intended to accommodate a wide range of residential uses and forms.

2.2 Environment

From an environmental management perspective, the main intent is to integrate environmental management strategies with this Plan's economic and social factors in all land use planning decisions.

2.2.1 Goal

To establish and promote an environmental management system which will conserve and protect life, property, natural features and ecological systems while encouraging the enhancement of the environment and liveable space through the creation of an environmental/open space strategy.

2.2.2 Objectives

2.2.2.1 To identify, preserve and enhance natural areas and ecosystems.

2.2.2.2 To reduce the impact of urban drainage on the natural environment and to preserve and enhance the quality and quantity of ground and surface water.

2.2.2.6 To encourage private and public conservation efforts.

2.2.2.7 To define hazard lands including flood plains and erosion hazards for the protection of life and property.

2.2.2.9 To promote the conservation and managed use of all natural resources.

2.2.2.12 To encourage the enhancement of the natural environment, and hence human environment, through the creation of a Natural Heritage System.

2.2.2.13 To encourage the creation of a sustainable urban streetscape by diversified group planting.

2.2.3 Strategic Policies

2.2.3.1 Development that is environmentally and economically sustainable and uses that strive to enhance the natural environment will be encouraged.

2.2.3.2 The environmental effects of Town operations will be reviewed, and alternative approaches will be considered that will mitigate any environmental effects on the community.

2.2.3.4 Development will be limited to lands that are environmentally suited for the proposed use, considering the safety and health of the user, and negative effects on the natural environment. When required by this Plan, by Council, or by the Region, an environmental impact assessment will be conducted as part of a development application. These studies will satisfy the Region's and Conservation Authority's Environmental Impact Assessment requirements.

2.2.3.6 The Natural Heritage System

The focus of the Natural Heritage System for the Town of Milton is to protect and enhance natural features and areas and their ecological functions, including those set out in Section 4.8.1.3 of this Plan.

2.2.3.7 The boundaries of the Natural Heritage System on Schedules "A" and "B" shall be used as a basis for the preparation of the Zoning By-law provisions which will implement the policies of this Plan. Refinements to the boundaries of the Natural Heritage System shall occur in accordance with Section 4.9.3.12 of this Plan. Where such changes occur, the appropriate abutting land use designation shall apply and the Zoning By-law shall be amended accordingly. The Official Plan and the implementing Zoning By-law shall be amended to incorporate more detailed mapping when it becomes available.

2.2.3.8 Flood Plains

When reviewing existing and proposed development within the Central Business District (CBD) Area, flood plain planning will be consistent with Provincial and Halton Region Conservation Authority policy, in accordance with the policies of Section 3.14 of this Plan.

3.2 Residential Area

3.2.1 General *D1(lii)

3.2.1.1 Purpose

The Residential Area designation on Schedule "B" identifies lands within the Urban Area where the predominant use of land is, or is intended to be, a mix of low, medium and high-density residential development.

3.2.2 Permitted Uses

The Residential Area designation on Schedule "B" permits a full range of residential uses and densities. Complementary, non-residential uses that are necessary to create a residential neighbourhood environment are also contemplated. The following uses are permitted:

- i) Local Commercial Uses including limited convenience commercial, service stations and **office uses** which provide for the immediate needs of residents of adjacent neighbourhoods in accordance with the policies of subsections 3.2.3.6 and 3.2.3.7;*

3.2.3.6 Local Institutional Uses and Local Commercial Uses

Proposals for the development of local institutional and local commercial uses (excluding schools) shall conform to the following general criteria:

- 1) the proposed uses will contribute in a positive way to providing a sense of community by promoting interaction among residents, by increasing the personal security of residents, and by supplying everyday needs;*
- 2) the proposed uses will provide or contribute to the "sense of place" at the neighbourhood or sub-neighbourhood level by the establishment of a focal point for community activity;*
- 3) the proposed use includes the provision of pedestrian or other non-automobile linkages to the uses;*
- 4) ensuring that the proposed use would not generate an unacceptable level of vehicular traffic onto local streets; and,*
- 5) the service to be provided by the proposed use is needed at the proposed location in the Residential Area designation and the service cannot be or is not being provided in other areas which are designated for such uses.*

3.2.3.7 *Once a proposal for the development of local institutional or local commercial uses (excluding schools) has been reviewed against the general criteria outlined in subsection 3.2.3.6, an evaluation shall be undertaken based on conformity to all the following siting criteria:*

- a) Site:**
 - i. the site is either large enough to act as a focal point for the surrounding residential area, and is small enough so that it can easily be integrated into the residential area;*

- ii. *the area of the site is sufficient to provide for adequate buffering for any adjacent residential uses and for parking facilities and adequate drop-off facilities; and,*
- iii. *sites for local institutional facilities provide an adequate outdoor play area for the children using the facility.*

b) Location:

The site is:

- a. *adjacent to, or with direct access to a regional, arterial or collector road where safe pedestrian access is available;*
- b. *generally in a location within the neighbourhood that is easily accessible to the neighbourhood or neighbourhoods the use is designed to serve; and,*
- c. *adjacent to or clustered with other similar neighbourhood support uses in a traditional urban form.*

3.12 Regional Natural Heritage System

3.12.1 General

3.12.1.1 Purpose

The Regional Natural Heritage System designation as shown on Schedule "B" recognizes those areas within the Urban Area where protection and preservation of natural heritage features and areas and their ecological functions is required, in accordance with the policies of Sections 4.8 and 4.9 of this Plan.

3.12.3 Regional Natural Heritage System

3.12.3.1 Policies

The Regional Natural Heritage System is subject to the policies of Section 4.9 of this Plan, to all other relevant policies of this Plan and to the policies of the Conservation Authority, the Region of Halton and the applicable Provincial Plans.

3.14 Regulatory Flood Plain

3.14.1 General

3.14.1.1 Purpose

The Regulatory Flood Plain boundary within the Central Business District, as outlined on Schedule "B" delineates those lands which are subject to flooding during a Regional Storm event. Provincial policy requires that the One Zone Flood Plain Concept apply to regulatory flood plains in Ontario.

3.14.1.2 The One Zone Concept

The One Zone Concept is the Provincial planning approach whereby the entire flood plain, as defined by the regulatory flood, is treated as one unit, and all development is prohibited

or restricted. The flood plain in the Town of Milton will be regulated using the One Zone Concept.

