



December 18, 2023, 7:00 p.m.

This meeting will be held as a hybrid meeting with Members of Council having the opportunity to participate in-person at Town Hall or electronically. Members of the public can view the meeting by watching the live stream or attend in-person.

Should you wish to delegate to a Council meeting please complete the online delegation form at <https://forms.milton.ca/Community/Delegate-Request-Application> by 12:00 p.m. (noon) two business days before the meeting is to be held.

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# The Corporation of the Town of Milton

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Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: December 18, 2023

Report No: DS-058-23

Subject: Public Meeting and Initial Report: Zoning By-law Amendment Application by CJJ Holdings Limited, applicable to lands known as Part Lot 5, Concession 2 (Esquesing). (Town File: Z-10/23)

Recommendation: **THAT Development Services Report DS-058-23 BE RECEIVED FOR INFORMATION.**

## EXECUTIVE SUMMARY

Application has been made for an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to rezone the subject lands from the current Future Development (FD) zone to a site specific Business Park (M1\*XXX) zone to facilitate the development of two small bay industrial buildings. In general, these facilities are likely to be multi-tenanted, serving a broad mix of tenants in local distribution, construction, light industrial, and service industries.

The application is complete pursuant to the requirements of the Planning Act and is being processed accordingly. Upon completion of the consultation and review process, a Technical Report, including recommendations, will be brought forward for Council consideration. The Technical Report will address issues raised through the consultation and review process.

## REPORT

### Background

**Owners:** CJJ Holding Limited, 620 Wilson Avenue, Suite 300, Toronto, Ontario

**Applicant/Agent:** Clare Riepma, Riepma Consultants Inc., 220 Kempenfelt Drive, Barrie, Ontario

**Location/Description:** The subject lands are located in Ward 1, between No 5 Side Road and James Snow Parkway and are within the Milton 401 Industrial/Business Park Secondary Plan. Surrounding land uses include employment uses to the south and existing residential uses to the north. A Location Map is included as Figure 1 to this report.

## Background

### Proposal:

The applicant is seeking an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to rezone the subject lands from the current Future Development (FD) zone to a site specific Business Park (M1\*XXX) zone to accommodate the development of the lands for future employment uses.

Figure 2 and 3 illustrate the site plan and rendering of the proposed development. The development consists of two multi-tenant buildings, totally 18 units, with associated surface parking. Access is provided via a right-in/right-out on James Snow Parkway and a proposed full moves access onto No. 5 Side Road. It is noted that in May 2023, Town Council passed By-law 032-23 prohibiting Heavy Traffic along No. 5 Side Road. As such, all truck traffic will be required to use the James Snow Parkway access.

The following reports have been submitted in support of this application:

- Planning Justification Report, dated July 2023, prepared by Riepma Consultants Inc.
- Phase 1 Environmental Site Assessment - 7080 No 5 Sideroad, dated July 16, 2021, prepared by Terraprobe Inc.
- Phase 1 Environmental Site Assessment - 7188 No 5 Sideroad, dated July 16, 2021, prepared by Terraprobe Inc.
- Functional Servicing and Stormwater Management Report, dated November 25, 2022, prepared by MGM Consulting Inc.
- Arborist Report, dated November 2022, prepared by Beacon Environmental Limited.
- Scoped Environmental Impact Study, dated December 2022, prepared by Beacon Environmental Limited
- Geotechnical Investigation, dated October 2022, prepared by Soil Engineers Ltd.
- Hydrogeological Assessment, dated January 2022, prepared by Soil Engineers Ltd.
- Urban Design Brief, dated April 2023, prepared by Riepma Consultants Inc.
- Traffic Impact Study, dated September 14, 2023, prepared by GHD Limited.
- Noise Feasibility Study, dated February 3, 2023, prepared by HGC Engineering Ltd.
- Stage 1-2 Archaeological Assessment, dated February 2006, prepared by Archaeological Assessments Ltd.

## Discussion

### Planning Policy

The subject lands are located within the Milton 401 Industrial/Business Park Secondary Plan and are designated Business Park Area, as shown on Schedule C.2.B - Milton 401 Industrial/Business Park Secondary Plan Land Use Plan. The Business Park Area



## Discussion

designation is an employment designation which applies to areas where the full range of light industrial and office uses will be permitted. The proposed Zoning By-law Amendment is seeking to rezone the subject lands to a site specific Business Park zone in accordance with the Official Plan direction.

While a full review of the applicable planning policies will be undertaken as part of the review of the application, based on the information provided, staff is satisfied that an Official Plan Amendment is not required.

### Zoning By-law 016-2014, as amended

The subject lands are currently zoned Future Development (FD) zone under the Town's Zoning By-law 016-2014, as amended. As the FD zone does not permit development, a Zoning By-law Amendment has been made to rezone the lands to a site specific Business Park (M1\*XXX) zone. The applicant has requested one site specific provision which proposes to deem James Snow Parkway as the front lot line.

The Draft Zoning By-law is attached as Appendix 1 to this Report.

### Site Plan Control

Should the application be approved, the applicant will be required to receive Site Plan Approval prior to the commencement of any development.

### Public Consultation and Review Process

Notice for the public meeting was provided pursuant to the requirements of the Planning Act on November 21, 2023. As well, signage providing information on the proposed applications was posted on all road frontages.

With regard to the proposal, staff has identified the following matters to be addressed through the review process:

- Urban Design
- Noise Impacts
- Traffic Impacts and No 5 Side Road access.

## Key Milestones

Milestone	Date
Pre-Consultation Meeting	2/7/2023
Public Information Centre Meeting	N/A
Pre-Submission Review	5/16/2023



# The Corporation of the Town of Milton

Report #:  
DS-058-23  
Page 4 of 4

Milestone	Date
Application Deemed Complete	10/18/2023
Statutory Public Meeting	12/18/2023
Date Eligible for Appeal for Non-Decision	1/16/2024

## Financial Impact

None arising from this report.

Respectfully submitted,

Jill Hogan  
Commissioner, Development Services

For questions, please contact: Aaron Raymond, MCIP, RPP      Phone: Ext. 2313  
Senior Planner

## Attachments

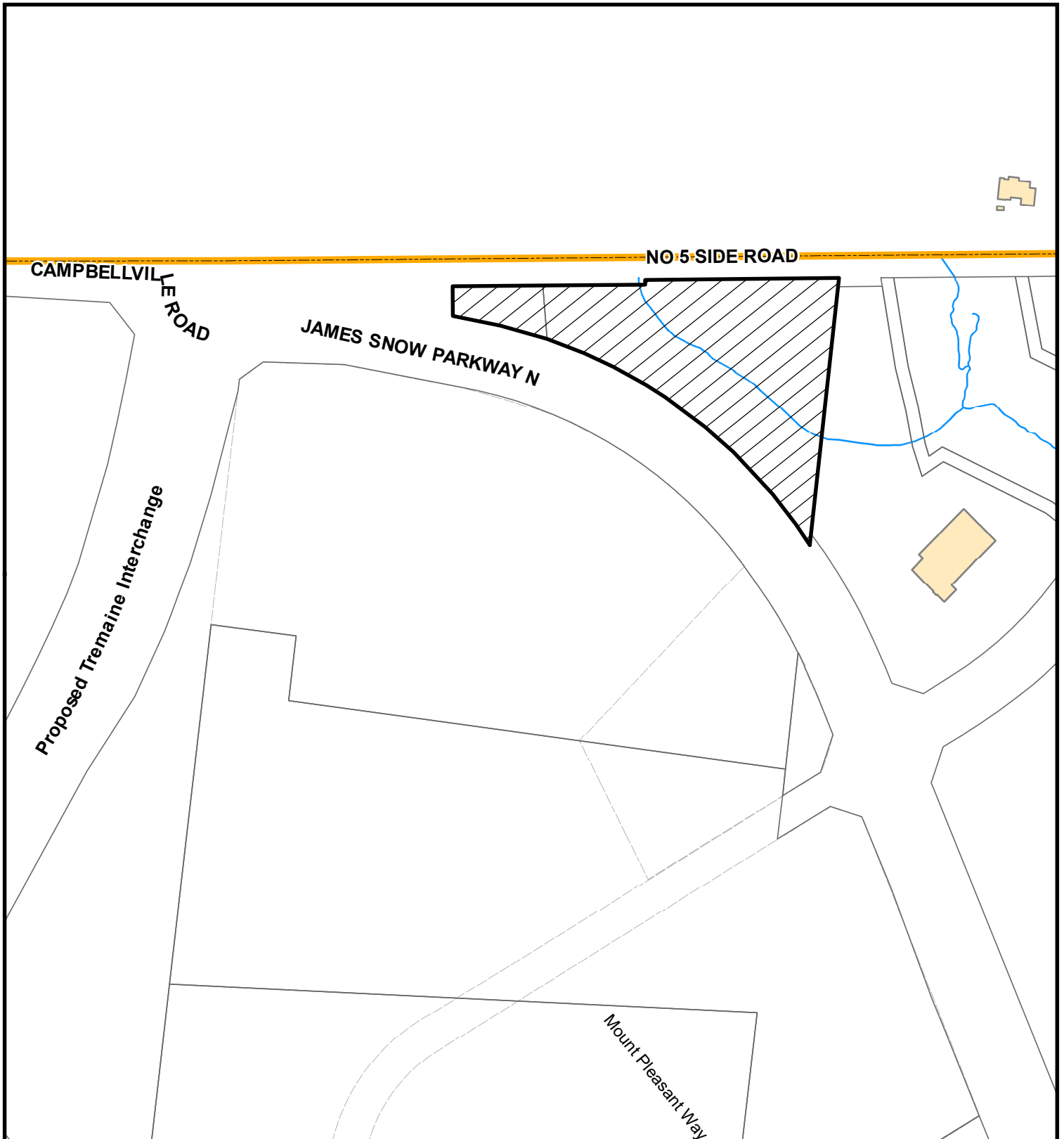
Figure 1- Location Map  
Figure 2- Concept Plan  
Figure 3 – Concept Rendering  
Appendix 1- Draft Zoning By-law Amendment

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.

# FIGURE 1 LOCATION MAP

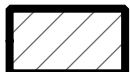


Council Meeting Date:  
December 18th, 2023

Scale: 1: 3,000

Files: Z-10/23

Development Services Department



Subject Property  
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## Figure 3 - Concept Rendering





THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-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* IN RESPECT OF THE LANDS DESCRIBED AS PART LOT 5, CONCESSION 2, FORMER GEOGRAPHIC TOWNSHIP OF ESQUESING, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (CJJ HOLDINGS LIMITED) - FILE: Z-10/23

**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:

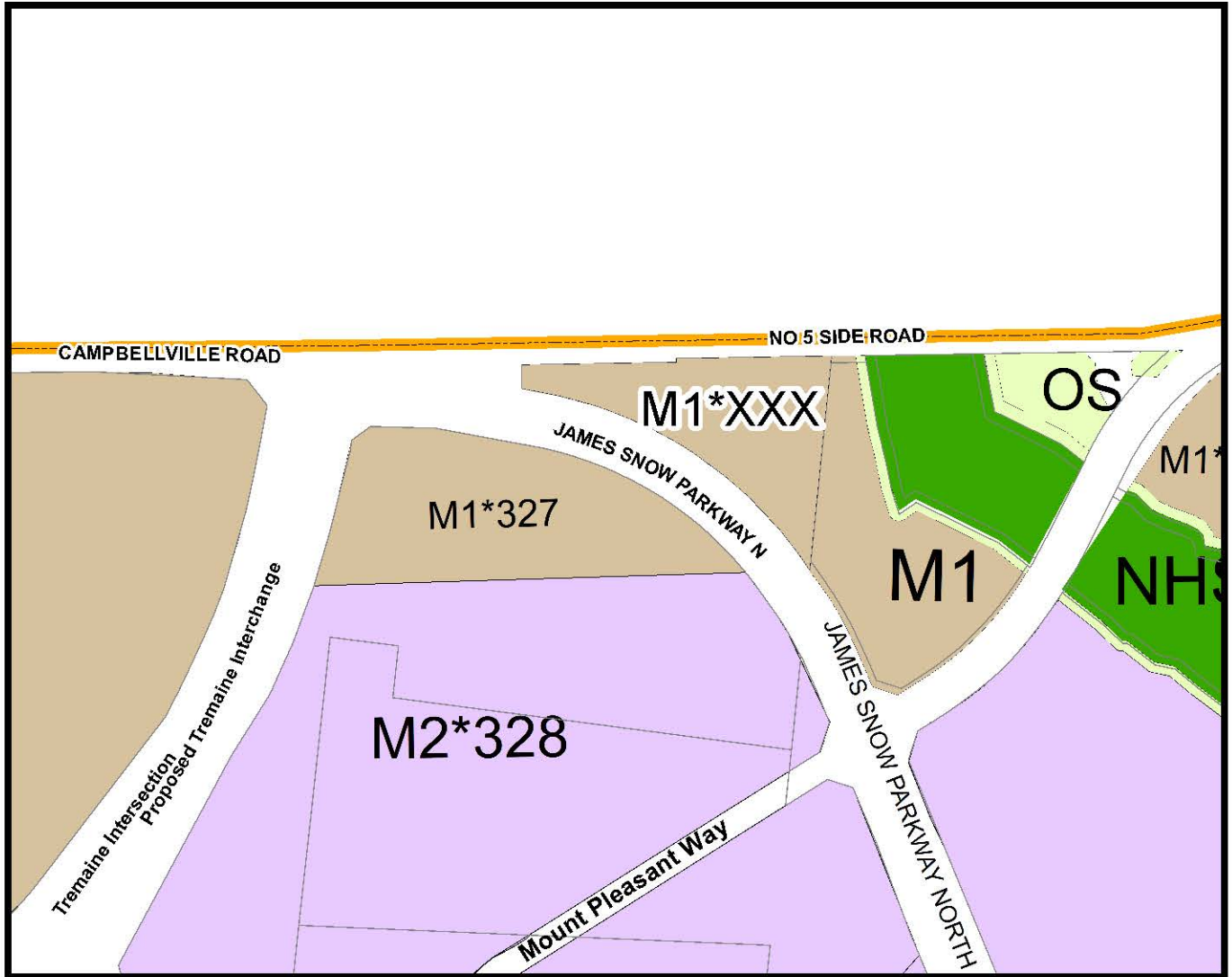
1. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) zone symbol to a site specific Business Park (M1\*XXX) symbol on the land shown on Schedule A attached hereto.
2. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.XXX to read as follows:
  - a. For the purposes of administering the Zoning By-law, James Snow Parkway shall be deemed to be the front lot line.
3. 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 [DATE]**

\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Meaghen Reid Town Clerk

SCHEDULE A  
TO BY-LAW No. -2023  
**TOWN OF MILTON**  
PARTS 14 AND 16,  
RP 20R20039  
Town of Milton



THIS IS SCHEDULE A  
TO BY-LAW NO. \_\_\_\_\_ PASSED  
THIS \_\_\_ DAY OF \_\_\_\_\_, 2023.



M1\*XXX - Business Park Zone Special

\_\_\_\_\_  
MAYOR - Gordon A. Krantz

\_\_\_\_\_  
CLERK- Meaghen Reid





# The Corporation of the Town of Milton

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Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: December 18, 2023

Report No: DS-059-23

Subject: Technical Report: Zoning By-law Amendment Application by 150 Steeles Milton Inc. applicable to lands legally described as Part of Lot 15, Concession 2, former Geographic Township of Trafalgar and municipally known as 150 Steeles Avenue East. (Town File: Z-06/23)

**Recommendation:** **THAT Report DS-059-23 outlining an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to implement the refined limits of the Natural Heritage System BE APPROVED;**

**AND THAT staff be authorized to bring forward an amending Zoning By-law in accordance with Appendix 1 to Report DS-059-23 for Council adoption;**

**AND THAT the Commissioner of Development Services forward this report to the Provincial Ministers of Health, Education, Transportation and Infrastructure and Metrolinx with a request to review and plan for future Milton District Hospital, school and transportation expansions;**

**AND FURTHER THAT the Commissioner of Development Services forward a copy of this report and Decision to the Region of Halton for their information.**

## EXECUTIVE SUMMARY

150 Steeles Milton Inc. has applied for a zoning by-law amendment to the Town of Milton Zoning By-law 016-2014, as amended, for the lands located at 150 Steeles Avenue East. The purpose of the zoning by-law amendment is to rezone a portion of the subject lands from site-specific Business Park (M1\*38) zone to the Natural Heritage System (NHS) zone to implement the true limits of the NHS on the subject lands. The NHS zone will be expanded to include an area of approximately 2.15 hectares on the subject lands. No development is proposed as part of the application.



## EXECUTIVE SUMMARY

The statutory public meeting was held on November 13, 2023. No members of the public spoke at the statutory public meeting and staff have not received any written concerns or objections to the proposed zoning by-law amendment.

All internal Town of Milton departments and responding external agencies have provided correspondence to Town planning staff indicating their support for the application as currently presented. Planning staff have reviewed all of the documentation, plans and comments provided to date and is of the opinion that the application as submitted has been prepared in a manner that would allow it to be considered by Town Council for approval.

### Conclusions and Recommendations

Planning staff is satisfied that the proposed zoning by-law amendment, as attached in Appendix 1 to this report, is consistent with the land use policies of the Provincial Policy Statement and conforms to the Regional and Town Official Plans.

Therefore, staff recommends approval of the zoning by-law amendment as presented through this report.

## REPORT

### Background

**Owner:** 150 Steeles Milton Inc., 775 Main Street East, Suite 1b, Milton, ON.

**Applicant:** Korsiak Urban Planning, 277 Lakeshore Road East, Unit 206, Oakville, ON.

**Location/Description:** The subject lands are located in Ward 1, on the south side of Steeles Avenue East, west of the intersection of Steeles Avenue East and Martin Street and are municipally known as 150 Steeles Avenue East. The subject lands are irregular in shape and have frontage on the east side of Bronte Street (8 metres), south side of Steeles Avenue East (249 metres) and west side of Martin Street (15 metres). The subject lands comprise a total area of approximately 20.3 hectares, however the proposed zoning by-law amendment only applies to a portion of the subject lands comprising an area of approximately 2.15 hectares. The subject lands are currently vacant.

The subject lands were formerly occupied by Meritor Suspension Systems Company ('MSSC') that manufactured car parts. MSSC occupied the site from 1954 to 2009. Areas of the site became contaminated as a result of the former industrial use. Contaminants were located primarily around the factory building, which has been demolished, as well as within the limits of the Regional NHS.

## Background

The applicant has been working closely with staff from the Town of Milton, Halton Region and Conservation Halton during the ongoing remediation on the subject lands. It is anticipated that remediation of the subject lands will be complete by mid-2024. In order to facilitate remediation on the portion of the subject lands that is within the Regional NHS, the Town, Region and Conservation Halton required the completion of a comprehensive study to address the potential impacts related to remediation on the site and to determine the true limits of the Regional NHS.

The subject lands are surrounded by a range of land uses. Employment uses are located to the north and west of the subject lands and residential uses are located to the east of the subject lands, fronting Martin Street. The Sixteen Mile Creek, valley and surrounding NHS are located to the south and southwest of the subject lands.

## Proposal:

The applicant has applied for a zoning by-law amendment to rezone a portion of the subject lands in order to reflect the true limits of the Regional Natural Heritage System. The application proposes to add approximately 2.15 hectares of land into the Natural Heritage System (NHS) zone in the Town's Urban Zoning By-law 016-2014, as amended. No development is proposed as part of the application.

The following reports have been submitted in support of this application:

- Planning Justification Brief;
- Draft Zoning By-law Amendment;
- Topographic Survey;
- Comprehensive Environmental Management Study (CEMS);
- Archaeological Clearance Letter;
- Preliminary Hydrogeological Investigation;
- Phase 1 and 2 Environmental Site Assessments; and,
- Slope Stability Assessment.

## Planning Policy:

The subject lands are designated Urban Area and Regional Natural Heritage System (NHS) in the Halton Region Official Plan. Given that remediation is required within the Regional NHS, the Town of Milton, Halton Region and Conservation Halton requested a

## Background

comprehensive assessment to review the potential impacts of remediating the contaminated areas within the Regional NHS on the subject lands.

In response to the above request, the applicant submitted a Comprehensive Environmental Management Study (CEMS) to demonstrate how the natural heritage features and natural hazards associated on the subject lands may be affected and managed during remediation works. While the primary purpose of the CEMS is to address potential impacts related to remediation works, the CEMS also identifies and proposes refinements to limits of the Regional NHS. It is noted that the refined limits also include a 15-metre buffer to Key Features within the Regional NHS as well.

On October 26, 2023, Town of Milton issued a letter to the applicant indicating that all agencies were satisfied with that the CEMS addressed all comments and that the study was considered complete. The proposed zoning by-law amendment schedule identifies the refined limits of the Regional NHS as identified in the CEMS.

The Halton Region Official Plan also requires the applicant of a development proposal on contaminated lands to undertake the necessary steps to bring the lands to a condition suitable for redevelopment, in accordance with Halton Region's Protocol for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites. While no development is contemplated as part of the proposed zoning by-law amendment, the applicant has been undertaking remediation works on the subject lands in advance of submitting future development applications to redevelop the lands.

Prior to site alteration to establish any future land uses, the applicant will be required to file a Record of Site Condition (RSC) to the Ministry of the Environment, Conservation and Parks (MECP) that indicates that the site is suitable for the proposed land uses. Halton Region requires the applicant to submit all environmental documentation used for the filing of the RSC. Given that there is no development being proposed at this time, the Regional staff are satisfied that the proposed zoning by-law amendment can advance prior to the filing of the RSC, however the applicant will be required to file the RSC prior to future site alteration associated with redevelopment of the subject lands.

Regional staff have indicated that the proposed zoning by-law amendment conforms to the Regional Official Plan and the applicable Provincial policies.

The subject lands are designated Business Park Area and Natural Heritage System Area on Schedule B - Urban Area Land Use Plan in the Town of Milton Official Plan. The subject lands are also located within the Milton 401 Industrial/Business Park Secondary Plan and

## Background

are designated Business Park Area and Natural Heritage System on Schedule C.2.B - Milton 401 Industrial/Business Park Secondary Plan Land Use Plan.

The Business Park Area designation is an employment designation that permits a full range of light industrial and office uses. While the majority of the subject lands are currently within the Business Park Area designation in the Town's Official Plan, the southern portion of the subject lands contains natural heritage features and would not be suitable for employment uses. The Town's Official Plan includes policies that enable adjustments to the limits of the NHS without an amendment to the Official Plan. However, it is noted that future Official Plan Amendment application will be required to redevelop the subject lands and the refined limits of the NHS will be implemented at that time.

The purpose of the Natural Heritage System Area designation is to protect areas which have been identified as having environmental significance. Permitted uses are limited and development is generally not permitted.

The Town's Official Plan requires all lands within the Regional NHS to be zoned appropriately in the Town's Zoning By-law. The proposed zoning by-law amendment intends to implement the refined limits of the NHS as determined through the CEMS.

Staff reviewed the application in relation to the policies of the Provincial Policy Statement (2020), the Growth Plan (2019), the Halton Region Official Plan and the Town of Milton Official Plan. Town staff and our agency partners are satisfied that the application for the zoning by-law amendment as presented through this report, conforms to the applicable Provincial, Regional and Town land use planning policies and regulations.

### **Zoning By-law 016-2014, as amended**

The subject lands are currently zoned Business Park with a special exception (M1\*38) and Natural Heritage System (NHS) under the Town of Milton Urban Zoning By-law 016-2014, as amended.

The proposed zoning by-law rezones a portion of the subject lands to the NHS zone to implement the refined limits of the Regional NHS as determined through the CEMS. There are limited permitted uses in the NHS zone and these include existing uses, conservation uses and forestry uses. New development is not permitted within the NHS zone. Appendix 1 to this Report includes the proposed zoning by-law.

## Discussion

### Public Consultation and Review Process

Notice of the statutory public meeting was provided pursuant to the requirements of the Planning Act on October 16, 2023 and the statutory public meeting was held on November 13, 2023. No members of the public spoke at the statutory public meeting. At the time of writing this report, Planning staff have not received any written letters of concern or objections to the proposed zoning by-law amendment.

### Agency Consultation

The proposed zoning by-law amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region, Conservation Halton, Town departments and other agencies offered no objection to the proposed zoning by-law amendment.

### Comprehensive Environmental Management Study and Continued Remediation

The Town, Region and Conservation Halton requested that the applicant prepare the Comprehensive Environmental Management Study (CEMS) to support the continued remediation on the portion of the subject lands that is within the Regional natural heritage system. On October 26, 2023, the Town of Milton issued a letter to the applicant indicating that all agencies were satisfied that the CEMS addressed their comments and that the study is considered complete.

The primary purpose of the CEMS is to demonstrate how natural heritage features and hazards may be affected during remediation works and includes environmental management strategies to mitigate potential adverse effects. The CEMS also describes restoration measures that will be implemented following the completion of remediation works, which will ultimately lead to enhancing the Regional NHS on the subject lands. The CEMS will be relied upon as the applicant continues to remediate and restore the Regional NHS on the subject lands.

In addition to the above, the CEMS proposes refinements to the limits of the Regional NHS that reflected in the zoning by-law amendment. The new refined limit includes a 15-metre buffer to Key Features within the Regional NHS as well. Staff is of the opinion that the proposed zoning by-law amendment implements the refined limits of the Regional NHS in the Town's Urban Zoning By-law 016-2014, as amended, in accordance with the requirements of the Town's Official Plan.



## Discussion

### Conclusion

Staff is satisfied that the site-specific zoning by-law, as attached as Appendix 1 to this report, will implement the Official Plan requirements to appropriately zone lands within the Natural Heritage System. Planning staff is also satisfied that the proposed zoning by-law amendment is consistent with Provincial Policy and conforms to the Region of Halton and Town of Milton Official Plans. Therefore, staff recommends approval of the draft zoning by-law amendment.

## Financial Impact

None arising from this Report.

Respectfully submitted,

Jill Hogan  
Commissioner, Development Services

For questions, please contact: Jessica Tijanic, MSc., MCIP, RPP      Phone: Ext. 2221  
Senior Planner

## Attachments

Figure 1 - Location Map

Appendix 1 - Zoning By-law Amendment

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.

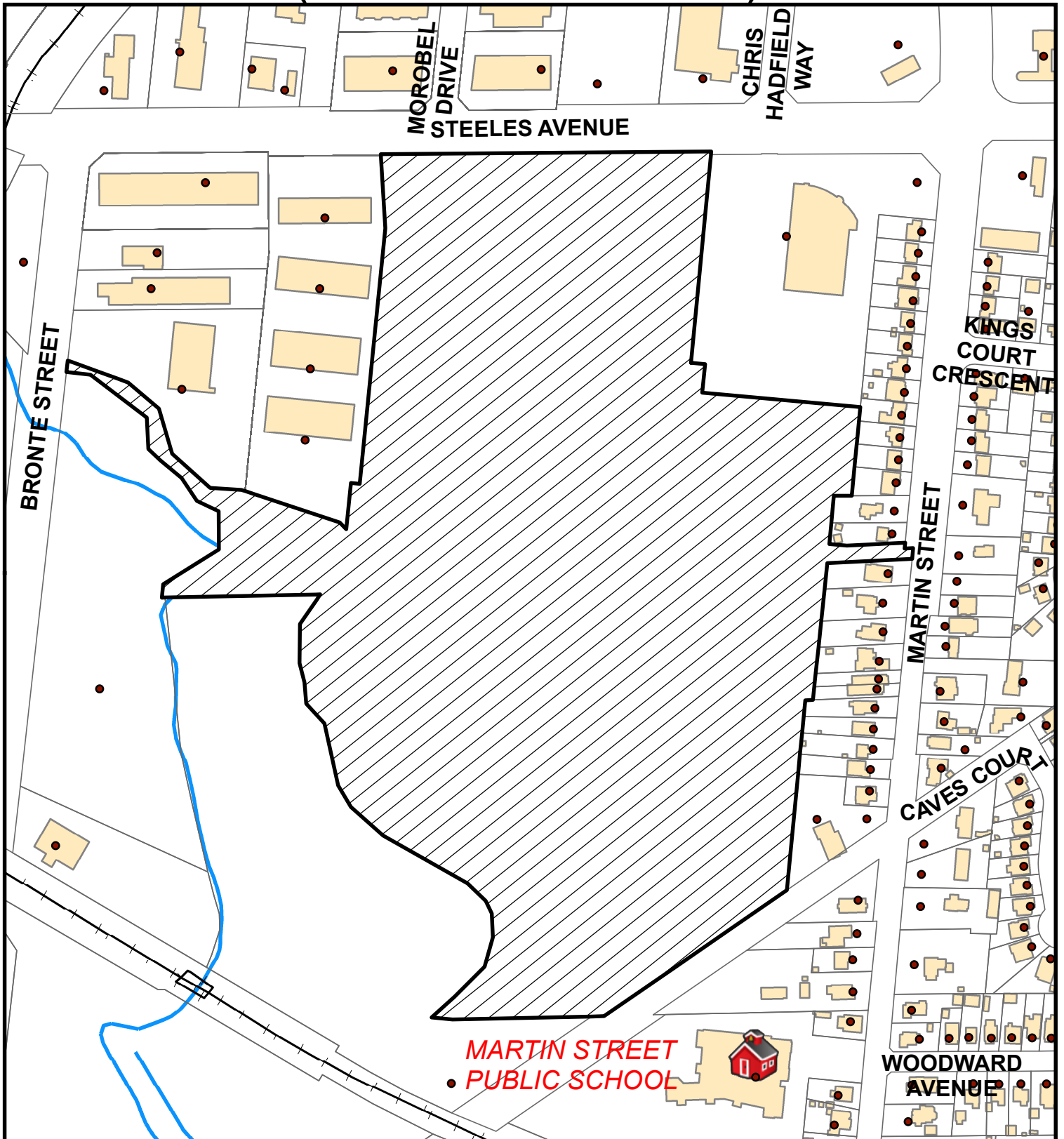


MILTON

# FIGURE 1 LOCATION MAP (150 Steeles Avenue East)



MILTON

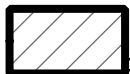


Council Meeting Date:  
December 18, 2023

Scale: 1: 3,333

Files: Z-06/23

Development Services Department



Subject Property  
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THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-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* IN RESPECT OF THE LANDS DESCRIBED AS 150 STEELES AVENUE EAST, PART OF LOT 15, CONCESSION 2, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (150 STEELES MILTON INC.) - FILE: Z-06/23

**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. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Business Park Site Specific (M1\*38) zone symbol to the Natural Heritage System (NHS) zone symbol on the land shown on Schedule A attached hereto.
2. 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.

