

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW 103-2024

BEING A BY-LAW TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTIONS 17 AND 21 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS MUNICIPALLY IDENTIFIED AS THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON– FILE: LOPA-06/24

The Council of the Corporation of the Town of Milton, in accordance with the provisions of Sections 17 and 21 of the *Planning Act* R. S. O. 1990, c. P.13, as amended, hereby enacts as follows:

1. Amendment No. 85 to the Official Plan of the Town of Milton, to amend Policy 5.3.5 and Policy 5.3.3.15 of the Town of Milton Official Plan with respect to all lands identified as the Town of Milton, is hereby adopted.
2. Pursuant to Subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this Official Plan Amendment comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsections 17 (24) and (25). Where one or more appeals have been filed under Subsection 17 (24) or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Land Tribunal.
3. The Clerk is hereby authorized to approve the aforementioned Amendment Number No. 85 to the Official Plan of the Town of Milton.

PASSED IN OPEN COUNCIL ON NOVEMBER 4, 2024.

Gordon A. Krantz Mayor

Meaghen Reid Clerk Town

AMENDMENT NUMBER 85

TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

PART 1 THE PREAMBLE, does not constitute part of this Amendment

**PART 2 THE AMENDMENT, consisting of the following text constitutes
Amendment No. 85 to the Official Plan of the Town of Milton**

PART 1: THE PREAMBLE

THE TITLE

This amendment, being an amendment to the Official Plan of the Town of Milton shall be known as:

Amendment No. 85
To the Official Plan of the Town of Milton
Town Wide Amendment
(File: LOPA-06/24)

PURPOSE OF THE AMENDMENT

The purpose of this amendment is to extend the list of by-laws under Section 34 of the Planning Act that may be granted delegated authority.

LOCATION OF THE AMENDMENT

This is a Town-wide Official Plan Amendment.

BASIS OF THE AMENDMENT

The proposed Amendment is to extend the list zoning by-law amendments under Section 34 of the Planning Act that may be passed by the Commissioner of Development Services through a delegated authority. This proposed change would be applicable to zoning by-law amendments which are minor in nature and are for the purpose of accommodating new dwelling units greater than the current number of dwelling units on a site, including affordable housing and modular housing, as long as there is no dispute or objection to the passing of the proposed minor zoning by-law amendment.

The proposed Amendment also establishes criteria to determine eligibility for an amendment to be considered as a minor zoning by-law amendment for the purpose of accommodating new dwelling units greater than the current number of dwelling units on a site. Prior to the Commissioner of Development Services providing written confirmation that an application may be deemed minor in nature, an applicant would be required to demonstrate conformity with the following criteria:

- The addition of dwelling units, and their aggregate impact on the subject lands, is determined to be minor in nature;
- The addition of dwelling units is desirable for the development of and will not result in over-development of the subject lands; and
- The proposal conforms with the applicable land use designation policies.

In order to implement the above-noted proposed policy changes, amendments to the Delegation of Approval Authority By-law have also been proposed to provide the authority to the Commissioner of Development Services to deem an application

minor in nature subject to the criteria above.

PART 2: THE AMENDMENT

All of this document, entitled Part 2: THE AMENDMENT consisting of the following text constitutes Amendment No. 85 to the Town of Milton Official Plan.

DETAILS OF THE AMENDMENT

The Town of Milton Official Plan is hereby amended by Official Plan Amendment No. 85, pursuant to Sections 17 and 21 of the Planning Act, as amended, as follows:

- 1.0 Text Change (Additions are shown in red underline and deletions are shown in yellow strikethrough)

No.	Section No.	Modification
	5.3.3	<i>Public Participation</i>
1.	5.3.3.15	Is modified to add a new subsection iv) as follows: <u>iv) Notice of a meeting to be held in public for an application under Section 5.3.5 b) iv) of this Plan shall be given to every owner of land within 60 metres of the subject lands.</u>
	5.3.5	<i>Delegated Authority</i>
1.	5.3.5 b)	Is modified to amend subsection iii) and to add to a new subsection iv) as follows: b) Delegation of authority to pass by-laws under section 34 of the Planning Act shall be limited to: <ul style="list-style-type: none"> i) a by-law to remove a Holding “H” symbol; ii) A by-law to authorize the temporary use of land, buildings or structures; <u>and</u> iii) A housekeeping by-law for the purpose of making clerical or other changes to assist in the interpretation of the Zoning Bylaw; and <u>iv) A by-law to permit amendments to the zoning by-law which are minor in nature and for the purpose of accommodating new dwelling units greater than the current number of dwelling units that exist on a site, including affordable housing and modular housing, subject to satisfying the criteria in Section 5.3.5 c) i).</u>
2	5.3.5 c)	Is modified as follows:

		<p>c) The delegation of authority authorized under Section 5.3.5 b) may be subject to conditions of Council <u>which shall include:</u></p> <p>i) <u>The written consent of the Commissioner of Development Services confirming eligibility for consideration of a minor zoning by-law amendment under Section 5.3.5 b) iv) of this Plan.</u></p> <p><u>A minor zoning by-law amendment in accordance with Section 5.3.5 b) iv) may only be considered if the proposed amendment satisfies the following criteria:</u></p> <ul style="list-style-type: none">a) <u>The addition of dwelling units, and their aggregate impact on the subject lands, is determined to be minor in nature;</u>b) <u>The addition of dwelling units is desirable for the development of and will not result in over-development of the subject lands; and</u>c) <u>The proposal conforms with the applicable land use designation policies.</u>
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End of text