

THE CORPORATION OF TOWN OF MILTON

BY-LAW NO. 085-2021

BEING A BY-LAW OF THE TOWN OF MILTON TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTIONS 34 AND 39 OF THE PLANNING ACT, AS AMENDED, IN RESPECT OF THE LANDS DESCRIBED AS PART LOT 1, CONCESSION 3, ESQUESING, PARTS 1 AND 3, PL 20R8010 AND MUNICIPALLY KNOWN AS 295 ALLIANCE ROAD, UNIT 10, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (CARLTON PLACE PLAZA INC.) – Town File: Z-14/21

WHEREAS Section 39 of the Planning Act, as amended, authorizes Municipal Councils to pass by-laws to authorize the temporary use of land, buildings, and structures for a specific period of time;

AND WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended, to allow the proposed use for a period of three (3) years;

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 Municipal 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 General Industrial (M2) Zone symbol to the Temporary Use General Industrial (T14-M2) Zone symbol on the lands shown on Schedule A attached hereto.
- 2.0 THAT** Section 13.3 (Temporary Use Zones) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection 13.3.1.14 as follows:

i) Additional Permitted Use:

- a) Cannabis Production and Processing Facility

For the purposes of this by-law, a Cannabis Production and Processing Facility means a premises used for the production, processing, testing, researching, destroying, packaging and/or shipping of cannabis where a license, permit or authorization has been issued under applicable federal law. For the purposes of this definition, production shall include the growing and harvesting of cannabis and processing shall include the extraction of cannabis oil and the manufacturing of products containing cannabis.

ii) Special Site Provisions:

- a) Notwithstanding the definition above to the contrary, processing shall only be permitted for the purposes of conducting research or testing under a Research and/or Analytical Testing License that has been issued by Health Canada.
- b) Notwithstanding the requirements of Section 8.3.2., the following site specific provisions shall apply to the temporary use:
 - i. The facility operations shall be located within a wholly enclosed building.
 - ii. Outdoor storage is not permitted.
 - iii. The minimum setbacks for a Cannabis Production and Processing Facility; from the zones listed below, shall be in accordance with the following:
From a Residential, Institutional, or Open Space Zone: 70 metres;
 - iv. Notwithstanding any provisions of this by-law to the contrary, an accessory building or structure used for security purposes for a Cannabis Production and Processing Facility is permitted in any yard and shall not be subject to required setbacks.
- c) Notwithstanding the provisions of Section 4.14.2 to the contrary, waste storage shall be contained within a principal building.

3.0 THAT notwithstanding Sections 1.0 and 2.0 of this By-law, this by-law shall expire three (3) years from the date of the passing of the by-law by Council, unless the Council of the Corporation of the Town of Milton has provided an extension by amendment to this by-law prior to its expiry.

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 IN OPEN COUNCIL ON SEPTEMBER 13, 2021.

Gordon A. Krantz Mayor

Meaghan Reid Town Clerk