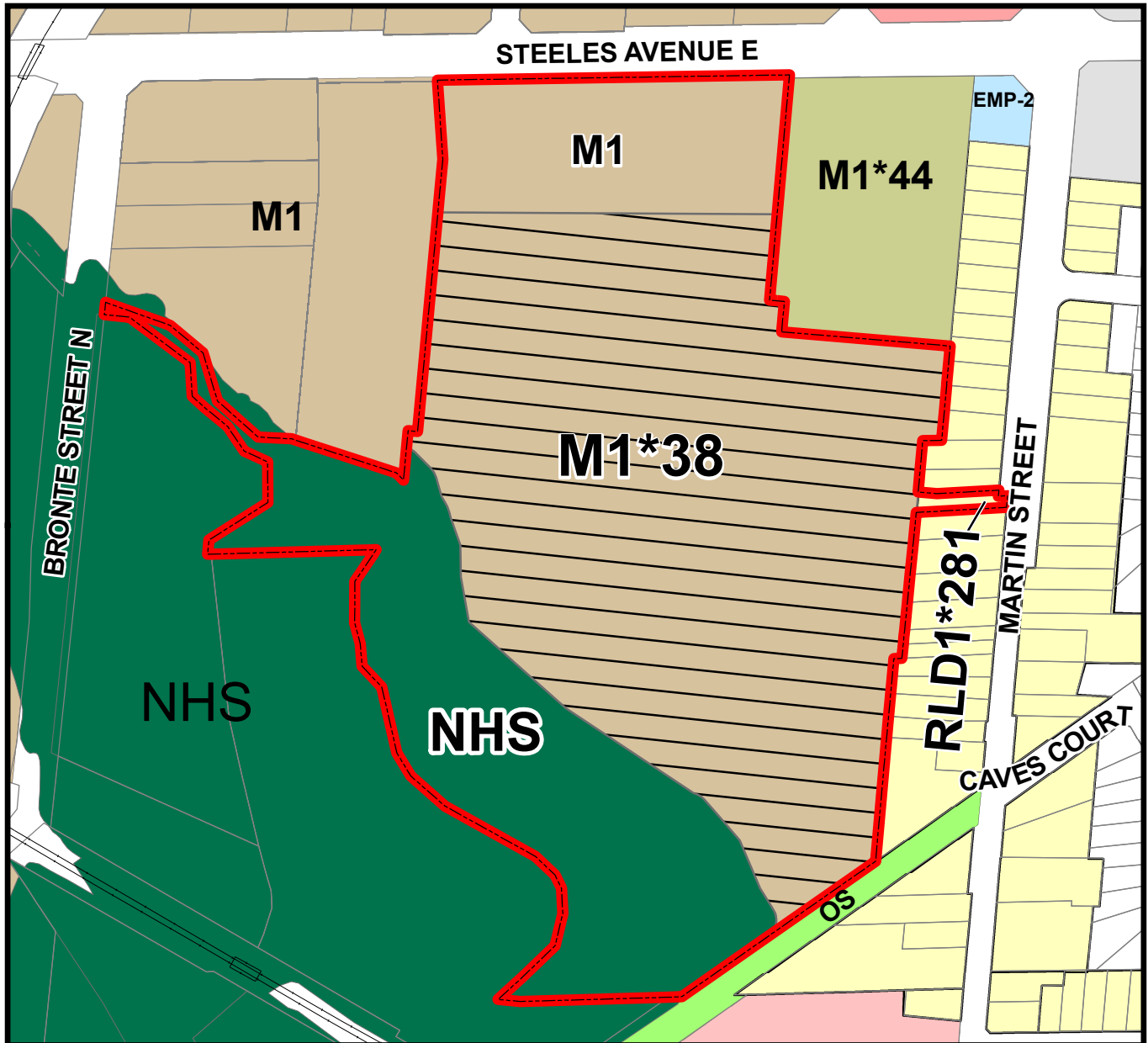
**PASSED IN OPEN COUNCIL ON DECEMBER 18, 2023.**

\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Meaghen Reid Town Clerk








*Town of Milton*



THIS IS SCHEDULE A  
TO BY-LAW NO. \_\_\_\_\_ PASSED  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

-  RLD1\*281 - Site Specific Low Density Residential Zone I
  -  M1\*38 - Site Specific Business Park Zone
  -  NHS - Natural Heritage System
  -  M1 - Business Park Zone
  -  Subject Lands



# The Corporation of the Town of Milton

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Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: December 18, 2023

Report No: DS-062-23

Subject: Technical Report: Zoning By-law Amendment Application by Menkes Milton Industrial Inc. applicable to lands legally described as Part of Lot 13, Concession 5, former Geographic Township of Trafalgar and municipally known as 7472 Fifth Line. (Z-14/22)

**Recommendation:** **THAT Report DS-062-23 outlining an amendment to to the Town of Milton Zoning By-law 016-2014, as amended, to facilitate the development of an industrial building BE APPROVED;**

**AND THAT staff be authorized to bring forward an amending Zoning By-law in accordance with Appendix 1 to Report DS-062-23 for Council adoption;**

**AND THAT the Commissioner of Development Services forward this report to the Provincial Ministers of Health, Education, Transportation and Infrastructure and Metrolinx with a request to review and plan for future Milton District Hospital, school and transportation expansions;**

**AND FURTHER THAT the Commissioner of Development Services forward a copy of this report and Decision to the Region of Halton for their information.**

## EXECUTIVE SUMMARY

Menkes Milton Industrial Inc. has applied for a zoning by-law amendment to the Town of Milton Zoning By-law 016-2014, as amended, for the lands located at 7472 Fifth Line. The purpose of the zoning by-law amendment is to rezone the subject lands from Future Development (FD) zone to a site-specific Business Park with a Holding (M1\*339\*H80) zone to facilitate the development of one industrial building that is approximately 148,405 square feet (13,787 square metres) in size.

## EXECUTIVE SUMMARY

The statutory public meeting was held on March 27, 2023. No members of the public spoke at the meeting and staff have not received any written concerns or objections to the proposed zoning by-law amendment.

All internal Town of Milton departments and responding external agencies have provided correspondence to Town Planning staff indicating their support for the application as currently presented. Planning staff have reviewed all of the documentation, plans and comments provided to date and is of the opinion that the application as submitted has been prepared in a manner that would allow it to be considered by Town Council for approval.

### Conclusions and Recommendations

Staff is satisfied that the proposed zoning by-law amendment, attached as Appendix 1 to this report, is consistent with the land use policies of the Provincial Policy Statement and conforms to the Regional and Town Official Plans. Therefore, staff recommends approval of the zoning by-law amendment as presented through this report.

## REPORT

### Background

**Owner:** Menkes Milton Industrial Inc., 4711 Yonge Street, Suite 1400, Toronto, ON.

**Applicant:** Menkes Milton Industrial Inc., 4711 Yonge Street, Suite 1400, Toronto, ON.

**Location/Description:** The subject lands are located in Ward 2, southwest of the intersection of Main Street East and Fifth Line and are municipally known as 7472 Fifth Line. Figure 1 to this report illustrates the location of the subject lands. The subject lands comprise an area of approximately 2.72 hectares and are currently vacant.

Town easements that contain a box sewer are located on the subject lands along the street frontages of Main Street East and Fifth Line. A small segment of the subject lands, located on the south-east corner along Fifth Line, is also regulated by Conservation Halton.

The subject lands are surrounded by lands that are designated for employment uses. The current surrounding uses include a place of worship and agricultural uses to the north, employment uses to the east and vacant lands and the Hydro One Corridor to the south and west.

**Proposal:** The applicant has applied for a zoning by-law amendment to facilitate the development of a one-storey industrial warehouse building (148,405 square feet or 13,787

## Background

square metres) with one access from Main Street East and another from Fifth Line. The proposed building includes a flexible layout accommodating either one larger tenant or two smaller tenants. Figure 2 to this report includes the proposed site plan and site statistics. Figure 3 to this report includes an architectural rendering of the proposed building.

A loading court with 24 loading bays is proposed on the south side of the building. A screening wall for loading bays. Surface parking, including accessible and carpool spaces, is generally located along the east and west boundaries of the subject lands. There are 20 bicycle spaces proposed to be located at the northeast and northwest corners of the proposed building.

Landscaped areas are also proposed along the street frontages of Main Street East and Fifth Line.

The following reports have been submitted in support of this application:

- Planning Justification Report;
- Draft Zoning By-law;
- Urban Design Brief;
- Architectural Elevations and 3D Perspective;
- Subwatershed Impact Study Addendum;
- Site Plan and Site Details;
- Civil Drawing Package;
- Archaeological Clearance;
- Stage 1 and 2 Archaeological Assessment;
- Geotechnical Investigation;
- Hydrogeological Report
- Functional Servicing Report;
- Stormwater Management Report;
- Transportation Impact Study;
- Truck Access and Circulation Plan;
- Noise and Vibration Impact Assessment; and,
- Exterior Lighting Plan.

## Background

The subject lands are designated Urban Area in the Halton Region Official Plan. The subject lands are also subject to the Employment Area overlay in the Halton Region Official Plan. The Employment Area overlay speaks to protecting and preserving Employment Areas for current and future uses, ensuring the necessary infrastructure is provided to support the development and prohibits incompatible uses. Regional staff is satisfied that the proposed industrial use constitutes a complementary employment use within the Employment Area.

The Halton Region Official Plan also requires the applicant of a development proposal on contaminated lands to undertake the necessary steps to bring the lands to a condition suitable for redevelopment, in accordance with Halton Region's Protocol for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites. The Phase 2 Environmental Site Assessment Report identified soil exceedances on the subject lands. In this regard, the Region has requested a Holding provision be applied in the zoning by-law amendment that requires the applicant to remediate the site prior to Site Plan Approval.

On the basis of the above, Regional staff are satisfied that the proposed zoning by-law amendment conforms to the Regional Official Plan and is consistent with and conforms to Provincial policies.

The subject lands are designated Business Park Area on Schedule B - Urban Land Use Plan of the Town of Milton Official Plan. The Business Park Area designation is an employment designation that permits a range of uses. Section 3.8.2.2 of the Town's Official Plan sets out the permitted uses in this designation and these include: light industrial and office uses as well as accessory service, wholesale, retail and office uses directly related to and within the industrial building, research and development uses (excluding biomedical waste) and restaurants that are part of and located wholly within a light industrial or office building, other than an industrial mall. A number of uses are not permitted within this land use designation and these include: truck terminals, fuel depots, cement batching and asphalt plants as well as waste management or composting facilities.

The subject lands are also designated Business Park Area on Schedule C.9.B - Derry Green Corporate Business Park Secondary Plan ('Derry Green SP') in the Town's Official Plan. The Derry Green SP indicates that the permitted uses are the same as those contained in Section 3.8.2.2 of the Town's Official Plan. However, the Derry Green SP permits limited open storage at the rear of a lot, subject to a zoning by-law amendment, where it can be demonstrated to the Town that the open storage is buffered by landscaping, berms or other screening mechanisms.

## Background

In addition to the above, Schedule C-9-B of the Derry Green SP identifies the general location of Stormwater Management Facilities, which includes a facility on the southwest corner of the subject lands. The applicable policies require the final location and configuration of such facilities to be refined through an applicable Subwatershed Impact Study (SIS). To support the proposed development, the applicant submitted a SIS addendum that has been reviewed concurrently with this application. It is anticipated that the SIS addendum will be complete in the near future.

Schedule C-9-C of the Derry Green SP identifies the subject lands as being within the Phase 3 area of the phasing plan. Development of Phase 3 lands requires that 60% of the Phase 2 lands to be registered within a Plan of Subdivision or an approved site plan, which has not yet occurred, however the Town's Official Plan permits exceptions to this requirement for significant employment where the Region confirms there is available servicing capacity and where Council determines that the proposal meets the general goal and objectives of the Derry Green SP and that there are no unacceptable negative impacts. While the applicant has not secured an end user, it is anticipated that the proposed development will generate approximately 300 jobs. Staff are of the opinion that the proposed development constitutes locally significant employment.

The applicant will be required to construct a 300 mm local watermain that will connect to the trunk watermain on Fifth Line in order to provide water services to the subject lands. Regional staff have requested a Holding provision be applied to ensure that water services are in place and viable to support the development. Staff are of the opinion that the proposed development implements the policies of the Derry Green SP, that there are no foreseeable negative impacts to the Town or Halton Region and that the development proposal should be supported.

In addition to the above, the Town's Official Plan also includes policies that require the implementation of travel demand management (TDM) measures for industrial uses that exceed 9,290 square metres and when a reduced parking rate is being proposed. The applicant has submitted a Traffic Impact Study that includes TDM measures for the subject lands and provides justification for the proposed reduced parking rate. The Town's Traffic staff are satisfied that the Traffic Impact Study adequately justifies the proposed reduced parking rate and that the TDM measures are appropriate for the subject lands.

Staff reviewed the application in relation to the policies of the Provincial Policy Statement (2020), the Growth Plan (2019), the Halton Region Official Plan and the Town of Milton Official Plan. Town staff and our agency partners are satisfied that the application for the

## Background

zoning by-law amendment as presented through this report, conforms to the applicable Provincial, Regional and Town land use planning policies and regulations.

### **Zoning By-law 016-2014, as amended**

The subject lands are currently zoned Future Development (FD) in the Town's Urban Zoning By-law 016-2014, as amended. The subject lands are proposed to be placed in a site-specific Business Park with a Holding (M1\*399\*H80) zone to facilitate the proposed development. The site-specific zoning has been updated to ensure conformity with the Derry Green Corporate Business Park Secondary Plan as noted above, as well as apply site-specific provisions specific to the development. The site-specific provisions set out a list of the only permitted uses on the subject lands, which include an industrial use, office building, office use, accessory outdoor storage, research and technology use, adult education school, warehouse/distribution centre and a wholesale operation.

The additional site-specific provisions relate to a reduced front yard setback, reduced parking rate, reduced setbacks for parking areas, permission for landscaped area within an easement and requirement for accessory outdoor storage to be screened from the public street.

The Region has also requested a Holding Provision (H80) be applied to address contamination and servicing matters for the subject lands. The first condition requires the applicant to remediate the contaminated areas on the subject lands and provide an environmental audit to the Region to confirm that the environmental condition is suitable for development. The second condition is that the applicant demonstrate that local water services are in place on Fifth Line and viable and enter into a Servicing Agreement with the Region.

Should the application be approved, the applicant is required to obtain Site Plan Approval prior to building permit issuance. Detailed site plan drawings addressing such matters as building elevations and urban design, lot grading and drainage, lighting and landscaping will be reviewed through this process.

A draft zoning by-law amendment is attached to this report as Appendix 1.

## Discussion

### **Public Consultation and Review Process**

Notice of a complete application was provided on December 20, 2022. In accordance with the Planning Act requirements and Town policies, notice for the statutory Public Meeting was

## Discussion

provided on March 2, 2023 through written notice to all properties within 200 metres of the subject lands and an advertisement was placed in the Milton Canadian Champion. The statutory Public Meeting was held on March 27, 2023. No members of the public spoke at the statutory Public Meeting and staff have not received any written submissions on the proposed zoning by-law amendment.

## Agency Consultation

The proposed zoning by-law amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region, Conservation Halton, Town departments and other agencies offered no objection to the proposed zoning by-law amendment.

## Summary of Issues

### Servicing

Trunk watermain are available along Main Street East and Fifth Line, however the Region generally prohibits direct service connections to trunk watermain and requires extensions of local mains at the owner's expense to service individual development sites. Given that there is no local watermain available at this time to service the subject lands, the applicant is responsible for constructing a new 300 mm local watermain along Fifth Line to service the subject lands. In order to ensure that the proposed development has adequate servicing, the Region has requested that the proposed zoning by-law amendment include a Holding provision that requires the owner to demonstrate that the local water services are in place to service the subject lands and to enter into a Servicing Agreement prior to Site Plan Approval for the proposed development.

### Contamination

To support the development proposal, the applicant was required to submit an Environmental Site Assessment to determine if there is any potential contamination on the site. The applicant completed an Environmental Site Assessment which identified soil exceedances on the subject lands surrounding the area where a former house and pond were located. The soil impacts render the material not suitable for geotechnical purposes and the applicant is required to remove the contaminated soil from the subject lands. Remediation works are required to be completed prior to development. On this basis, the Region requested that the proposed zoning by-law amendment include a Holding provision that requires the owner to remediate the site and provide the Region with an environmental audit that indicates that the site is suitable for development.

### Parking



## Discussion

For industrial and warehouse/distribution centre uses, the Town's Urban Zoning By-law applies a parking rate based on the gross floor area. Because the proposed industrial building is contemplated as accommodating two units, the parking rate is applied to each of the units. In this regard, under the current provisions a minimum of 158 parking spaces would be required for the entire proposed development.

The applicant has proposed a reduced parking rate for the industrial and warehouse/distribution centre uses. To support the proposal, the applicant submitted a Traffic Impact Study that included parking justification for the reduced rate. The study analysed the anticipated parking demand at peak periods and it was determined that the typical peak parking demand would require 52 parking spaces.

The proposed reduced parking ratio would require a minimum of 69 parking spaces, however it is noted that the proposed Site Plan includes 77 parking spaces. Town Traffic staff have reviewed the TIS and parking justification and are satisfied that the proposed provides adequate parking on the site. Traffic Demand Measures have also been identified to support the proposed parking reduction and will be incorporated into the future Site Plan Agreement.

## Landscaping

Town easements are located on the subject lands along both of the street frontages of Main Street East and Fifth Line. The Town easements contain a box sewer that runs along Main Street East and then to the south along the west side of Fifth Line before crossing to the east side of Fifth Line. Typically the Town does not permit landscaped areas on encumbered lands (e.g. within an easement area), however the Town's Official Plan and the Urban Design Guidelines for the Derry Green Secondary Plan area encourage landscaping with trees, shrubs and native plantings within front yards and along street frontages and edges.

On the basis of the above, the applicant has prepared a Landscape Plan that meets the general landscape area requirements of the Town's zoning by-law (albeit within an easement area) including trees, shrubs and sod along the street frontages. Sod is the only vegetation located directly above the box sewer in the scenario that the Town is required to access the box sewer for maintenance or repairs. Staff is satisfied that the proposed Landscape Plan implements the Town's Official Plan and Urban Design Guidelines for the Derry Green Secondary Plan area.

## Conclusion

Planning staff is satisfied that the proposed zoning by-law amendment, attached as Appendix 1, is consistent with the land use policies of the Provincial Policy Statement and conforms to



## Discussion

the Regional and Town Official Plans. Therefore, staff recommends approval of the zoning by-law amendment as presented through this report.

## Financial Impact

None arising from this report.

Respectfully submitted,

Jill Hogan  
Commissioner, Development Services

For questions, please contact: Jessica Tijanic MSc., MCIP, RPP Phone: Ext. 2221  
Senior Planner, Development  
Review

## Attachments

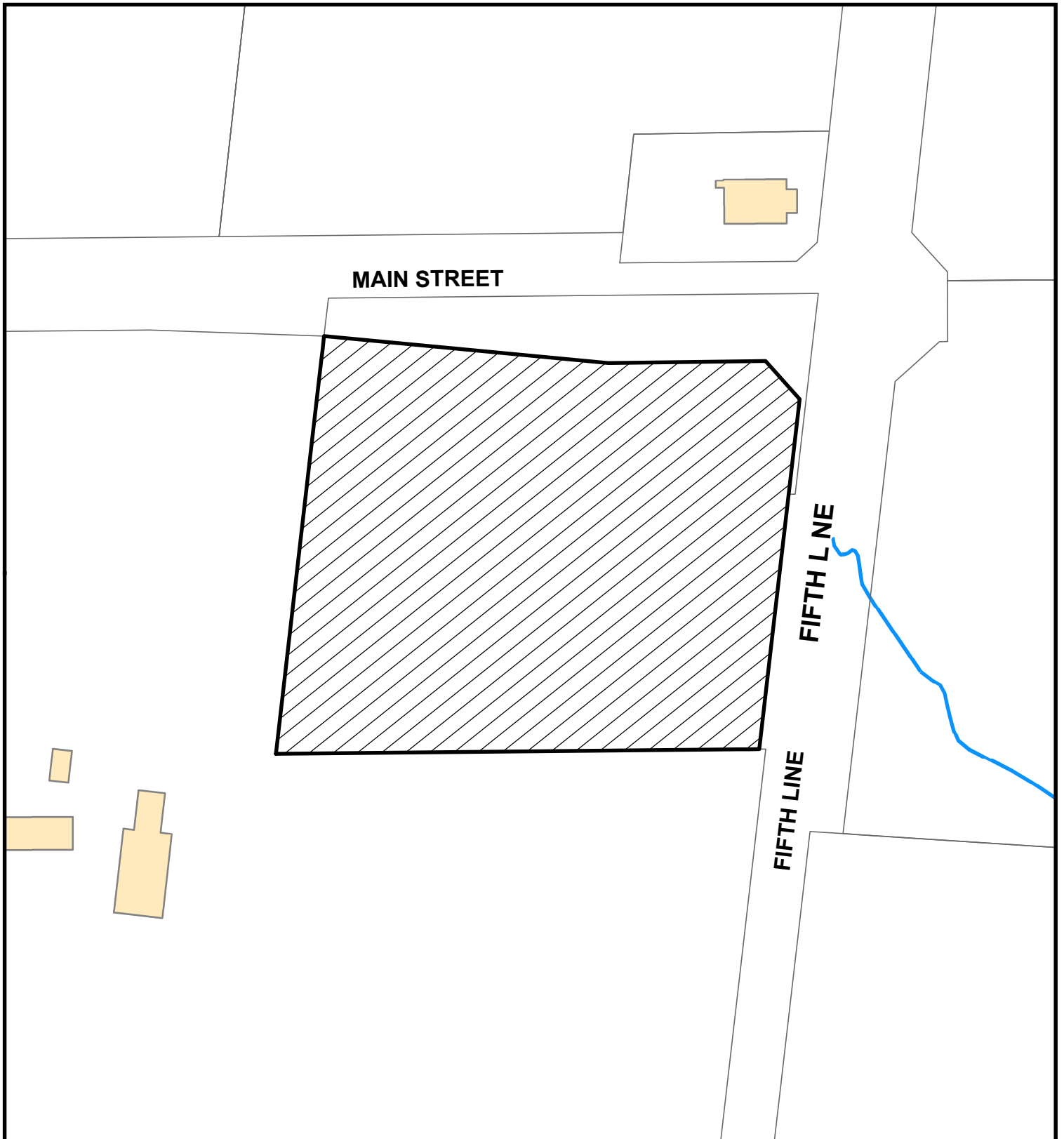
- Figure 1 - Location Map
- Figure 2 - Proposed Site Plan and Statistics
- Figure 3 - Proposed Architectural Rendering
- Appendix 1 - Zoning By-law Amendment

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.

# FIGURE 1 LOCATION MAP (7472 Fifth Line)

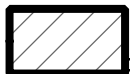


Council Meeting Date:  
December 18, 2023

Scale: 1: 2,000

Files: Z-14/22

Development Services Department



Subject Property  
Page 31 of 108

Copyright 2023: Town of Milton, Teranet Inc.



ZONING AND STATS

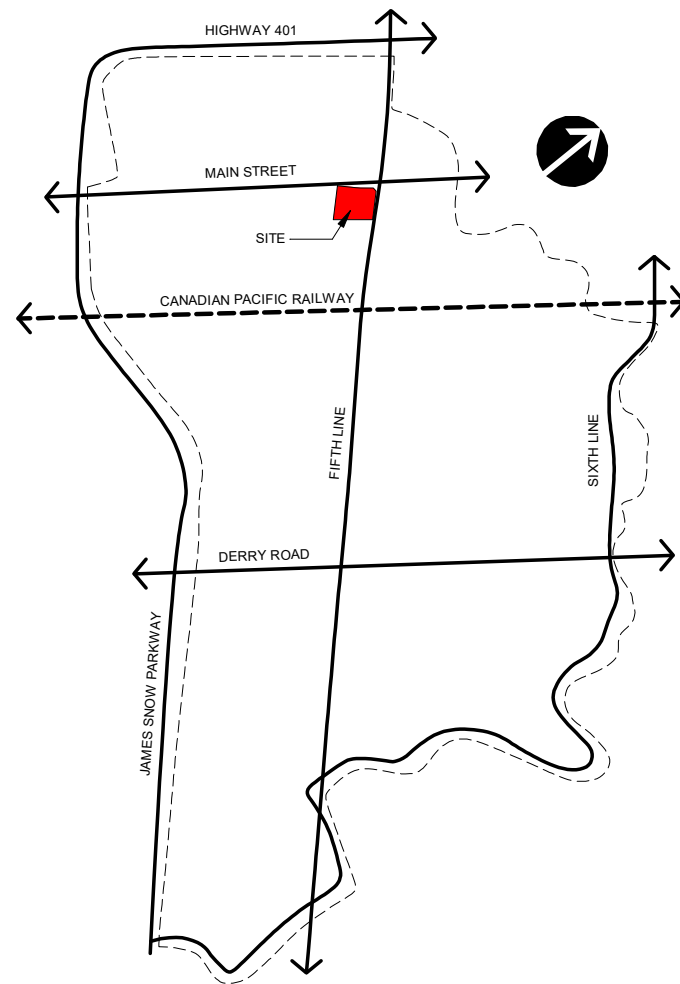
SITE A - AREA	±6.71 ACRES	±2.72 HA
BUILDING A AREA	±148,405 S.F.	±13,787 S.M.
UNIT 1 WAREHOUSE	±48,037 S.F.	±7,621 S.M.
UNIT 2 WAREHOUSE	±48,249 S.F.	±4,482 S.M.
EXIT CORRIDOR	±1,040 S.F.	±97 S.M.
ACCESSORY OFFICE SPACES	±15,780 S.F.	±1,466 S.M.
M/E ROOM & SPRINKLER	±1,300 S.F.	±121 S.M.
TOTAL LEASIBLE AREA (GFA)	±147,105 S.F.	±13,667 S.M.

<b>PARKING REQUIRED BY ZONING BY-LAW - 016-2014</b>		
FIRST 1,000 S.M. - 1 PARKING SPACE PER 30 S.M. OF GFA		
GFA RANGE BETWEEN 1,001 TO 5,000 S.M. - 1 SPACE PER 100 S.M. OF GFA		
GREATER THAN 5,000 S.M. OF GFA - 1 SPACE PER 200 S.M. OF GFA		
UNIT 1	86.4 SPACES	
UNIT 2	68.1 SPACES	
TOTAL PARKING REQUIRED	155 SPACES	
	1,051,000 S.F.	1.13/100 S.M.
BARRIER FREE PARKING (1+3%)		
TYPE A	6 SPACES	
TYPE B	3 SPACES	
<b>PROPOSED INDUSTRIAL PARKING RATE</b>		
FIRST 5,000 S.M. OF GFA - 1 PARKING SPACE PER 175 S.M. OF GFA		
GREATER THAN 5,000 S.M. OF GFA - 1 SPACE PER 200 S.M. OF GFA		
UNIT 1	41.7 SPACES	
UNIT 2	25.6 SPACES	
PARKING REQUIRED (TOTAL)	68 SPACES	

<b>PROPOSED PARKING SUPPLY</b>		
BARRIER FREE PARKING PROVIDED	6 SPACES	
TYPE A	3 SPACES	
TYPE B	3 SPACES	
CARPOOL SPACES PROVIDED	4 SPACES	
TOTAL PARKING PROVIDED	77 SPACES	
	0.52/1000 S.F.	0.56/100 S.M.
BICYCLE SPACES REQUIRED		
BICYCLE SPACES PROVIDED 0.6M X 1.8M	12 SPACES	
	20 SPACES	
LOADING SPACES REQUIRED (3+19,300 S.M.)		
3 SPACES FOR FIRST 7,441 S.M.	4 SPACES	
1/9,300 S.M. THEREAFTER (90% GFA)	3 SPACES	
LOADING SPACES PROVIDED 3.5M X 12.0M	24 SPACES	

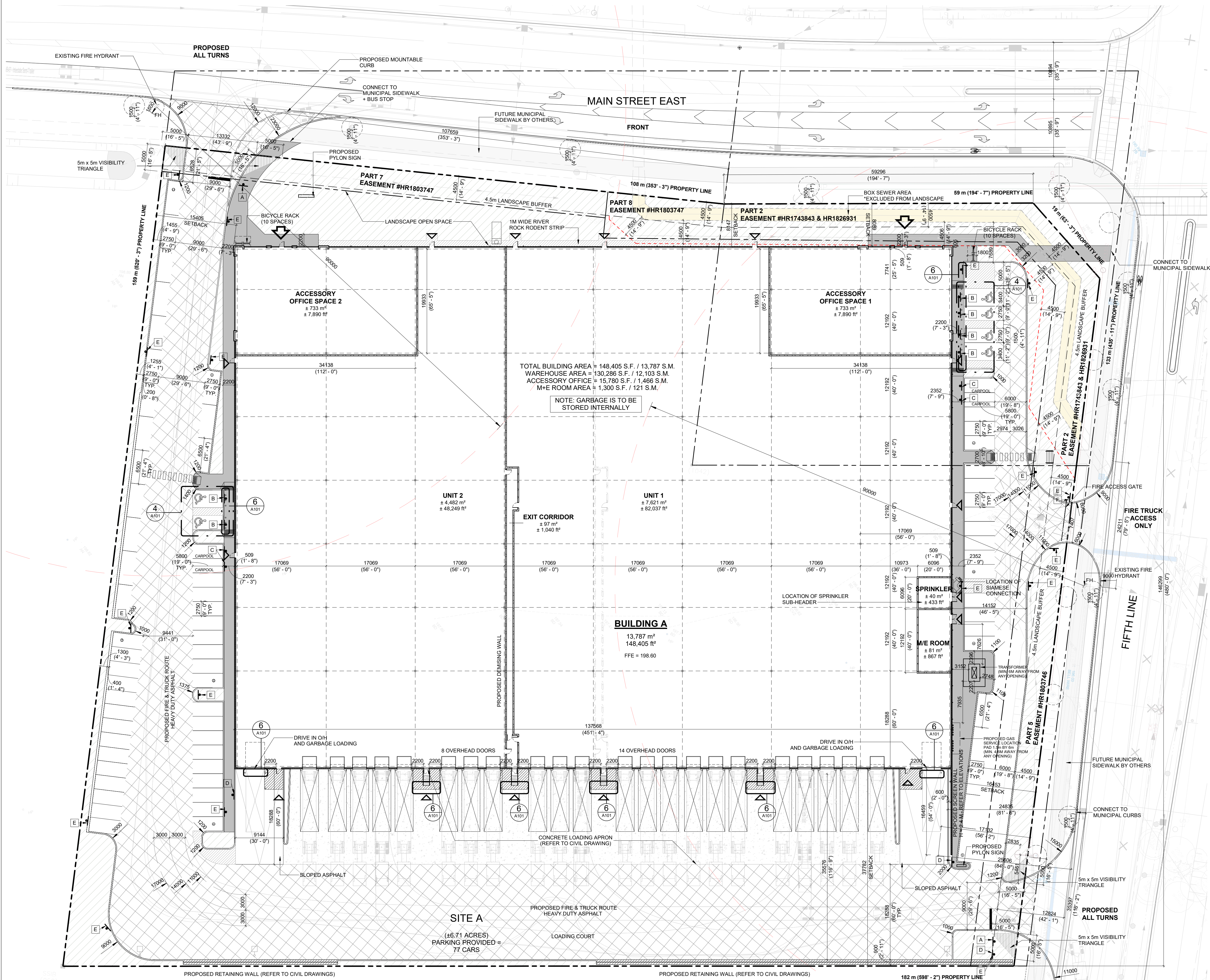
M1 ZONE / BUSINESS PARK	REQUIRED	PROPOSED
BUILDING COVERAGE	N/A	51%
FRONT YARD	9.0 M	8.09 M
REAR YARD	12.0 M	37.7 M
INT. YARD	3.0 M	15.4 M
EXT. YARD	9.0 M	16.4 M
MIN. GFA INDEX	N/A	-
MAX. BUILDING HEIGHT	15.0 M	14.84 M

LANDSCAPE	10%	10.00%
LANDSCAPE BUFFER		
ABUTTING A STREET LINE	4.5 M	4.5 M
LANDSCAPE AREA WITHIN EASEMENTS	6.38%	±1,731 S.M.
LANDSCAPE AREA OUTSIDE OF EASEMENT	4.80%	±1,305 S.M.
TOTAL LANDSCAPE AREA	11.18%	±3,036 S.M.



KEY MAP  
N.T.S.

1 SITE PLAN  
A100 1:350

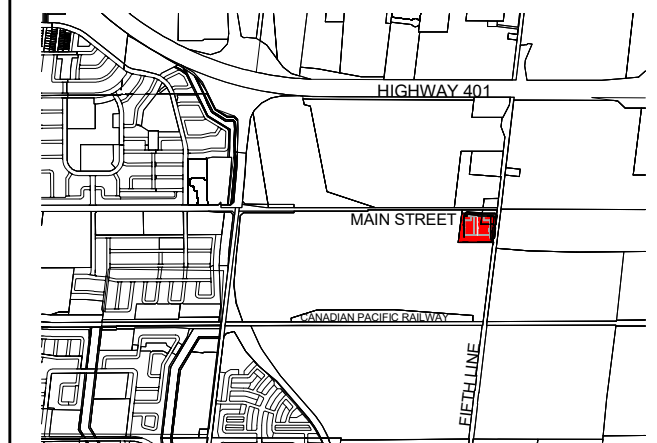


TURNER FLEISCHER

Turner Fleischer Architects Inc.

67 Leslie Road  
Toronto, ON, M5B 2T8  
T 416 425 2222  
turnerfleischer.com

The issue of this record drawing is a representation by Turner Fleischer Architects Inc. that the construction, arrangement or location of the items shown is intended to conform to the requirements of the applicable laws, regulations, codes and standards and that the items shown are not intended to be used for any other purpose. The drawings are not to be used for any other purpose without the written consent of Turner Fleischer Architects Inc. and the user shall be responsible for the accuracy of the information provided by the user. Turner Fleischer Architects Inc. shall not be held responsible for the accuracy or completeness of the information provided by the user.



- LEGEND
- PROPOSED ENTRANCE ARROW
  - PROPOSED EXIT ARROW
  - PROPOSED FIRE HYDRANT
  - PROPOSED SIAMESE CONNECTION
  - PROPOSED SIGN
  - PROPOSED FIRE & TRUCK ROUTE (HEAVY DUTY ASPHALT)
  - PROPOSED CONCRETE SIDE WALK
  - PROPOSED CONCRETE APRON
  - LANDSCAPED AREA

NOTE:  
- MUNICIPAL DRAWINGS OF MAIN STREET EAST AND FIFTH LINE HAVE BEEN PROVIDED ON 2022-08-23.  
- SNOW STORAGE TO BE REMOVED AND STORED OFFSITE BY A PRIVATE CONTRACTOR.