5.8.3.3 Legal Non-Conforming Uses

A land use which is lawfully in existence prior to the passage of the implementing Zoning By-law as proven to the Town's satisfaction by the proponent, and which continues to be utilized for such purpose may continue as a legal non-conforming use or may be deemed to conform to the intent of the Plan for the purpose of the By-law.

5.10.6 Definitions

The following set of key terms used in the Plan have been defined as follows and act as a guide to their interpretation:

OFFICE USE means the carrying on of a business in which one or more persons are employed in the management or direction of an agency, business, organization, ***including the office of a Regulated Health Professional*** but excludes such uses as retail sale, the manufacture, assembly or storage of goods, or places of assembly or amusement.”

4.6 Town of Milton Zoning By-Law 016-2014:

The subject property is currently split or dual-zoned (**Appendix ‘G’**) as **‘RLD3’ Low Density Residential 3** and **‘RLD3*120’ Low Density Residential 3 with site-specific provisions**. It also has an **‘NHS’ Natural Heritage System** overlay designation on the site (excluding the current development area). The site-specific provision (*120) permits ‘Office’ uses on the land (which includes medical practitioners) is on the front portion of the property, whereas the zoning by-law mapping has been incorrectly printed to suggest the site-specific zoning is in the rear portion of the property (where it could not exist due to natural heritage protections). Nonetheless, the proposed Zoning Amendment will correct this editing issue through the associated revised mapping of this amendment should it be approved.

Applicable excerpts are as follows:

“Section 5 Parking and Loading Provisions

5.2 Calculation Of Parking Requirements

- i. Where the minimum number of parking spaces are calculated on the basis of a rate or ratio, the required number of spaces shall be rounded to the next highest whole number.*
- ii. For the purposes of calculating required parking, the Gross Floor Area shall not include any area intended, designed or used exclusively for the parking of a motor vehicle and minus 10%.*

5.3 More Than One Use on a Lot

The parking requirements for more than one use on a single lot or for a building containing more than one use, shall be the sum total of the parking requirements for each of the component uses, unless otherwise noted.

5.7 Size Requirements of Off-Street Aisles

Access to parking and loading spaces shall be provided by an adjacent aisle in accordance with the following:

TABLE 5C

TYPE	AISLE WIDTH	
	Minimum	Maximum
One-way Aisle	6.0 m (*1)	N / A
Two-way Aisle	6.0m	N / A

Footnote(s) to TABLE 5C

(*1) The minimum width of the adjacent aisle providing access to a parking space within a parking area shall be 6.0 m, except in the case of angled off-street parking accessed by a one-way aisle, which shall be a minimum width of 4.5 m.

5.8 Size Requirements of Off-Street Parking, Loading, or Queuing Spaces and Bicycle Parking (089-2022)

- i. The minimum size requirements of off-street parking, loading or queuing spaces and bicycle parking shall be provided in accordance with the following:

TABLE 5D

Type	REQUIRED DIMENSIONS		
	Minimum Length	Minimum Width	Minimum Vertical Clearance
Angle - Parking Space	6.5m	2.75m	N/A
Parallel - Parking Space	6.5m	2.75m	N/A
Perpendicular - Parking Space	5.8m	2.75m	N/A
Accessible- Parking Space			N/A
Type A	5.8m	3.4m (*1)	
Type B	5.8m	2.75m (*1)	
Loading Space	12.0m	3.5m	4.2m
Loading Area	6.0m	3.5m	3.0m

5.8.2 Non-Residential Parking Requirements (113-2017) (052-2018)

Table 3: Town of Milton Zoning By-law Parking Requirements

Medical clinic	<ul style="list-style-type: none"> 1 parking spaces per 17m² gross floor area
Offices	<ul style="list-style-type: none"> 1 parking space per 30 m² of gross floor area

5.9 Accessible Parking Requirements (38-2019)

Designated accessible parking spaces for persons with a disability shall be provided in accordance with the provisions of this By-law and the Highway Traffic Act.

- i. The minimum required accessible parking spaces for persons with a disability shall be provided in accordance with the following:

TABLE 5H

No. of Required Parking Spaces	No. of Designated Accessible Spaces
1 to 12	1 Type A
13 to 100	4% (*1)
101 to 200	1 accessible parking space <u>PLUS</u> 3% (*1)
201 to 1000	2 accessible parking spaces <u>PLUS</u> 2% (*1)
More than 1000 spaces	11 accessible parking spaces <u>PLUS</u> 1% (*1)

Footnotes to Table 5H

- (*1) Where the minimum number of accessible *parking spaces* required is even, an equal number of Type A and Type B *accessible parking spaces* shall be provided. Where the minimum number of *accessible parking spaces* is odd, an equal number of Type A and Type B *accessible parking spaces* shall be provided but the last *accessible parking space* may be a Type B.

Section 6 Residential Zones

A number(s) following the zone standard, zone heading or description of the standard, indicates an additional Zone requirement. These additional standards are listed at the end of each table within Section 6.2. No person shall within any Residential Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

6.1 Permitted Uses

Uses permitted in a Zone are noted by the symbol ‘•’ in the column applicable to that Zone and corresponding with the row for a specific permitted use. A number(s) following the symbol ‘•’, Zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed below the Permitted Use Table. (see also Section 13.1.1 of this Report for Special Site-Specific Permissions)

Table 4: Town of Milton Zoning By-law Permitted Uses Within Residential Zones

TABLE 6A (081-2020)(077-2021)(007-2022)

Permitted Uses	ZONE				
	RLD, RLD1, RLD2, RLD3, RLD4, RLD5, RLD6, RLD7	RMD1	RMD2	RHD	RO
	Low Density	Med. Density I	Med. Density II	High Density	Res./ Office
Residential Uses					
<i>Apartment Building</i>			•	•	•
<i>Dwelling, Back to Back Townhouse (39-2004)</i>			•		
<i>Dwelling, Detached</i>	•	•			
<i>Dwelling, Duplex</i>	•	•			
<i>Dwelling, Multiple</i>		•	•		
<i>Dwelling, Quattroplex</i>		•	•		
<i>Dwelling, Retirement</i>			•	•	
<i>Dwelling, Semi-detached</i>	•	•			
<i>Dwelling, Townhouse</i>		•	•		
<i>Dwelling, Triplex</i>		•			
<i>Shared Housing (*2)</i>	•	•	•	•	•
<i>Short-Term Rental (*3)</i>	•	•	•	•	•
Non-Residential Uses					
<i>Convenience Store</i>					• (*1)
<i>Cottage Industry</i>					
<i>Bank</i>					• (*1)
<i>Home Day Care</i>	•	•	•	•	•
<i>Home Occupation</i>	•	•	•	•	
<i>Long Term Care Facility</i>				•	
<i>Medical Clinic</i>					•
<i>Office Building</i>					•
<i>Office Uses</i>					•
<i>Personal Service Shop</i>					• (*1)
<i>Restaurant</i>					• (*1)

