

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2025

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS DESCRIBED AS CONCESSION 6 PART LOT 10 FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, KNOWN MUNICIPALLY AS 6728 SIXTH LINE, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (ANATOLIA REAL ESTATE CORP) - FILE: Z-02/24

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended;

AND WHEREAS the Town of Milton Official Plan and the Derry Green Corporate Business Park Secondary Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

AND WHEREAS the Town of Milton Official Plan, as amended by Official Plan Amendment No. 91, provides for the lands affected by this by-law to be zoned as set forth in this by-law;

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

1. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Golf Course (GC) Zone and Natural Heritage System (NHS) Zone symbols to the Natural Heritage System zone (NHS), the Open Space- Stormwater Management zone (OS-2), to a site specific Business Park Zone with a Holding Provision H87 (M1*363-H87), and to a site specific Business Park Zone with a Holding Provision H87 and H88 (M1*363-H87, H88), on the land shown on Schedule A attached hereto.
2. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.363 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zone site-specific Business Park *363 (M1* 363), the following standards and provisions shall apply:

- A. Notwithstanding Section 8.1 -Table 8A Permitted Uses, only the following uses shall be permitted:
 - 1) *Cannabis Production and Processing Facility*
 - 2) *Dry Cleaning Establishment*
 - 3) *Industrial Use*
 - 4) *Office Use*
 - 5) *Research & Technology Use*

6) *Warehouse/Distribution Centre*

B. Special Site Provisions

- 1) For the lands zoned special provision Business Park *363 (M1* 363) the following special site provisions shall apply:
 - a) A *Cannabis Production and Processing Facility* must comply with the special employment provisions of Section 8.3.1.
 - b) All permitted uses shall be wholly enclosed in a building. No *outdoor storage* is permitted.
 - c) Up to a maximum of 15% of the *gross floor area* of a principal use or 480 square metres whichever is less, may be used for the retail sale of goods produced on the premises.
 - d) An *office use* shall only be permitted accessory to a principle use.
 - e) Notwithstanding anything to the contrary, for the *lot* located at the southeast corner of Derry Road and Clark Boulevard the following shall apply:
 - a. The *Front Lot Line* shall be deemed as the *lot line* abutting Derry Road;
 - b. A minimum *lot area* of 0.76 hectares shall be permitted; and
 - c. The minimum *Lot Frontage* shall be deemed to comply.
 - f) Notwithstanding anything to the contrary, for the purpose of this by-law, where the *lot line* of a *lot* abuts a reserve of 0.3m or less that has been established by the Town of Milton or Halton Region to restrict or control access to an abutting *street*, the *lot* is considered to have *frontage* on a *public street*
 - g) Notwithstanding Section 5.12, Table 5L, *Parking Areas* may be setback 0.0 metres from the *lot line* when located adjacent to shared access private driveway.
 - h) Notwithstanding Section 5.8.2, Table 5G, the minimum off-street parking requirements for an *industrial use*, *Cannabis Production and Processing Facility* and *warehouse/distribution centre premises* shall be provided as follows:
 - i. Parking is calculated for each individual industrial and warehouse/distribution premises as follows:
 - a) For the first 5,000 square metres of *gross floor area*, 1 parking space per 100 square metres of *gross floor area* shall be provided; and

- b) Gross floor areas greater than 5000 square metres shall provide 1 parking space per 200 square metres of gross floor area.
 - ii. Notwithstanding any provisions of the By-law to the contrary, accessory retail and office uses associated with a primary use shall be included within the above noted calculations.
 - i) Notwithstanding Section 8.2, Table 8B, a maximum *Building height* of 16.0 metres shall be permitted.
 - j) Notwithstanding Section 8.2, Table 8B, all *Buildings* must be *setback* a minimum 23.5 metres from the centreline of Clark Boulevard.
 - k) Notwithstanding Table 5K, *Loading Spaces* shall be permitted along Clark Boulevard provided that a minimum *landscaped buffer* of 3.0 metres is provided along Clark Boulevard.
 - l) Notwithstanding Table 5B, the maximum *driveway* width for a two-way *driveway* shall be 17.0 metres.

3. **THAT** Section 13.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following conditions for removal of the ‘H87’ Holding Provision and “H88’ Holding Provision:

“H87” shall not be removed until:

- a) a site plan has been provided to the satisfaction of the Town, which demonstrates that an enhanced level of berming and/or landscaping and urban design along Derry Road can be provided;
- b) a Noise Study is submitted to the satisfaction of the Town of Milton; and
- c) adequate waste water and water services have been provided to the subject lands, to the satisfaction of Halton Region.

“H88” shall not be removed until:

- a) the Sixth Line Environmental Assessment has been completed and any related road widenings have been conveyed to the satisfaction of the Town of Milton; and
- b) that a Qualified Person (QP) has demonstrated that the risk management measures, as set out in the provided Due Diligence Risk Assessment, have been implemented to the satisfaction of the Region.

4. If no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the Ontario Land Tribunal dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Land Tribunal amends the by-law pursuant to Section 34 (26) of the *Planning Act*, as amended, the part or parts so amended come into force

upon the day the Tribunal's Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON February 24, 2025.

_____ Mayor
Gordon A. Krantz

_____ Town Clerk
Meaghen Reid