25	2023-10-23	ISSUED FOR SPA	MHB
24	2023-08-21	ISSUED FOR SPA	RLA
23	2023-08-17	ISSUED FOR COORDINATION	RLA
22	2023-08-10	ISSUED FOR COORDINATION	RLA
21	2023-08-03	ISSUED FOR COORDINATION	RLA
20	2023-07-28	ISSUED FOR COORDINATION	JJJ
19	2023-07-25	ISSUED FOR SPA	RLA
18	2023-07-19	ISSUED FOR CLIENT REVIEW	RLA
17	2023-06-27	ISSUED FOR CLIENT REVIEW	RLA
16	2023-06-15	ISSUED FOR CLIENT REVIEW	RLA
15	2023-05-31	ISSUED FOR RESUBMISSION	AAB
14	2023-05-29	ISSUED FOR REVIEW	AAB
13	2023-05-12	ISSUED FOR REVIEW	AAB
12	2023-04-18	ISSUED FOR COORDINATION	RLA
11	2023-03-23	ISSUED FOR REVIEW	RLA
10	2023-03-09	ISSUED FOR REVIEW (SKETCH)	RLA
9	2023-01-26	ISSUED FOR COORDINATION	RLA
8	2022-12-09	ISSUED FOR REVIEW	RLA
7	2022-12-06	ISSUED FOR COORDINATION	RLA
6	2022-11-08	ISSUED FOR COORDINATION	RLA
5	2022-10-11	ISSUED FOR COORDINATION	RLA
4	2022-06-28	ISSUED FOR COORDINATION	RLA
3	2022-06-17	ISSUED FOR COORDINATION	RLA
2	2022-06-09	ISSUED FOR COORDINATION	RLA
1	2022-06-03	ISSUED FOR COORDINATION	RLA

#	DATE	DESCRIPTION	BY
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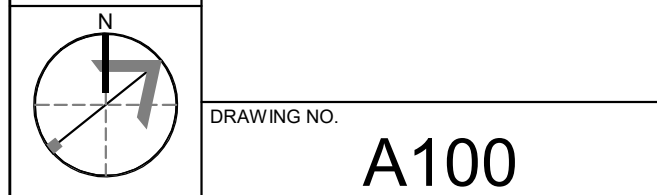


MENKES COLERAIN INC.  
4711 YONGE STREET, SUITE 1400  
TORONTO, ON, M2N 7E4

PROJECT	WAREHOUSE
SITE PLAN FILE NUMBER SP-34/22	7472 FIFTH LINE MILTON, ON

SPA SITE PLAN

PROJECT NO.	22.067
PROJECT DATE	2022-05-30
DRAWN BY	RLA
CHECKED BY	JJJ
SCALE	As indicated







3D FROM MAIN STREET EAST & FIFTH LINE  
\* FOR ILLUSTRATIVE PURPOSES ONLY



1 EYE-LEVEL PERSPECTIVE FROM FIFTH LINE ACCESS



2 EYE-LEVEL PERSPECTIVE FROM MAIN STREET EAST & FIFTH LINE

This is an architectural rendering and is not a representation of the actual construction. It is intended to provide a visual representation of the proposed design and is not intended to be used for any other purpose. The rendering is provided for illustrative purposes only and is not intended to be used for any other purpose. The rendering is provided for illustrative purposes only and is not intended to be used for any other purpose. The rendering is provided for illustrative purposes only and is not intended to be used for any other purpose.

24	2023-08-21	ISSUED FOR SPA	RLA
23	2023-08-17	ISSUED FOR COORDINATION	RLA
17	2023-08-10	ISSUED FOR COORDINATION	RLA
16	2023-08-03	ISSUED FOR COORDINATION	RLA
15	2023-07-26	ISSUED FOR SPA	RLA
14	2023-07-19	ISSUED FOR CLIENT REVIEW	RLA
13	2023-06-27	ISSUED FOR CLIENT REVIEW	RLA
12	2023-06-16	ISSUED FOR CLIENT REVIEW	RLA
11	2023-05-31	ISSUED FOR RESUBMISSION	AAB
10	2023-05-29	ISSUED FOR REVIEW	AAB
9	2023-05-12	ISSUED FOR REVIEW	AAB
8	2023-04-18	ISSUED FOR COORDINATION	RLA
7	2022-12-08	ISSUED FOR REVIEW	RLA
6	2022-12-08	ISSUED FOR COORDINATION	RLA
5	2022-11-08	ISSUED FOR COORDINATION	RLA
4	2022-10-11	ISSUED FOR COORDINATION	RLA
3	2022-08-28	ISSUED FOR COORDINATION	RLA
2	2022-08-17	ISSUED FOR COORDINATION	RLA
1	2022-08-08	ISSUED FOR COORDINATION	RLA
#	DATE	DESCRIPTION	BY



MENKES COLERAIN INC.  
4711 YONGE STREET, SUITE 1400  
TORONTO, ON, M2N 7E4

PROJECT  
PROPOSED WAREHOUSE

SITE PLAN FILE NUMBER SP-34/22  
7472 FIFTH LINE  
MILTON, ON

DRAWING  
3D PERSPECTIVES

PROJECT NO. 22-067-CS	ONTARIO ASSOCIATION of ARCHITECTS JOHN CHOW LICENCE 5744
PROJECT DATE 2022-06-03	
DRAWN BY RLA	
CHECKED BY JUU	
SCALE	

DRAWING NO.  
A002



## THE CORPORATION OF THE TOWN OF MILTON

### BY-LAW XXX-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* IN RESPECT OF THE LANDS DESCRIBED AS 7472 FIFTH LINE, PART OF LOT 13, CONCESSION 5, NEW SURVEY, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MENKES MILTON INDUSTRIAL INC.) – FILE: Z-14/22

**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. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) zone symbol to a site specific Business Park (M1\*339) symbol on the land and adding the Holding (H) symbol H80 on this property as shown on Schedule A attached hereto.
2. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.339 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned the following standards and provisions shall apply:

- a. Notwithstanding Section 8.1 – Table 8A Permitted Uses, only the following uses shall be permitted:
  - i. Industrial Use;
  - ii. Accessory Outdoor Storage;
  - iii. Office Building;
  - iv. Office Use;
  - v. Research & Technology Use;
  - vi. School, Adult Education;
  - vii. Warehouse/Distribution Centre; and,
  - viii. Wholesale Operation.

b. Special Site Provisions:

For lands zoned Business Park (M1\*339) the following additional special site provisions shall apply:

- i. Notwithstanding section 13.1.1.339.A, *Outdoor Storage* is permitted accessory to a permitted *Industrial Use* and/or *Warehouse/Distribution Centre* subject to the required setbacks and lot coverage provisions applicable to the principal use. *Accessory Outdoor Storage* shall be permitted in the *rear yard* and *interior side yard* provided that it is screened from the public street and is not located on any required parking spaces.
  - ii. Notwithstanding the definition of *front lot line*, the *lot line* abutting Main Street East shall be considered the *front lot line*.
  - iii. Notwithstanding the definition of *landscape buffer* and *landscape open space*, landscaping in a *landscape buffer* or *landscape open space* may be located within an easement.
  - iv. Notwithstanding Section 5.8.2, Table 5G, the minimum off-street parking requirement for each individual *Industrial Use* and *Warehouse/Distribution Centre*, including accessory office space, shall be as follows:
    1. For the first 5,000 m<sup>2</sup>, 1 *parking space* per 175 m<sup>2</sup> of *gross floor area* shall be provided.
    2. For additional *gross floor area* above 5,000 m<sup>2</sup>, 1 *parking space* per 200 m<sup>2</sup> of *gross floor area* shall be provided.
  - v. Notwithstanding Section 5.11.1, Table 5K, *loading spaces* shall be permitted to be setback up to 17 metres from a *street line*.
  - vi. Notwithstanding Section 5.12, Table 5L, *parking areas* are permitted to be setback within
    1. 0.0 metres from the southerly line; and,
    2. 1.2 metres from westerly property line.
  - vii. Notwithstanding Section 8.2, Table 8B, a minimum front yard of 8.0 metres shall be permitted.
3. **THAT** Section 13.2 (Holding Provisions) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following conditions for removal of this H80 Holding Provision:

“H80” shall not be removed until:

- a) The owner agrees to demonstrate to the Regional Municipality of Halton that local water services are in place and viable for the site at 7472 Fifth Line.

Through the related Site Plan Control process (SP-34/22), the owner shall contact the Regional Services Permit Section for review and approval of the proposed servicing, to obtain a Regional Services Permit, and pay all necessary fees.

- b) The owner submits to the Regional Municipality of Halton Region an environmental audit which indicates that the environmental condition of the site is suitable for the proposed land use and any supplementary remediation/risk assessments to ensure there are no inherent contaminations within the lands prior to any site alteration.

The Owner is required to comply with Ontario Regulation 153/04 and Halton's Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites.

4. **THAT** Section 13.2 (Holding Provisions) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection 13.2.1.126 as follows:

For lands zoned Business Park Special Provision 339 (M1\*339) on the property described as 7472 Fifth Line and legally described as Part of Lot 13, Concession 5, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H80” Holding Provision are satisfied.

5. 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 DATE, 2023.**

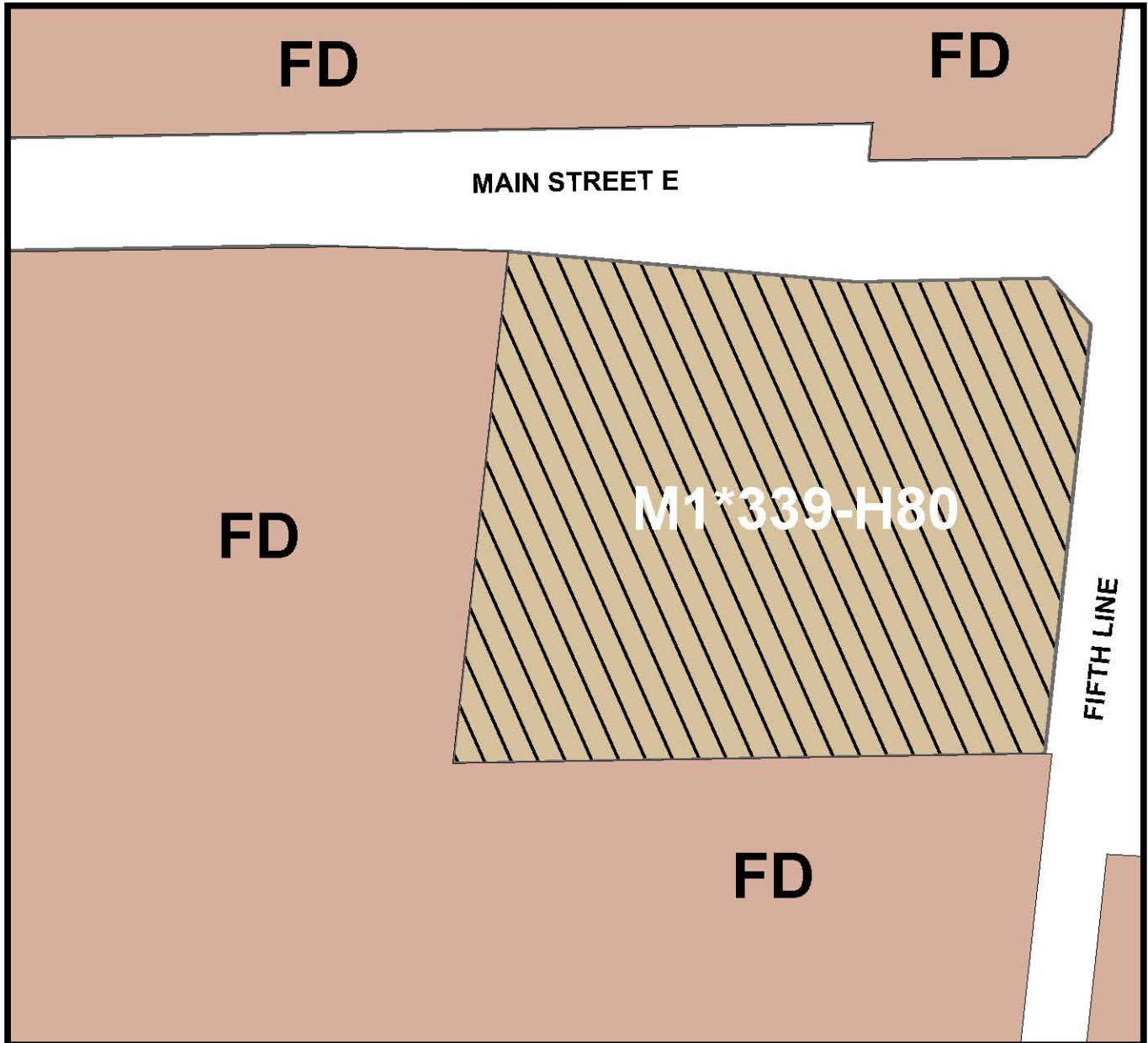
\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Meaghan Reid Town Clerk



SCHEDULE A  
TO BY-LAW No. -2023  
TOWN OF MILTON

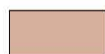
7472 Fifth Line  
TRAFALGAR CON 5 NS PT LOT 13  
RP 20R18236 PARTS 1 TO 3 RP 20R21568 PARTS 2 3 5 7 TO 9 IRREG 6.71AC FR D  
*Town of Milton*



THIS IS SCHEDULE A  
TO BY-LAW NO. \_\_\_\_\_ PASSED  
THIS \_\_ DAY OF \_\_\_\_\_, 2023.



M1\*339 - Site Specific Business Park  
Zone with Holding Provision H80



FD - Future Development Zone

\_\_\_\_\_  
MAYOR - Gordon A. Krantz

\_\_\_\_\_  
CLERK- Meaghen Reid





# The Corporation of the Town of Milton

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Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: December 18, 2023

Report No: DS-065-23

Subject: Technical Report: Zoning By-law Amendment Application by Boyne Urban Development Inc. applicable to lands known municipally as 8671 & 8751 Britannia Road (Town File: Z-02/21)

**Recommendation:** THAT Application Z-02/21 for an amendment to the Town of Milton Comprehensive Zoning By-law 016-2014, as amended, to change the current Future Development (FD) Zone to a Residential Medium Density II Special Provision 340 (RMD2\*340) Zone to permit the development of 64 dwelling units (i.e. a combination of stacked townhouse and multiple dwelling units), BE APPROVED;

AND THAT staff be authorized to bring forward an amending Zoning By-law in accordance with the draft By-law attached as Appendix 1 to Report DS-065-23 for Council Adoption.

## EXECUTIVE SUMMARY

The applicant has applied to amend the Town's Comprehensive Zoning By-law 016-2014, as amended, for lands located on the north side of Britannia Road between the Sixteen Mile Creek Valley lands and Thompson Road within the Boyne Survey Secondary Plan Area, and known municipally as 8671 & 8751 Britannia Road. The proposed development consists of 64 dwelling units (i.e. a combination of stacked townhouse and multiple dwelling units) within five (5), 3-storey development blocks connected by a one-way private road with access to/from the future Hickory Crescent that will be constructed as part of the adjacent Mil Con Three (Fieldgate) subdivision. The proposal also includes a combination of above grade garage, driveway and underground parking for residents, visitor parking along the private road, amenity areas and landscaping. The proposed amendment would change the current Future Development (FD) Zone to a Residential Medium Density II Special Provision 340 (RMD2\*340) Zone to permit the development as proposed.

## EXECUTIVE SUMMARY

All internal Town of Milton departments and responding external agencies have provided correspondence to Town Planning staff indicating their support for the application as currently presented. Staff has reviewed all of the documentation, plans and comments provided to date and is of the opinion that the application as submitted is prepared in a manner that would allow it to be considered by Town Council for approval.

## Conclusions and Recommendations

Planning staff is satisfied that the proposed Zoning By-law Amendment is consistent with the policies of the Provincial Policy Statement and conforms to the Growth Plan, the Regional and Town Official Plans, and the Boyne Survey Secondary Plan. Therefore, staff recommends approval of the Zoning By-law Amendment attached as Appendix 1 to this report.

## REPORT

### Background

**Owner:** Boyne Urban Development Inc., 4275 Village Centre Court, Unit 102, Mississauga, Ontario

**Agent:** Korsiak Urban Planning, 277 Lakeshore Road East, Unit 206, Oakville, Ontario

**Location/Description:** The subject lands are located in Ward 3, on the north side of Britannia Road between the Sixteen Mile Creek Valley lands and Thompson Road within the Boyne Survey Secondary Plan Area. The lands are legally described as Part of Lot 6, Concession 3, New Survey, Former Geographic Township of Trafalgar and municipally known as 8671 and 8751 Britannia Road. A small residential reserve located between the new frontages of the aforementioned properties and the future Hickory Crescent to be constructed through the adjacent Mil Con Three Plan of Subdivision (24T-20005/M) to the north and west, has also been included as part of the subject property. Following registration of the Mil Con Three Subdivision, which is anticipated by the end of 2023, residential reserve Block 166 as identified on the draft M-Plan associated with the executed Mil Con Three subdivision agreement, will be transferred to the Owner of the subject lands for the purposes of access, infrastructure and landscaping. Until the transfer is complete, Fieldgate Developments has authorized staff to zone the sliver of land they still own along with the remainder of the lands

## Background

owned by Boyne Urban Developments Inc. (BUDI). The location of the subject lands is illustrated in Figure 1 attached to this report.

The subject lands are approximately 0.8 hectares (1.98 acres) in size with an 80 metre frontage along Hickory Crescent, and contain two existing residential dwellings that will be demolished prior to construction. The subject lands are surrounded by a stormwater management pond and medium density residential development of the future Mil Con Three subdivision to the west and north, medium density residential development within the Mattamy Martin East subdivision to the northeast, Omagh Presbyterian Church to the east, and agricultural lands south of Britannia Road that are planned to be developed in the future as part of the Milton Phase 4 lands, specifically the Britannia Secondary Plan Area.

## Proposal:

The applicant is seeking an amendment to the Town's Comprehensive Zoning By-law 016-2014, as amended, to permit the development of 64 dwelling units (i.e. a combination of stacked townhouse and multiple dwelling units) within five (5), 3-storey development blocks connected via a private one-way internal road that will have access points to/from Hickory Crescent (road to be provided through the Fieldgate - Mil Con Three subdivision). Once developed, the subject lands will no longer have access from Britannia Road.

Residential parking for the development will be provided as follows:

- Units within Blocks A & B: one parking space within the garage and a second parking space on an external driveway;
- Units within Block C: one parking space within the garage. These units are situated along the driveway similar to a rear lane townhouse dwelling; and,
- Units within Blocks D1 and D2: one parking space in the underground garage.

Visitor parking for all units will be provided along the private road within the site and three accessible spaces will be provided in an area internal to all of the buildings. Approximately 600 square metres of outdoor communal amenity space is proposed between Buildings B and C to serve the entire development, and roof top patios may also be available for some units. The proposal will be developed as a condominium. The proposed density of the development is 80 units per net hectare (upnh). A conceptual site plan, floor plans and building elevations are attached as Figures 2, 3 and 4 to this report.

It should be noted that the applicant did submit a consent application (B21/010/M) in March 2021 for the purposes of obtaining servicing connections from the Mattamy Martin East

## Background

subdivision, given that the Mil Con Three subdivision application, which would provide the ultimate services was not advanced enough at that time to provide the connections. Given that there was a delay in the subject application and the Mil Con Three subdivision is now close to registration, the severance is no longer required.

The following information has been submitted in support of the Zoning By-law Amendment application:

- Topographic Survey, prepared by J.D. Barnes, dated April 14, 2020;
- Conceptual Site Plan (A100), prepared by McCallumSather, dated November 21, 2023;
- Underground Parking Plan (A200), prepared by McCallumSather, dated November 20, 2020;
- Conceptual Floor Plans and Roof Plans, prepared by McCallumSather, dated November 10 & 13, 2020;
- Concept Designs / Elevations, prepared by McCallumSather, dated October 15, 2020;
- Renderings, prepared by McCallumSather;
- Building Area Analysis, prepared by McCallumSather, dated November 06, 2020;
- Planning Justification Report, prepared by Korsiak Urban Planning, dated January 2021;
- Planning Justification Report Update, prepared by Korsiak Urban Planning, dated November 29, 2021;
- Stage 1 and 2 Archaeological Assessment, prepared by Golder Associates Ltd., dated January 10, 2019 (and Ministry of Culture, Sports and Tourism Clearance Letter, dated February 4, 2019);
- Phase 1 Environmental Site Assessment, prepared by Terraprobe Inc., dated January 31, 2019;
- Phase 1 Environmental Site Assessment Update, prepared by Terraprobe Inc., dated September 13, 2021;
- Phase 2 Environmental Site Assessment, prepared by Terraprobe Inc., dated April 22, 2019, and revised October 22, 2019 and September 14, 2021;
- Arborist Report, prepared by Bruce Tree Expert Company Ltd., dated December 7, 2020;
- Tree Protection Plan, prepared by Bruce Tree Expert Company Ltd., dated December 6, 2020;
- Geotechnical Report, prepared by Terraprobe Inc., dated June 26, 2019 and revised December 16, 2020;

## Background

- Hydrogeological Report / Groundwater Control Measures, prepared by Terraprobe Inc., dated January 29, 2021 (Revision 1);
- Detailed Water Balance Assessment, Terraprobe Inc., dated August 16, 2021;
- Memorandum re: Addendum to Areas 5A, 5B and 6 Subwatershed Impact Study, prepared by David Schaeffer Engineering Ltd., dated October 23, 2020;
- Scoped Environmental Impact Study, prepared by Savanta, dated January 2021;
- Functional Servicing/Stormwater Management Report, prepared by S. Llewellyn & Associates Limited, dated November 2020 and revised November 2021;
- Preliminary Grading Plan (C101), Servicing Plan (C102), and Notes and Details (C103), prepared by S. Llewellyn & Associates Limited, dated November 2021;
- Noise Feasibility Study, prepared by HGC Engineering, dated December 14, 2020;
- Transportation Impact Study (Includes a Parking Analysis, Waste Management Strategy and Auto-turn Swept Path Analysis), prepared by GHD, dated October 2023;
- Urban Design Brief, prepared by McCallumSather, dated November 13, 2020 and revised December 8, 2021;
- Public Engagement Strategy, prepared by Korsiak Urban Planning, dated January 12, 2021; and,
- Draft Zoning By-law.

## Planning Policy

Within the 2009 Halton Region Official Plan (ROP), the subject lands are designated Urban Area. Section 76 of the ROP establishes that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with the applicable Local Official Plans and Zoning By-laws. All development, however, shall be subject to the Regional Official Plan policies in effect. Regional staff have reviewed the application and are satisfied the development conforms to the Urban Area policies of the ROP.

At the local level, the subject lands are located within the Urban Area and are designated “Residential Area” on Schedule B -Urban Land Use Plan of the Town’s Official Plan and on Schedule C.10.C - Boyne Survey Secondary Plan Land Use Plan. The “Residential Area” designation in both the parent plan and the secondary plan, permits a full range of residential uses and densities, including Medium Density Residential II uses consisting of mid-rise multiple attached residential units such as stacked townhouses and apartments with a density range of greater than 45 to 100 units per net hectare (upnh) subject to specific policies.



## Background

In addition, Schedule K - Intensification Areas of the Official Plan, shows that the subject lands are located along a designated Intensification Corridor (Britannia Road), which policies promote higher densities that support transit usage and active transportation.

Section 2.7 of the Official Plan states that the Town of Milton is committed to the provision of opportunities within the Town for the creation of housing which is affordable, accessible, adequate and appropriate to the full range of present and expected households. To achieve this, a number of overarching goals and objectives are identified in this Section, along with specific policies relating to housing targets, housing mix, affordability and intensification.

Notably, Section 2.7.1 sets out a series of goals to assist the Town in meeting current and future housing needs, which includes, but is not limited to the following:

- ensuring that an appropriate range and mix of housing by density, type and affordability are permitted within the Town to meet a wide range of needs of current and future households;
- encouraging the development industry to design innovative housing forms that stress flexibility in use, mix of compatible land uses, good environmental practices, incorporate universal physical access, public safety and security needs, cost-efficiency, affordability and energy and natural resource conservation while maintaining sound engineering and planning principles;
- fostering the creation of additional housing accommodation through various forms of residential intensification;
- encouraging the inter-mixing of different housing forms and types within neighbourhoods to foster community integration; and,
- making efficient use of existing developed lands, housing stock, and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods.

Section 3.2.1.2 of the Official Plan speaks to residential intensification. As stated in the opening paragraph of this section, intensification within the Residential Area designation shall be directed to the intensification areas and to nodes and corridors as identified on Schedule K and shall generally take the form of medium and high density residential uses. Intensification corridors are defined as intensification areas identified along major roads, arterials or higher order transit corridors that have the potential to provide a focus for higher density mixed use development consistent with planned transit service levels.

Lands located within designated greenfield areas, such as the subject lands, are also subject to the residential mix policies that apply to these areas. As stated in Section 3.2.1.7,

## Background

residential development within designated greenfield areas shall in addition to the provisions of Section 2.7, Housing, and other applicable policies of the Plan:

- encourage an intermixing of dwelling unit types and densities;
- encourage a higher distribution of Medium Density II and High Density Residential Uses, particularly within nodes and along corridors;
- encourage medium and high density development that is street oriented; and,
- contribute toward achieving the density target set out in Section 2.1.4 and Regional Phasing set out in Section 2.1.5 of the Plan in order to contribute to the creation of healthy, complete communities.

Staff reviewed the application in relation to the policies of the Provincial Policy Statement (PPS), 2020, the Growth Plan, 2019, as amended by Amendment 1, 2020, the Halton Region Official Plan, the Town of Milton Official Plan, and the Boyne Survey Secondary Plan. Town staff and our agency partners are satisfied that the application for the zoning by-law amendment as presented through this report, conforms to the applicable Provincial, Regional and Local land use planning policies and regulations.

## Zoning By-law 016-2014, as amended

The subject lands are currently zoned Future Development (FD) under Zoning By-law 016-2014, as amended, which only permits uses that legally existed on the date that the By-law came into effect.

The current Zoning By-law Amendment application proposes to rezone the subject lands from the current Future Development (FD) Zone to a Residential Medium Density II Special Provision 340 (RMD2\*340) Zone to accommodate the proposed 64 dwelling units, and recognize site-specific provisions relating to the development including front, rear and side yard setbacks, the underground parking structure, parking area locations, minimum off-street parking requirements, widths of internal driveways, landscape open space, the description of a lot and that access that would typically apply to apartment buildings with one main entrance does not apply to site.

A draft amending Zoning By-law is attached as Appendix 1 to this report.

## Site Plan Control

Should the Zoning By-law Amendment application be approved, the applicant will be required to receive Site Plan Approval prior to the issuance of a building permit and commencement of any development. Detailed site plan drawings addressing such matters as access, site design (including parking, pedestrian circulation, accessibility, fire truck



## Background

access and waste disposal), lot grading and drainage, lighting and landscaping will be required to be submitted for review and approval. The applicant will also be required to enter into a site plan agreement with the Town and provide securities to guarantee the completion of works in accordance with the approved drawings.

## Discussion

### Public Consultation and Review Process

Notice of a complete application was provided on February 26, 2021. Notice for the statutory public meeting was provided pursuant to the requirements of the Planning Act and the Town's Official Plan via written notice to all properties within 200 metres of the subject lands, as well as an ad in the Milton Canadian Champion Newspaper on June 24, 2021. The statutory public meeting was held on July 19, 2021 and no members of the public spoke at the meeting. Staff did receive one written submission from the planning consultants on behalf of the adjacent landowner, Mil Con Three Developments Limited (Fieldgate Developments), acknowledging that Boyne Urban Development Inc. would require their participation in securing a purchase and sale agreement to facilitate the sale of the residential reserve lands that would allow the proposed townhouse development to proceed. The correspondence is attached as Appendix 2 to this report.

### Agency Consultation

The proposed Zoning By-law Amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region, Town Departments, School Boards and other agencies offered no objection to the application. Agencies will continue to work with the applicants through the Site Plan Approval process prior to the development of the site.

### Summary of Issues

#### Availability of Infrastructure and Access to the Subject Lands

In the early stages of review of the subject application, timing of ultimate servicing connections, construction of surrounding streets and the ability to provide direct access to the future Hickory Crescent (i.e. due to a small residential reserve situated between the original two lots and the future Hickory Crescent) were unknown, as these elements were fully dependant upon registration of the Mil Con Three subdivision located to the north and

## Discussion

west and construction of the necessary infrastructure associated with that plan. To advance the development of the subject lands, the applicant proceeded to apply for a consent application that would allow for the extension of necessary services from the existing Mattamy subdivision to the north and east of the subject lands.

As the review of both applications progressed, timing became more aligned and the aforementioned severance was no longer required. Through the draft plan conditions for the Mil Con Three subdivision, staff required that the residential reserve be acquired by BUDI or conveyed to the Town so that direct access from the BUDI development could be achieved. Upon registration of the Mil Con Three subdivision, anticipated before the end of the year, the residential reserve will be conveyed, the necessary servicing and road infrastructure will be provided, and the proposed development will be able to proceed following site plan approval and building permit issuance.

### Amending Zoning By-law

In order to permit the proposed development, a zoning bylaw amendment containing a Residential Medium Density II (RMD2) Zone classification with site-specific provisions is required.

#### Residential Medium Density II (RMD2) Site-Specific Zone

In absence of general condominium provisions in the zoning by-law, planning and zoning staff must establish appropriate standards based on development principles that are acceptable to the Town for a proposed development. As a result, a portion of the amending by-law associated with the subject application (attached as Appendix 1 to this report) provides a specific description of the lot being developed and provides the minimum setbacks from each property line, based on provisions applicable to similar built form, to establish the development envelope. In addition, the by-law recognizes items that are specific to the development proposal including the addition of stacked townhouse dwelling units (they are defined but not listed as a separate use in the RMD2 Zone) and minor variations to existing zoning provisions relating to minimum off-street parking requirements, setbacks from parking areas and underground parking structures to lot lines, maximum widths of exclusive use driveways, and the minimum amount of landscape open space to be provided. Provisions that apply to the RMD2 Zone but are not applicable to the type of built form proposed, have also been noted. Since the site plan is still being refined, staff has also provided minimal flexibility in the by-law to allow for minor alterations at the next stage.

## Discussion

With respect to the proposed reduction in parking, it should be noted that the Town's Zoning By-law 016-2014, as amended, does not provide a specific provision relating to condominium multiple dwellings or stacked townhouses, and as a result, the by-law defaults to an 'all other dwelling unit' category that requires a parking rate similar to privately owned grade related product (i.e. two parking spaces per unit). Given that the subject lands are located along an intensification corridor where transit will be prevalent, the proposal offers a mixture of dwelling unit types and sizes, and parking arrangements that assist in making housing more affordable, and all required visitor parking has been provided, staff is satisfied that the proposed resident parking rate of 1.42 parking spaces per unit is appropriate for the site. To further support the slight reduction, the development offers a number of Travel Demand Management (TDM) measures to meet objectives and targets to reduce vehicular demand and encourage passenger, transit, cycling, and walking including horizontal bicycle hangers for each underground parking space and garage unit, better sidewalk connectivity, and unbundled parking options (i.e. separated cost of parking space from cost of resident units) that allow residents to consider alternative modes of travel.

## Conclusion

Planning staff is of the opinion that the proposed 64 dwelling unit (i.e. a combination of stacked townhouse and multiple dwelling units) subject to site-specific provisions, is consistent with the Provincial Policy Statement, conforms to provincial, regional and local planning policy, and achieves acceptable engineering and design standards. On the basis of the foregoing, staff recommends that the Zoning By-law Amendment attached as Appendix 1, be brought forward for Council adoption.

## Financial Impact

None arising from this report.

Respectfully submitted,

Jill Hogan  
Commissioner, Development Services

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



## Attachments

Figure 1 - Location Map

Figure 2 - Site Plan

Figure 3 - Floor Plans & Underground Parking Plan

Figure 4 - Building Elevations & Renderings

Appendix 1 - Draft Zoning By-law Amendment

Appendix 2: Public Comments

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.

