



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: June 19, 2023

Report No: DS-033-23

Subject: Z-13/21 Sustainable Halton Urban Expansion Zoning Technical Report

Recommendation: **THAT Town Initiated Zoning Application Z-13/21 - Sustainable Halton Urban Expansion Zoning amendments to 016-2014 and 144-2003 BE APPROVED.**

EXECUTIVE SUMMARY

- The proposed amendments conform to the Urban Area land use designation for the Sustainable Halton Urban Expansion Area Lands (2021-2031) in the Halton Region and Town of Milton Official Plans.
- The proposed amendments would recognize the Sustainable Halton Urban Expansion Area by zoning the lands as a “Future Development (FD) Zone”.
- The FD Zone signifies that these areas are intended to be developed for urban purposes.
- The FD zone recognizes and allows legally existing uses to continue until the lands are redeveloped through individual applications.
- Since the Public Meeting, changes have been made to the proposed zoning by-law amendments to refine mapping, provide clarity, add a transition policy, recognize existing special zones, recognize an existing exemption and recognize the Minister’s Zoning Order issued by the Province for a portion of the Milton Education Village lands.

REPORT

Background

As part of Halton Region’s Sustainable Halton Plan (Regional Official Plan Amendment 38), urban lands were identified in the Town of Milton to accommodate population and employment growth from 2021 through to 2031. Referred to as the ‘Sustainable Halton



Background

Urban Expansion Area”, these lands were identified to accommodate projected greenfield growth and will be developed in accordance with more detailed Secondary Plans. These lands include the Milton Education Village as well as the Trafalgar, Agerton and Britannia Secondary Plan areas. Through the Town of Milton’s last Official Plan conformity exercise (Official Plan Amendment 31), the Urban Expansion Area was incorporated into the Town’s urban area boundary. The proposed amendments would update Milton’s Zoning By-laws to conform to the Region and Town Official Plans.

Discussion

The purpose of a Future Development (FD) Zone is to identify land awaiting urban development and servicing. It allows legally established land uses to continue, in addition to agricultural uses and a limited range of uses that would not hinder or preclude planned future urban land uses in accordance with detailed secondary plans.

The FD Zone does not facilitate a specific development. Any development proposal would still require specific zoning through a subsequent development application process that would require its own public consultation and detailed technical review pursuant to the Planning Act.

This zoning update would also provide clarity and certainty that these lands are no longer within the rural area.

A Public Meeting in accordance with the Planning Act was held on August 21, 2021, with no comment. The draft amendments were also circulated for agency review and comment. Changes have since been made to the proposed zoning by-law amendments to refine mapping, provide clarity, add a transition policy, recognize existing special zones, recognize an existing exemption and recognize the Minister’s Zoning Order issued by the Province for a portion of the Milton Education Village lands.

Financial Impact

There is no financial impact arising from this report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact: Megan Lovell

Phone: 905-878-7252
Ext. 2338



Attachments

Attachment 1 – FD Zoning Urban Zoning By-law

Attachment 2 – FD Zoning Rural Zoning By-law

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.

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:

13.1.1.27	61-85 47-2005	M2	*27
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Part Lot 6, Concession II (Nassagaweya) and Part Lot 13, concession VIII (Trafalgar)
<p>i) Only Uses permitted</p> <ul style="list-style-type: none"> 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) <i>a dwelling for a watchman or caretaker or other similar person employed on the premises concerned.</i>

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:

13.1.1.28	61-85	C5	*28
Part Lot 4, Concession III (Trafalgar Truck Stop)			
<p>i) Only Uses Permitted</p> <ul style="list-style-type: none"> 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> 			