Footnote(s) for Table 6A

(*1) Only permitted in the *first storey* of an *office building* or *apartment building* containing a permitted use, and shall have a cumulative *gross floor area* up to a maximum of 10% the total *gross floor area* of the *building*.

(*2) *Shared Housing* is permitted within any *dwelling unit* that is permitted in the zone.

(*3) *Short-Term Rental* is permitted within any *dwelling unit* that is permitted in the zone.

6.2 Zone Standards

No person shall within any Residential Zone use any lot or erect, alter or use any building or structure except in accordance with the following Zone provisions:

Table 5: Town of Milton Zoning By-law Required Minimum Setbacks and Restrictions

TABLE 6B-1 (077-2021)(007-2022)

Regulations	ZONES								
	RLD2			RLD3			RLD4		
	Residential Low Density II			Residential Low Density III			Residential Low Density IV		
	Dwelling Type			Dwelling Type			Dwelling Type		
	Detached Dwelling / Duplex Dwelling (*1)	Semi-detached Dwelling (*1)		Detached Dwelling / Duplex Dwelling	Semi-detached Dwelling		Detached Dwelling / Duplex Dwelling	Semi-detached Dwelling	
Corner Lot		Interior Lot	Corner Lot		Interior Lot	Corner Lot		Interior Lot	
Lot Frontage (Minimum)	15.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit
Lot Depth (Minimum)	30m	30m	30m	30m	30m	30m	30m	30m	30m
Lot Area (Minimum)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lot Coverage (Maximum)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)
Front Yard Setback (Minimum)	6.5m (*3)	6.5m (*3)	6.5m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)
Interior Side Yard Setback (Minimum)	(*4)	0.0m	0.0m on one side, other side subject to (*4 i) (*5)	(*6)	0.0m	0.0m on one side, 1.8m on the other side (*5)	1.2m on one side, 1.8m on the other side (*7)	0.0m	0.0m on one side, 1.8m on the other side (*5)
Exterior Side Yard Setback (Minimum)	3.5m	3.5m	N/A	4.0m	4.0m	N/A	4.0m	4.0m	N/A
Rear Yard Setback (Minimum)	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m
Building Height (Maximum)	(*8)	(*8)	(*8)	(*8)	(*8)	(*8)	(*9)	(*9)	(*9)
Number of Storeys (Maximum)	2	2	2	2	2	2	2	2	2
Landscaped Open Space (Minimum)	30%	30%	30%	30%	30%	30%	30%	30%	30%

Footnotes for Table 6B-1:

(*2) See Table 6B-1 (I) below for maximum permitted lot coverage.

TABLE 6B-1 (I)

<i>Lot Area</i>	<i>Maximum Lot Coverage</i>
Less than 660 m ²	30% *
660 – 830 m ²	25% **
Greater than 830 m ²	20% ***

* Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.5% provided there is no *gross floor area* or *amenity area* located above.

** Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.25% provided there is no *gross floor area* or *amenity area* located above.

*** Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.0% provided there is no *gross floor area* or *amenity area* located above.

(*3) In the case of an addition to an existing building, the minimum required front yard setback shall be equal to the front yard setback legally existing on the effective date of By-law 077-2021 or the minimum front yard setback required for the parent zone, whichever is less restrictive.

(*5) Where no garage or carport is attached to the dwelling, the interior side yard setback shall be 0.0m on one side and a minimum of:

- i. 3.5m on the other side, where the lot frontage is less than 30m.
- ii. 5.0m on the other side, where the lot frontage is equal to, or greater than, 30m

(*8) Notwithstanding any provisions of the By-law to the contrary, the maximum building height shall be:

- i. 7.5m in the case of a flat roof; measured from the established grade to the uppermost point of the roof surface or parapet, whichever is greater.
- ii. 9.0m in the case of a gable, hip, gambrel or mansard roof; measured from the established grade to the uppermost point of the roof surface.

Section 11 Natural Heritage and Open Space Zones

No person shall within any Natural Heritage, Open Space or Golf Course Zones use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

11.1 Permitted Uses

Uses permitted in a Zone are noted by the symbol ‘•’ in the column applicable to that Zone and corresponding with the row for a specific permitted use. A number(s) following the symbol ‘•’, Zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed below the Permitted Use Table.

Table 6: Town of Milton Zoning By-law Permitted Uses Within Natural Heritage System Zones

TABLE 11A

Permitted Uses	ZONES			
	NHS	OS	OS-2	GC
	Natural Heritage	Open Space	Stormwater Management	Golf Course
Residential Uses				
<i>Detached Dwelling</i>				.
Existing Uses	• (*1) (*2)	•		•
Non-Residential Uses				
<i>Cemetery</i>		•		
Community Centre		•		
<i>Conservation Use</i>	•	•	•	
Existing Uses	• (*1)(*2)	•	• (*2)	•
<i>Golf Course</i>				•
<i>Home Occupation</i>	•			
<i>Public Park</i>		•		
<i>Recreation and Athletic Facility</i>		•		
<i>Forestry Use</i>	• (*2)	• (*2)	• (*2)	

Footnote(s) for Table 11A Above

- (*1) The adding of any additional *floor area* or volume to an existing *building*, or the establishment of any new *accessory building or structure* or any alteration to the location of any tee, fairway, landing area or hole associated with a *golf course* is subject to the regulations of the applicable *Conservation Authority*. See Section 2.5 of this By-law.
- (*2) Subject to the provisions of the Regional Tree Cutting By-law, as amended.