# FIGURE 1 LOCATION MAP



Council Meeting Date:  
December 18th, 2023

Scale: 1: 2,500

Files: Z-02/21

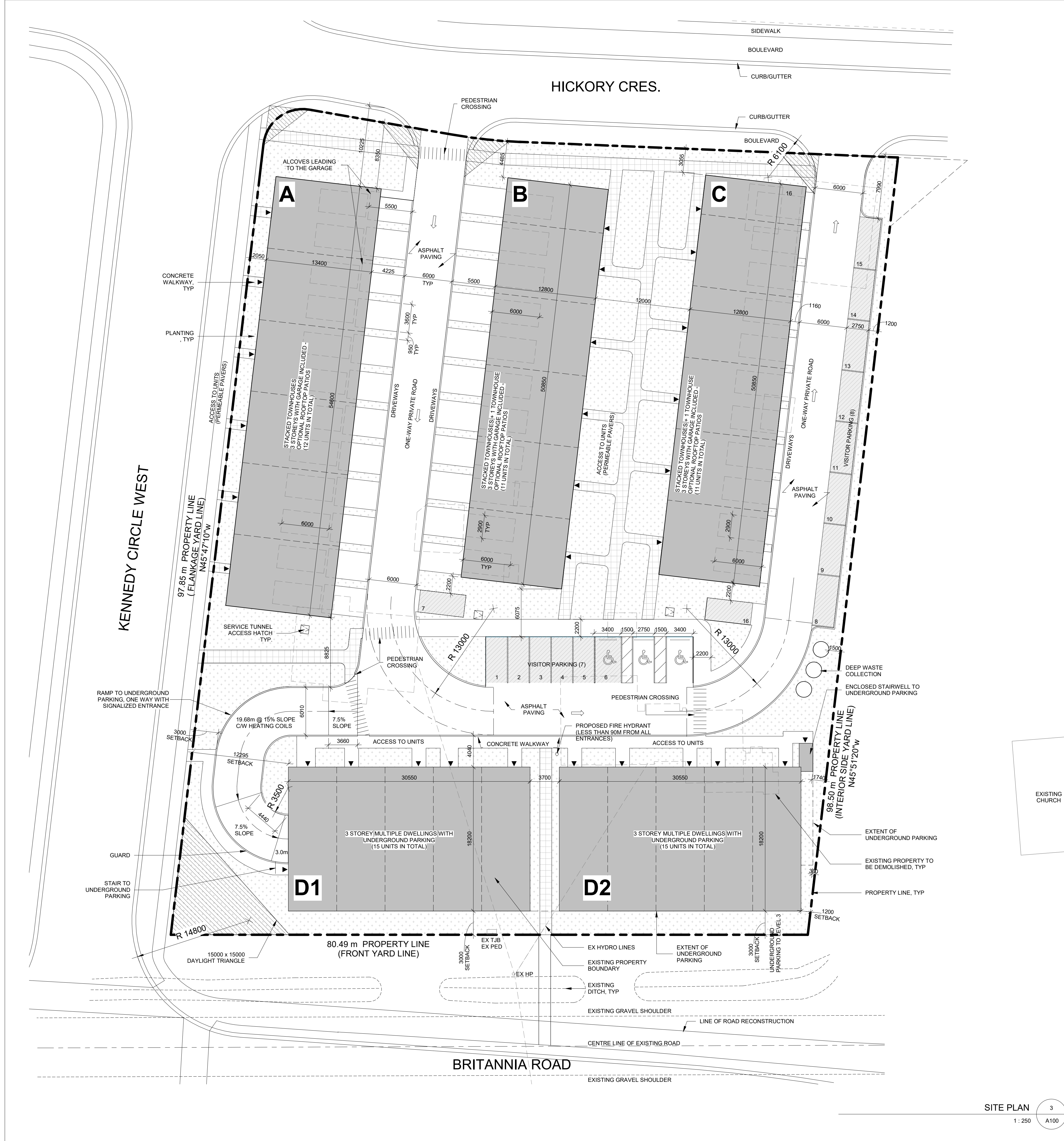
Development Services Department



Subject Property  
Page 49 of 108

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OVERALL DEVELOPMENT STATISTICS

LOT AREA:	8,085 M2 (0.8 HA)
BUILDING FOOTPRINT:	3,145 M2
LOT COVERAGE:	38.8%
DENSITY:	81.56 UNITS / HA
GROSS FLOOR AREA:	12,559 M2
(INCL. UNDERGROUND PARKING)	
LANDSCAPED AREA:	2,383 M2 (29.5%)
NUMBER OF UNITS:	64
NUMBER OF PARKING SPACES:	110

GENERAL NOTES:

- DRAWINGS & SPECIFICATIONS OF ALL DISCIPLINES TO BE READ TOGETHER. ANY NOTE, DRAWING, OR DETAIL SHOWN OR SPECIFIED IN ONE DISCIPLINE IS APPLICABLE TO ALL DISCIPLINES.
- SURVEY INFORMATION TAKEN FROM J.D. BARNES LIMITED ONTARIO LAND SURVEY DATED APRIL 14, 2020
  - HICKORY CRES. INFORMATION TAKEN FROM DRAFT PLAN OF SUBDIVISION MIL CON THREE DEVELOPMENTS LTD. FIELDGATE DEVELOPMENTS (EAST LANDS) BY GLEN SCHNARR & ASSOCIATES INC. DATED JANUARY 8, 2020
  - KENNEDY CIRCLE AND BRITANNIA ROAD RECONSTRUCTION INFORMATION TAKEN FROM BRITANNIA ROAD RECONSTRUCTION HALTON REGION 8671 BRITANNIA ROAD PROPERTY REQUEST PLAN BY JACOBS DATED OCT. 18, 2019

GENERAL SITE NOTES

2

A100

Description	Ref.	RMD2 Zoning Required	Proposed	Complies
Permitted Uses	6.1 Table 6A	Apartment Building, townhouse dwelling, back-to-back townhouse, multiple dwelling, retirement dwelling, quadruple dwelling, shared housing, short-term rental	Multiple Dwelling and Stacked Townhouse	No
Lot Frontage Min. (Dwelling, Multiple)	6.2 - Table 6D	30 m	80.49m	Yes
Lot Depth Min.	6.2 - Table 6D	35 m	97.85m	Yes
Min. Front Yard (Hickory Cres.)	6.2 - Table 6D	4 m	3m	No
Min. Interior Side Yard	6.2 - Table 6D	6 m	1.2m	No
Min. Exterior Side Yard (Kennedy Circle)	6.2 - Table 6D	4 m	2m	No
Min. Rear Yard (Britannia Road)	6.2 - Table 6D	7.5 m	3m	No
Max. Building Height	6.2 - Table 6D	4 storeys, 16.5 m	11.43 m	Yes
Landscaped Open Space Min.	6.2 - Table 6D	35%	29%	No
Air Conditioners and Heat Pumps (Ground Level)	4.6.1 Table 4E	Permitted in interior side yard and rear yard with minimum setbacks	N/A, located on rooftop patio or mechanical penthouses	Yes
Roof-Mounted HVAC	4.6.2	Shall be screened from any public street	On rooftop patio screened or mechanical penthouses	Yes
Balconies	4.5.8 Table 4H	Permitted in the rear yard, exterior side yard, and front yard. May be permitted to encroach to a maximum of 1.5 m into a required rear or side yard, or if located on a porch, shall be permitted to encroach to the same extent.	Balconies in rear yard of Britannia are proposed as part of the building footprint.	Yes
Porches/Venues (including stairs)	Table 4H	Shall be permitted in any yard, no closer than 3.0 m to a rear lot line and 1.0 m to any other lot line.	Yes	Yes
Bay or Boared Window Encroachments	Table 4H	Bay or boared windows may encroach into a required exterior side yard, front yard, or rear yard up to a maximum of 0.6 m for a width of 1.0 m.	Boared windows encroach 0.6 m for a width of 3m.	Yes
Deck Encroachments	4.3.1 - Table 4D	Less than 1.2 m above grade. Permitted in the side and rear yard. Must be setback 0.6 m from the side yard and 3.0 m from the rear lot line.	No decks proposed	Yes

Description	Ref.	RMD2 Zoning Required	Proposed	Complies
Required Yards - Ornamental Projections	Table 4H	projections is 2.0 m above grade		
Encroachments into Required Yards - Stairs and Landings above grade	4.19.5 Table 4H	Stairs shall be located a minimum of 3.0 m from the property line, measured from the first rise, with no part of the landing closer than 1.5 m from the property line	Stair to block D2 parking garage 1.7m to interior side yard	Yes
Encroachments into Required Yards - Wheel Chair or Accessible Ramp	4.19.5 Table 4H	No Maximum	None proposed	Yes
Utilities - Floor Area less than 10m2	4.20.5.1 Table 4J	Permitted anywhere on a lot	TBC	
Utilities - Floor Area 10m2 or greater	4.20.5.1 Table 4J	Shall be setback a minimum of 1.2 m from any lot line	TBC	
Daylighting - Local/Local	Eng Standard by-law is outdated	5 m radius (8 m curb radius & 400 m Intersection Spacing)	5m visibility triangles along Hickory	Yes
Daylighting - Local/Local	Eng Standard by-law is outdated	15 m triangle (15 m curb radius & 400 m Intersection Spacing)	15m daylight triangle along Britannia	Yes
Min. Size of Off-Street Allevies - One way	5.7 Table 5C	The min. width of the alley providing access to a parking space within a parking area shall be 6.0 m, except in the case of angled off-street parking intended for a one-way alley, which shall be a min. width of 4.5 m.	5m one-way proposed	Yes
Min. Size of Off-Street Allevies - Two way	5.7 Table 5C	6.0 m	N/A	
Size Requirements of Off-Street Parking Spaces	5.8.1 Table 5D	Angle: 2.75 x 6.5 m Parallel: 2.75 x 6.5 m Oblique: 2.75 x 5.8 m	Parallel: 2.75 x 6.5 m Oblique: 2.75 x 5.8 m	Yes
Size Requirements of Off-Street Accessible Parking Spaces	5.8.1 Table 5D	Type A & B provided with access aisle	Type A & B provided with access aisle	Yes
Size Requirements of Off-Street Bicycle Parking Spaces	5.8.1 Table 5D	0.6 m x 1.8 m and must provide a min. 1.9 m vertical clearance	Block A Single Garage & Driveway = 24 Block B Single Garage & Driveway = 22 Block C Single Garage = 11 Block D1 & D2	No
Residential Parking Requirements	5.8.1 Table 5E	Min. 2 parking spaces per unit plus 0.25 parking spaces for visitor parking (64*2=128) +128 resident parking spaces and 16 visitor parking spaces	Block A Single Garage & Driveway = 24 Block B Single Garage & Driveway = 22 Block C Single Garage = 11 Block D1 & D2	No

Description	Ref.	RMD2 Zoning Required	Proposed	Complies
Min. Setback for Parking Structure Greater than 1.6 m in Height	5.14.2	parking structure is located no closer than 3.0m to a street line or lot line, but shall not encroach into a required landscape buffer	N/A	
Min. Setback for Entrance and Exit Ramps	5.14.3	7.5 m from a streetline	Ramp 6.33m from street line when car exits	Yes
Stairs and Aisles Associated with Parking Structures	5.14.4	Shall not be subject to the parking structure setbacks of this by-law	Yes	Yes

Definitions	Definition
Front Lot Line	[...] in the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line and the longer lot line abutting the street shall be deemed to be the exterior side lot line. [...] Means the lot line or intersection of the side lot lines, opposite to, and most distant from, the front lot line
Rear Lot Line	

Boyne Survey Secondary Plan

Description	Ref.	Residential Area Designation Required	Proposed	Complies
Permitted Uses	C.10.5.1.1	Apartment Building, stacked townhouses, townhouses, semi-detached dwellings, single detached dwellings, duplexes, triplexes, quadruplexes, similar grade related multiple attached housing, local institutional, and local commercial uses	Duplex townhouse, single townhouse, stacked townhouse	Yes
Maximum Height	C.10.5.1.3	4 storeys	4 storeys	Yes
Minimum Permitted Density	C.10.5.1.1	45 uph	64 units / 7,947.284 sq m = 81.56uph	Yes
Maximum Permitted Density	C.10.5.1.1	100 uph	81.56uph	Yes

Milton Engineering Standards

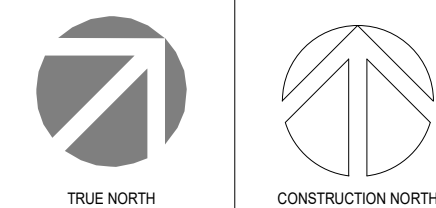
Description	Ref.	Required	Proposed	Complies
Driveway - Pavement Width	ENG Standard 43	One-way: 4.2 m - 7.5 m Two-way: 7.2 m - 12 m	6m	Yes
Driveway - Curb Radius at Intersection with Public Road	ENG Standard 43	From a two-lane road: 6 m - 12 m From a four-lane road: 8 m - 12 m	6.1m	Yes

Description	Ref.	RMD2 Zoning Required	Proposed	Complies
Attached Garage Setback	4.2.2.1.ii	Shall be setback a minimum of 5.5 m from the front and the exterior side yard, if the driveway accessing the lot crosses the exterior side lot line	No garages front proposed for front yard	Yes
Garage Door Regulations	4.2.2.1.v	The garage door does not exceed 2.43 m in height and must have minimum garage door opening width of 2.4 m Single Car Garage	8' x 8' door	Yes
Attached Garage Min. Internal Dimensions	4.2.2.1.v	The minimum size of a parking space shall be 2.2 m wide by 6.0 m long by 2.1 m high of which 2.9m wide by 5.3m long by 2.1m high shall be unobstructed area with the exception of one stair	2.9m x 6m	Yes
Fencing	4.8.1	Within a front yard, the maximum fence height shall be no higher than 1.0m except that where a front yard adjoins the rear yard of a corner lot the maximum fence height along the common property boundary may be no higher than 2.0m	TBD	Yes
Waste Storage Areas	4.14.1	Must be contained within the main building or outside in a deep collection waste system	Deep waste collection proposed for stacked blocks D1 & D2, public collection for Blocks A-C and stored in garage	Yes
Deep Collection Waste Storage	4.14.2 v	Provided the waste is contained within a deep collection waste disposal system, comprised of a sealed container with a lockable lid located primarily below grade, on the same lot the use is intended to serve and as permitted in any yard with the exception of a front yard and exterior side yard:	Located 1.5m from interior lot line and parking area	Yes
Exceptions to Height Requirements	4.19.4.ii	Mechanical features, such as air conditioning units, are permitted to project a maximum of 0.6 m above the highest point of the roof regardless of the height of the building	6m Mechanical Penthouse on D2	Yes
Encroachments into	4.19.5	0.15 m provided that the ornamental	None proposed	Yes

Description	Ref.	RMD2 Zoning Required	Proposed	Complies
Accessible Parking Requirements	5.9.i Table 5H, v	4% of 37 common resident spaces = 1.48	Underground = 35 Above Ground = 18 TOTAL = 110	No, not in proximity to primary entrance with 2.2m wide sidewalk
Bicycle Parking Space Requirement	5.10.i Table 5I	N/A	Blocks D1 & D2 = 32 spaces	Yes
Min. Setback from a Building	5.12 Table 5L	2.2 m	2.2m	Yes
Min. Setback from a Streetline	5.12 Table 5L	7.5m	7.5m	Yes
Min. Setback from All Other Lot Lines	5.12 Table 5L	3.0 m	1.2m from interior lot line	No
Illumination	5.13.i	No part of any free-standing or wall-mounted lighting fixture shall exceed a maximum height of 9.5 m above grade. No light dispersion shall project above the horizontal plane from the base of the lighting fixture.	TBC via site lighting design	
Illumination	5.13.ii	TBC via site lighting design	TBC via site lighting design	
Illumination	5.13.iv	For lots abutting a Residential Zone, illumination along the abutting and mutual lot lines shall not exceed 0.5 foot candles (5 lux).	TBC via site lighting design	
Min. Setback for Parking Structures 1.6 m or Less in Height	5.14.1	Any parking structure either below grade or up to a height of 1.6m above established grade, may encroach into a required yard provided that the	Interior side yard parking garage 3.30m setback	No

FIGURE 2 DS-065-23

PROJECT LOGO



KEY PLAN

- PROPERTY LINE
- EXISTING STRUCTURE TO BE DEMOLISHED
- LANDSCAPED AREA
- PERMEABLE PAVERS
- PROPOSED BUILDING
- DAYLIGHT TRIANGLE
- EX HP EXISTING HYDRO POLE
- EX TJB EXISTING TELEPHONE JUNCTION BOX
- EX PED EXISTING TELEPHONE PEDESTAL
- TRAFFIC DIRECTION ARROWS
- VISITORS PARKING SPACE

No.	DESCRIPTION	DATE
7	REVISED PER RE-ZONING COMMENTS	2023/11/21
6	REVISED PER RE-ZONING COMMENTS	2023/10/03
5	REVISED PER RE-ZONING COMMENTS	2023/10/08
4	ISSUED FOR SWEEP-PATH ANALYSIS	2023/12/22
3	RE-ISSUED FOR ZBA	2023/11/20
2	ISSUED FOR ZBA	2023/11/13
1	TOWN ISSUANCE	2023/10/20
No.	DESCRIPTION	DATE

REVISIONS:

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CONSULTANTS:

PROJECT:

**BOYNE URBAN BRITANNIA ROAD**

**8671 - 8751 BRITANNIA ROAD, MILTON**

SITE PLAN

DRAWN BY: AM DATE: 09/06/23  
CHECKED BY: AA SCALE: AS NOTED

PROJECT NO: 19018

DRAWING NO:

**A100**



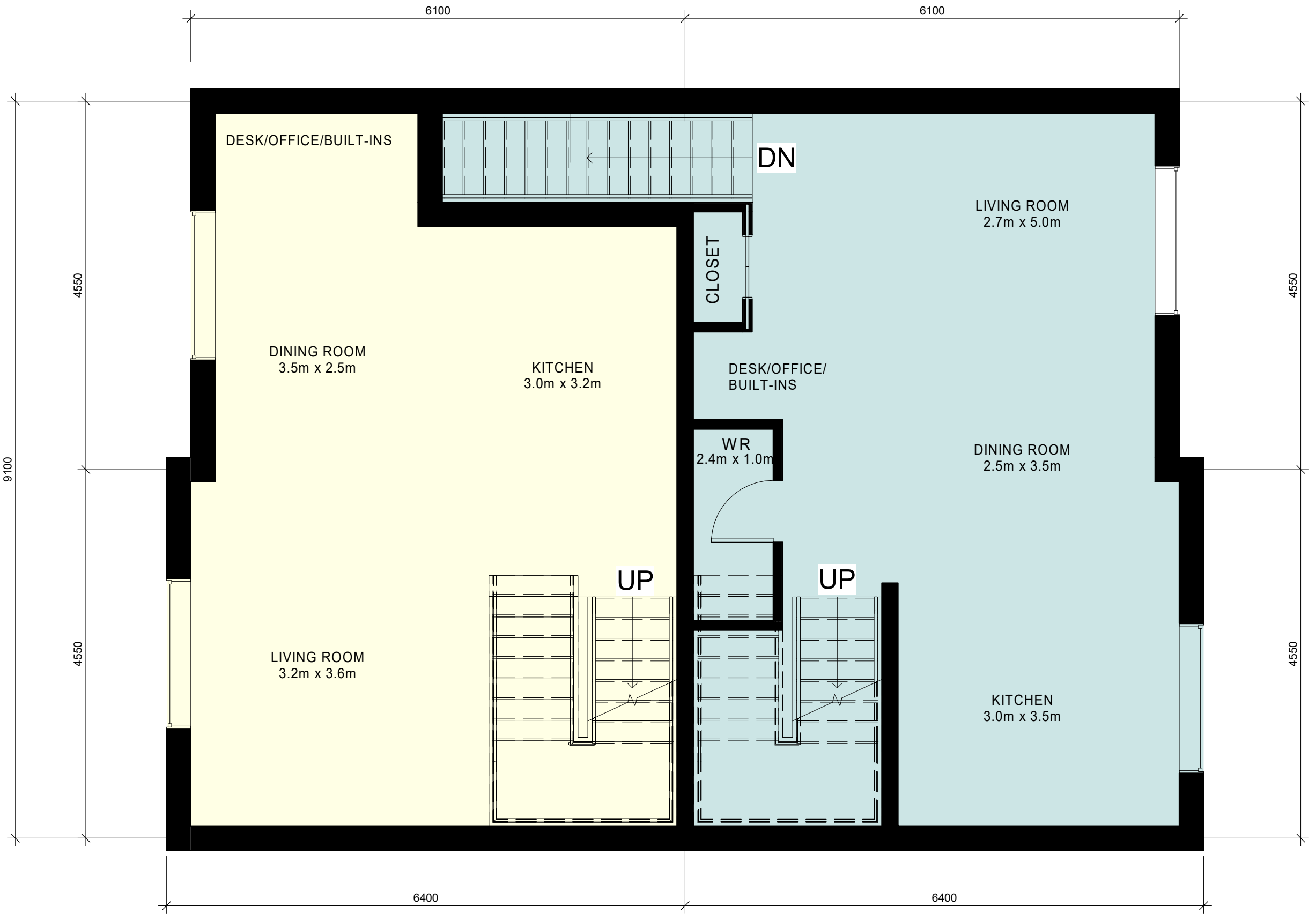
FIGURE 3  
DS-065-23



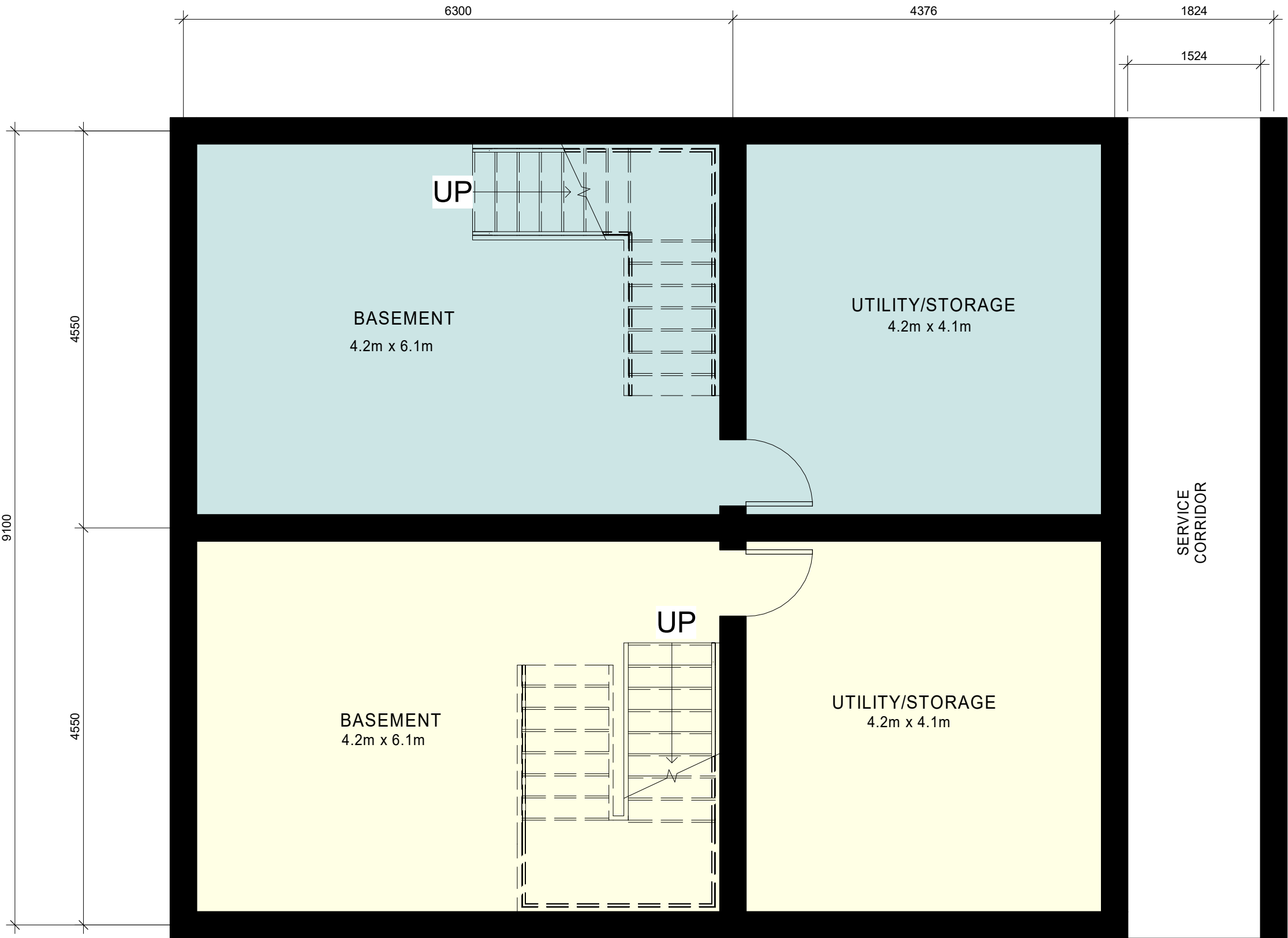
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A1



LEVEL 1  
1 : 50  
2  
A1



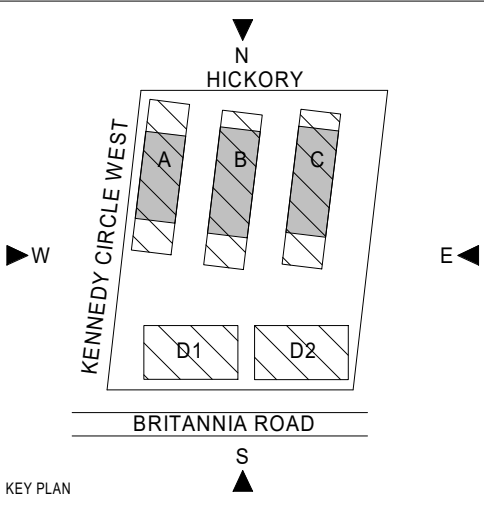
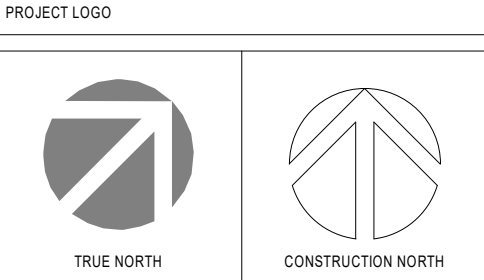
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A1



BASEMENT  
1 : 50  
1  
A1

UNIT A  
UNIT B

UNIT AREA LEGEND



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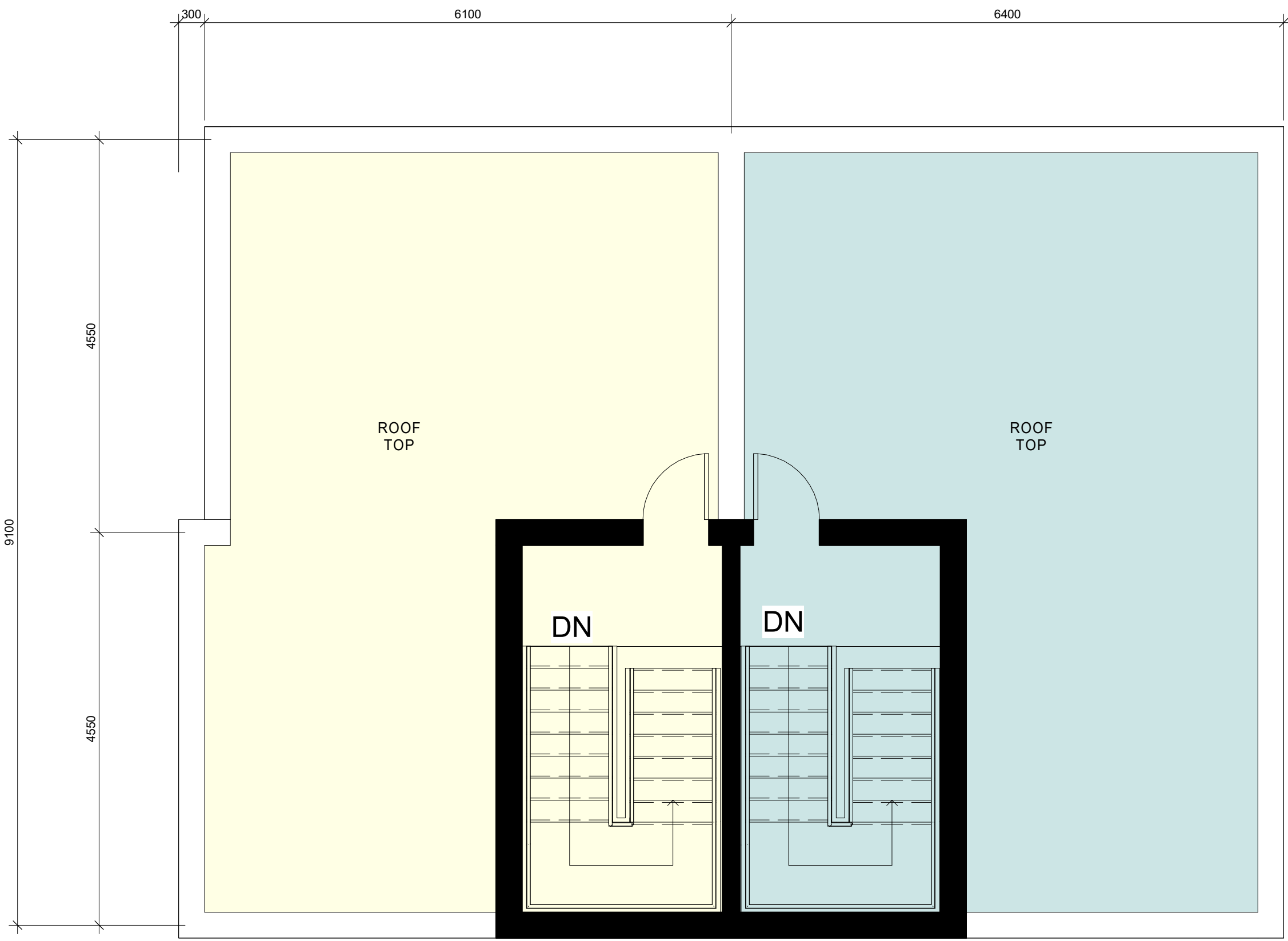
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**BOYNE URBAN BRITANNIA ROAD**  
  
**8671 - 8751 BRITANNIA ROAD, MILTON**

DRAWING TITLE:  
**BUILDING A,B&C DUPLEX A&B - FLOOR PLANS**

DRAWN BY: SW  
CHECKED BY: GD  
DATE: 2020/11/13  
SCALE: 1 : 50

PROJECT NO: **19018**  
DRAWING NO:

**A1**



Level 4

1

A2

UNIT A

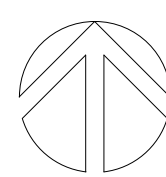
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UNIT AREA LEGEND

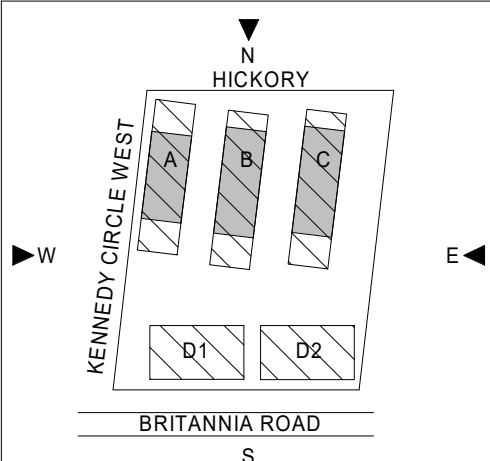
PROJECT LOGO



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**8671 - 8751 BRITANNIA ROAD,  
MILTON**

