

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 0XX-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* IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 10, CONCESSION 4, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (QUADSPRING INC.) – TOWN FILE: Z-01/22

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 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:

1.0 THAT Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) Zone to a Local Commercial (C3*338) Zone to allow for the construction of a proposed two-storey Day Care Centre on the land shown on Schedule A attached hereto.

2.0 THAT Section 13.1 is amended by adding Section 13.1.1.338 to read as follows:

Notwithstanding any provisions to the By-law to the contrary, for lands zoned Local Commercial (C3*338) Zone the following provisions also apply:

A. Special Site Provisions:

- 1) For the purposes of this by-law, the definition of 'Gross Floor Area' shall not include the porches;
- 2) Maximum Lot Area shall be 8,300 square metres;
- 3) Maximum Front Yard setback shall be 77.0 metres for Building A;
- 4) Minimum Interior Side Yard shall be 3.0 metres;
- 5) Minimum Rear Yard setback to any use, including an outdoor play area associated with a Day Care Centre use, shall be 3.0 metres;
- 6) Restaurant Patio shall be located a minimum of 0.6 metres from any lot line;
- 7) Maximum Building Gross Floor Area for Individual Buildings shall be 2,000 square metres;
- 8) Maximum Building Gross Floor Area for all Buildings combined on site shall be 2,950.00 square metres.

- 9) Minimum parking required for all permitted uses on site shall be provided at a rate of 1 space / 23.5 square metres of Gross Floor Area;
 - 10) No loading area is required for Building “A”;
 - 11) Deep collection waste disposal container(s) shall be located no closer than 0.10 metres from a Building or Parking Area;
 - 12) Loading Area may be setback 0.0 metres from a Building.
 - 13) Notwithstanding anything to the contrary, the following shall apply to Building “A”:
 - a. The only permitted use shall be a Day Care Centre use.
 - 14) Notwithstanding anything to the contrary, the following shall apply to Building “B”:
 - a. The maximum Gross Floor Area of the entire building shall not exceed 930 square metres;
 - b. The maximum Gross Floor Area associated with a Restaurant and Restaurant Take-Out use shall not exceed 250 square metres of the entire building;
 - c. The maximum Gross Floor Area associated with a Medical Clinic use shall not exceed 250 square metres of the entire building.
- B. Notwithstanding Section 7.1 Table 7B, the following use shall be prohibited:
- 1) Drive-Through Service Facility

3.0 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/OLT dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Land Tribunal/OLT 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 July 17, 2023.

Gordon Krantz Mayor

Meaghan Reid Clerk