



The Corporation of the Town of Milton

Report To:	Council
From:	Barbara Koopmans, Commissioner, Planning and Development
Date:	October 28, 2019
Report No:	PD-040-19
Subject:	Public Meeting and Initial Report: General Housekeeping Amendments to Comprehensive Zoning By-law 016-2014, as amended, and Comprehensive Zoning By-law 144-2003, as amended.
Recommendation:	THAT Planning and Development Report PD-040-19 outlining Town initiated housekeeping amendments to Comprehensive Zoning By-law 016-2014, as amended, and Comprehensive Zoning By-law 144-2003, as amended, BE RECEIVED FOR INFORMATION.

REPORT

Background

The Town currently has two Comprehensive Zoning By-laws that regulate land use and development within the Town: Urban Area By-law 016-2014, as amended, and Rural Area By-law 144-2003, as amended. Currently, there are no comprehensive reviews of these by-laws being undertaken.

In order to ensure that the by-laws are as accurate and up-to-date as possible, staff monitors these by-laws regularly and proposes amendments for Council's consideration, from time to time, to improve, clarify and update existing regulations with the by-laws. Through this report, staff is bringing forward some proposed modifications for public review and comment, for the purposes noted above.

Discussion

Proposed Housekeeping Amendments

The proposed modifications to the Urban By-law are general in nature and do not affect any one specific property. The proposed modification to the Rural By-law is specific to various properties designated "Hamlet Commercial" in the Town's Official Plan, and located generally near the main intersection in the Hamlet of Moffat, namely, 2000 and 2073 15 Side Road, and 11004, 11008, 11012, 11018, 11024 and 11032 First Line Nassagaweya.



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The proposed modifications relate to the following definitions and regulations:

By-law 016-2014, as amended

- Definitions of “Health Professional, Regulated” and “Office Use”
- As of right permission for “Day Care Centre” within the Urban Growth Centre Mixed Use (UGC-MU) Zone

By-law 144-2003, as amended

- Site-specific Village Residential Special Provision 20 (RV*20) Zone, which currently only permits a specific list of commercial uses within the Hamlet of Moffat.

The specific details on the draft housekeeping amendments, which includes tracked changes of the proposed revisions and the accompanying staff rationale, has been described in table format in Appendix 1 to this report. All of the identified modifications are relatively minor and would be considered to be housekeeping in nature.

Public Consultation and Review Process

Notice for the public meeting to be held on October 28, 2019, was provided pursuant to the requirements of the Planning Act on October 3, 2019. The proposed housekeeping amendments were circulated to internal and external agencies on October 16, 2019.

It should be noted that the public meeting notice that was placed in the October 3, 2019 edition of the Milton Champion newspaper, suggested that a revision to the definition of “Body Rub” was proposed. As a result of further staff discussion during the finalization of the proposed amendments, it was determined that no change to the definition would be required. In addition, staff would like to note that the property municipally known as 2073 No. 15 Side Road, also affected by the proposed changes to the RV*20 Zone, was inadvertently omitted from the list of properties and the map outlined in the same newspaper notice. Given that the proposed changes to the RV*20 Zone affects specific properties, notice of the public meeting was also sent via direct mail to all affected property owners, including 2073 No. 15 Side Road.

A technical report with recommendations will be brought forward for Council consideration upon completion of the evaluation of the Town initiated housekeeping amendments.

Financial Impact

None arising from this Report



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Respectfully submitted,

Barbara Koopmans, MPA, MCIP, RPP, CMO
Commissioner, Planning and Development

For questions, please contact: Angela Janzen, Planner Ext. 2310

Attachments
Appendix 1: Description and Rationale of Proposed Housekeeping Amendments (By-law 016-2014 and By-law 144-2003).

CAO Approval
Andrew M. Siltala
Acting Chief Administrative Officer

PROPOSED HOUSEKEEPING AMENDMENTS

The following table outlines the changes that are proposed in the housekeeping amendments. Text that is underlined indicates new text to be inserted in the By-law. Text that is crossed out ("~~strikethrough~~") is to be deleted from the By-law.

BY-LAW 016-2014, as amended

Item No.	Section or Schedule	Description of Change in By-law	Rationale
1	Section 3: Definitions	<p><i>Revise the definition of "Health Professional, Regulated" as follows:</i></p> <p>HEALTH PROFESSIONAL, REGULATED Means a person registered under the Regulated Health Professions Act, S.O. 1991, C.18, or as a drugless practitioner under the Drugless Practitioners Act, R.S.O. 1990, C.D. 18 including such as: <u>Acupuncturists, Audiologists, Chiropodists, Chiropractors, Dental Hygienists, Dental Technologists, Denturists, Dentists, Dieticians, Homeopaths, Massage Therapists, Medical Laboratory Technologists, Medical Radiation Therapists, Midwives, Naturopaths, Nurses, Occupational Therapists, Opticians, Optometrists, Pharmacists, Physicians, Physiotherapists, Podiatrists, Practitioners of Traditional Chinese Medicine, Psychologists, Respiratory Therapists, Speech Language Pathologists.</u></p>	<ul style="list-style-type: none"> - Revised to reflect current legislative framework and include additional professions now regulated under the Regulated Health Professions Act.
2	Section 3 Definitions	<p><i>Revise the definition of "Office Use" as follows:</i></p> <p>OFFICE USE Means a <i>building</i> or part of a <i>building</i> where administrative and clerical functions are carried out in the management of a business, professional service, organization or public administration, and may include the offices of a <i>Regulated Health Professional</i>, <u>or of an Unregulated Health Professional for the provision of health related services which are not regulated under any provincial statute, such as but not limited to Reiki, Osteopathy, Aromatherapy, Reflexology, Pedorthics, or Herbalism.</u> An office use but does not include a pPersonal sService sShop, or a bBank, or a mMedical eClinic or Body Rub Parlour.</p>	<ul style="list-style-type: none"> - Provides opportunities for certain alternative health care professionals that are similar to regulated health professionals, but not registered under the Regulated Health Professions Act, to operate as a single practitioner within an Office. - Office uses are also permitted as a home occupation subject to specific provisions. - In absence of identifying these health related services as part of this definition, these services would fall under the "body rub" use definition, which they are clearly not.

3	Section 7.1, Table 7A. (Permitted Uses within Commercial Zones)	<i>Add the "Day Care Centre" use to the Urban Growth Centre Mixed Use (UGC-MU) Zone in Section 7.1, Table 7A.</i>	- Opportunities for day care centre uses are now emerging through new development proposals within the Urban Growth Centre. Previously, the majority of the existing built form was not suitable to accommodate a day care centre use and therefore, the use was not permitted as of right.
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BY-LAW 144-2003

Item No.	Section or Schedule	Description of Change in By-law	Rationale
4	Section 13.1.1.20 RV*20 (Various Properties in Moffat, namely, 2000 and 2073 15 Side Road, and 11004, 11008, 11012, 11018, 11024, and 11032 First Line Nassagaweya)	<i>Revise site-specific subsection 13.1.1.20 as follows:</i> i) Additional Only Uses Permitted a) blacksmith/horse carriage repair shop; b) pottery fabrication and sales shop; c) jams and preserves production and sales shop; d) antique display and sales shop; e) <i>art gallery</i> /framing/gift shop; f) furniture shop; g) photography/studio; h) saddlery; i) flower shop;	- Clarifies that residential uses in addition to the specific list of commercial uses was always contemplated by the Official Plan. The existing provision limits the properties to the specific list of commercial uses only. Changing the word "only" to "additional" will allow residential uses as was contemplated.