DRAWING TITLE:  
**BUILDING A,B&C DUPLEX  
A&B - FLOOR PLANS**

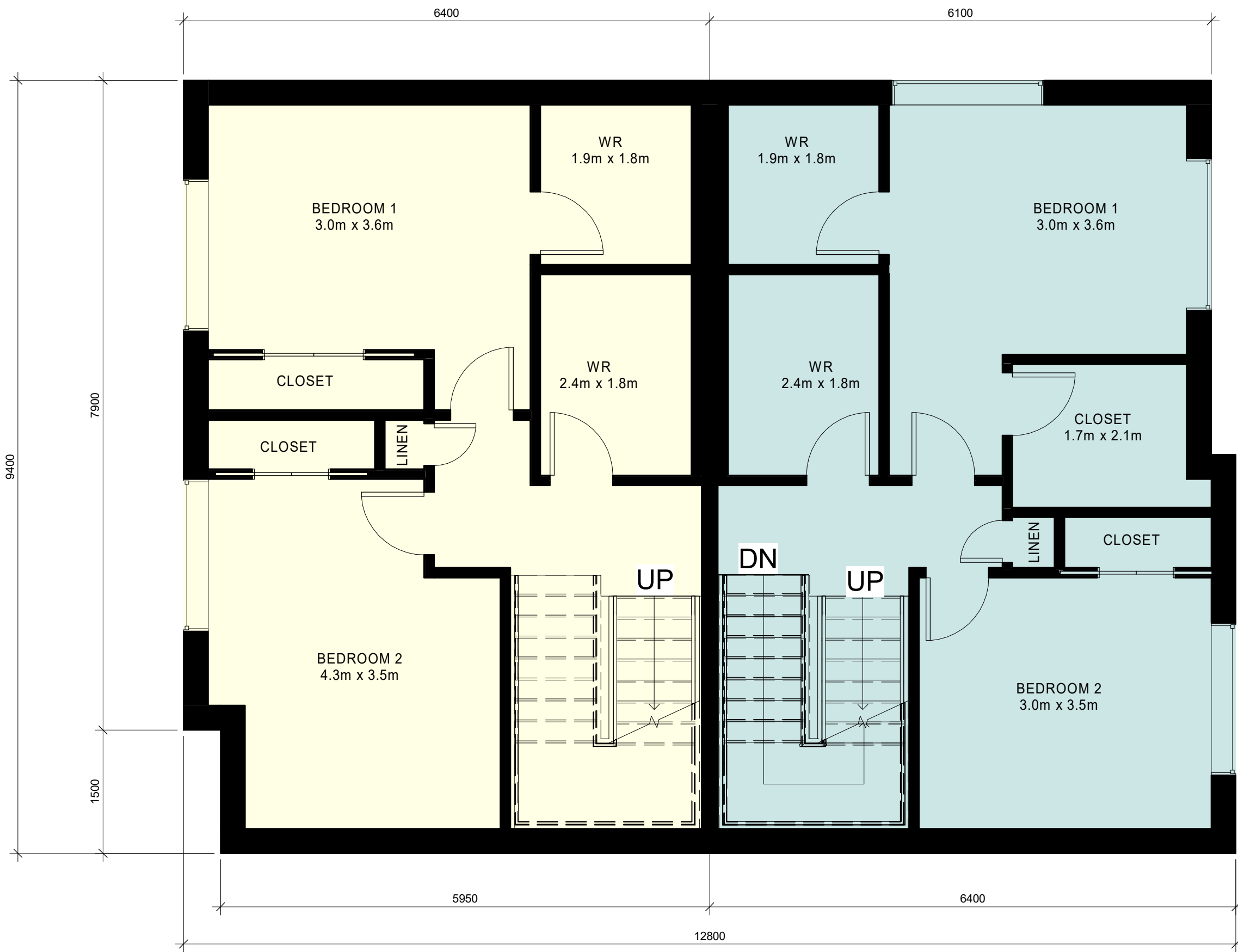
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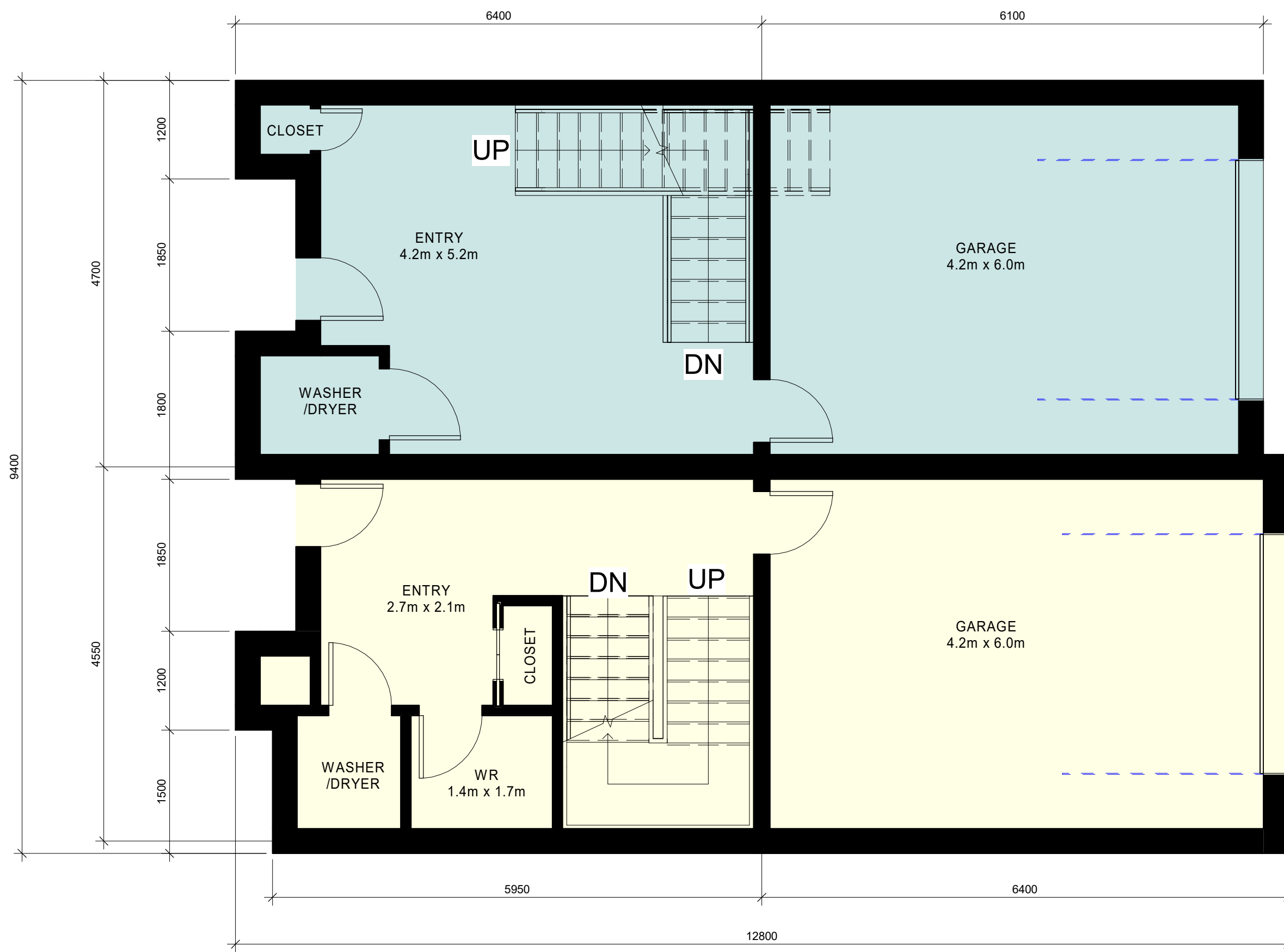
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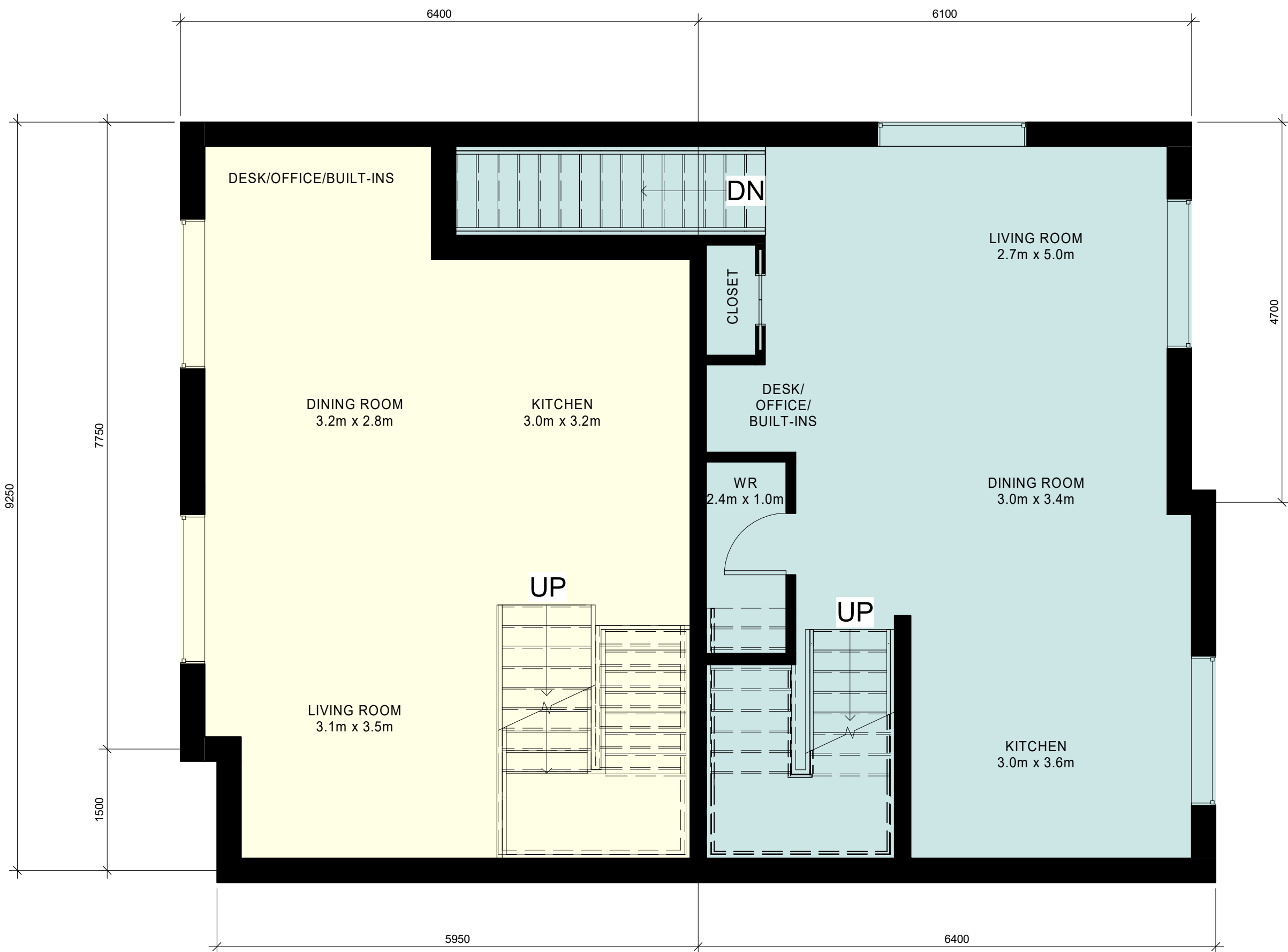




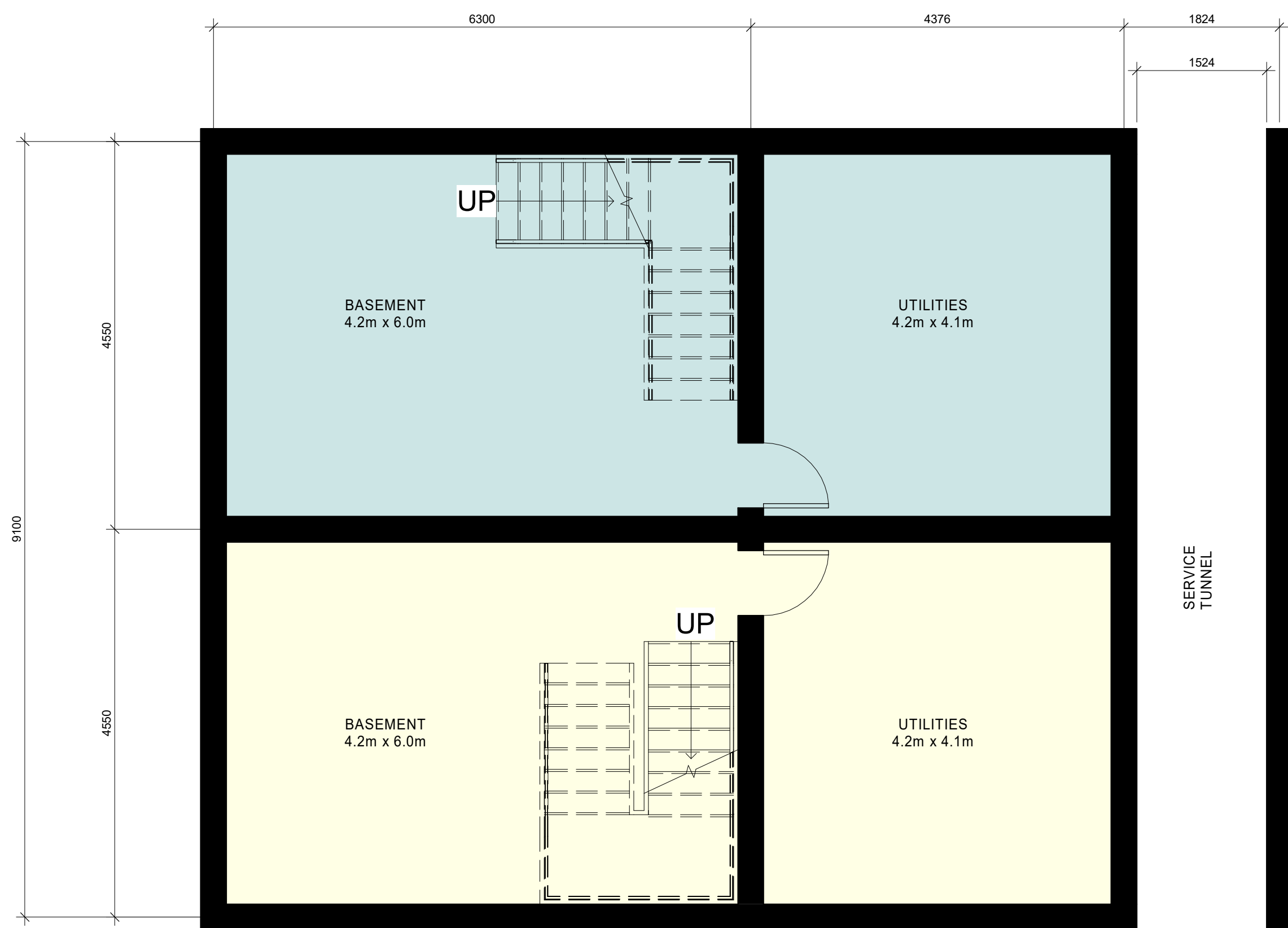
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LEVEL 1  
1 : 50



LEVEL 2  
1 : 50

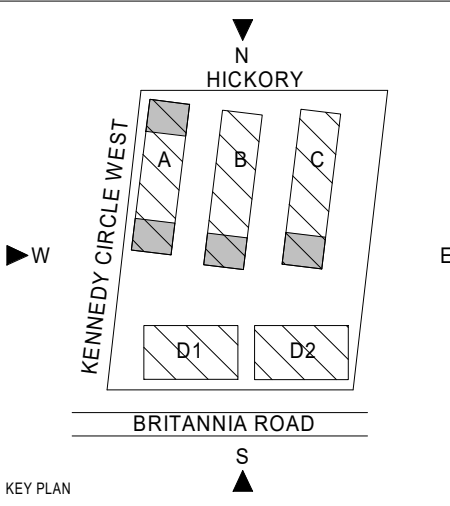
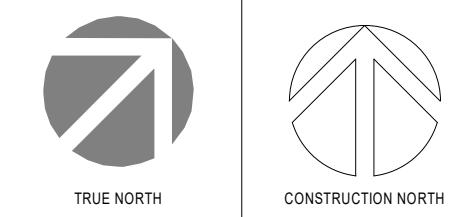


BASEMENT  
1 : 50

UNIT A  
UNIT B

UNIT AREA LEGEND

PROJECT LOGO



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BUILDING A,B&C END  
DUPLEX A&B - FLOOR PLANS

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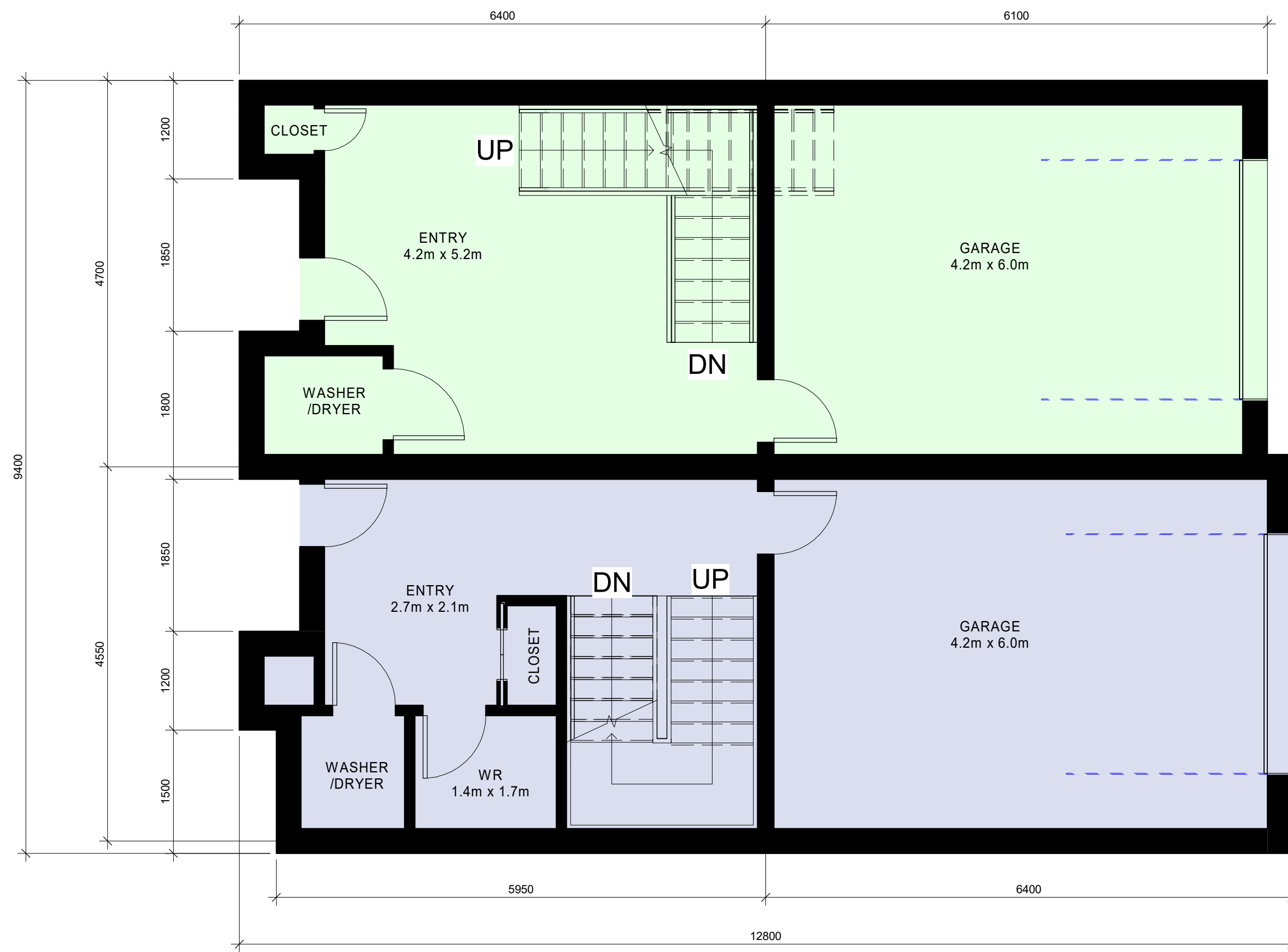
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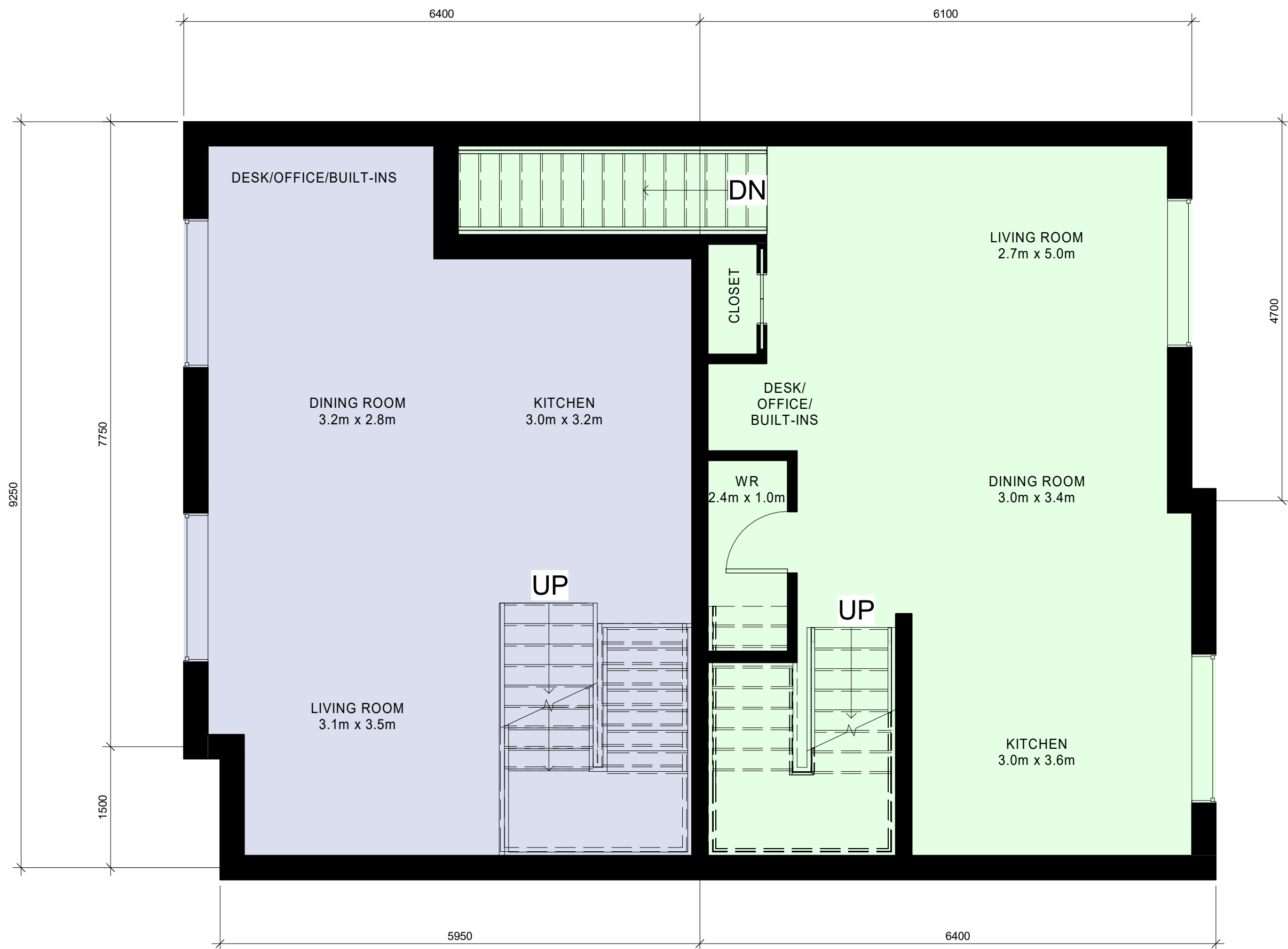
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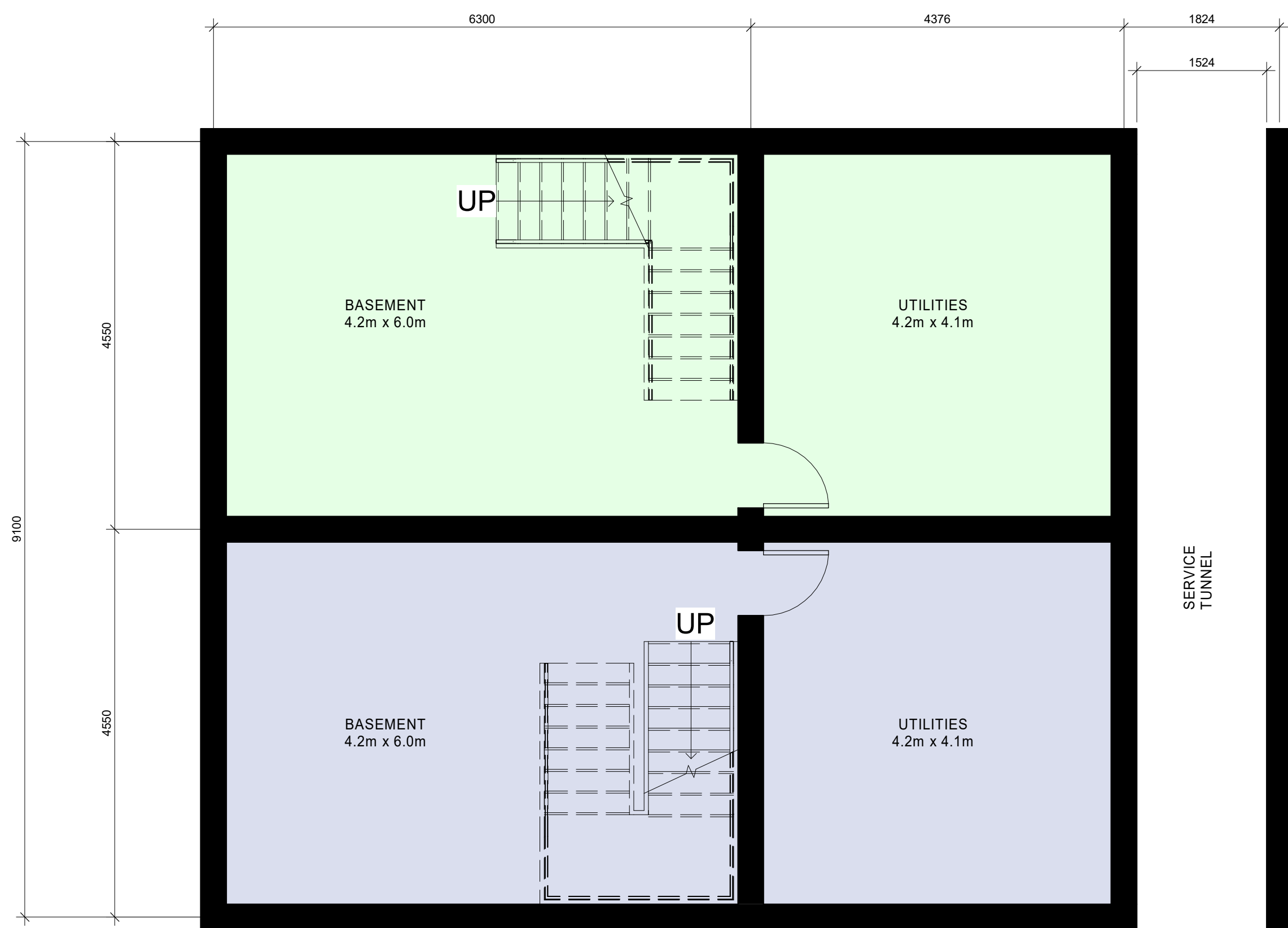
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LEVEL 1  
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LEVEL 2  
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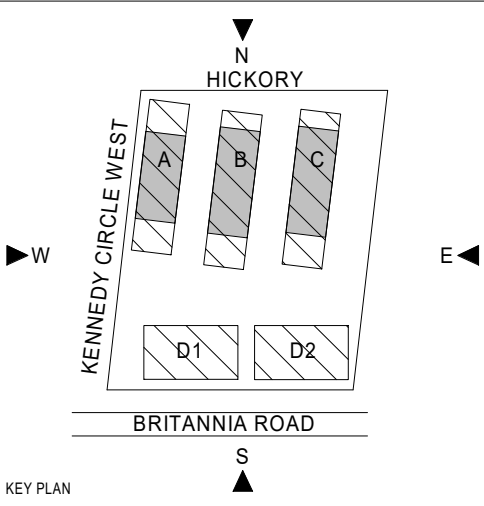
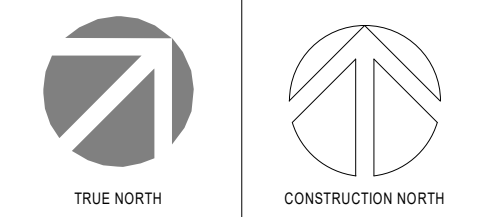


BASEMENT  
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- UNIT C  
UNIT D

UNIT AREA LEGEND

PROJECT LOGO



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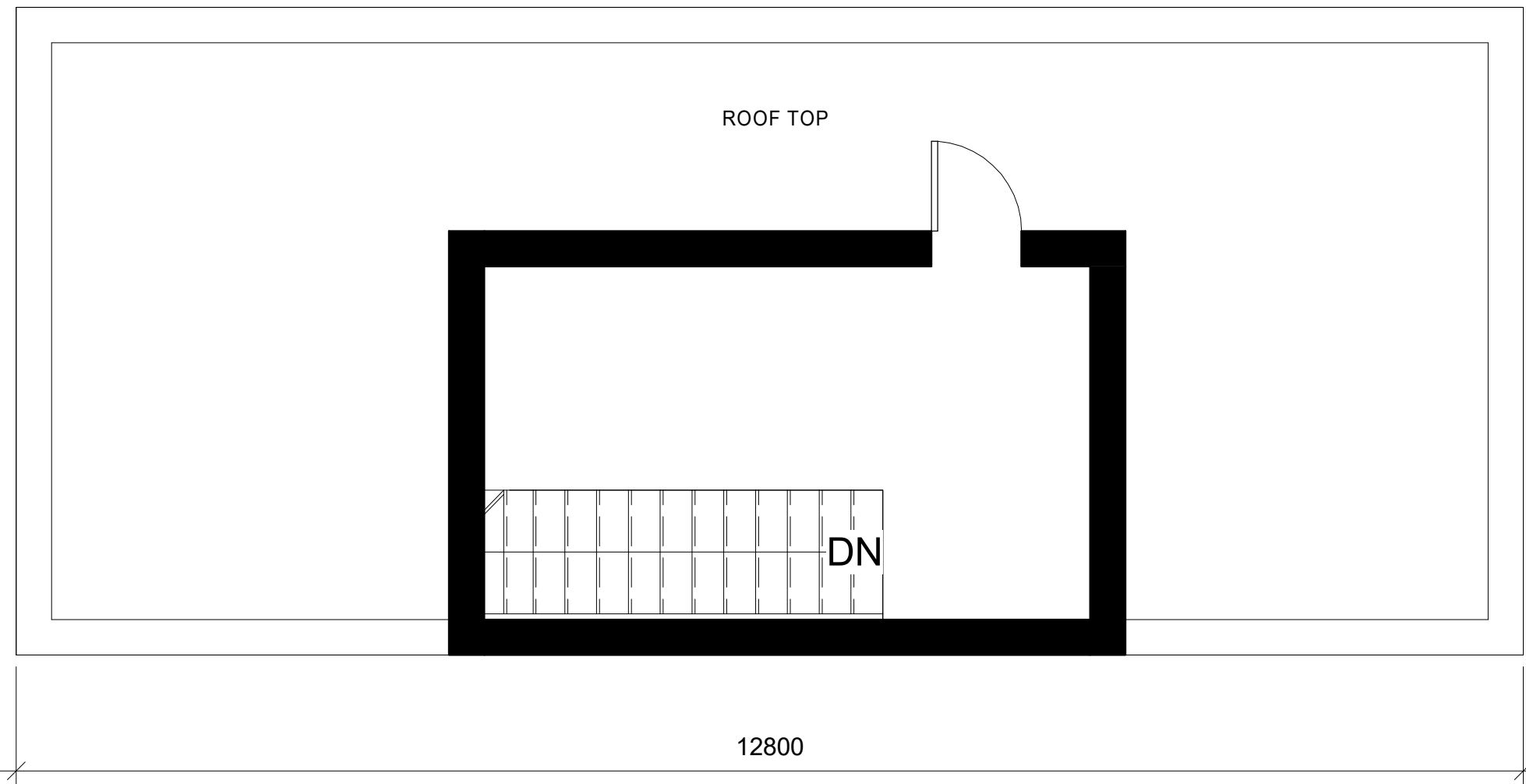
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DRAWING TITLE:  
**BUILDING A,B&C DUPLEX  
C&D - FLOOR PLANS**

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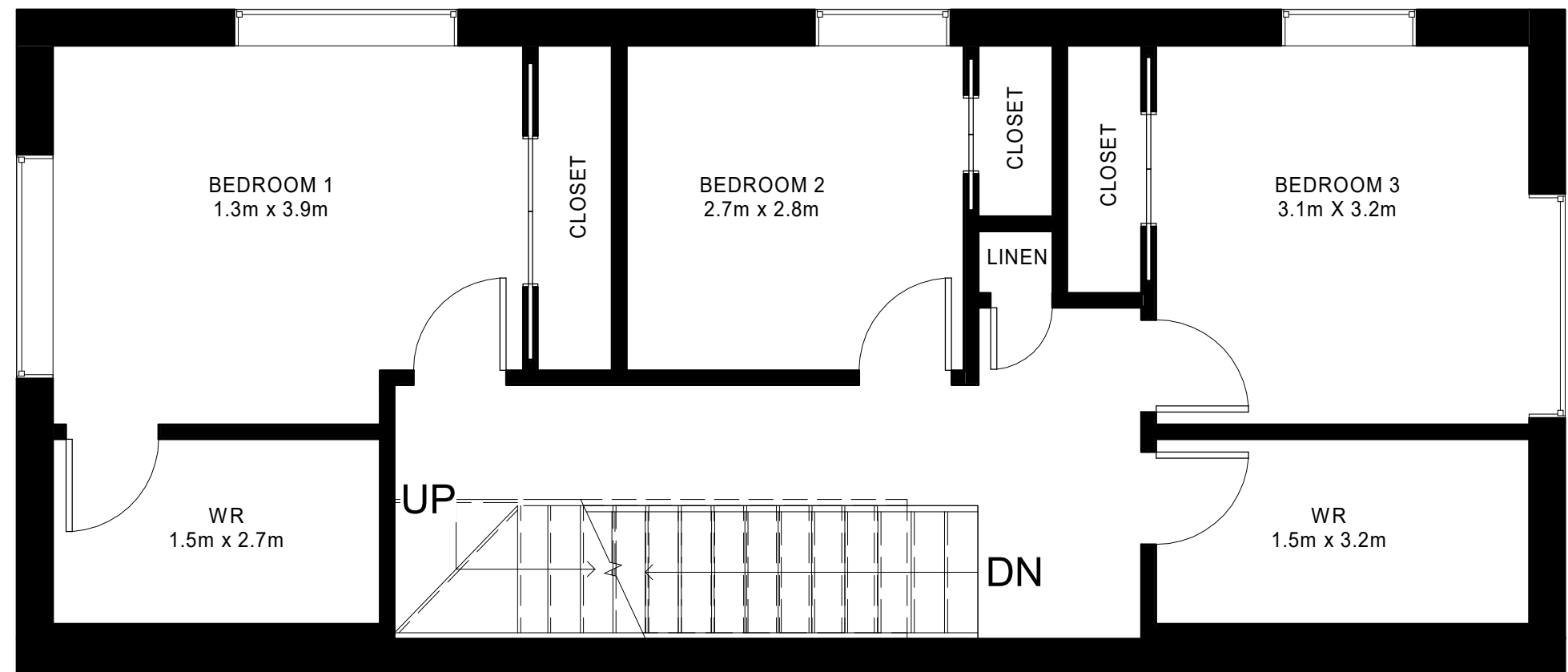