11.2 Zone Standards

A number(s) following the Zone standard, Zone heading or description of the standard, indicates an additional Zone requirement. These additional standards are listed at the end of Section 11.2. No person shall within any Natural Heritage System, Open Space or Golf Course Zone use any lot or erect, alter, use any building or structure except in accordance with the following Zone provisions:

Table 7: Town of Milton Zoning By-law Permitted Uses Within Natural Heritage System Zones

TABLE 11B

Regulations	ZONES			
	NHS	OS-1	OS-2	GC
	Natural Heritage	Open Space	Open Space – Storm Water Management	Golf Course
Lot Frontage (Minimum)	as existing	No minimum	No Minimum	300m
Lot Area (Minimum)	as existing	No minimum	No Minimum	40 ha
Lot Coverage (Maximum)	N / A	20%	No Minimum	2%
Setbacks (Minimum)				
<i>Front Yard</i>	as existing	6.0m	0.0m	25.0m
<i>Interior Side Yard</i>	as existing	12.0m	0.0m	25.0m
<i>Exterior Side Yard</i>	as existing	6.0m	0.0m	25.0m
<i>Rear Yard</i>	as existing	12.0m	0.0m	25.0m
Building Height (Maximum)				
<i>Detached dwelling</i>	as existing	N/A	N/A	11.0m
<i>Recreational Uses</i>	as existing	14.0m	N/A	14.0m
<i>Other Uses</i>	as existing	11.0m	N/A	N/A

Footnote(s) for Table 11B Above
 (*5) Lot area calculation shall be exclusive of Natural Heritage System Zone

Section 13 Special Provisions, Holding Provisions, Temporary Use Zones, and Interim Control Zones

No person shall within any Natural Heritage, Open Space or Golf Course Zones use any land, or erect, alter or use any building or structure

13.1 Special Provisions

*Where a Zone designation on any lands is shown to contain a star symbol followed by a number, (for example *17) on schedules to this By-law, special provisions as outlined in Section 13.1.1 of this By-law shall apply to those lands as indicated. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.*

13.1.1 List of Special Provisions

The following exceptions apply to the properties specified:

Table 8: Town of Milton Zoning By-law Site-specific Provisions

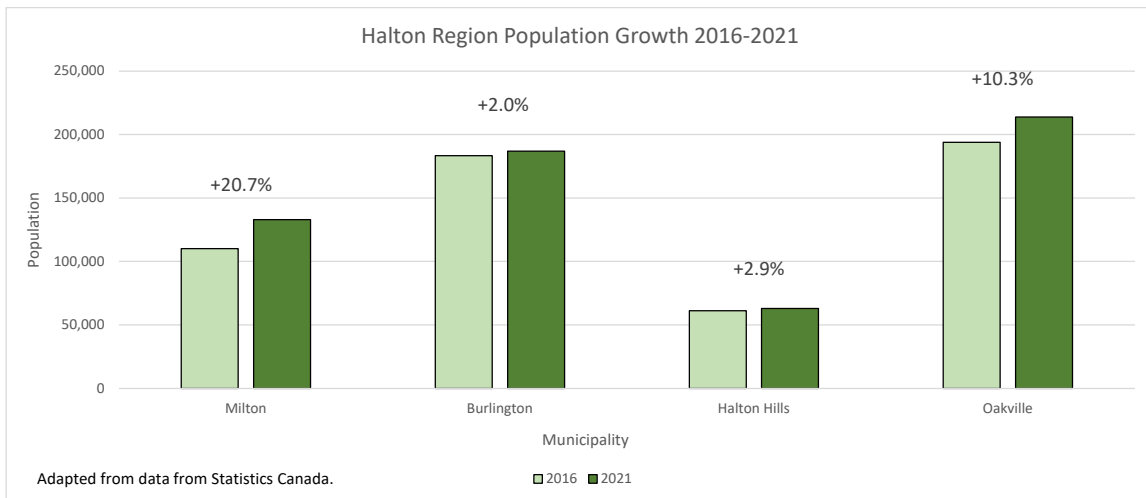
13.1.1.120	144-2003 104-2008 (Aug 18/08)	RLD3	*120
245 COMMERCIAL STREET			
i) Only Permitted Uses			
a) Office Use			

5.0 PLANNING JUSTIFICATION

5.1 Site Suitability

The subject property is located within the 'Urban Area' of the Halton Regional Official Plan and the 'Residential Area' of the Town of Milton Official Plan. It is the general intent of the Urban Area to accommodate growth. As the Urban Area continues to be the main focus for growth, demand for services will increase. This is evident by data collected and published by Statistics Canada in the 2021 Census Profile. It was found in this census that the Town of Milton's population increased by 20.7% between 2016 and 2021, making Milton the largest growing municipality in the Region of Halton, surpassing the growth of the Town of Oakville by 10.4%. The Town of Milton projects a population of over 200,000 residents by 2031. The Town of Milton's planning horizon of 30 years is important in the consideration of this proposal, as the residents who benefit from the permitted uses on this property will likely also be those making decisions and changes to the future of the Town in the future. It is an important investment that must be made in order to ensure the wellbeing and continued healthcare options of current and future generations. It is equally important to ensure that options remain available, convenient and within the Milton community.

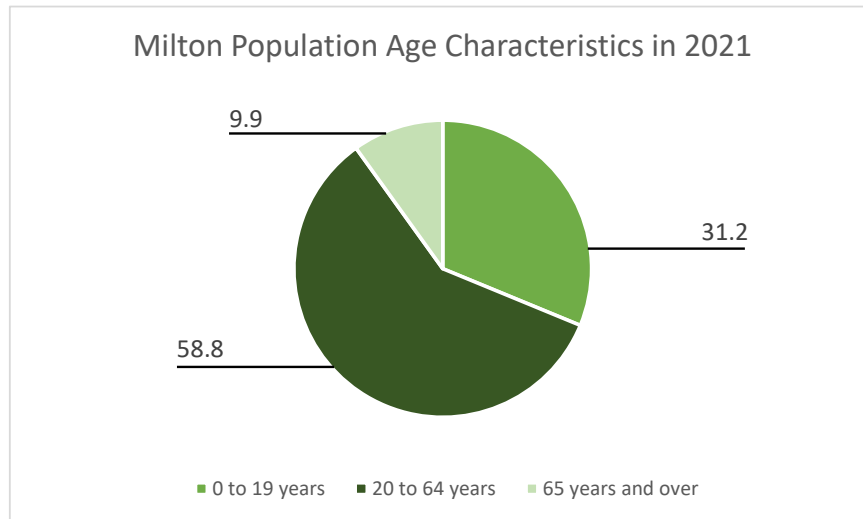
Figure 8: Halton Region Population Growth in 2016-2021



