

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 040-2022

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 PART OF LOT 10, CONCESSION 4 FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (QUADSPRING INC.) TOWN FILE: Z-05/19

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:

1.0 **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) and Residential Low Density (RLD) zones to a Minor Institutional Zone (IA * 312) to allow for the construction of a proposed two-storey day care on the land shown on Schedule A attached hereto.

2.0 **THAT** Section 13.1 is amended by adding Section 13.1.1.312 to read as follows:

For lands zoned Minor Institutional Zone (IA * 312) the following provisions also apply:

1. Only Uses Permitted:

a) A Day Care Centre use

2. Site Considerations:

a) Notwithstanding, for the purposes of this by-law all proposed special zone standards apply to Schedule A, the subject property in its entirety; and

b) Notwithstanding, for the purposes of this by-law the front lot line of the property shall be Derry Road.

3. Special Zone Standards:

- a) Notwithstanding Table 9B, the minimum Lot Area for a Day Nursery use shall be 0.29 hectares;
- b) Notwithstanding Table 9B, the maximum Gross Floor Area for individual buildings shall be 1,700 square meters;
- c) Notwithstanding Table 9B, the minimum front yard (Derry Road) shall be 1.0 metres; and
- d) Notwithstanding Section 4.19.5 Table H, Ornamental Projections shall be permitted to encroach a maximum of 1.0 meters;
- e) Notwithstanding Section 4.19.5 Table H, where an Architectural Feature projects into a front yard, a 0.0 metre setback can be provided and such feature may encroach into a required Landscape Buffer;
- f) Notwithstanding Section 9.2, Table 9B a minimum of 8% landscape open space is required;
- g) Notwithstanding Section 5.11 i), 0 loading spaces are required for a day care use;
- h) Notwithstanding Table 9B, the minimum Landscape Buffer abutting a street line shall be 0.5 metres along Fourth Line and 1.0 metres along Derry Road;
- i) Notwithstanding Table 9B, the minimum Exterior Side Yard (Fourth Line) shall be 2.5 metres; and
- j) Notwithstanding Table 9B, any rooftop equipment and/or structures shall not be included in the maximum height restrictions;
- k) Notwithstanding Section 5.8.2 Table 5G, minimum parking required for a day care centre shall be 51 spaces;
- l) Notwithstanding Table 5L, the minimum setback of a parking area from all other lot lines shall be 0.0 metres; and
- m) Notwithstanding Section 4.14.2 v) d), deep collection waste disposal container(s) shall be located no closer than 0.10 meters from a building or parking area.

3.0 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.

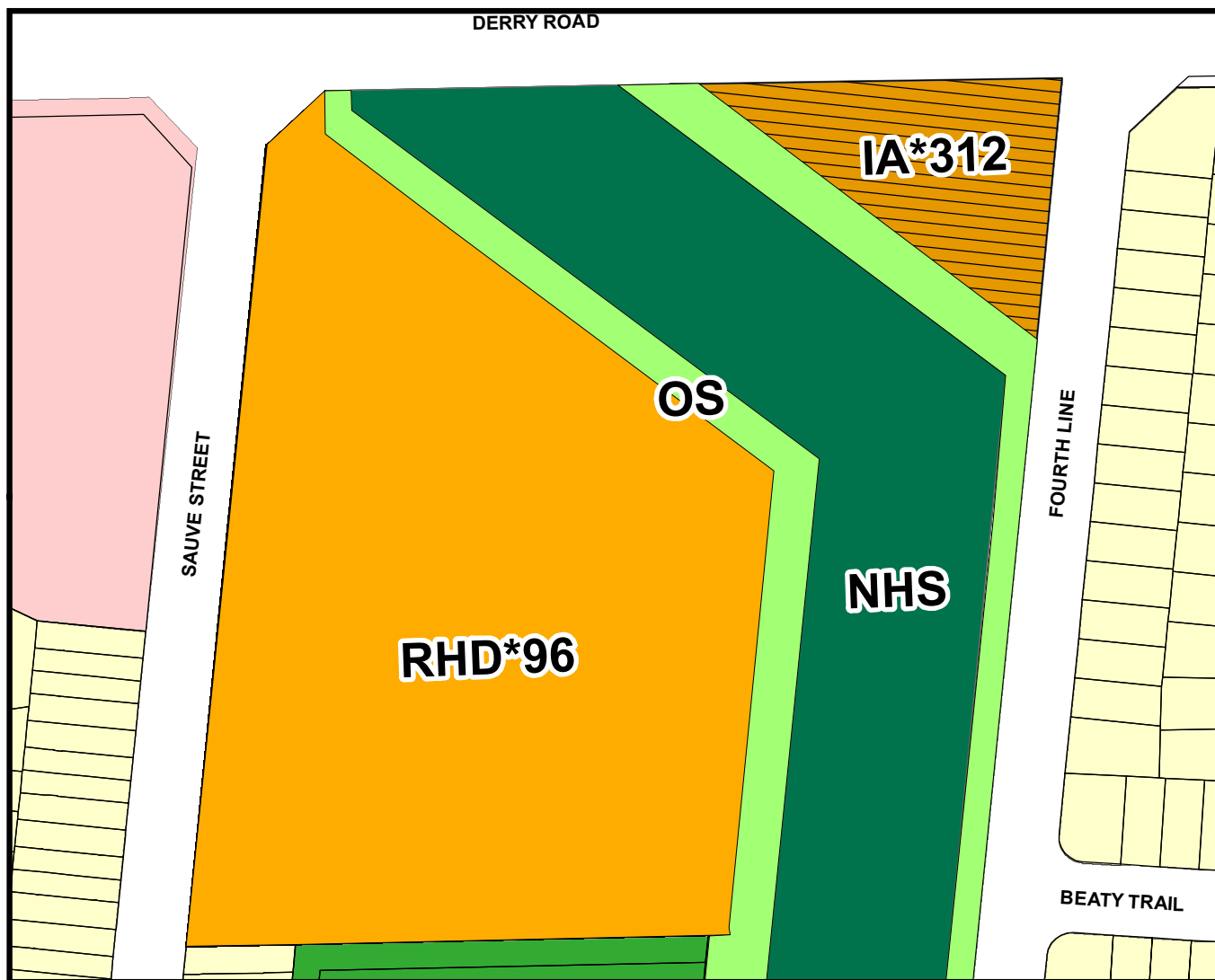
PASSED IN OPEN COUNCIL ON MAY 9, 2022

Gordon A. Krantz Mayor

Meaghan Reid Clerk

SCHEDULE A TO BY-LAW No. 040-2022 TOWN OF MILTON

PART OF LOT 9, CONCESSION 6 TRAFALGAR NEW SURVEY
TOWN OF MILTON



THIS IS SCHEDULE A
TO BY-LAW NO. 040-2022 PASSED
THIS 9TH DAY OF MAY, 2022.

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

- IA*312 - Institutional Zone Special 312
- OS - Open Space
- RHD - High Density Residential Zone
- NHS - Natural Heritage Zone



Z-05/19