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A5

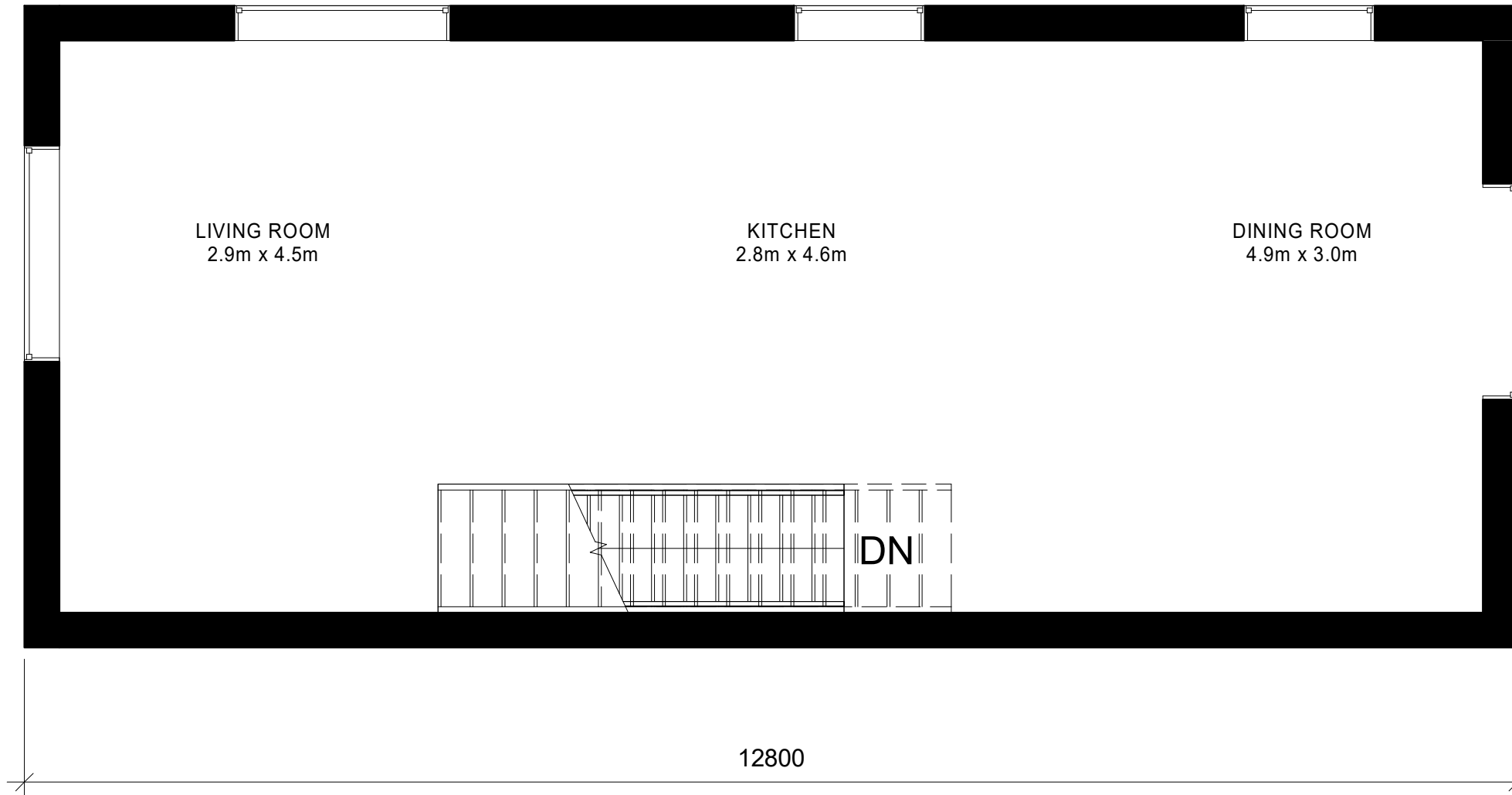


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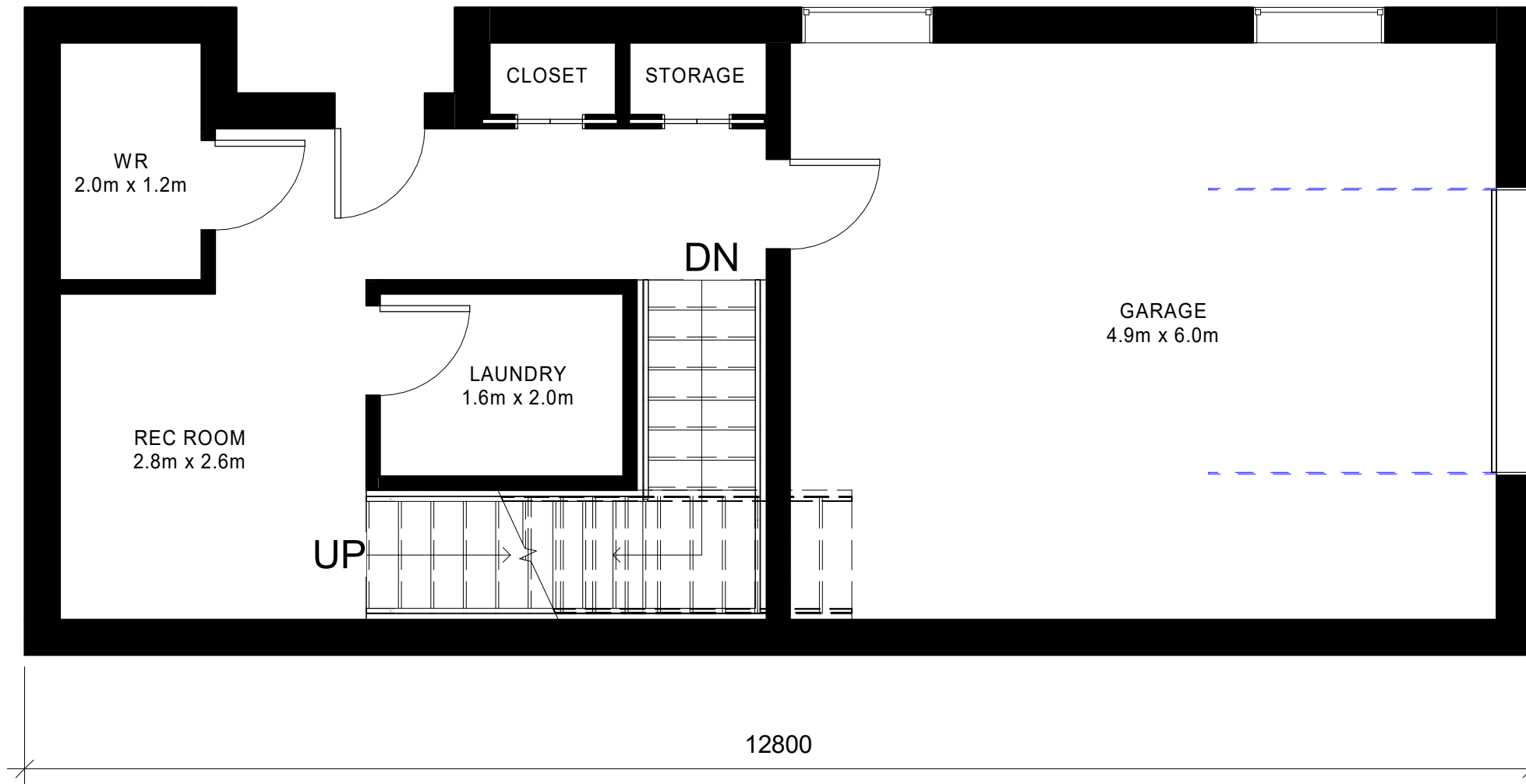


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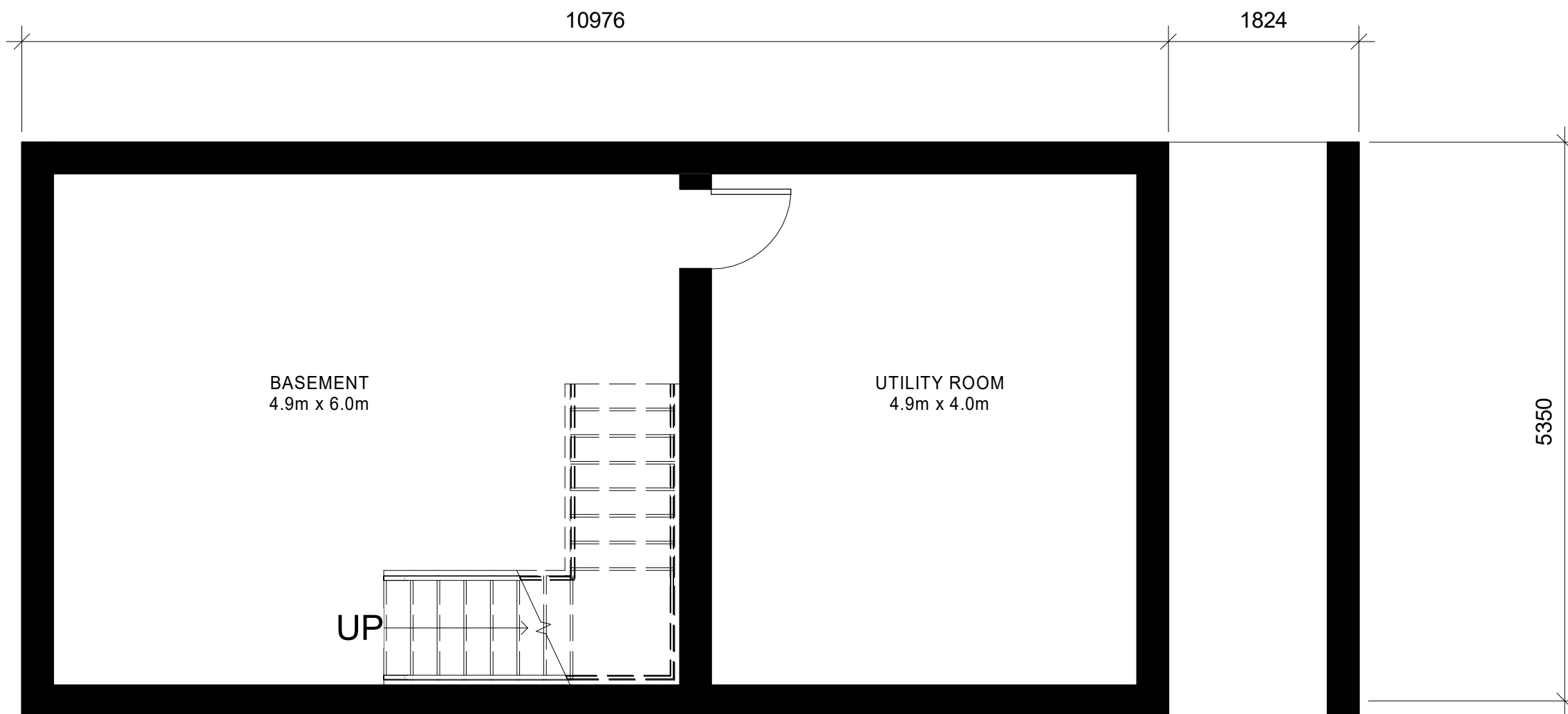


LEVEL 1

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A5



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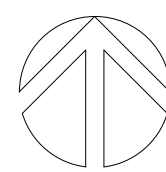
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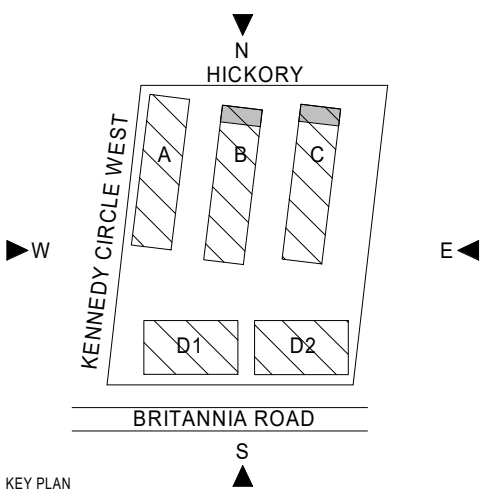
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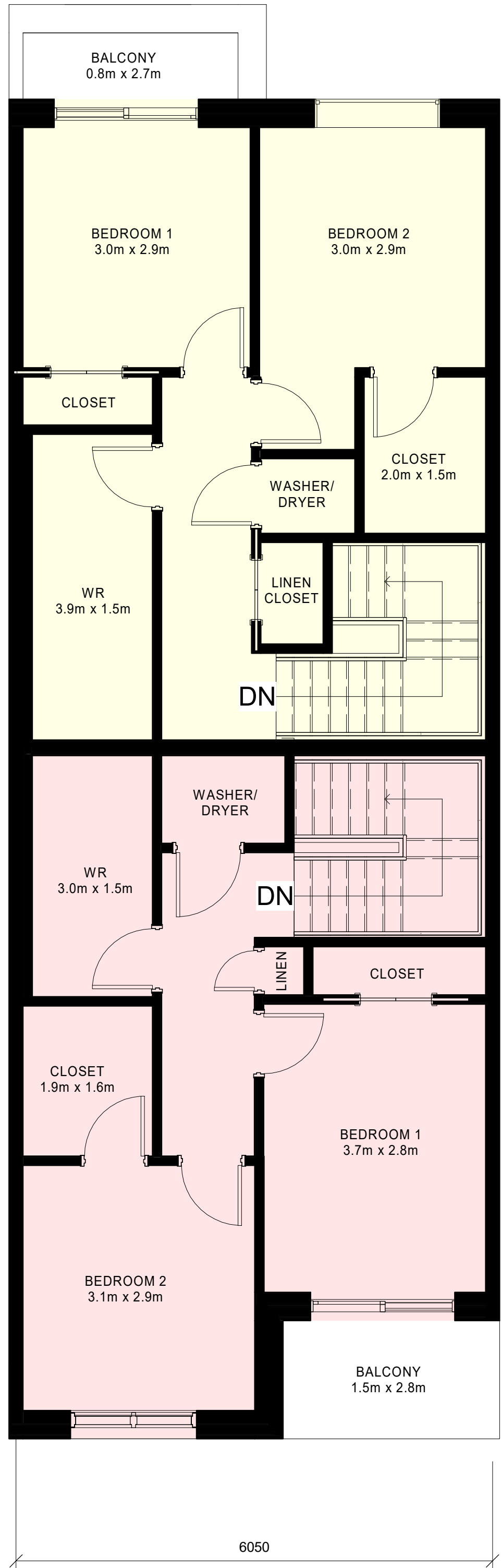
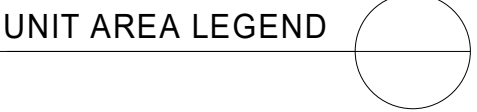
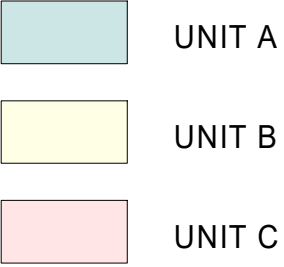
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- FLOOR PLANS**

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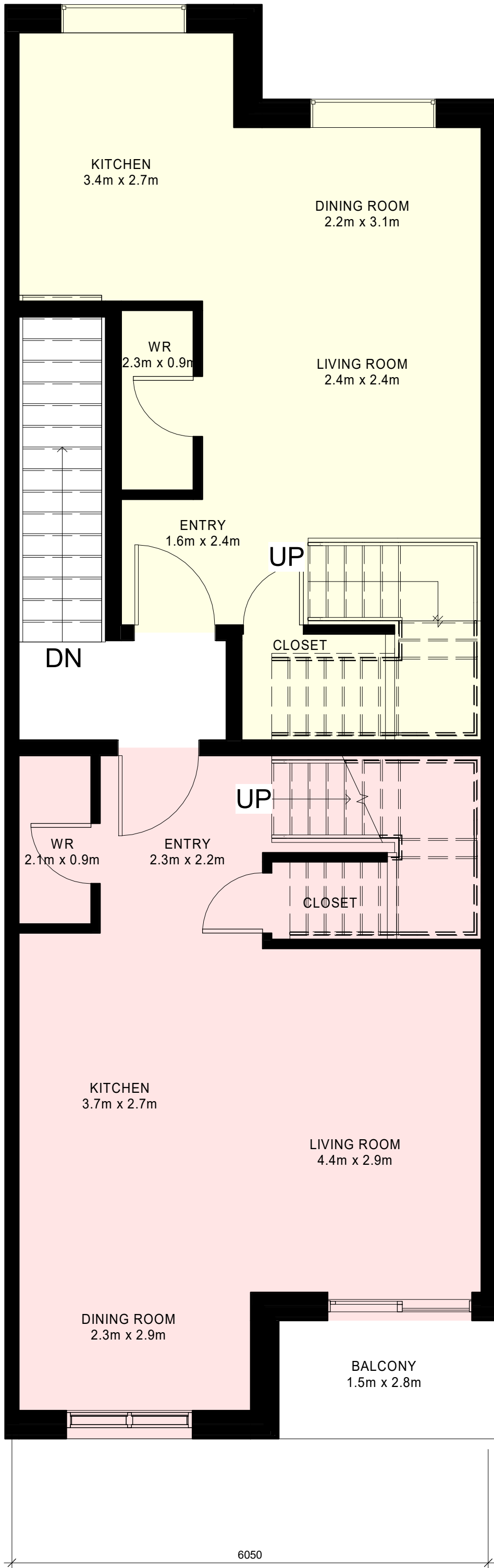
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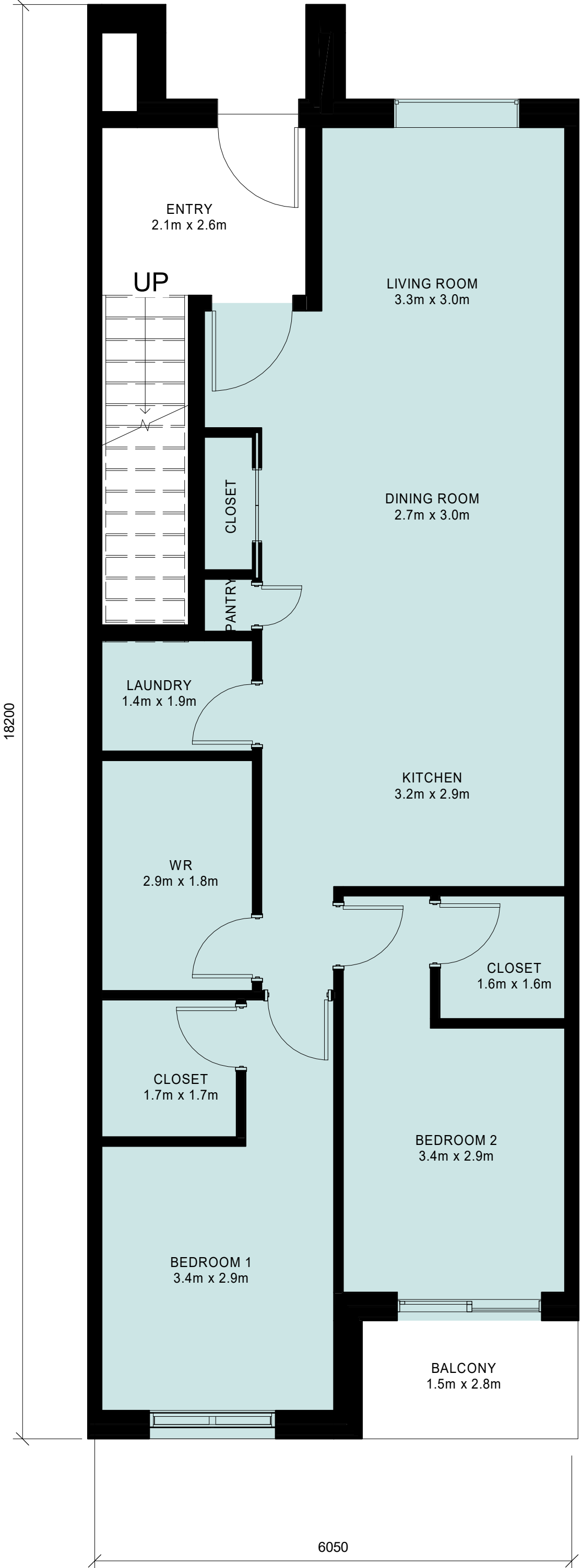
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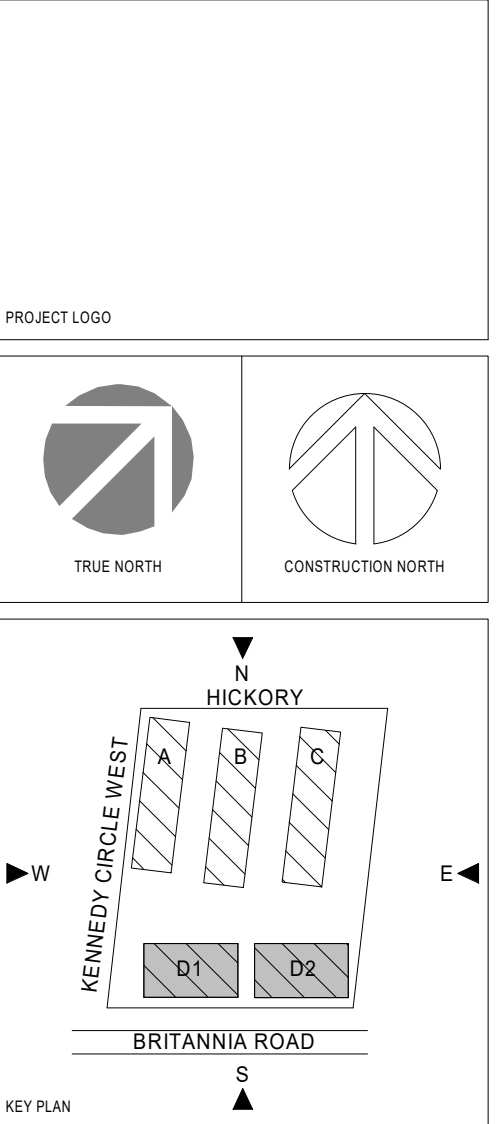
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LEVEL 2  
1 : 50



LEVEL 1  
1 : 50



KEY PLAN

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2020/11/13

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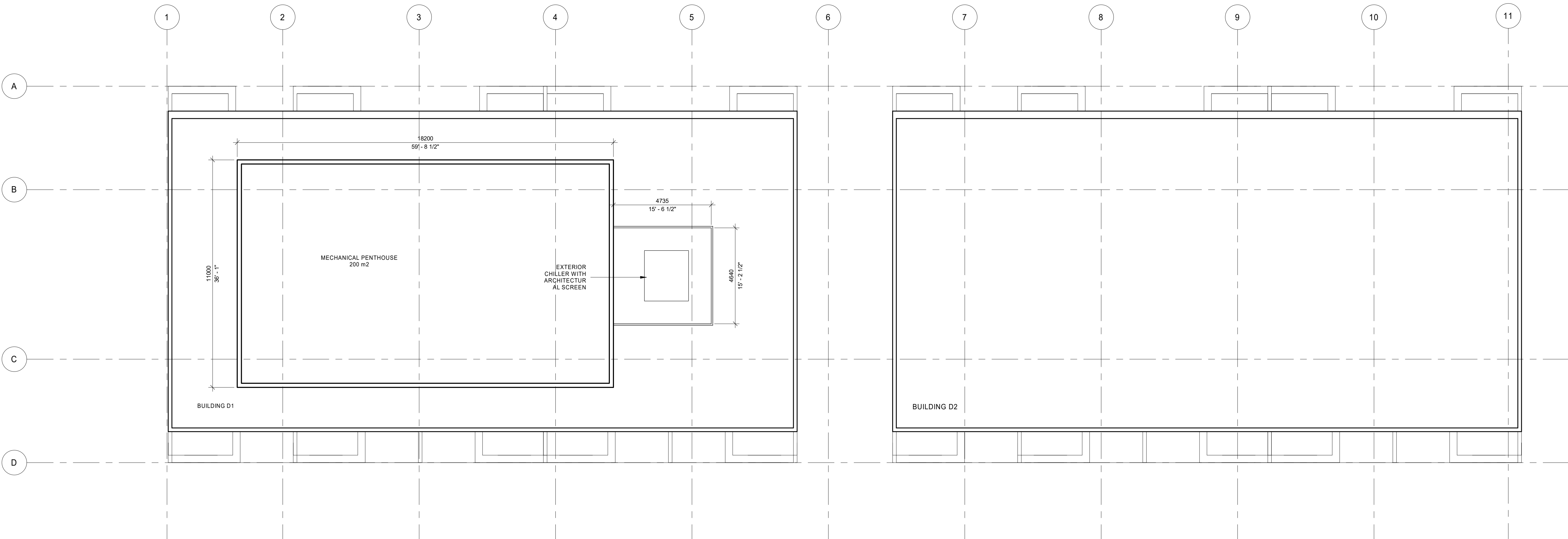
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PLANS

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PROJECT NO: 19018


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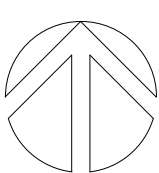


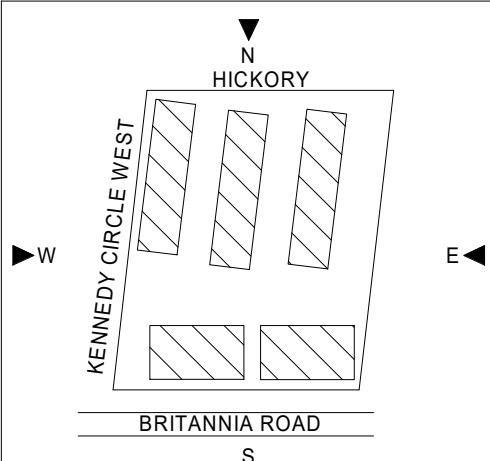
D1 & D2 ROOF PLAN  
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A204

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CONSTRUCTION NORTH


KEY PLAN

1	ISSUED FOR ZBA	2020/11/13
No.	DESCRIPTION	DATE

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DRAWING TITLE:

**ROOF PLAN**

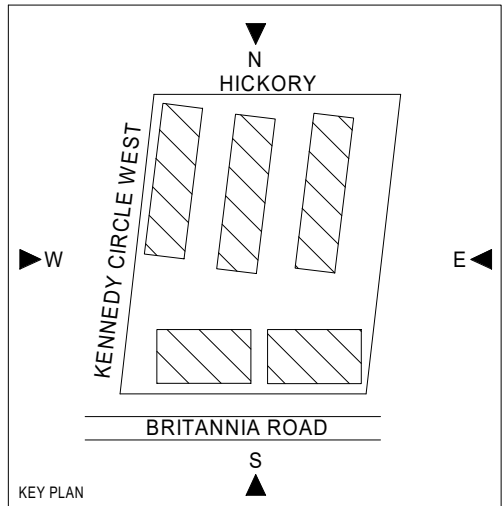
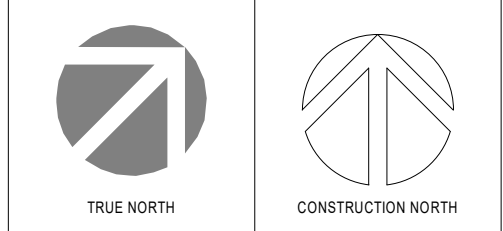
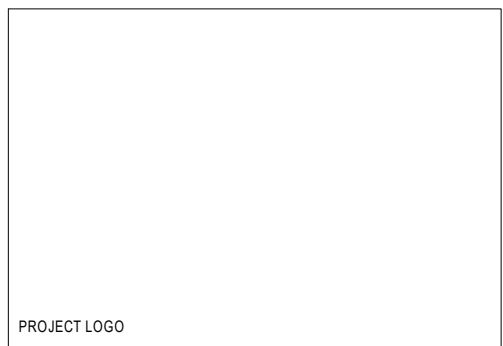
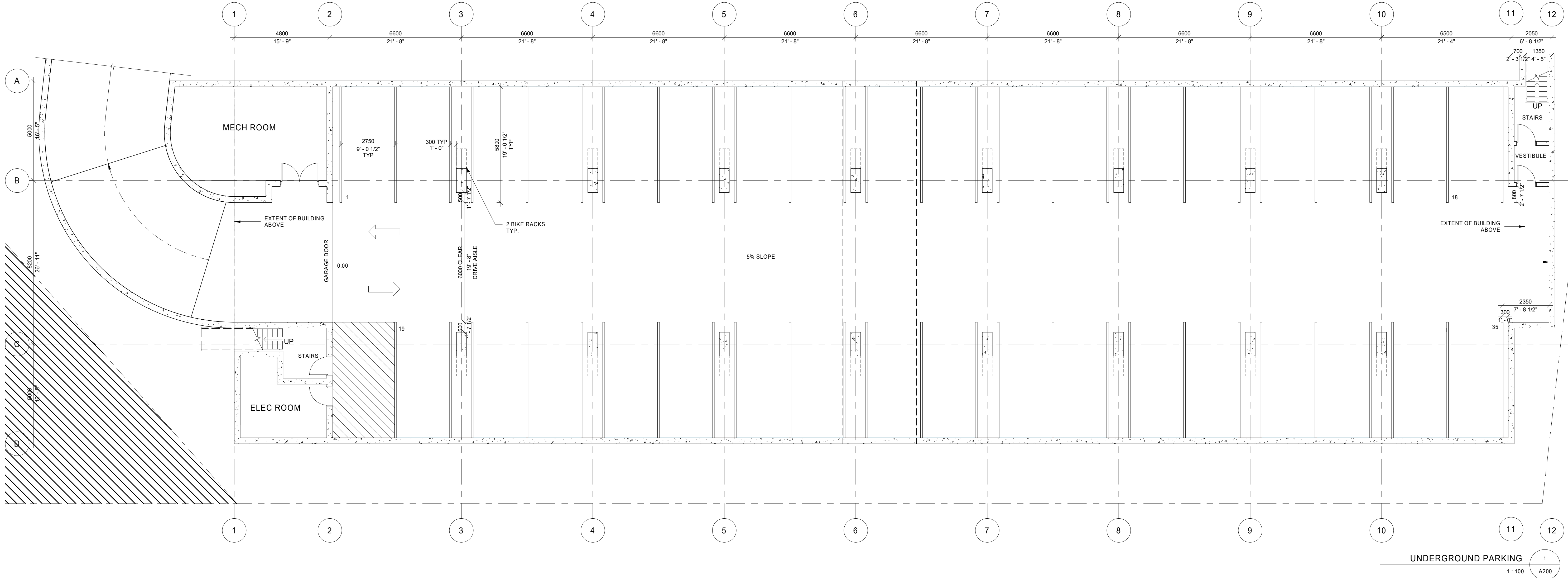
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CHECKED BY:	GD	SCALE:	1 : 100

PROJECT NO. **19018**

DRAWING NO. **A204**

FILE NAME: C:\Users\cgs\Documents\19018\19018\_0003\_Site\_A\_01\_2020.dwg  
PLOT DATE: 2020/11/12 11:05:49 PM





REVISIONS		
No.	DESCRIPTION	DATE
1	RE-ISSUED FOR ZBA	2020/11/20
2	ISSUED FOR ZBA	2020/11/13
1	TOWN ISSUANCE	2020/10/20

DISCREPANCIES MUST BE REPORTED IMMEDIATELY TO THE ARCHITECT BEFORE PROCEEDING. ONLY FIGURED DIMENSIONS MUST BE USED. THE CONTRACTOR MUST CHECK THE DIMENSIONS ON SITE. THE DRAWING IS PROTECTED BY COPYRIGHT. ALL DIMENSIONS ARE SHOWN IN MILLIMETERS.

DO NOT SCALE THE DRAWINGS.