Currently, 31.2% of the Milton population are under 19 years old, which is the target age group for the proposed 'Medical Clinic' use. The subject property is located within a convenient area that is accessible to families from the many residential, educational, and employment uses in the community. As the Town continues to grow, there will be increased demand for supportive healthcare services, and the subject property is located at an ideal location to accommodate these needs. Permitting a medical clinic use (vs. existing medical offices) on the subject site would contribute to higher levels of accessibility to these services and shorter wait times compared to traditional larger scale mental health services / hospitals or current non-efficient

building layout. The permission of the medical clinic use on the subject property contributes to maintaining a quality of service by offering increased and more efficient access to medical services, bringing more doctors to the Town, increasing employment opportunities, and enhancing the viability to an already existing office building.

Figure 9: Milton Population Age Characteristics Breakdown 2021



Given the ‘Youth related Psychological Services’ proposed within the Medical Clinic, the subject property is located at an ideal location that is close to schools and housing. It also has easy access to public & school transit services that are existing and planned for the area. This convenient transportation system further proves this location to be ideal for services focusing on the youth in the community, especially with a bus stop/school so close in proximity to the subject property.

Finally, there are no proposed structural changes or material alterations to the property or asphalt area. The existing office building and respective site layout has been incorporated into the neighbourhood character for many years. The only change that is being proposed to the site is to permit a theoretical ‘Medical Clinic’ use (building lay-out) to the property (in place of a portion of the existing individual medical offices).

5.2 The Planning Act

Part I Section 2 of the Planning Act outlines the Provincial Interests in relation to what is considered ‘Good Planning’. The proposed Zoning Amendment addresses the interests of the province by being in conformity with the protection of ecological systems (i.e. no exterior site changes), and the development of safe and healthy communities with appropriate distribution of Health facilities.

As such, the proposed development conforms to the provisions and requirements of the Planning Act.

5.3 Provincial Policy Statement

The proposed Site-Specific Zoning Amendment is well-aligned with the policies of the Provincial Policy Statement as it aims to increase the efficiency of the land and resources, provide convenient health-care related employment and services, and utilized existing infrastructure and municipal services. The addition of the proposed Medical Clinic will allow for increased convenient health-care services that will service the immediate and municipal areas. The use will also facilitate “additional doctors” to locate to the area and provide necessary services to the residents of Milton. Finally, by limiting the scope of the Medical Clinic Use to 188.5 m², no external material site changes are necessary, and therefore all-Natural Heritage and Tributary features will remain protected.

As such, the proposed development conforms with the policies of the Provincial Policy Statement and should be considered ‘GOOD PLANNING’.

5.4 Growth Plan for the Greater Golden Horseshoe

The Growth Plan mainly speaks to the development and site alteration restrictions. However, the proposed Site-Specific technical Zoning Amendment does not propose any exterior physical redevelopment or alterations (just interior layout improvements), as such the Natural Heritage and Environmental features remain protected. Furthermore, permitting Medical Clinic uses on the subject property would increase employment contributions to the local economy, and facilitate increased transit usage. The Growth Plan further speaks to the importance of improved social equity and the overall quality of life, of which a new Medical Clinic use would surely help achieve.

As such, the proposed development conforms with the policies of the Growth Plan and should be considered ‘GOOD PLANNING’.

5.5 Region of Halton Official Plan

The Region of Halton Official Plan designates the subject property as **Urban Area** with Proposed Draft Natural Heritage System Key Features, and as such, mainly pertains to environmental policies and concerns for new developments or site alterations within the natural heritage system. The Plan Policy also supports mental wellness and appropriate accessibility to health care facilities.

The proposed Zoning Amendment satisfies the Region of Halton Official Plan as it DOES NOT propose ANY redevelopment or material site alteration to the exterior of the building. The proposal is ONLY to technically add a new ‘Medical Clinic’ use to the interior of the existing building, which is generally supported by the ROP. Furthermore, the proposed Zoning Amendment respects the Region’s values by continuing to preserve the natural environment by

avoiding any disruption to the site through new development and improving both employment and medical service access to the community.

As such, the proposed development conforms with the policies of the Region of Halton Official Plan, and in particular, respects and maintains the existing natural heritage system as no material changes are to be made, and thus the NHS will not be impacted. In addition, the permission to improve medical access to the community and Region as well as increase transit ridership is supported by the Regional Official Plan and should be considered 'GOOD PLANNING'.

5.6 Town of Milton Official Plan

The Town of Milton Official Plan defines '**Office Use**' to be "*the carrying on of a business in which one or more persons are employed in the management or direction of an agency, business, organization, including the office of a **Regulated Health Professional** but excludes such uses as retail sale, the manufacture, assembly or storage of goods, or places of assembly or amusement*". The existing on-site use is for 'Medical Offices', but the proposed Zoning Amendment is to add a 'Medical Clinic' use terminology as a permitted use. While the existing and proposed uses will be extremely similar, it is the definition of the uses (office layout) that makes a Zoning Amendment required, since staff was opposed to a Minor Variance process for this situation. Nonetheless, the approval of the 'Medical Clinic' use will continue to provide continued medical professional services to the community, rather than being forced to relocate to a more permissive area.