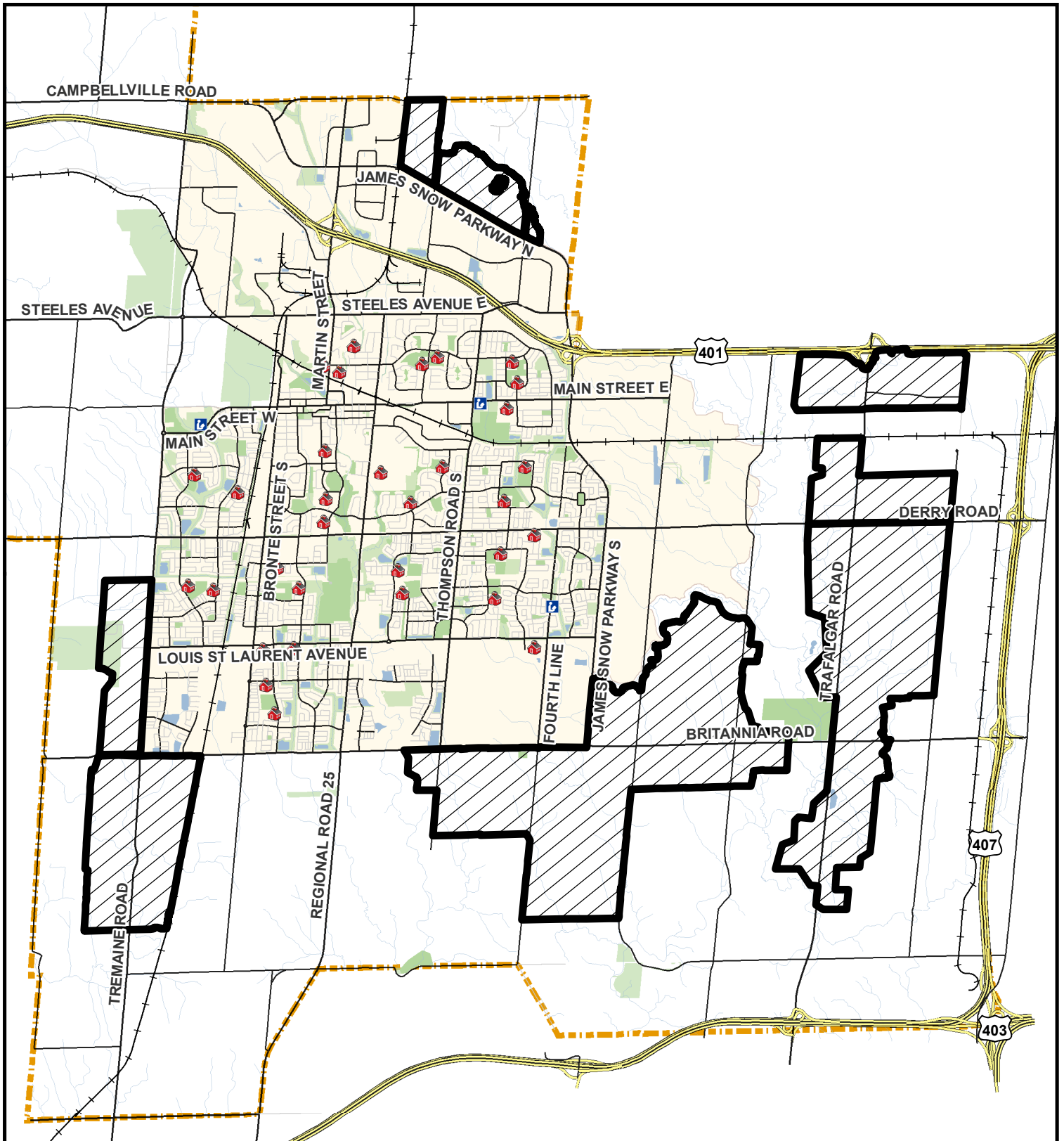
12.0 THAT pursuant to Section 34(21) of the Planning Act, R.S.O. 1990, c. P.13, as amended, this by-law comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsection 34(19) of the Planning Act, as amended. Where one or more appeals have been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