**mcCallumSather**  
Westinghouse HQ, 2nd Floor  
286 Sanford Ave. N  
Hamilton, ON L8L 6A1  
905.526.6700  
[www.mccallumsather.com](http://www.mccallumsather.com)

SEAL:
CONSULTANTS:

PROJECT:  
**BOYNE URBAN BRITANNIA ROAD**

**8671 - 8751 BRITANNIA ROAD, MILTON**

DRAWING TITLE:  
**UNDERGROUND PARKING**

DRAWN BY:	SW	DATE:	2020/11/20
CHECKED BY:	GD	SCALE:	1:100

PROJECT NO: **19018**

DRAWING NO: **A200**

FIGURE 4  
DS-065-23



PROPOSED TYP EAST ELEVATION



PROPOSED TYP NORTH ELEVATION



PROPOSED TYP WEST ELEVATION



PROPOSED TYP SOUTH ELEVATION

## TYP PROPOSED ELEVATIONS

BLOCKS A,B & C

**mcCallumSather**

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19018\_8671 & 8751 Britannia Road





## PROPOSED STREET PERSPECTIVES

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19018\_8671 & 8751 Britannia Road





## PROPOSED STREET PERSPECTIVES

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905.526.6700

19018\_8671 & 8751 Britannia Road





**PROPOSED  
AERIAL PERSPECTIVES**

**mcCallumSather**

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905.526.6700

19018\_8671 & 8751 Britannia Road





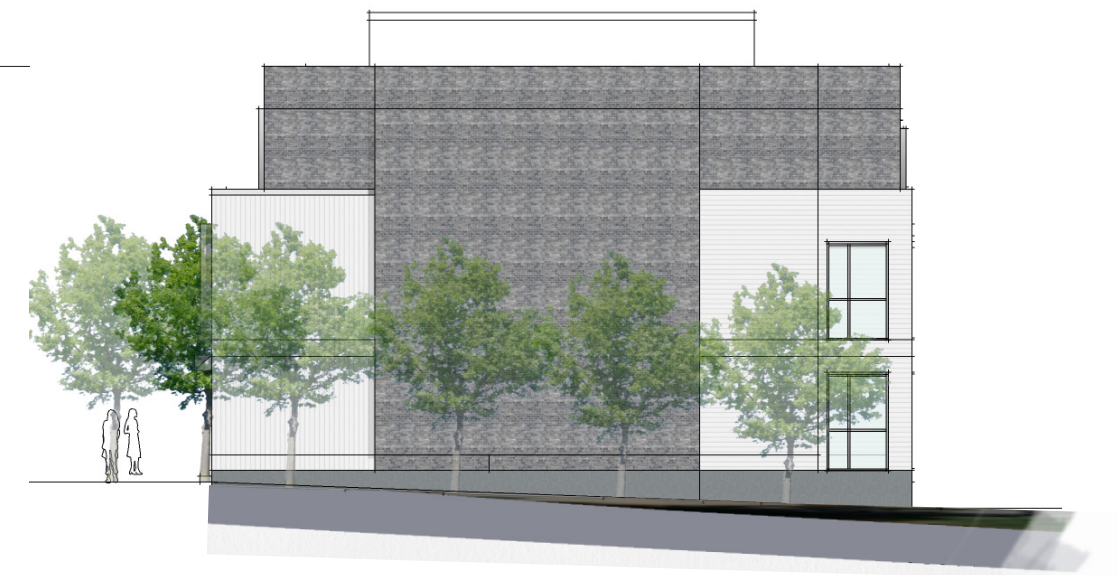
PROPOSED TYP NORH ELEVATION



PROPOSED TYP EAST ELEVATION



PROPOSED TYP SOUTH ELEVATION



PROPOSED TYP WEST ELEVATION

## TYP PROPOSED ELEVATIONS

BLOCKS D1 & D2

**mcCallumSather**

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19018\_8671 & 8751 Britannia Road





**PROPOSED  
STREET PERSPECTIVES**

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19018\_8671 & 8751 Britannia Road





## PROPOSED STREET PERSPECTIVES

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## PROPOSED STREET PERSPECTIVES

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## PROPOSED AERIAL PERSPECTIVES

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19018\_8671 & 8751 Britannia Road







THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-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* IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 6, CONCESSION 3, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (BOYNE URBAN DEVELOPMENT INC.) - FILE: Z-02/21

**WHEREAS** the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended;

**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. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) zone symbol to a Residential Medium Density II - Special Provision 340 (RMD2\*340) zone symbol on the land shown on Schedule A attached hereto.
2. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.340 to read as follows:

**Residential Medium Density II - Special Provision 340 (RMD2\*340) Zone**

Notwithstanding any definition and provision in the by-law to the contrary, the following shall apply:

i) Additional Permitted Uses:

- a. Stacked Townhouse Dwelling, subject to the zoning standards for Multiple Dwelling except where further amended by this bylaw.

ii) Zone Standards for All Dwelling Types:

- a. Minimum Front Yard Setback (Hickory Crescent): 2.0 metres
- b. Minimum Interior Side Yard Setback: 1.2 metres
- c. Minimum Exterior Side Yard Setback (Kennedy Circle W): 2.0 metres
- d. Minimum Rear Yard Setback (Britannia Road): 3.0 metres
- e. Minimum Landscaped open space: 27%

- iii) Special Site Provisions
- a. For the purpose of this zoning by-law, 'Lot' shall mean the perimeter of the aggregate of contiguous parcels of land and/or dwelling units under separate ownership which are described in a Plan of Condominium.
  - b. Minimum off-street parking requirements:
    - i. Resident parking provided in any combination of garage, exclusive use driveway, and common parking areas: 91 spaces;
    - ii. Visitor parking: 16 spaces; and
    - iii. Of the spaces required by i. and ii. above, 2 resident spaces and 1 visitor space shall be accessible parking spaces.
  - c. Maximum width of an exclusive use driveway: 3.6 metres.
  - d. Minimum setback of a parking area from an Interior Side Lot line: 1.2 metres.
  - e. Minimum setback of a parking structure from an Interior Side Lot line: 0.3 metres.
  - f. A minimum setback of 3.0 metres shall be permitted from any wall or structure enclosing an exit or entrance ramp above or below grade to a street line abutting a public street provided that the ramp is not directly accessible from the public street.
  - g. Section 5.9 v) shall not apply.
3. 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 DECEMBER 18, 2023.**

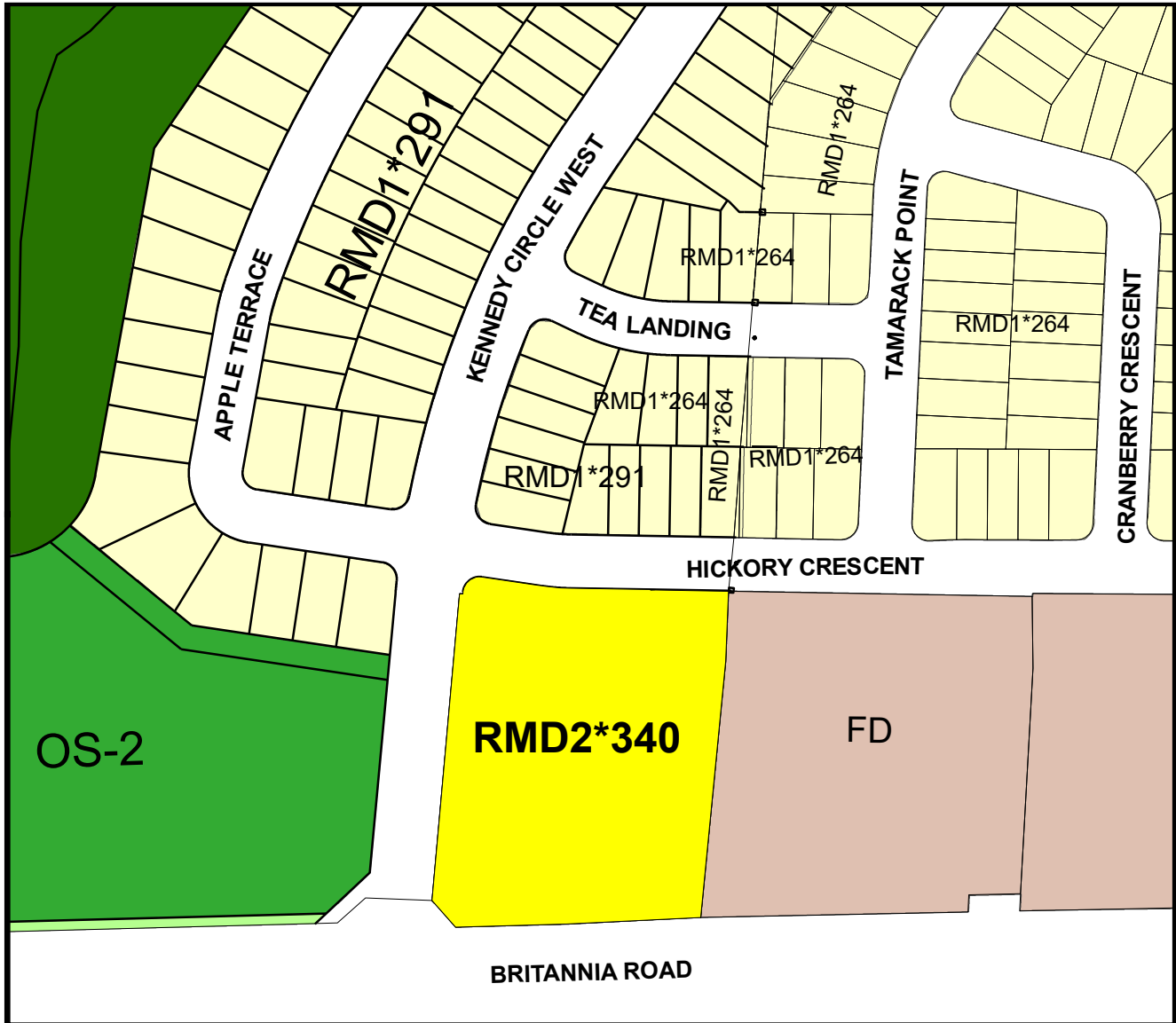
\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Meaghan Reid Town Clerk




SCHEDULE A  
TO BY-LAW NO. -2023  
TOWN OF MILTON

PART OF LOT 6, CONCESSION 3, N.S  
*Town of Milton*



THIS IS SCHEDULE A  
TO BY-LAW NO. -2023 PASSED  
THIS \_\_\_ DAY OF \_\_\_\_\_, 2023.

 RMD2\*340 - Residential Medium Density II  
Special Provision 340

\_\_\_\_\_  
MAYOR - Gordon A. Krantz

\_\_\_\_\_  
CLERK - Meaghen Reid



## PARTNERS:

**GLEN SCHNARR**, MCIP, RPP**GLEN BROLL**, MCIP, RPP**COLIN CHUNG**, MCIP, RPP**JIM LEVAC**, MCIP, RPP

July 19, 2021

Refer To File: 265-033

Town of Milton  
Development Services  
150 Mary Street  
Milton, ON  
L9T 6Z5

Attention: Barbara Koopmans, MPA, MCIP, RPP, CMO  
Commissioner, Development Services

**Re: Public Meeting for 8671 & 8751 Britannia Road, Milton  
Staff Report DS-057-21 (July 19, 2021)  
Comments from Mil Con Three Development Ltd.  
(Fieldgate Developments)  
Boyne Survey Secondary Plan Area  
Town of Milton, Regional Municipality of Halton**

---

Glen Schnarr & Associates Inc. (GSAI) are the planning consultants representing Mil Con Three Developments Limited (Fieldgate Developments). We read with interest the staff report related to this evening's public meeting related to 8671 & 8751 Britannia Road which is immediately adjacent to our clients' lands.

We note that the proposal for 64 townhouse dwelling units on the subject lands will be accommodated within "*five, 3-storey townhouse blocks connected by a one-way private road with access to/from Hickory Crescent that will be constructed as part of the adjacent Mil Con 3 (Fieldgate) subdivision*". We also note that the staff report acknowledges that the applicant is in the process of acquiring two smaller parcels of land (i.e. a small triangular parcel from the adjacent church property, and **a residential reserve located on the south side of the future Hickory Crescent within the Mil Con 3 (Fieldgate) subdivision**). The report specifies that in order for the applicant to advance the consent application relating to the acquisition of the residential reserve from the Mil Con 3 subdivision, the lands must first be draft approved and that staff anticipates draft approval of the Mil Con 3 subdivision in the very near future. We wish to acknowledge that our clients (Fieldgate Developments) look forward to working with this owner (Boyne Urban Development Inc.) to secure a purchase and sale agreement to facilitate the sale of these lands to allow for this townhouse development to proceed.

10 KINGSBRIDGE GARDEN CIRCLE  
SUITE 700  
MISSISSAUGA, ONTARIO  
L5R 3K6  
TEL (905) 568-8888  
FAX (905) 568-8894  
www.gsai.ca



We also wish to note that this proposed development will also be subject to cost sharing obligations related to both the road and servicing connection components of this proposed development. Our clients are looking forward to working with the owner in that regard, as well.

Please continue to keep us apprised of any future meetings related to this project and do not hesitate to contact the undersigned at 905-568-8888 x235 if you have any questions related to this submission.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

---

Karen Bennett, MCIP, RPP  
Senior Associate

c. Mil Con Three Developments Limited



## THE CORPORATION OF THE TOWN OF MILTON

### NOTICE OF MOTION

INTRODUCTION DATE: December 18, 2023

SUBJECT: Support for Halton Police Board Resolution re: Auto Theft in Canada

CONSIDERATION DATE: December 18, 2023

MOVED BY: Councillor Ali

SECONDED BY: Councillor Malboeuf

**WHEREAS** Automobile theft continues to be a serious issue in Canada, with thefts exceeding \$1 billion in value having occurred in Canada in 2022 (according to Équité Association);

**WHEREAS** Ontario experienced in excess of 30,000 auto thefts in 2022, equating to more than 3 every hour;

**WHEREAS** within Halton itself, there were 1,302 reported auto thefts in 2022, marking an alarming rise of 49.3% from the previous year and in the first three months of 2023 vehicle thefts were at 421 which is a 77.7% increase over the same time frame in 2022;

**WHEREAS** Auto theft is a national concern that requires the collective commitment of the government, the automobile industry, law enforcement agencies, the insurance industry, and other stakeholders;

**WHEREAS** there is a pressing need for more advanced and widespread preventive measures and strategies to curb the rising trend of auto thefts;

**WHEREAS** at its meeting of June 29, 2023, the Halton Police Board adopted a resolution included as Attachment #1 calling on the Government of Canada, automobile manufacturers and the insurance industry to embrace a comprehensive approach to combating auto theft in Canada;

**NOW THEREFORE BE IT RESOLVED THAT** the Town of Milton Council supports the resolution of the Halton Police Board on the approach to combating auto theft in Milton, Halton Region and Canada;



**AND THAT** a copy of this resolution be sent to Hon. Arif Virani, Federal Minister of Justice and Attorney General of Canada, the Hon. Dominic LeBlanc, Federal Minister of Public Safety, the Hon. Harjit Sajjan, Federal Minister of Emergency Preparedness, the Hon. Doug Downey, Attorney General of Ontario, the Hon. Michael Kerzner, Solicitor General of Ontario, Halton MP's and MPP's, the Canadian Automobile Association, the Insurance Bureau of Canada, Équité Association, the Canadian Association of Police Governance, the Ontario Association of Police Boards and all Halton municipalities for their information and action.



**VIA EMAIL**

The Hon. David Lametti, PC, MP, Federal Minister of Justice and Attorney General of Canada  
The Hon. Marco Mendicino, PC, MP, Federal Minister of Public Safety  
The Hon. Bill Blair, PC, MP, Federal Minister of Emergency Preparedness  
The Hon. Doug Downey, MPP, Attorney General of Ontario  
The Hon. Michael Kerzner, MPP, Solicitor General of Ontario  
The Hon. Karina Gould, PC, MP – Burlington  
The Hon. Anita Anand, PC, MP – Oakville  
The Hon. Michael Chong, PC, MP – Wellington-Halton Hills  
Pam Damoff, MP – Oakville North-Burlington  
Adam van Koeverden, MP – Milton  
The Hon. Ted Arnott, MPP – Wellington-Halton Hills  
The Hon. Parm Gill, MPP – Milton  
Natalie Pierre, MPP – Burlington  
Stephen Crawford, MPP – Oakville  
Effie Triantafilopoulos, MPP – Oakville North-Burlington  
Gary Carr, Chair, Halton Regional Council  
Tim Shearman, President, Canadian Automobile Association  
Celyeste Power, President & CEO, the Insurance Bureau of Canada  
Terri O'Brien, CEO, Équité Association  
Andrew Minor, President, Canadian Association of Police Governance  
Patrick Weaver, Chair, Ontario Association of Police Boards

July 6, 2023

---

Please be advised that at its meeting held Thursday, June 29, 2023, the Halton Police Board adopted the following resolution:

**RE: Auto Theft Advocacy Approach**

*WHEREAS, automobile theft continues to be a serious issue in Canada, with thefts exceeding \$1 billion in value having occurred in Canada in 2022 (according to Équité Association);*

*WHEREAS, Ontario experienced in excess of 30,000 auto thefts in 2022, equating to more than 3 every hour;*

*WHEREAS, within Halton itself, there were 1,302 reported auto thefts in 2022, marking an alarming rise of 49.3% from the previous year and in the first three months of 2023 vehicle thefts were at 421 which is a 77.7%% increase over the same time frame in 2022;*

*Excellence in Governance*



*WHEREAS auto theft is a national concern that requires the collective commitment of the government, the automobile industry, law enforcement agencies, the insurance industry, and other stakeholders;*

*WHEREAS the Halton Police Board acknowledges the tireless efforts of all law enforcement agencies and recognizes the considerable investments made by automobile manufacturers and the insurance industry in vehicle security systems and the prevention;*

*WHEREAS each stolen auto represents a significant threat to the health and safety of first responders, and to members of the public, given the reckless manner in which they are driven, and the wanton disregard for public safety;*

*WHEREAS the Province of Ontario has contributed significantly towards combating this crime with the provision of \$52 Million towards enforcement initiatives and education;*

*WHEREAS there still exists a pressing need for more advanced and widespread preventive measures and strategies to curb the rising trend of auto thefts;*

*NOW, THEREFORE, BE IT RESOLVED, that the Halton Police Board hereby appeals to:*

1. *The Government of Canada, to:*
  - a. *Develop and implement stricter regulations on the trade and handling of stolen automobiles and automobile parts;*
  - b. *Provide more robust support to national and local law enforcement agencies in the form of funding, resources, and legislation to combat auto theft;*
  - c. *Promote public awareness campaigns focused on prevention measures and the societal costs associated with auto theft;*
  - d. *Leverage the Canadian Border Services Agency (CBSA) authorities and powers to inspect shipment containers before they leave The Port of Montreal or other Ports in Canada, and also ensure the involvement of the RCMP in assisting in doing so at major national and international ports;*
  - e. *Encourage collaboration and intelligence sharing between law enforcement, customs, and port authorities to increase the efficacy of interception efforts;*



- f. *Enact legislation requiring the inclusion of theft-deterrent technologies in new vehicle models as a condition of import, to ensure that all vehicles entering Canada have appropriate security measures in place;*
  2. *Automobile Manufacturers, to:*
    - a. *Increase investment in developing and implementing innovative, theft-deterrent technologies in new vehicle models;*
    - b. *Collaborate with law enforcement agencies and other relevant stakeholders in sharing information and best practices regarding vehicle security;*
    - c. *Establish robust tracking systems and rapid response protocols for stolen vehicles to increase the chances of recovery and prosecution;*
  3. *Insurance Industry, to:*
    - a. *Collaborate with automobile manufacturers to incentivize the inclusion of the deterrent technologies in vehicles through reduced premium rates;*
    - b. *Support public awareness initiatives about the importance of vehicle security and the impact of auto theft on insurance premiums;*
    - c. *Strengthen cooperation with law enforcement agencies by sharing data that could assist in identifying theft trends and potentially stolen vehicles;*

*BE IT FURTHER RESOLVED that the Halton Police Board urges other police service boards across Canada to echo this call for action, facilitating a united, national approach to tackling auto theft.*

*AND THAT a copy of this resolution be forwarded to the Hon. David Lametti, Federal Minister of Justice and Attorney General of Canada, the Hon. Marco Mendicino, Federal Minister of Public Safety, the Hon. Bill Blair, Federal Minister of Emergency Preparedness, the Hon. Doug Downey, Attorney General of Ontario, the Hon. Michael Kerzner, Solicitor General of Ontario, Halton MP's and MPP's, Halton Regional Council, the Canadian Automobile Association, the Insurance Bureau of Canada, Équité Association, the Canadian Association of Police Governance and the Ontario Association of Police Boards for their information and action.*





**HALTON  
POLICE  
BOARD**  
EXCELLENCE IN GOVERNANCE

On behalf of the Halton Police Board, we request that you consider endorsement of this resolution.

Sincerely,

Jeff Knoll  
Chair, Halton Police Board

cc: Stephen Tanner, Chief of Police  
Fred Kaustinen, Chief Governance Officer, Halton Police Board

*Excellence in Governance*



# The Corporation of the Town of Milton

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Report To: Council

From: Glen Cowan, Chief Financial Officer / Treasurer  
Doug Sampano, Senior Director - Facilities, Operations & Environment

Date: December 18, 2023

Report No: CORS-061-23

Subject: Municipal Capital Facilities Designation - Turf Dome

Recommendation: **THAT the Council of the Town of Milton hereby determines and declares that the Seasonal Air Supported Structure and Dome Operation (the "Dome") located at St. Francis Xavier Secondary School and operated via sub-lease agreement with Razor Management Inc. serves a municipal purpose in the form of providing programmable recreational space for public use.**

**THAT the Council of the Town of Milton hereby designates the Dome as operated via agreement with Razor Management Inc. as a municipal capital facility under Section 110 of the Municipal Act, 2001.**

**THAT the necessary by-law, included on the December 18, 2023 Council meeting agenda to designate the municipal capital facility be considered.**

**THAT subject to the approval of the aforementioned by-law to designate, the Town Clerk notify the Minister of Finance, the Municipal Property Assessment Corporation, the Region of Halton, and the four local School Boards within the Town of Milton of the passage of the By-law.**

## EXECUTIVE SUMMARY

- The Municipal Act, 2001 allows exemption from taxation or development charges municipal capital facilities that are established through agreements between the municipality and another party for public use.
- The Town of Milton has executed a sub-lease with Razor Management Inc. for the seasonal air supported structure and dome operation at St. Francis Xavier Secondary School for a period of 21 years less a day.

## EXECUTIVE SUMMARY

- The agreement provides for public access and community programs at the Dome with hours and fees that are established in consultation with the Town.
- The establishment of a municipal capital facilities by-law for the site will allow the operation to continue to remain exempt from property taxes during the term of the agreement with the Town for the provision of the public service.

## REPORT

### Background

In May 2023 through CORS-031-23, Council authorization was provided for the Town (the lessor) to enter into a 21-year less one day sub-lease agreement with Razor Management Inc. (the lessee) for a Seasonal Air Supported Structure and Dome Operator Services. The award followed a competitive request for proposal process, and included the Town providing the grade beam and field house at the Milton Indoor Turf Facility (the “Dome”) located at St. Francis Xavier Secondary School, through a lease agreement with the lessee. The site is property of Halton Catholic District School Board (HCDSB) and this arrangement will be a subletting from the Town’s agreement with the Board. The Board retains ownership and access to the field and facility during school hours and dates subject to the school calendar.

Since May 2023, the Town with the support of legal counsel has engaged in negotiations with the lessee to establish the final terms of the lease in order to ensure a timely opening of the facility for programming in 2023. As part of those discussions, and as contemplated in CORS-031-23, the potential to designate the facility as a municipal capital facility under Section 110 of the Municipal Act, 2001 was further explored. A final sub-lease agreement was executed between the Town and the lessee on September 29, 2023. Included within the terms was the need for the Town to present to Town Council for consideration a by-law to designate the facility under Section 110 within four months of the execution of the agreement. As such, presentation of this report and the related by-law (also on tonight’s agenda) are timely.



## Discussion

### Section 110 of the Municipal Act 2001

An excerpt of Section 110 is provided as Appendix 1 to this report and summarized here. Section 110 pertains to situations wherein a municipality has entered into an agreement with another party for the provision of a facility that qualifies as a municipal capital facility. Where such an agreement exists, the Act allows for assistance to be provided by the municipality, as well as for property tax and development charge exemptions, so long as they are only in respect to the provision, lease, operation or maintenance of the facility that is the subject of the agreement between the parties.

When Section 110 is utilized, the Town's clerk is required to provide written notice of the by-law to the Minister of Finance, the Municipal Property Assessment Corporation, other impacted Municipalities (i.e. the Region of Halton) and the affected School Boards.

The by-law utilized is authorized to establish an effective date that is on the date of passing said by-law or at a later date. Section 357 of the Act applies with any necessary modifications to allow for a cancellation or refund of taxes that are no longer payable as a result of a by-law under Section 110, and the treasurer shall strike taxes from the tax roll that are exempted.

### Ontario Regulation 603/06

This regulation accompanies the Act and provides further clarity with respect to the eligibility and framework to be utilized for Section 110. It outlines the classes of municipal facilities to which the Act applies and related requirements in order for the facility to attract the property tax and development charge exemption.

In the case of the Town's agreement with the lessee, the following eligible use from O.Reg 603/06 is applicable:

2. (1) For the purpose of exempting land from taxation under subsection 110 (6) of the Act, a municipality may enter into an agreement under subsection 110 (1) of the Act for the provision of the following classes of municipal capital facilities:

16. Municipal facilities used for cultural, recreational or tourist purposes.

As such, and as required by section 6 of the regulation, the municipal capital facility (including land) must be owned by the municipality or another public sector entity upon reversion of the

## Discussion

land, and the Council of the municipality must declare by resolution that the facility is for a municipal purpose and for public use.

### **Application of Section 110 to the Seasonal Air Supported Structure and Dome Operation**

As outlined in report COMS-004-23, the dome at St. Francis Xavier Secondary School has operated since 2013 as a partnership between the Halton District School Board and the Town of Milton. The Town historically oversaw the operation of the facility including the installation and removal on a seasonal basis, the school board leased the space utilized to the Town, and both parties cost shared on certain elements of the facility (example - cost of turf). Following the significant weather damage to the existing dome in 2022, the Town and School Board re-evaluated the current operating model and identified the potential to undertake a competitive request for proposal process in order to transfer a number of responsibilities to the private sector.

Based on the results of that competitive process, Razor Management Inc. was identified as the successful vendor and an agreement has been executed. Key aspects of that agreement that support the designation of this facility as a municipal capital facility during the term of the agreement include:

- The vendor will supply, install, operate and maintain an air supported structure to provide rental opportunities primarily for Milton youth at this location, which be will surrendered to the Town at the termination of the sub-lease term.
- The vendor shall provide for public access and community programs, maintain operating hours and fees that are to the satisfaction of the Town, and comply with the current agreement between the Town and the HCDSB.
- Operation of the Dome will focus on the period from October 1st to April 30th each year.
- Access for the HCDSB during school hours and dates subject to the school calendar.

As such, the dome will continue to meet the needs of the community and school board, with operating hours, fees and programming that the Town will continue to have a role in establishing in conjunction with the vendor.

By approving the resolutions that are recommended herein and the related by-law on the same meeting agenda, there will be certainty that the location will continue to operate with a similar property tax and development charge exemption status as has been historically applicable for the use of this location.

With respect to property taxes, the operation of the dome has historically not attracted any such cost as municipal and school board uses are exempt under 3(9) of the Assessment Act,

## Discussion

RSO 1990, c A.31. For private sector operators, a commercial property tax assessment (and therefore tax rate) would otherwise be applicable for private operation of this form of facility. Given the terms of the agreement with Razor specifically require that the operation of the dome at St. Francis Xavier to resemble a municipally owned facility (with respect to public use, fees and hours of operation), it is appropriate to utilize Section 110 during the term of the agreement with the Town of Milton.

Under the Town's Development Charge By-law (By-law 045-2021), development charges are not imposed on seasonal air supported structures so long as they are erected for a maximum of 6 months during a year. Nevertheless, the utilization of Section 110 may provide for additional flexibility in the scheduling of the dome if required and ensure that the treatment of development charges remains consistent with a scenario where the Town and School Board continued to operate it directly.

## Financial Impact

The utilization of Section 110 for the seasonal air supported dome at St. Francis Xavier will ensure that the treatment of property taxes and development charges remains consistent with existing practice at the site (i.e. exempt) so long as an agreement remains in place with the lessee to operate the facility for the intended purpose.

The terms of the agreement between the Town and Razor Management Inc. were previously established through a competitive request for proposal process and are reflected in the executed contract.

Respectfully submitted,

Glen Cowan  
Chief Financial Officer / Treasurer

Doug Sampano  
Senior Director - Facilities, Operations & Environment

For questions, please contact:     Doug Sampano, Senior Director,     Phone Ext. 2547  
   Facilities, Operations &  
   Environment

Glen Cowan, CFO / Treasurer     Phone: Ext. 2151





## Attachments

Appendix 1 - Section 110 of the Municipal Act

Appendix 2 – Draft 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.

## **Appendix A - Excerpt of Section 110 of the Municipal Act, 2001**

### **Agreements for municipal capital facilities**

**110** (1) This section applies to an agreement entered into by a municipality for the provision of municipal capital facilities by any person, including another municipality, if the agreement provides for one or more of the following:

1. Lease payments in foreign currencies as provided for in subsection (2).
2. Assistance as provided for in subsection (3).
3. Tax exemptions as provided for in subsection (6).
4. Development charges exemptions as provided for in subsection (7). 2006, c. 32, Sched. A, s. 51.

### **Contents of agreements**

(2) An agreement may allow for the lease, operation or maintenance of the facilities and for the lease payments to be expressed and payable partly or wholly in one or more prescribed foreign currencies. 2001, c. 25, s. 110 (2).

### **Assistance by municipality**

(3) Despite section 106, a municipality may provide financial or other assistance at less than fair market value or at no cost to any person who has entered into an agreement to provide facilities under this section and such assistance may include,

- (a) giving or lending money and charging interest;
- (b) giving, lending, leasing or selling property;
- (c) guaranteeing borrowing; and
- (d) providing the services of employees of the municipality. 2001, c. 25, s. 110 (3).

### **Restriction**

(4) The assistance shall only be in respect of the provision, lease, operation or maintenance of the facilities that are the subject of the agreement. 2001, c. 25, s. 110 (4).

### **Notice of agreement by-law**

(5) Upon the passing of a by-law permitting a municipality to enter into an agreement under this section, the clerk of the municipality shall give written notice of the by-law to the Minister of Finance. 2001, c. 25, s. 110 (5); 2015, c. 27, Sched. 5, s. 4 (2).

## **Appendix A - Excerpt of Section 110 of the Municipal Act, 2001**

### **Tax exemption**

(6) Despite any Act, the council of a municipality may exempt from all or part of the taxes levied for municipal and school purposes land or a portion of it on which municipal capital facilities are or will be located that,

- (a) is the subject of an agreement under subsection (1);
- (b) is owned or leased by a person who has entered an agreement to provide facilities under subsection (1); and
- (c) is entirely occupied and used or intended for use for a service or function that may be provided by a municipality. 2001, c. 25, s. 110 (6); 2006, c. 19, Sched. O, s. 3 (1).

### **Development charges exemption**

(7) Despite the *Development Charges Act, 1997*, the council of a municipality may exempt from the payment of all or part of the development charges imposed by the municipality under that Act land or a portion of it on which municipal capital facilities are or will be located that,

- (a) is the subject of an agreement under subsection (1);
- (b) is owned or leased by a person who has entered an agreement to provide facilities under subsection (1); and
- (c) is entirely occupied and used or intended for use for a service or function that may be provided by a municipality. 2006, c. 19, Sched. O, s. 3 (2).

### **Notice of tax exemption by-law**

(8) Upon the passing of a by-law under subsection (6), the clerk of the municipality shall give written notice of the contents of the by-law to,

- (a) the assessment corporation;
- (b) the clerk of any other municipality that would, but for the by-law, have had authority to levy rates on the assessment for the land exempted by the by-law; and
- (c) the secretary of any school board if the area of jurisdiction of the board includes the land exempted by the by-law. 2001, c. 25, s. 110 (8).

### **When agreement entered into**

(9) If a municipality designated as a service manager under the *Housing Services Act, 2011* has entered into an agreement under this section with respect to housing capital facilities, any other municipality that has not entered into an agreement under this section with respect to the capital facilities and that contains all or part of the land on which the



## **Appendix A - Excerpt of Section 110 of the Municipal Act, 2001**

capital facilities are or will be located may exercise the power under subsections (3), (6) and (7) with respect to the land and the capital facilities but,

- (a) a tax exemption under subsection (6) applies to taxation for its own purposes; and
- (b) clauses (8) (b) and (c) do not apply. 2001, c. 25, s. 110 (9); 2011, c. 6, Sched. 1, s. 187 (1).

### **Reserve fund**

(10) The council of a municipality may establish a reserve fund to be used for the exclusive purpose of renovating, repairing or maintaining facilities that are provided under an agreement under this section. 2001, c. 25, s. 110 (10).

### **Same**

(11) An agreement under this section may provide for contributions to the reserve fund by any person. 2001, c. 25, s. 110 (11).

### **Tax exemption by school board**

(12) Despite any Act, a school board that is authorized to enter into agreements for the provision of school capital facilities by any person may, by resolution, exempt from all or part of the taxes levied for municipal and school purposes land or a portion of it on which the school capital facilities are or will be located that,

- (a) is the subject of the agreement;
- (b) is owned or leased by a person who has entered an agreement to provide school capital facilities; and
- (c) is entirely occupied and used or intended for use for a service or function that may be provided by a school board. 2001, c. 25, s. 110 (12); 2006, c. 19, Sched. O, s. 3 (3).

### **Education development charges exemption**

(13) Despite Division E of Part IX of the *Education Act*, a school board that is authorized to enter into agreements for the provision of school capital facilities by any person may exempt from the payment of all or part of the education development charges imposed by the school board under that Part land or a portion of it on which school capital facilities are or will be located that,

- (a) is the subject of the agreement;
- (b) is owned or leased by a person who has entered an agreement to provide school capital facilities; and

## **Appendix A - Excerpt of Section 110 of the Municipal Act, 2001**

- (c) is entirely occupied and used or intended for use for a service or function that may be provided by a school board. 2006, c. 19, Sched. O, s. 3 (4).