A '**Regulated Health Professional**' is defined as "*a person registered under the Regulated Health Professions Act, S.O. 1991, C.18, or as a drugless practitioner under the Drugless Practitioners Act, R.S.O. 1990, C.D. 18 including: Audiologists, Chiropodists, Chiropractors, Dental Hygienists, Dental Technologists, Denturists, Dentists, Dieticians, Massage Therapists, Medical Laboratory Technologists, Medical Radiation Therapists, Midwives, Naturopaths, Nurses, Occupational Therapists, Opticians, Optometrists, Pharmacists, **Physicians**, Physiotherapists, Podiatrists, **Psychologists**, Respiratory Therapists, Speech Language Pathologists.*"

As such, the proposed Zoning Amendment is aligned with the Town of Milton Official Plan as Residential Areas permit local commercial uses, which includes office uses for Regulated Health Professionals, which is at par with a Medical Clinic use. A medical clinic, specifically one that focuses on the mental health of the youth in the community, would be beneficial as a local commercial use, as it would be providing services for the needs of the immediate residents and adjacent neighbourhoods. This is especially true as the subject site is in close proximity to schools where age groups of the intended clientele would be attending. The proposed Zoning Amendment is aligned with the Plan as it retains the existing (medical office) uses (just in a different internal layout) and does not add any new floor space. The new use does not interfere with policies pertaining to the environmental concerns present on the site, as no exterior

redevelopment or site alteration is proposed. In addition, it should be repeated that individual medical 'offices' already legally exist within the building, but a zoning by-law amendment is needed to add the additional "technical" 'Medical Clinic' use term vs. 'Office' use based on 'use' layout.

As such, the proposed development conforms with the policies of the Town of Milton Official Plan and should be considered 'GOOD PLANNING'.

5.7 Town of Milton Zoning By-law 016-2014

The subject property is currently zoned **'RLD3' Residential Low Density 3, 'RLD3*120' Residential Low Density 3 with site-specific provision 120**, and **'NHS' Natural Heritage System**. The existing building on the property is used for office purposes, which the Residential Low Density 3 designation does not permit as-of-right. However, the subject property is also subject to a site-specific zoning provision (*120) that specifically permits the current (medical) office uses. As such, the proposed Zoning By-law Amendment seeks the same process to permit a 'Medical Clinic' use. The building currently has individual office spaces that are used by medical professionals (i.e. numerous individual medical offices). The proposed use (i.e. *combining medical offices with a common waiting area*) would technically be classified as a 'Medical Clinic' for the purposes of the Zoning By-law, which defines 'Medical Clinic' as:

"MEDICAL CLINIC Means a premises containing offices and common administration and/or reception areas used by two or more regulated health professionals to provide diagnosis and/or treatment to the general public without overnight accommodation and may include accessory dispensary facilities."

As such, the proposed Zoning Amendment is to include a 'Medical Clinic' use into the currently permitted (medical) office uses under the existing site-specific provision *120.

The reallocation from 'office' to 'medical clinic' floor space will be limited to 188.5m², which is the only change being proposed in this application. This will then avoid any new Site Plan Approval or Conservation concerns associated with external works, as the change proposed is for technical reasons.

In addition, it is acknowledged that, should the owner wish to increase the 'Medical Clinic' floor space in the future, beyond 188.5 m², additional parking may then be required which in turn will trigger both a Site Plan Approval and Conservation Development Permit (i.e. any outside development/construction). Given the Regional, Town and Conservation policies in this regard, it is highly unlikely that any new parking would or could be located on the site, thereby negating any opportunity to increase this use within the building. However, this does not pertain to the current proposal as the proposed Medical Clinic space will be limited to 188.5m² and can be accommodated within the grandfathered on-site parking lot.

Furthermore, a Medical Clinic use requires 1 parking space per 17 m² of floor area, which would increase the total required spaces to 39.1, rounding up to a total of 40 spaces. As per the current conditions of the site, a total of 38 parking spaces is available, the site would therefore be technically deficient by 2 spaces. As the on-site parking has never been fully utilized and is typically ½ full at its peak period use, a deficiency of 2 spaces (actually 1.1 spaces rounded up) is inconsequential and deemed minor by Town staff. Nonetheless, a traffic opinion letter has been obtained to confirm that 38 parking spaces has been and will continue to be sufficient to accommodate the on-site traffic/parking demands.

Traffic Opinion Letter

CGE Consulting was retained by Urban in Mind to investigate the existing conditions of the site and traffic operations in order to provide a traffic opinion letter stamped by a P.Eng to confirm the proposed additional use will maintain its ability to accommodate the traffic levels expected with the new uses. The following is an excerpt from the letter:

‘Based on the Town of Milton Comprehensive Zoning By-law, the vehicle parking supply of 38 parking spaces (including barrier free spaces one Type A and one Type B) doesn’t meet the Town’s Zoning By-law requirements and is short by two parking space. Due to the type of businesses on site and the option of remote work availability, it is not anticipated to have a peak parking demand of all parking spaces all at once. The probability of this happening is very slim. Additionally, the available alternative modes of travel such as public transit and cycling facilities in close proximity of the site would potentially further reduce the need for parking spaces. It is our opinion that the proposed changes to the site will not impact the existing site generated traffic and the overall traffic operations on the road area network.’

The full letter has been attached to this submission in support of the application proceeding.

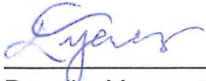
6.0 CONCLUSION

It is the Author’s professional planning opinion as a Registered Professional Planner, that given the respective Provincial, Regional, Conservation, and Town policies, as well as surrounding character conditions, the proposed Zoning By-law Amendment to permit a ‘Medical Clinic’ use in addition to the existing (medical) ‘Offices’, should be considered **‘Good Planning,’** is in the public interest, is consistent with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, conforms with the Halton Region Official Plan and the Town of Milton Official Plan, as well as the intent of the Town of Milton Zoning By-Law, and maintains and compliments the character of the existing neighbourhood.

As such, the above justification supports the proposed amendment being approved.

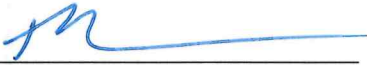
I hereby certify that this Planning Justification Report was prepared and/or reviewed by Registered Professional Planner (RPP), within the meaning of the *Ontario Professional Planners Institute Act, 1994*.

