

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-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 7472 FIFTH LINE, PART OF LOT 13, CONCESSION 5, NEW SURVEY, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MENKES MILTON INDUSTRIAL INC.) - FILE: Z-14/22

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. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) zone symbol to a site specific Business Park (M1*339) symbol on the land and adding the Holding (H) Symbol H80 on this property as 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 13.1.1.339 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned the following standards and provisions shall apply:

- a. Notwithstanding Section 8.1 - Table 8A Permitted Uses, only the following uses shall be permitted:
 - i. Industrial Use;
 - ii. Accessory Outdoor Storage;
 - iii. Office Building;
 - iv. Office Use;
 - v. Research & Technology Use;
 - vi. School, Adult Education;
 - vii. Warehouse/Distribution Centre; and,

viii. Wholesale Operation.

b. Special Site Provisions:

For lands zoned Business Park (M1*339) the following additional special site provisions shall apply:

- i. Notwithstanding section 13.1.1.339.A, *Outdoor Storage* is permitted accessory to a permitted *Industrial Use* and/or *Warehouse/Distribution Centre* subject to the required setbacks and lot coverage provisions applicable to the principal use. Accessory *Outdoor Storage* shall be permitted in the *rear yard* and *interior side yard* provided that it is screened from the public street and is not located on any required parking spaces.
 - ii. Notwithstanding the definition of *front lot line*, the *lot line* abutting Main Street East shall be considered the *front lot line*.
 - iii. Notwithstanding the definition of *landscape buffer* and *landscape open space*, landscaping in a *landscape* buffer or *landscape open space* may be located within an easement.
 - iv. Notwithstanding Section 5.8.2, Table 5G, the minimum off-street parking requirement for each individual *Industrial Use* and *Warehouse/Distribution Centre*, including accessory office space, shall be as follows:
 1. For the first 5,000 m², 1 *parking space* per 175 m² of *gross floor area* shall be provided.
 2. For additional *gross floor area* above 5,000 m², 1 *parking space* per 200 m² of *gross floor area* shall be provided.
 - v. Notwithstanding Section 5.11.1, Table 5K, *loading spaces* shall be permitted to be setback up to 17 metres from a *street line*.
 - vi. Notwithstanding Section 5.12, Table 5L, *parking areas* are permitted to be setback within
 1. 0.0 metres from the southerly line; and,
 2. 1.2 metres from westerly property line.
 - vii. Notwithstanding Section 8.2, Table 8B, a minimum front yard of 8.0 metres shall be permitted.
3. **THAT** Section 13.2 (Holding Provisions) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following conditions for removal of this H80 Holding Provision:

“H80” shall not be removed until:

- a) That the owner agrees to demonstrate to the Regional Municipality of Halton that local water services are in place and viable for the site at 7472 Fifth Line.

Through the related Site Plan Control process (SP-34/22), the owner shall contact the Regional Services Permit Section for review and approval of the proposed servicing, to obtain a Regional Services Permit, and pay all necessary fees.

- b) The owner submits to the Regional Municipality of Halton Region an environmental audit which indicates that the environmental condition of the site is suitable for the proposed land use and any supplementary remediation/risk assessments to ensure there are no inherent contaminations within the lands prior to any site alteration.

The Owner is required to comply with Ontario Regulation 153/04 and Halton’s Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites.

4. **THAT** Section 13.2 (Holding Provisions) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection 13.2.1.126 as follows:

For lands zoned Business Park Special Provision 339 (M1*339) on the property described as 7472 Fifth Line and legally described as Part of Lot 13, Concession 5, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H80” Holding Provision are satisfied.

5. 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 DECEMBER 18, 2023.