### **Notice of tax exemption by school board**

(14) Upon the passing of a resolution under subsection (12), the secretary of the school board shall give written notice of the contents of the resolution to,

- (a) the assessment corporation;
- (b) the clerk and the treasurer of any municipality that would, but for the resolution, have had authority to levy rates on the assessment for the land exempted by the resolution; and
- (c) the secretary of any other school board if the area of jurisdiction of the board includes the land exempted by the resolution. 2001, c. 25, s. 110 (14).

### **Restriction on tax exemption**

(15) The tax exemption under subsection (6) or (12) shall not be in respect of a special levy under section 311 or 312 for sewer and water. 2001, c. 25, s. 110 (15).

### **Effective date**

(16) A by-law passed under subsection (6) or (7) or a resolution passed under subsection (12) or (13) shall specify an effective date which shall be the date of passing of the by-law or resolution or a later date. 2006, c. 19, Sched. O, s. 3 (5).

### **Tax refund, etc.**

(17) Section 357 applies with necessary modifications to allow for a cancellation, reduction or refund of taxes that are no longer payable as a result of a by-law or resolution passed under this section. 2001, c. 25, s. 110 (17).

### **Taxes struck from roll**

(18) Until the assessment roll has been revised, the treasurer of the local municipality shall strike taxes from the tax roll that are exempted by reason of a by-law or resolution passed under this section. 2001, c. 25, s. 110 (18).

### **Deemed exemption**

(19) Subject to subsection (15), the tax exemption under subsection (6) or (12) shall be deemed to be an exemption under section 3 of the *Assessment Act*, but shall not affect a payment required under section 27 of that Act. 2001, c. 25, s. 110 (19).

## **Appendix A - Excerpt of Section 110 of the Municipal Act, 2001**

### **Regulations**

(20) The Lieutenant Governor in Council may make regulations,

- (a) defining municipal capital facilities for the purposes of this section;
- (b) prescribing eligible municipal capital facilities that may and may not be the subject of agreements under subsection (1);
- (c) prescribing eligible municipal capital facilities for which municipalities may and may not grant tax exemptions under subsection (6) or development charges exemptions under subsection (7);
- (d) prescribing rules, procedures, conditions and prohibitions for municipalities entering agreements under subsection (1);
- (e) defining and prescribing eligible school capital facilities for which school boards may and may not grant tax exemptions under subsection (12) or exemptions from education development charges under subsection (13);
- (f) prescribing foreign currencies in which a municipality may make lease payments under such conditions as may be prescribed. 2001, c. 25, s. 110 (20); 2006, c. 19, Sched. O, s. 3 (6, 7).

### **Section Amendments with date in force (d/m/y)**



## Appendix 2 – Draft By-law

### THE CORPORATION OF THE TOWN OF MILTON

#### BY-LAW NO. XXX-2023

BEING A BY-LAW TO AUTHORIZE A PROPERTY TAX AND DEVELOPMENT CHARGE EXEMPTION FOR SPACE LEASED AT ST. FRANCIS XAVIER SECONDARY SCHOOL BY RAZOR MANAGEMENT INC. FOR THE PURPOSES OF THE PROVISION OF MUNICIPAL CAPITAL FACILITIES AS DEFINED IN SECTION 110 OF THE *MUNICIPAL ACT, 2001*

**WHEREAS** the Town and the Halton Catholic District School Board (“HCDSB”) had entered an agreement for the construction, operation and leasing of an air-supported dome structure over an artificial all-weather turf field at St. Francis Xavier Catholic Secondary School (the “Dome”) located at 1139 Bronte Street South, Milton, Ontario;

**AND WHEREAS** pursuant to subsection 110(6) of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, the council of a municipality may exempt from property taxation and development charges for municipal and school purposes land or a portion of it on which municipal capital facilities are or will be located;

**AND WHEREAS**, pursuant to subsection 2(1) of Ontario Regulation 603/06, the council of a municipality may enter into an agreement under subsection 110(1) of the *Act* for the provision of Municipal facilities for cultural, recreational or tourist purposes;

**AND WHEREAS** the Town of Milton and Razor Management Inc. have entered into a sub-lease agreement in respect to the Dome for the provision of a facility for seasonal recreational purposes to the Town, and a Municipal Capital Facilities designation is therefore appropriate;

**AND WHEREAS** the eligible portions of the property operating and intended to be operated as a seasonal recreational facility are intended to be and declared to be for the purposes of the municipality and for public use.

**NOW THEREFORE**, The Council of the Town of Milton enacts as follows:

1. **In this By-law:**

"Agreement" meant the agreement entered into between the Town of Milton and Razor Management Inc. with respect to the seasonal air supported structure and dome operators services for the location at St. Francis Xavier Secondary School;

## Appendix 2 – Draft By-law

"Clerk" means the Town Clerk;

"Eligible Portion" or "Eligible Portions" means the portion(s) of the Site entirely occupied or used or intended to be used for cultural, recreational or tourist purposes;

"Lessor" means the Town of Milton;

"Lessee" means Razor Management Inc.;

"Person" means any individual, company, corporation, partnership, firm, trust, sole proprietorship, government or government agency, authority or entity, however designated or constituted;

"Site" means the portion of the St. Francis Xavier Secondary School property to which the sub-lease agreement between the Town of Milton and Razor Management Inc. pertains;

"Property Tax and Development Charge Exemption" means the exemption from taxes levied for municipal and school purposes pursuant to section 110(6) of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended.

### **Municipal Capital Facility**

2. This By-law exempts from property taxation and development charges for municipal and school board purposes the leasehold interest of Razor Management Inc. in the Eligible Portion(s) of the Site and shall not operate in any manner whatsoever so as to exempt from taxation for municipal and school board purposes any other leasehold interest, tenancy, sub-lease, sub-tenancy, occupancy, license, user or other interest held by any other tenant, lessee, sub-tenant, sub-lessee, occupant, licensee, user or any other Person at the Site, save and except for the interest of any sub-tenant or assignee resulting from a sub-tenancy or assignment made with Landlord consent pursuant to the Lease.
3. The Property Tax and Development Charge Exemption provided in this By-law shall not apply to any portion of the Site that is not an Eligible Portion at any given time during the term of the Lease.
4. This By-law shall be deemed repealed:
  - (a) if the Town ceases to be the Lessor;
  - (b) if the Razor Management Inc. ceases to be the Lessee without assigning the Lease to its successor with Landlord consent;
  - (c) if the Eligible Portion(s) of the Site permanently cease to be occupied and used or are no longer intended to be occupied and used as a recreational facility for public use; or

## Appendix 2 – Draft By-law

- (d) if the Agreement, or any renewal or extension of the Agreement expires or is terminated.
5. The Agreement is deemed a Municipal Capital Facilities Agreement under section 110 of the *Municipal Act, 2001*, S.O. 2001 c. 25 with Razor Management Inc. for the provision of municipal capital facilities.
6. This By-law shall come into force on the day that the By-law is enacted.

**PASSED IN OPEN COUNCIL ON DECEMBER 18, 2023.**

\_\_\_\_\_  
Gordon A. Krantz

Mayor

\_\_\_\_\_  
Meaghen Reid

Town Clerk



## THE CORPORATION OF THE TOWN OF MILTON

### BY-LAW 098-2023

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* IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 6, CONCESSION 3, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (BOYNE URBAN DEVELOPMENT INC.) - FILE: Z-02/21

**WHEREAS** the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended;

**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. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) zone symbol to a Residential Medium Density II - Special Provision 340 (RMD2\*340) zone symbol on the land shown on Schedule A attached hereto.
2. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.340 to read as follows:

#### **Residential Medium Density II - Special Provision 340 (RMD2\*340) Zone**

Notwithstanding any definition and provision in the by-law to the contrary, the following shall apply:

##### **i) Additional Permitted Uses:**

- a. Stacked Townhouse Dwelling, subject to the zoning standards for Multiple Dwelling except where further amended by this bylaw.

##### **ii) Zone Standards for All Dwelling Types:**

- a. Minimum Front Yard Setback (Hickory Crescent): 2.0 metres
- b. Minimum Interior Side Yard Setback: 1.2 metres
- c. Minimum Exterior Side Yard Setback (Kennedy Circle W): 2.0 metres
- d. Minimum Rear Yard Setback (Britannia Road): 3.0 metres
- e. Minimum Landscaped open space: 27%

iii) Special Site Provisions

- a. For the purpose of this zoning by-law, 'Lot' shall mean the perimeter of the aggregate of contiguous parcels of land and/or dwelling units under separate ownership which are described in a Plan of Condominium.
  - b. Minimum off-street parking requirements:
    - i. Resident parking provided in any combination of garage, exclusive use driveway, and common parking areas: 91 spaces;
    - ii. Visitor parking: 16 spaces; and
    - iii. Of the spaces required by i. and ii. above, 2 resident spaces and 1 visitor space shall be accessible parking spaces.
  - c. Maximum width of an exclusive use driveway: 3.6 metres.
  - d. Minimum setback of a parking area from an Interior Side Lot line: 1.2 metres.
  - e. Minimum setback of a parking structure from an Interior Side Lot line: 0.3 metres.
  - f. A minimum setback of 3.0 metres shall be permitted from any wall or structure enclosing an exit or entrance ramp above or below grade to a street line abutting a public street provided that the ramp is not directly accessible from the public street.
  - g. Section 5.9 v) shall not apply.
3. 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 DECEMBER 18, 2023.**

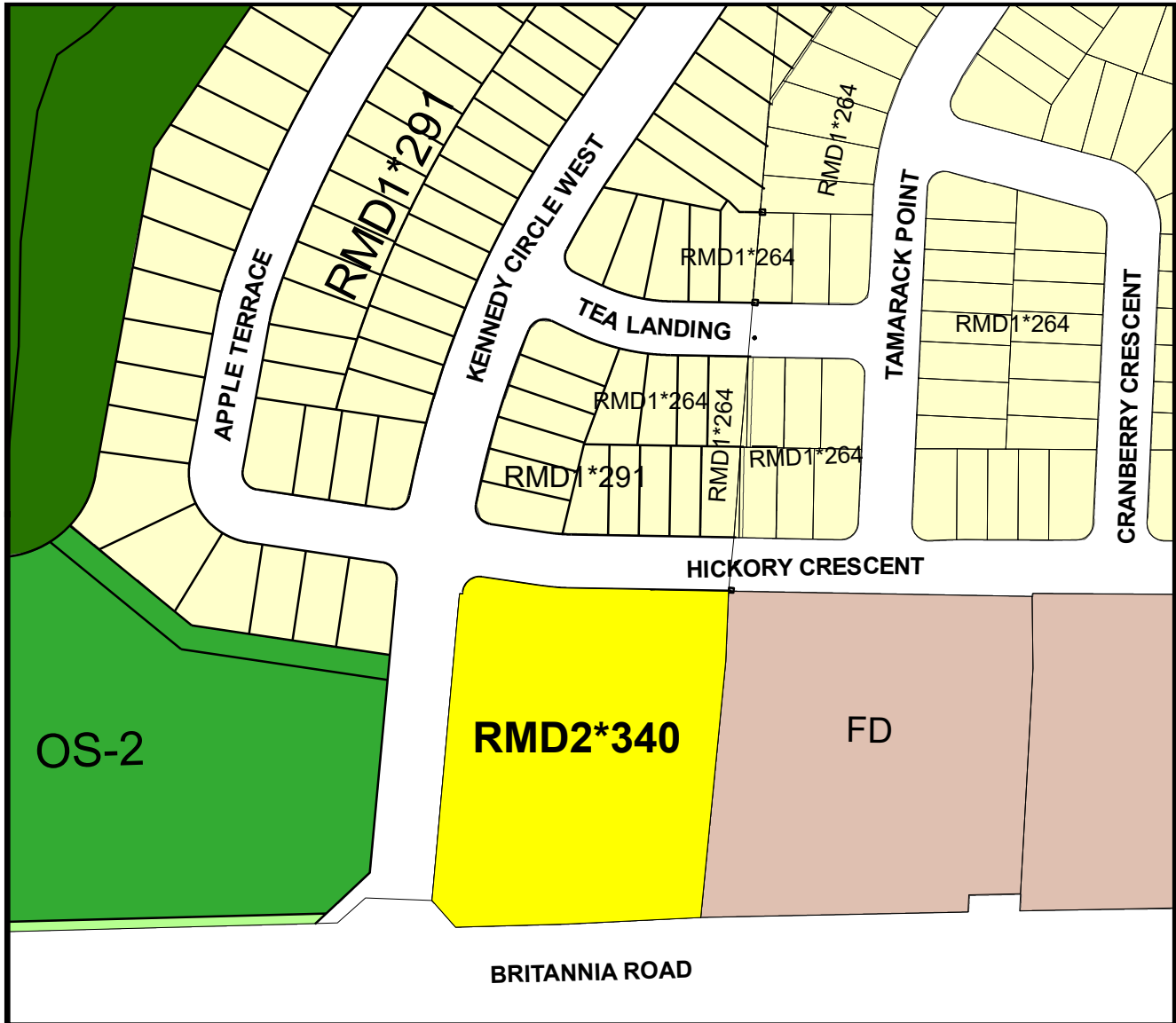
\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Meaghan Reid Town Clerk


SCHEDULE A  
TO BY-LAW NO. 098-2023

TOWN OF MILTON

PART OF LOT 6, CONCESSION 3, N.S  
*Town of Milton*



THIS IS SCHEDULE A  
TO BY-LAW NO. 098-2023 PASSED  
THIS 18 DAY OF DECEMBER, 2023.

 RMD2\*340 - Residential Medium Density II  
Special Provision 340

MAYOR - Gordon A. Krantz

CLERK - Meaghen Reid



**THE CORPORATION OF THE TOWN OF MILTON**

**BY-LAW 099-2023**

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* IN RESPECT OF THE LANDS DESCRIBED AS 150 STEELES AVENUE EAST, PART OF LOT 15, CONCESSION 2, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (150 STEELES MILTON INC.) – FILE: Z-06/23

**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. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Business Park Site Specific (M1\*38) zone symbol to the Natural Heritage System (NHS) zone symbol on the land shown on Schedule A attached hereto.
2. 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 DECEMBER 18, 2023.**

\_\_\_\_\_  
Gordon A. Krantz Mayor

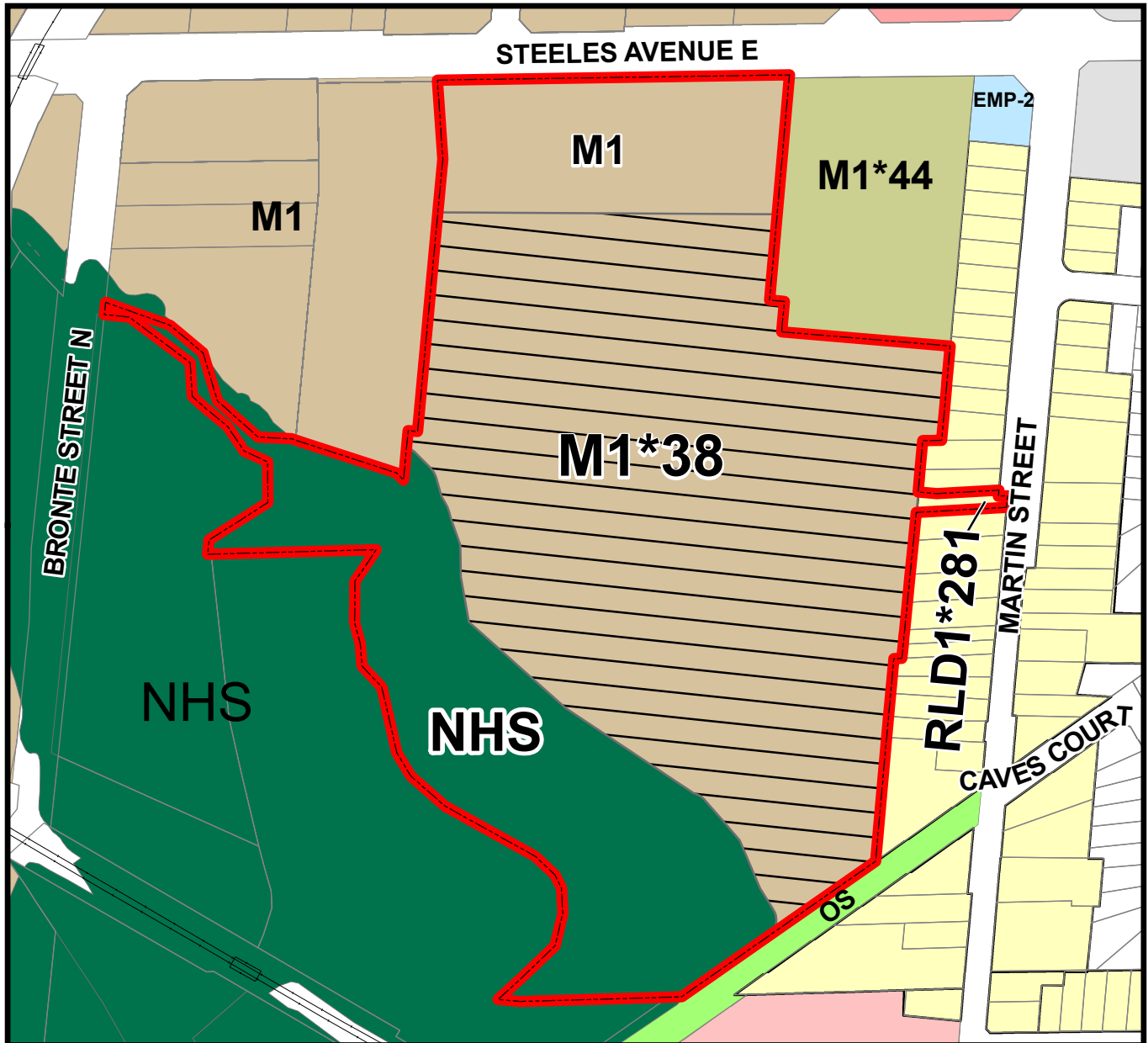
\_\_\_\_\_  
Meaghan Reid Town Clerk

SCHEDULE A  
TO BY-LAW No. 099-2023

TOWN OF MILTON  
150 Steeles Avenue East

PART OF LOT 15, CONCESSION 2 AND PART OF LOT 6, REGISTERED PLAN 364






*Town of Milton*



THIS IS SCHEDULE A  
TO BY-LAW NO. 099-2023 PASSED  
THIS 18th DAY OF DECEMBER, 2023.

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

-  RLD1\*281 - Site Specific Low Density Residential Zone I
-  M1\*38 - Site Specific Business Park Zone
-  NHS - Natural Heritage System
-  M1 - Business Park Zone
-  Subject Lands



## THE CORPORATION OF THE TOWN OF MILTON

### BY-LAW 100-2023

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* IN RESPECT OF THE LANDS DESCRIBED AS 7472 FIFTH LINE, PART OF LOT 13, CONCESSION 5, NEW SURVEY, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MENKES MILTON INDUSTRIAL INC.) – FILE: Z-14/22

**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. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) zone symbol to a site specific Business Park (M1\*339) symbol on the land and adding the Holding (H) symbol H80 on this property as shown on Schedule A attached hereto.

2. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.339 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned the following standards and provisions shall apply:

a. Notwithstanding Section 8.1 – Table 8A Permitted Uses, only the following uses shall be permitted:

- i. Industrial Use;
- ii. Accessory Outdoor Storage;
- iii. Office Building;
- iv. Office Use;
- v. Research & Technology Use;
- vi. School, Adult Education;
- vii. Warehouse/Distribution Centre; and,
- viii. Wholesale Operation.



b. Special Site Provisions:

For lands zoned Business Park (M1\*339) the following additional special site provisions shall apply:

- i. Notwithstanding section 13.1.1.339.A, *Outdoor Storage* is permitted accessory to a permitted *Industrial Use* and/or *Warehouse/Distribution Centre* subject to the required setbacks and lot coverage provisions applicable to the principal use. *Accessory Outdoor Storage* shall be permitted in the *rear yard* and *interior side yard* provided that it is screened from the public street and is not located on any required parking spaces.
  - ii. Notwithstanding the definition of *front lot line*, the *lot line* abutting Main Street East shall be considered the *front lot line*.
  - iii. Notwithstanding the definition of *landscape buffer* and *landscape open space*, landscaping in a *landscape buffer* or *landscape open space* may be located within an easement.
  - iv. Notwithstanding Section 5.8.2, Table 5G, the minimum off-street parking requirement for each individual *Industrial Use* and *Warehouse/Distribution Centre*, including accessory office space, shall be as follows:
    1. For the first 5,000 m<sup>2</sup>, 1 *parking space* per 175 m<sup>2</sup> of *gross floor area* shall be provided.
    2. For additional *gross floor area* above 5,000 m<sup>2</sup>, 1 *parking space* per 200 m<sup>2</sup> of *gross floor area* shall be provided.
  - v. Notwithstanding Section 5.11.1, Table 5K, *loading spaces* shall be permitted to be setback up to 17 metres from a *street line*.
  - vi. Notwithstanding Section 5.12, Table 5L, *parking areas* are permitted to be setback within
    1. 0.0 metres from the southerly line; and,
    2. 1.2 metres from westerly property line.
  - vii. Notwithstanding Section 8.2, Table 8B, a minimum front yard of 8.0 metres shall be permitted.
3. **THAT** Section 13.2 (Holding Provisions) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following conditions for removal of this H80 Holding Provision:

“H80” shall not be removed until:

- a) The owner agrees to demonstrate to the Regional Municipality of Halton that local water services are in place and viable for the site at 7472 Fifth Line.

Through the related Site Plan Control process (SP-34/22), the owner shall contact the Regional Services Permit Section for review and approval of the proposed servicing, to obtain a Regional Services Permit, and pay all necessary fees.

- b) The owner submits to the Regional Municipality of Halton Region an environmental audit which indicates that the environmental condition of the site is suitable for the proposed land use and any supplementary remediation/risk assessments to ensure there are no inherent contaminations within the lands prior to any site alteration.

The Owner is required to comply with Ontario Regulation 153/04 and Halton's Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites.

4. **THAT** Section 13.2 (Holding Provisions) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection 13.2.1.126

For lands zoned Business Park Special Provision 339 (M1\*339) on the property described as 7472 Fifth Line and legally described as Part of Lot 13, Concession 5, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H80” Holding Provision are satisfied.

5. 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 DECEMBER 18, 2023.**

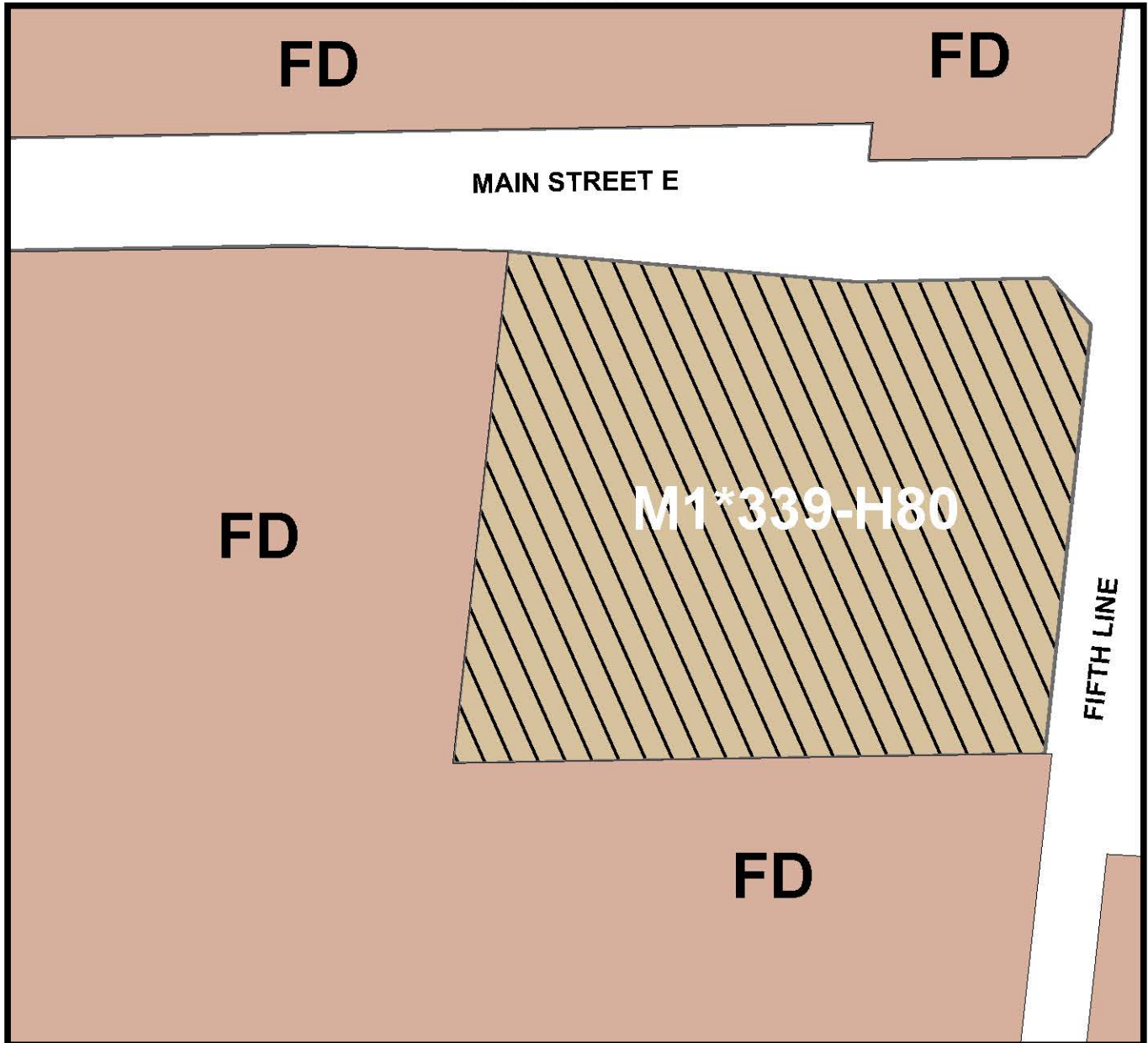
\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Meaghen Reid Town Clerk

SCHEDULE A  
TO BY-LAW No. 100-2023  
TOWN OF MILTON

7472 Fifth Line  
TRAFALGAR CON 5 NS PT LOT 13  
RP 20R18236 PARTS 1 TO 3 RP 20R21568 PARTS 2 3 5 7 TO 9 IRREG 6.71AC FR D

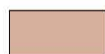
*Town of Milton*



THIS IS SCHEDULE A  
TO BY-LAW NO. 100-23 PASSED THIS  
18th DAY OF DECEMBER, 2023.



M1\*339-H80 - Site Specific Business  
Park Zone with Holding Provision H80



FD - Future Development Zone

\_\_\_\_\_  
MAYOR - Gordon A. Krantz

\_\_\_\_\_  
CLERK- Meaghen Reid





## THE CORPORATION OF THE TOWN OF MILTON

### BY-LAW NO. 101-2023

BEING A BY-LAW TO AUTHORIZE A PROPERTY TAX AND DEVELOPMENT CHARGE EXEMPTION FOR SPACE LEASED AT ST. FRANCIS XAVIER SECONDARY SCHOOL BY RAZOR MANAGEMENT INC. FOR THE PURPOSES OF THE PROVISION OF MUNICIPAL CAPITAL FACILITIES AS DEFINED IN SECTION 110 OF THE *MUNICIPAL ACT, 2001*

**WHEREAS** the Town and the Halton Catholic District School Board (“HCDSB”) had entered an agreement for the construction, operation and leasing of an air-supported dome structure over an artificial all-weather turf field at St. Francis Xavier Catholic Secondary School (the “Dome”) located at 1139 Bronte Street South, Milton, Ontario;

**AND WHEREAS** pursuant to subsection 110(6) of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, the council of a municipality may exempt from property taxation and development charges for municipal and school purposes land or a portion of it on which municipal capital facilities are or will be located;

**AND WHEREAS**, pursuant to subsection 2(1) of Ontario Regulation 603/06, the council of a municipality may enter into an agreement under subsection 110(1) of the *Act* for the provision of Municipal facilities for cultural, recreational or tourist purposes;

**AND WHEREAS** the Town of Milton and Razor Management Inc. have entered into a sub-lease agreement in respect to the Dome for the provision of a facility for seasonal recreational purposes to the Town, and a Municipal Capital Facilities designation is therefore appropriate;

**AND WHEREAS** the eligible portions of the property operating and intended to be operated as a seasonal recreational facility are intended to be and declared to be for the purposes of the municipality and for public use.

**NOW THEREFORE**, The Council of the Town of Milton enacts as follows:

1. **In this By-law:**

"Agreement" meant the agreement entered into between the Town of Milton and Razor Management Inc. with respect to the seasonal air supported structure and dome operators services for the location at St. Francis Xavier Secondary School;

"Clerk" means the Town Clerk;

"Eligible Portion" or "Eligible Portions" means the portion(s) of the Site entirely occupied or used or intended to be used for cultural, recreational or tourist purposes;

"Lessor" means the Town of Milton;

"Lessee" means Razor Management Inc.;

"Person" means any individual, company, corporation, partnership, firm, trust, sole proprietorship, government or government agency, authority or entity, however designated or constituted;

"Site" means the portion of the St. Francis Xavier Secondary School property to which the sub-lease agreement between the Town of Milton and Razor Management Inc. pertains;

"Property Tax and Development Charge Exemption" means the exemption from taxes levied for municipal and school purposes pursuant to section 110(6) of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended.

### **Municipal Capital Facility**

2. This By-law exempts from property taxation and development charges for municipal and school board purposes the leasehold interest of Razor Management Inc. in the Eligible Portion(s) of the Site and shall not operate in any manner whatsoever so as to exempt from taxation for municipal and school board purposes any other leasehold interest, tenancy, sub-lease, sub-tenancy, occupancy, license, user or other interest held by any other tenant, lessee, sub-tenant, sub-lessee, occupant, licensee, user or any other Person at the Site, save and except for the interest of any sub-tenant or assignee resulting from a sub-tenancy or assignment made with Landlord consent pursuant to the Lease.
3. The Property Tax and Development Charge Exemption provided in this By-law shall not apply to any portion of the Site that is not an Eligible Portion at any given time during the term of the Lease.
4. This By-law shall be deemed repealed:
  - (a) if the Town ceases to be the Lessor;
  - (b) if the Razor Management Inc. ceases to be the Lessee without assigning the Lease to its successor with Landlord consent;
  - (c) if the Eligible Portion(s) of the Site permanently cease to be occupied and used or are no longer intended to be occupied and used as a recreational facility for public use; or

- (d) if the Agreement, or any renewal or extension of the Agreement expires or is terminated.
5. The Agreement is deemed a Municipal Capital Facilities Agreement under section 110 of the *Municipal Act, 2001*, S.O. 2001 c. 25 with Razor Management Inc. for the provision of municipal capital facilities.
6. This By-law shall come into force on the day that the By-law is enacted.

**PASSED IN OPEN COUNCIL ON DECEMBER 18, 2023.**

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Gordon A. Krantz Mayor

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Meaghen Reid Town Clerk



# BY-LAW NO. 102-2023

# THE CORPORATION OF THE TOWN OF MILTON

## BY-LAW NO. 102-2023 SCHEDULE "A"

ITEM	DOCUMENT	APPROVALS	PARTY	OTHER APROVALS
1.	Agreements associated with the approved recommendations contained within the Staff Report and any / all ancillary documents that may be required.	CORS-060-23 Town Council December 18, 2023	Various	N/A
2.	Agreements associated with the approved recommendations contained within the Staff Report and any / all ancillary documents that may be required.	COMS-011-23 Town Council December 18, 2023	Various	N/A
3.	Budget increase for the Trafalgar and Agerton Master Environmental Servicing Plan and any and all ancillary documents that may be required.	DS-057-23 Town Council December 18, 2023	Milton P4 Trafalgar Landowners Group	N/A
4.	For the provision of supplemental transit services and any and all ancillary documents that may be required.	ES-012-23 Town Council December 18, 2023	Wilfrid Laurier University and Conestoga College	N/A

**THE CORPORATION OF THE TOWN OF MILTON**

**BY-LAW NO. 103-2023**

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL OF THE CORPORATION OF THE TOWN OF MILTON AT ITS MEETING HELD DECEMBER 18, 2023

**WHEREAS** it is deemed expedient that the proceedings of the Council of the Corporation of the Town of Milton (hereinafter referred to as "Council") at its meeting held on December 18, 2023 be confirmed and adopted by by-law;

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

1. The proceedings and actions of Council at its meeting held on December 18, 2023 and considered by Council at the said meeting, and in respect of each Report, Motion, Recommendation and other actions passed and taken by Council at the said meeting are hereby adopted, ratified and confirmed.
2. The Mayor and proper officials of the Corporation of the Town of Milton are hereby authorized and directed to do all things necessary, and to obtain approvals where required, to give effect to the actions passed and taken by Council at the said meeting.

**PASSED IN OPEN COUNCIL ON DECEMBER 18, 2023.**

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Gordon A. Krantz Mayor

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Meaghen Reid Town Clerk