Prepared by:



Dorothy Yeung, BURPI
Planner/Development Coordinator

Reviewed by:



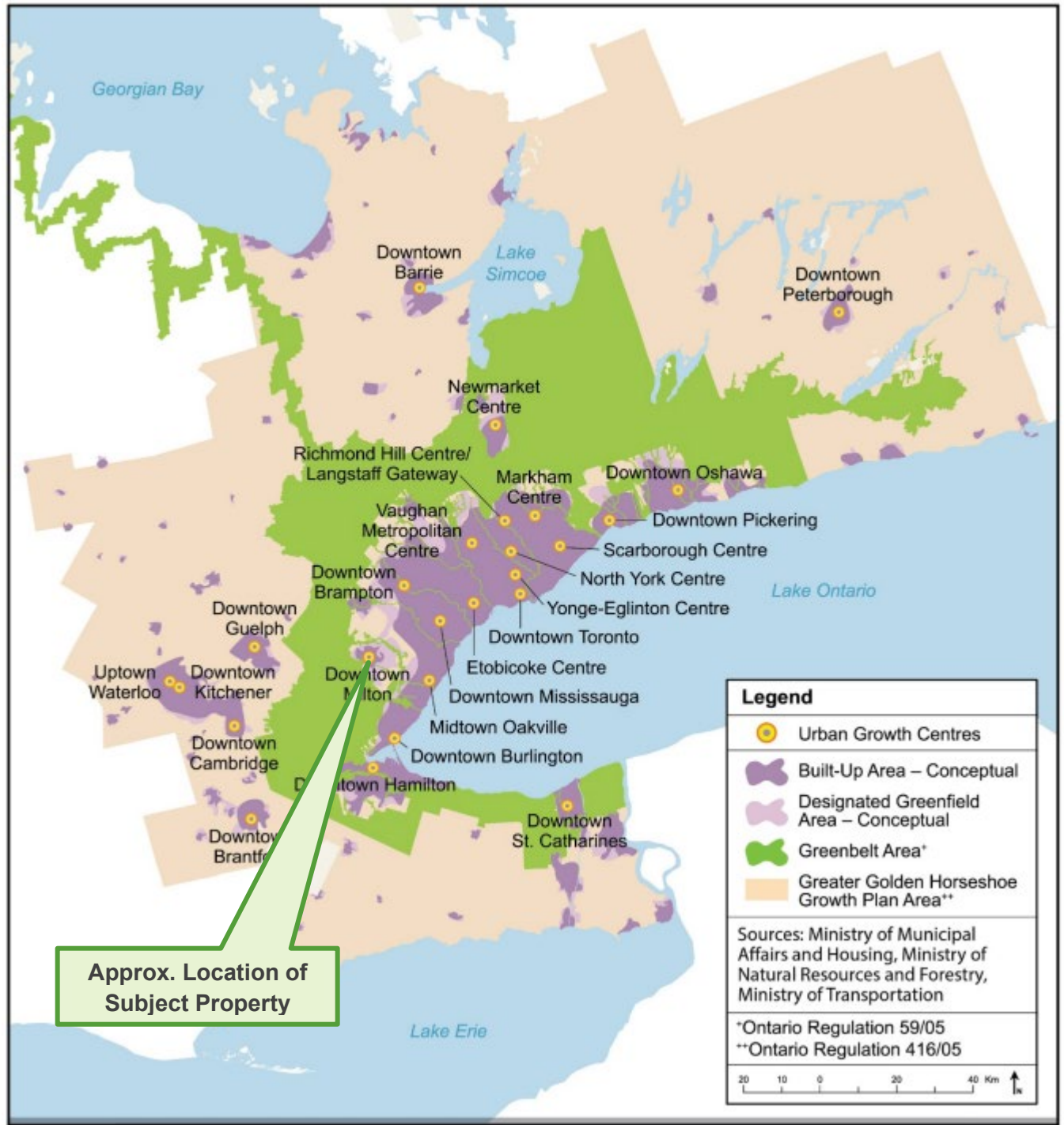
Terrance Glover, RPP, CPT, MCIP
Principal

