

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-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 4000 CAMPBELLVILLE ROAD AND LEGALLY DESCRIBED AS PART LOT 5, CONCESSION 5 FORMER GEOGRAPHIC TOWNSHIP OF NASSAGAWEYA, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - FILE: LOPA-05/24

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. 84 to the Official Plan of the Town of Milton, to amend Schedules 1, 1A, A, L, M, O and P of the Town of Milton Official Plan to designate lands located at 4000 Campbellville Road, and legally described as Part Lot 5 Concession 5, Former Geographic Township of Nassagaweya, Town of Milton, consisting of the attached maps and explanatory text, 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or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Land Tribunal.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. 84 to the Official Plan of the Town of Milton.

PASSED IN OPEN COUNCIL ON [DATE]

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

AMENDMENT NUMBER 84

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. 84 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. 84
To the Official Plan of the Town of Milton
4000 Campbellville Road
Part Lot 5 Concession 5 (Nassagaweya)
Former Township of Nassagaweya
Town of Milton
(File: LOPA 05/24)

PURPOSE OF THE AMENDMENT

The purpose of this amendment is to update Schedules 1, 1A, A, L, M, O and P to remove the Mineral Resource Extraction Area identification from the subject property.

LOCATION OF THE AMENDMENT

The subject property is located on the south side of Campbellville Road west of Appleby Line and is approximately 17.8 hectares in size. The lands are legally described as Part Lot 5 Concession 5, Town of Milton, and municipally known as 4000 Campbellville Road (Nassagaweya). The subject property is located within the Rural Area.

BASIS OF THE AMENDMENT

On April 4, 2024, the Minister of Natural Resources and Forestry approved an amendment to the Niagara Escarpment Plan which re-designated the subject property from Mineral Resource Extraction Area to Escarpment Natural Area and Escarpment Protection Area. The subject property was previously designated Mineral Resource Extraction Area under the Niagara Escarpment Plan to accommodate a sand and gravel pit. These operations have ceased, the lands have been rehabilitated and the license has been surrendered. The subject property is currently being used for agriculture. The most westerly portion of the lands contains a pond and is traversed by a tributary of Sixteen Mile Creek.

The Niagara Escarpment Plan Part 1.9.5 - After Uses states that following the surrender of the licence, an amendment is required to change the land use designation of the lot from Mineral Resource Extraction Area to a land use designation that is consistent with the rehabilitation completed on the property. Therefore, Niagara Escarpment Commission staff undertook an amendment to the Niagara Escarpment Plan to re-designate the site. The Niagara Escarpment Plan and mapping has been updated to recognize the current use on the land.

The Planning Act section 26(1) requires that in effect municipal official plans confirm with and not conflict with provincial plans. The Town of Milton Official Plan currently identifies the lands as Mineral Resource Extraction Area to recognize the aggregate extraction operation that was occurring on the property. To conform with and not conflict with the Niagara Escarpment Plan, the Town of Milton Official Plan is proposing to update the identification of the lands on all the relevant schedules of the Official Plan.

On the basis of the above, this amendment revises the Schedules 1, 1A, A, L, M, O and P to remove the Mineral Resource Extraction Area identification from the subject property.

PART 2: THE AMENDMENT

All of this document, entitled Part 2: THE AMENDMENT consisting of the following text constitutes Amendment No. 84 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. 84, pursuant to Sections 17 and 21 of the Planning Act, as amended, as follows:

1.0 Map Change

- 1.1 Amending Schedule 1 - Town Structure Plan by removing the Mineral Resource Extraction Area identification and adding the Natural Heritage System identifications to the lands at 4000 Campbellville Road (Part Lot 5 Concession 5).
- 1.2 Amending Schedule 1A - Provincial Planning Structure by removing the Escarpment Mineral Resource Extraction Area and adding the Escarpment Natural Area and Escarpment Protection Area identifications to the lands at 4000 Campbellville Road (Part Lot 5 Concession 5).
- 1.3 Amending Schedule A - Rural Land Use Plan by removing the Mineral Resource Extraction Area identification and adding the Natural Heritage System identifications to the lands at 4000 Campbellville Road (Part Lot 5 Concession 5).
- 1.4 Amending Schedule L - Municipal Wellhead Protection Zones by removing the Mineral Resource Extraction Area identification from the lands at 4000 Campbellville Road (Part Lot 5 Concession 5).
- 1.5 Amending Schedule M - Key Features within the Greenbelt and Natural Heritage System by removing the Mineral Resource Extraction Area identification and adding NHS Key Features and Enhancement Areas, Linkages, and Buffers identifications to the lands at 4000 Campbellville Road (Part Lot 5 Concession 5).
- 1.6 Amending Schedule O - Agricultural System and Prime Agricultural Areas by removing the Mineral Resource Extraction Area identification from the lands at 4000 Campbellville Road (Part Lot 5 Concession 5).
- 1.7 Amending Schedule P - Identified Mineral Resource Areas and Mineral Resource Extraction Areas by removing the Mineral Resource Extraction Area identification from the lands at 4000 Campbellville Road (Part Lot 5 Concession 5).

End of text