Gordon A. Krantz Mayor

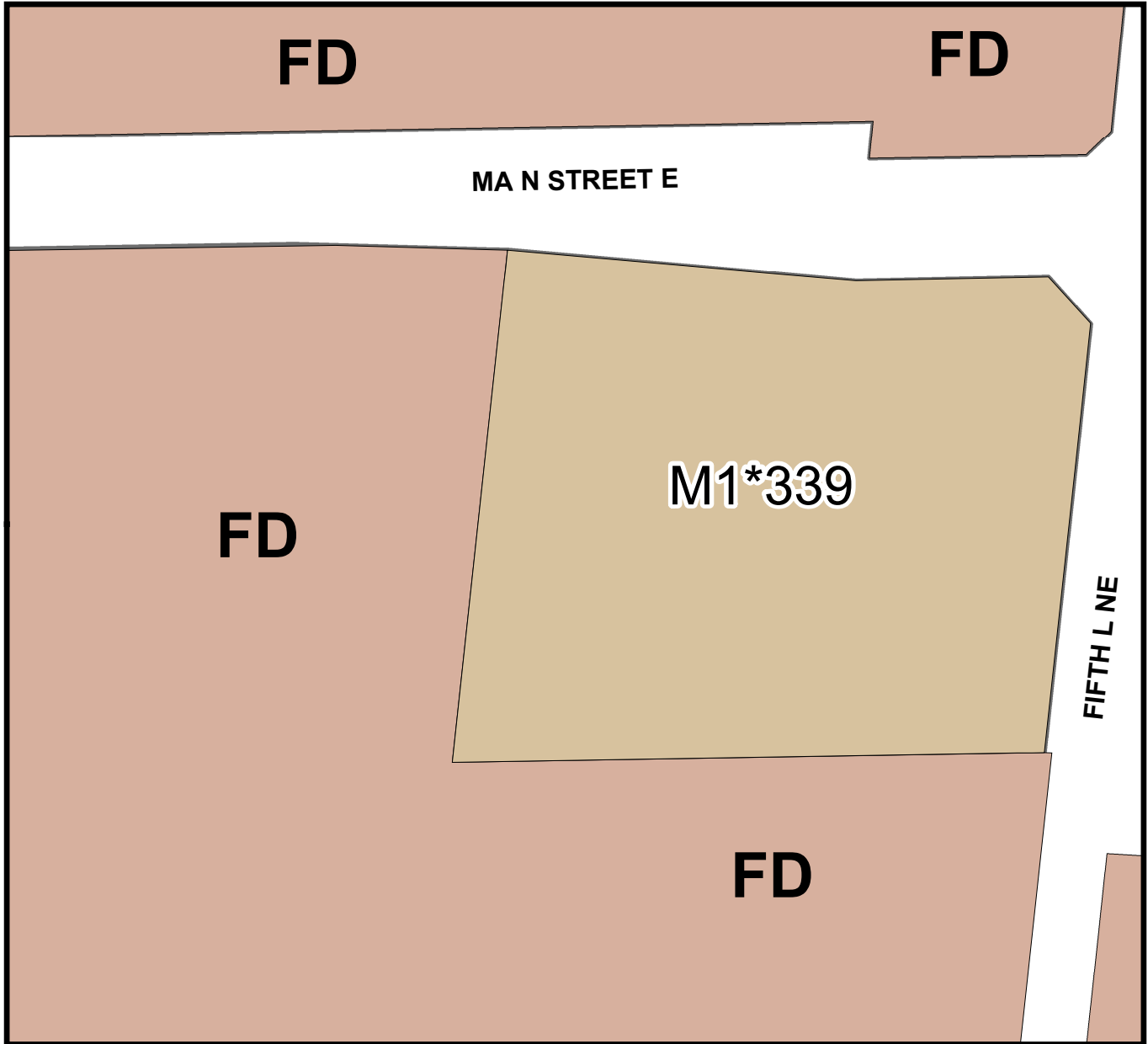
_____ Town Clerk
Meaghen Reid

SCHEDULE A
TO BY-LAW No. -2023

TOWN OF MILTON

7472 Fifth Line
TRAFALGAR CON 5 NS PT LOT 13
RP 20R18236 PARTS 1 TO 3 RP 20R21568 PARTS 2 3 5 7 TO 9 IRREG 6.71AC FR D

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. _____ PASSED
THIS __ DAY OF _____, 2023.



M1*339 - Site Specific Business Park Zone



FD - Future Development Zone

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