Urban in Mind, Professional Urban Planning, Land Development & CPTED Consultants



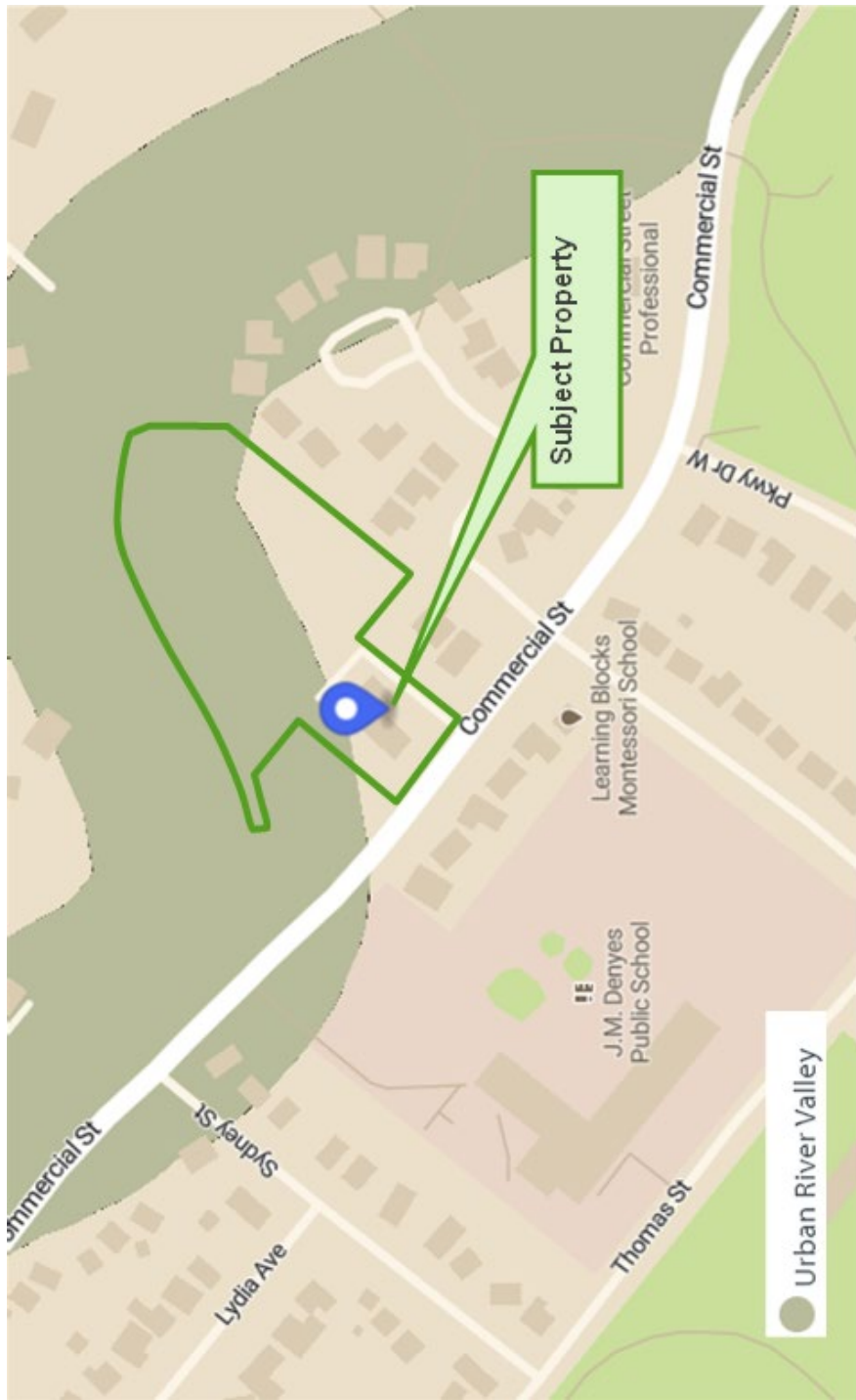
Appendix A

Growth Plan for the Greater Golden Horseshoe – Schedule 4 – Urban Growth Centres



Appendix B

Greenbelt Plan – Urban River Valley



Appendix C

Halton Conservation Authority – Regulated Area

Conservation Halton Regulation Mapping



10/6/2023, 12:44:31 PM

- Parcels
- Approximate Regulation Limit
- Shoreline 100-year Flood Elevation Hazard
- Shoreline Dynamic Beach Hazard
- Shoreline Hazard
- Stable Top of Bank (STOB) Hazard
- Wetland Hazard
- Spill Zone Hazards
- Floodplain Hazard
- Headwater Floodplain Hazard
- Meander Belt Hazard
- Consult Conservation Halton
- Spill Arrows
- Spill Lines

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.08 Km

East, Community Maps, Contributors, Province of Ontario, Esri, Canada, Esri, HERE, Garmin, Swisstopo, GeoTechnique, Inc., METN/ASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCan, Parks Canada, Town of Oshville, Maxar, Microsoft, Conservation Halton, 2023, Conservation Halton

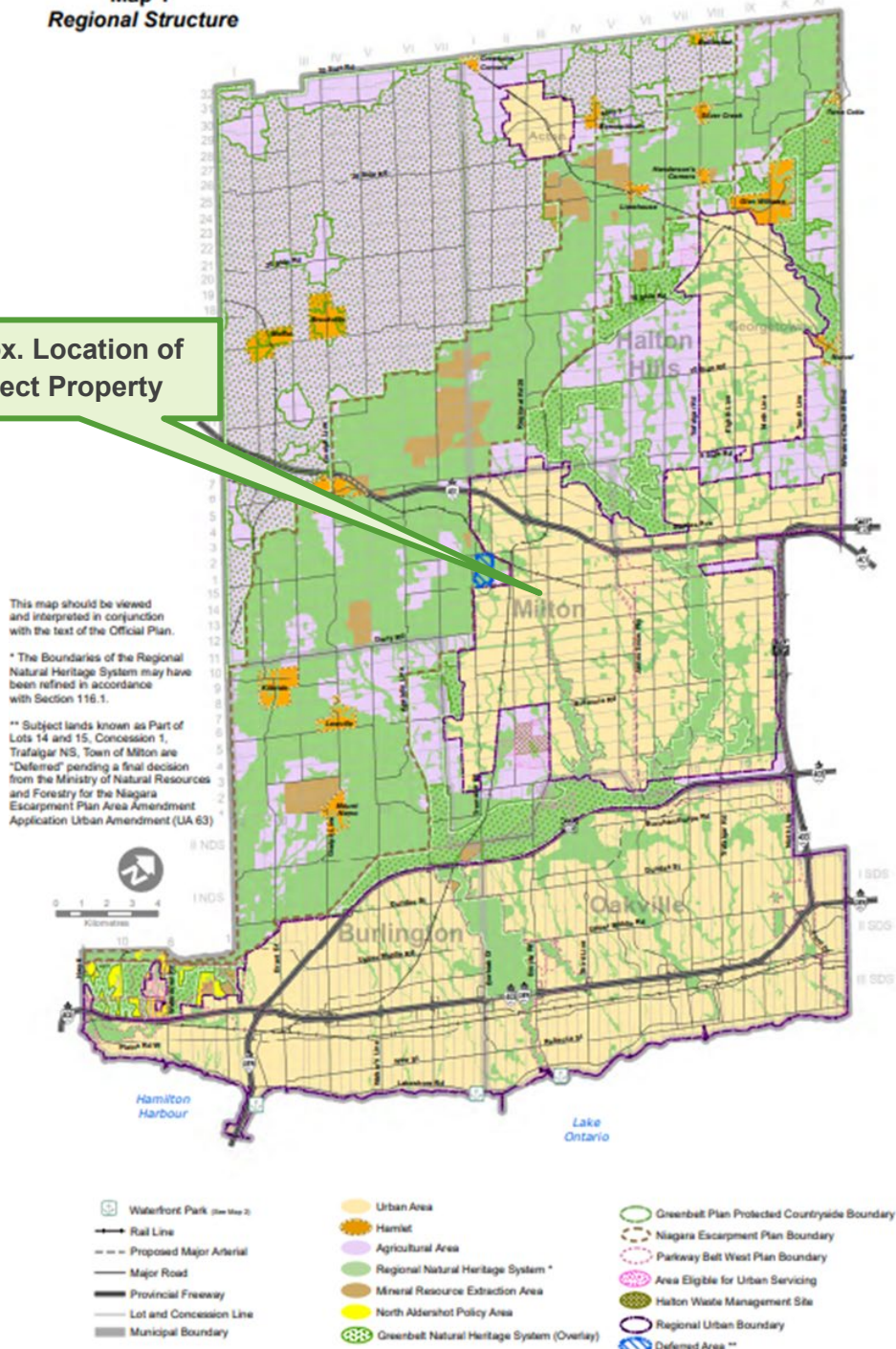
Conservation Halton, 2022
Conservation Halton, 2022

Appendix D

Region Official Plan – Map 1 Regional Structure

**Map 1
Regional Structure**

Approx. Location of Subject Property



November 4, 2022

Appendix E

Halton Region Official Plan – Proposed Draft NHS Key Features



Appendix G
Town of Milton Zoning Designations