FIGURE 1 LOCATION MAP



Council Meeting Date:
June 19, 2023

Scale: 1: 75,000

Files: Z-13/21

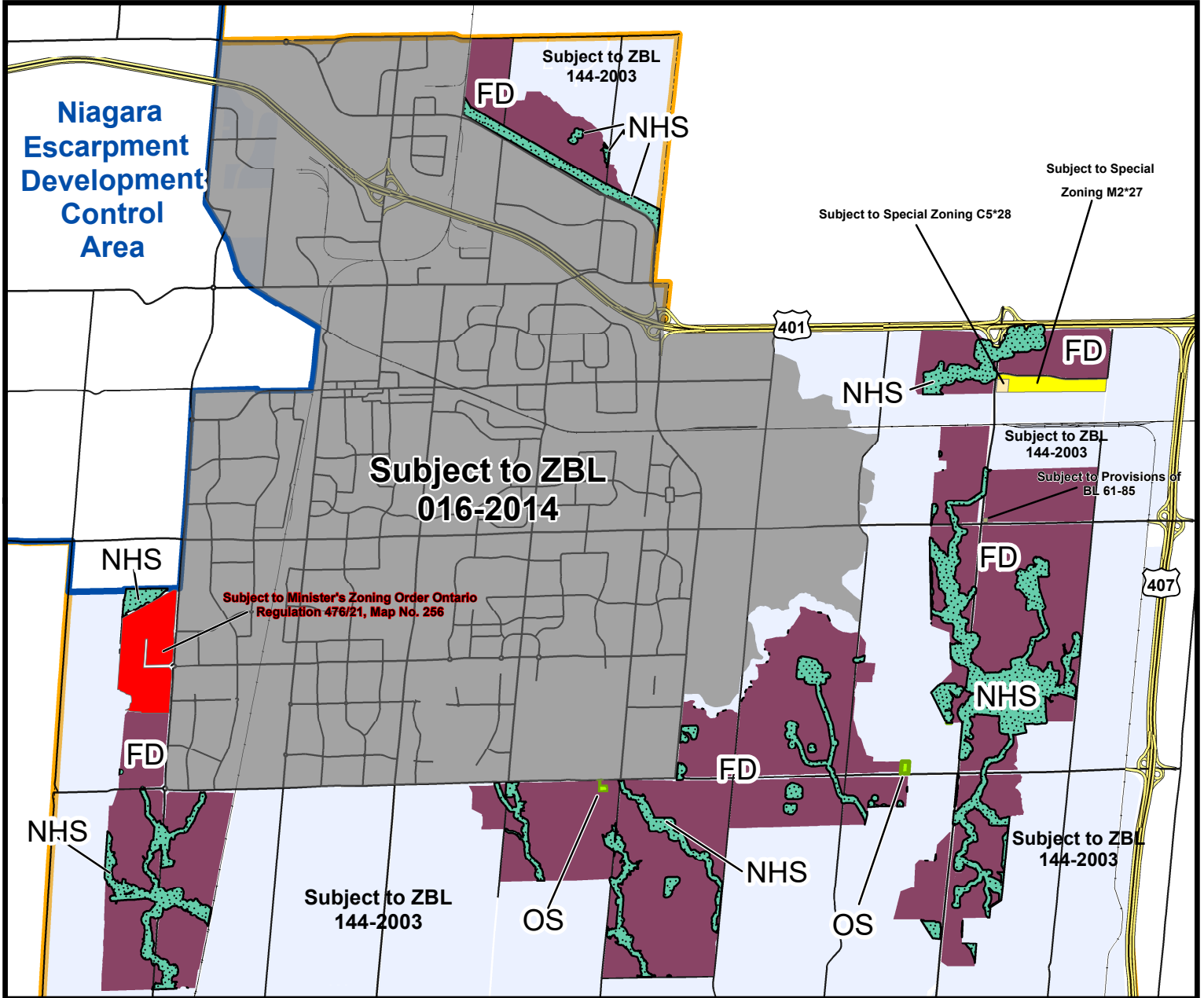
Development Services Department



Subject Area
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**SCHEDULE A
TO BY-LAW No. -2023**


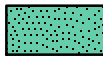


**TOWN OF MILTON
SUSTAINABLE HALTON
URBAN EXPANSION LANDS
*Town of Milton***



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

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

-  FD - Future Development
-  NHS - Natural Heritage System Zone
-  OS - Open Space Zone
-  Subject to Minister's Zoning Order Ontario Regulation 476/21, Map No. 256



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 144-2003, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT*, AS AMENDED, TO REMOVE THE SUSTAINABLE HALTON LANDS FROM THE RURAL ZONING BY-LAW IN RESPECT OF THE LANDS AS DEPICTED ON FIGURE 2: 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 144-2003, as amended;

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

- 1.0** THAT Comprehensive Zoning By-law 144-2003, as amended, is hereby repealed as it applies to the lands identified as "Subject Area" as shown on "Figure 2" attached to this by-law; and,
- 2.0** THAT Schedule A to Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by removing the lands identified as "Subject Area" as shown on Figure 2 attached hereto.
- 3.0** THAT Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by replacing "1003 Derry Road East" with "13003 Derry Road" in Sections 1.1 and 1.9.
- 4.0** 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



