

**THE CORPORATION OF THE TOWN OF MILTON**

**BY-LAW NO. \_\_\_\_-2023**

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*, AS AMENDED, TO ADD THE SUSTAINABLE HALTON LANDS TO THE URBAN ZONING BY-LAW, IN RESPECT OF THE LANDS AS DEPICTED ON FIGURE 1: LOCATION MAP, FILE: Z-13/21

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

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

- 1.0** THAT Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the lands identified as “Subject Lands” on figure 1 attached hereto; and
- 2.0** THAT Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by zoning the lands being added as FD (Future Development), NHS (Natural Heritage System), OS (Open Space), M2\*27 (General Industrial – Site Specific), and C5\*28 (Auto Commercial – Site Specific) zone symbols as shown on Schedule A attached hereto.
- 3.0** THAT Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by noting Minister’s Zoning Order Ontario Regulation 476/21, Map No. 256 is applicable to the area as shown on Schedule A attached hereto.
- 4.0** THAT Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by noting By-law 61-85 is still applicable to the property municipally known as 13003 Derry Road (Concession 8 NS, Part Lot 11) as shown on Schedule A attached hereto.
- 5.0** THAT Section 1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding “or 61-85” after 144-2003.
- 6.0** THAT Section 1.10 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding “or By-law 61-85” to the end of the last sentence.

**7.0** THAT Section 1.11.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection iii) as follows:

iii) Nothing in this By-law shall prevent the erection or use of a building or structure for a development for which a complete application for site plan approval and/or building permit was filed on or prior to the date of passage of By-law NO. **XXX-2023** where applicable, if the development in question complies, or the building permit application for the development is amended to comply, with the provisions of Comprehensive Zoning By-law 144-2003, as amended, as it read on the date of passage of By-law NO. **XXX-2023**.

**8.0** THAT Section 1.11.3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsections v) and vi) as follows:

v) Nothing in this By-law shall prevent the issuance of a building permit or site plan approval in accordance with both Comprehensive Zoning By-law 144-2003, as amended, as it read on the date of passage of By-law NO. **XXX-2023** and a related minor variance that was granted approval by the Town of Milton Committee of Adjustment or the Ontario Land Tribunal, under Comprehensive Zoning By-law 144-2003, as amended, as it read on the date of passage of By-law NO. **XXX-2023**, so long as the complete application for the building permit has been filed by the date of compliance with the conditions pursuant to the decision of the Town of Milton Committee of Adjustment or the decision of the Ontario Land Tribunal.

vi) Notwithstanding the provisions of Section 1.11.2 iii), an application for minor variance associated with a complete application for site plan approval and/or building permit that was filed prior to the date of the passage of By-law NO. **XXX-2023**, can still be made under the provisions of Comprehensive Zoning Bylaw 144-2003, as amended, as it read on the date of passage of By-law NO. **XXX-2023**.

**9.0** THAT Section 1.11.5 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection iii) as follows:

iii) Sections 1.11.2 iii) and 1.11.3 v) are repealed two years from the date of enactment of By-law NO. **XXX-2023**.

**10.0** THAT Section 13.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.27 as follows:

<b>13.1.1.27</b>	61-85 47-2005	M2	<b>*27</b>
------------------	------------------	----	------------

Part Lot 6, Concession II (Nassagaweya) and Part Lot 13, concession VIII (Trafalgar)
<b>i) Only Uses permitted</b> a) <i>Equipment Sales and Rental</i> ; b) <i>Industrial Use</i> ; c) <i>Outdoor Storage</i> ; d) <i>Motor Vehicle and Equipment Storage</i> ; e) <i>Seasonal Vehicle Storage</i> ; f) <i>Service and Repair Shop</i> ; g) <i>Transportation Terminal</i> ; h) <i>Veterinary Clinic – Small Animal</i> ; i) <i>Veterinary Clinic – Large Animal</i> ; j) <i>Veterinary Hospital- Small Animal</i> ; k) <i>Warehouse Distribution Centre</i> ; l) a <i>dwelling</i> for a watchman or caretaker or other similar person employed on the <i>premises</i> concerned.

**11.0** THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by addition Section 13.1.1.28 as follows:

<b>13.1.1.28</b>	61-85	C5	<b>*28</b>
Part Lot 4, Concession III (Trafalgar Truck Stop)			
<b>i) Only Uses Permitted</b> a) <i>Convenience Store</i> ; b) <i>Drive Through Service Facility</i> ; c) <i>Motor Vehicle Gas Bar</i> ; d) <i>Motor Vehicle Service Station</i> ; e) <i>Propane Facility, Retail</i> ; f) <i>Restaurant</i>			

**12.0** THAT pursuant to Section 34(21) of the Planning Act, R.S.O. 1990, c. P.13, as amended, this by-law comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsection 34(19) of the Planning Act, as amended. Where one or more appeals have been filed under Subsection 34(19) of the said Act, as amended, this Zoning By-law 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.

**PASSED** this **xxth** day of **xxxxxx**, 2023.

\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Meaghen Reid Clerk