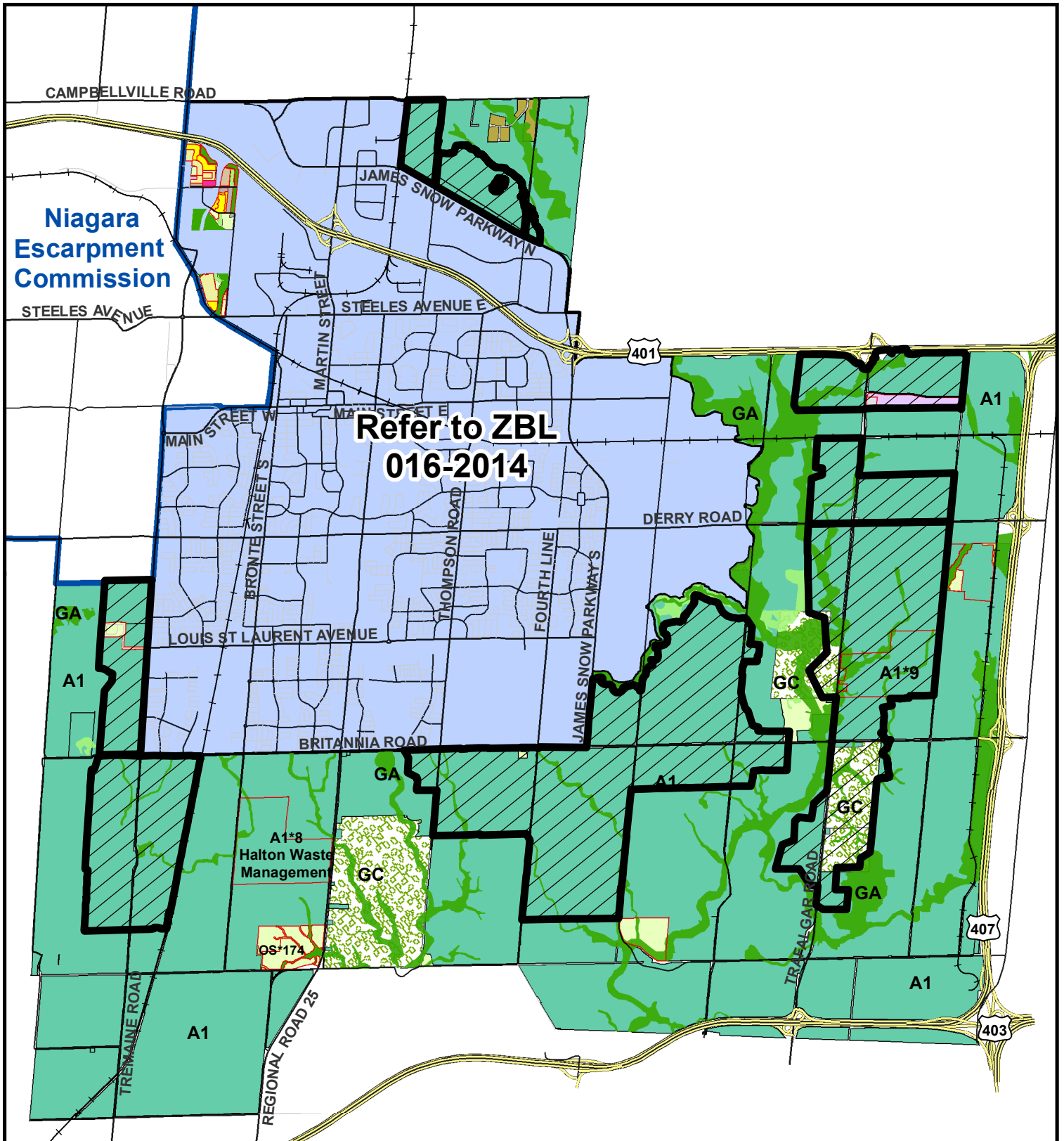
MILTON

FIGURE 2

ZONING CONTEXT MAP



MILTON



Council Meeting Date:
June 19, 2023

Scale: 1: 75,000

Files: Z-13/21

Development Services Department



Subject Area
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